

## **STUDENT WELFARE POLICY**

**Adopted and Effective: September 25, 2025**

- I. PURPOSE.** This is the Student Welfare Policy of The Arc of the St. Johns, Inc. charter schools, The Therapeutic Learning Center and The St. Johns Community Campus (the "Schools"). In compliance with HB 443 (2025), §1002.33(16)(b)(17), F.S. and Rule 6A-6.0791, Florida Administrative Code, this policy reflects the rights of parents and the obligations of the School relating to student welfare.
- II. TYPES OF CONCERNS COVERED.** The "Parental Rights in Education" law, also known as House Bill 1557 (2022), set forth specific procedures for complaints or disputes falling into those categories detailed in Section 1001.42(8)(c)1.-7, Florida Statutes, and on the "Parental Request for Appointment of a Special Magistrate" form published by the Florida Department of Education.

### **PARENTAL NOTIFICATION**

- a) The School will notify a student's parent in writing if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student. The School acknowledges the fundamental right of parents to make decisions regarding the upbringing and control of their children. School personnel will encourage a student to discuss issues relating to his or her well-being with his or her parent or to facilitate discussion of the issue with the parent.
- b) School personnel are prohibited from discouraging or prohibiting parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being. School personnel may only withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect, as those terms are defined in section 39.01 Florida Statutes.
- c) At the beginning of the school year, the School will notify parents of each health care service offered at the School and the option to withhold consent or decline any specific service in accordance with section 1014.06 Florida Statutes. Parental consent to a health care service does not waive the parent's right to access his or her student's educational or health records or to be notified about a change in his or her student's services or monitoring as provided by this paragraph.
- d) Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the School will provide the questionnaire or health screening form to the parent and obtain the permission of the parent.

## **INSTRUCTION AND TRAINING**

- a) Classroom instruction by School personnel or third parties on sexual orientation or gender identity will not occur in prekindergarten through grade 8, except when required by sections 1003.42(2)(o)3. and 1003.46 Florida Statutes. If such instruction is provided in grades 9 through 12, the instruction must be age-appropriate or developmentally appropriate for students in accordance with state standards.
- b) Student support services training developed or provided by the School will adhere to student services guidelines, standards, and frameworks established by the Department of Education.

## **III. CONFLICT RESOLUTION**

A parent shall use the following procedure to notify the principal, or his or her designee, regarding concerns under regarding student welfare instruction and training list in this policy:

- a) The parent shall send the principal a written complaint. The parent's concern must describe the nature of the dispute and describe the resolution or relief sought with the School. The complaint shall be delivered to the principal via hand delivery, U.S. Mail or email. The principal (or designee) shall provide a written response to the parent within seven (7) days of receiving the complaint. For the purposes of this policy, "days" shall mean business days and exclude state, federal and School holidays.
- b) If the parent remains aggrieved after receiving the response from the School, the parent has a right to seek relief from the local school district.
- c) Within thirty (30) days after notification by the parent that the concern remains unresolved, the school district must either resolve the concern or provide a statement of the reasons for not resolving the concern. The School shall fully cooperate in the resolution procedures of the school district, and shall comply with the school district's decision for resolution of the complaint.
- d) If a concern is not resolved by the school district, the parent may:
  - i. Request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The parent shall use the Parental Request for Appointment of a Special Magistrate for Charter School Students, Form CSSM-1 6A-6.0791, which the School shall provide to the parent upon request (or available at the link in Section I of this policy). The special magistrate will determine facts relating to the dispute over the School procedure or practice, consider information provided by the School, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education will approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted.

- ii. Bring an action against the School or school district to obtain a declaratory judgment that the School procedure or practice violates sections 1002.20 and 1014.04 Florida Statutes, and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.
- e)** The School shall include this policy in its Student Handbook and shall post it on the School's website to notify parents of the conflict resolution procedures.
- f)** The School shall designate at least one person responsible for responding to inquiries from the Florida Department of Education regarding a request for appointment of a Special Magistrate and shall notify the Department of Education of the name and email address of the individual.
- g)** Nothing contained within this policy shall be construed to abridge or alter rights of action or remedies in equity already existing under the common law or general law.

**Board Secretary Certificate**

I hereby certify that the foregoing Policy on Student Welfare was adopted by a majority vote of a quorum of the Governing Board of Directors at a duly noticed meeting held on September 25, 2025.

  
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Board Secretary  
  
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Printed Name