

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PROCEDURE FOR CONTESTING ADOPTION OF INSTRUCTIONAL MATERIALS

4.17

1. Introduction. Florida Statute 1006.28(1)(a)(3) requires School Boards to establish a process by which the parent of a District public school student or a St. Johns County resident may contest the School Board's adoption of a specific instructional material.
2. Process. A parent of a District public school student or a St. Johns County resident within the meaning of Florida Statute 1006.28(1)2(b) ("Complainant") may contest the School Board's adoption of a specific instructional material in accordance with following process:
 - a. The Complainant must file a petition, on the form provided by the District, within thirty (30) calendar days after the adoption of the material by the School Board.
 - b. The contest form to be used for contesting adoption is available on the District website and from the Superintendent's office.
 - c. The contest form must be signed by the Complainant and include the Complainant's address, email address and telephone number, and the reasons for the objection to the adoption.
 - d. Within thirty (30) days after the expiration of the thirty (30) day filing period specified in subparagraph a., the School Board shall conduct an open public hearing on all timely filed petitions.
 - e. The School Board shall provide the Complainant written notice of the date and time of the hearing at least seven (7) days prior to the date of the hearing.
 - f. The hearing shall be conducted before the School Board at a special meeting called for that purpose. An unbiased and qualified hearing officer engaged by the Superintendent shall preside and rule upon procedural matters. The hearing officer may not be an employee or agent of the School District.
 - g. The School Board's decision at the conclusion of the public hearing shall be final and not subject to further petition or review.
 - h. The hearing is not subject to the provisions of Chapter 120; however, the hearing will provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer.

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3. Additional Procedures. The Superintendent is authorized to enact procedures and guidelines to further implement this rule.

STATUTORY AUTHORITY: 1001.41; 1001.42; 1001.43, F.S.

LAWS IMPLEMENTED: 1006.28, F.S.

HISTORY: Adopted: 10/14/14
Revised: 01/09/18