

FW: Legal Camp
Envall, Amy D. <Amy.Envall@ocps.net>
Tue 6/28/2022 1:12 AM
To:

- Doromal, Wendy <wendy.doromal@floridaea.org>

Cc:

- Jenkins, Barbara M. <barbara.jenkins@ocps.net>;
- Jacobs, Teresa S. <Teresa.Jacobs@ocps.net>;
- Vazquez, Maria F. <maria.vazquez@ocps.net>

01 attachments (2 MB)

ESE, Parental Rights and LGBTQ+.pdf;

[EXTERNAL EMAIL]

Dear Ms. Doromal,

Your email was forwarded to me for preparation of a response since I oversee the Office of Legal Services. Based on feedback provided by administrators, the following sessions were offered last week to administrators as part of legal training: (1) Labor and Employment; (2) EEO, Title IX and ADA; (3) ESE, Parental Rights, LGBTQ+; and (4) STAT, Custody, Discipline, Truancy, GAL/DCF/DJJ. Of particular interest was the ESE, Parental Rights, LGBTQ+ session. The presentation (attached) was a verbatim recitation of the newly passed revisions to the Florida Statutes created by HB 7 and HB 1557 and covered other topics as well.

I sat through the ESE, Parental Rights, LGBTQ+ session presentation and can provide the following responses (in blue) to your quoted statements that I have copied below:

- "OCPS administrators and managers attended a "Legal Camp" where OCPS attorneys directed them in expected behaviors and rules concerning legislation, specifically any parental rights bills. If true, when will teachers receive this information?" The intent of the training was to make sure school administrators were aware of the new laws – no direction was provided. **It was stressed that formal guidance from the district will be provided to the schools once the Florida Department of Education issues more specific guidance.**
- "The teachers have reported that at this camp the statements listed below were shared. I would like to know if these particular statements are accurate or not so I can correct any misinformation:" During the presentation, once the new Florida Statutes were read aloud, administrators posed hypothetical scenarios based upon the new statutes and tentative answers were provided based on the limited guidance from the Florida Department of Education.
 - "Students may only use restrooms and locker rooms according to the gender assigned at their birth" Not an accurate statement - what was discussed is that the district's current guidelines regarding bathroom use by cis-gender, transgender, non-binary, and gender-fluid students remains unchanged.
 - "Teachers with same sex partners may not display photos of their weddings or discuss their same-sex partners. However, heterosexual teachers may discuss their family relationships." Not an accurate statement – all teachers are encouraged to keep pictures of their families in the classroom; however, in K-3, it was cautioned against specific discussions in the event those discussions could be deemed classroom instruction on sexual orientation or gender identity.
 - "All books that reference gender identity or sexuality will be removed from classroom libraries and the media centers in elementary and middle schools" Not an accurate statement - it was recommended that any instructional material made available to K-3 students be reviewed for the prohibited content of sexual orientation or gender identity.
 - "Teachers may not display pride flags and safe space stickers will be removed from classroom doors." Not an accurate statement - based on the plain language of HB 1557, during the training it was recommended that the safe space stickers be removed from K-3 classrooms so that classroom instruction did not inadvertently occur on the prohibited content of sexual orientation or gender identity.
 - "Teachers are not allowed to make references to gay pride and are discouraged from wearing pride or BLM shirts and may not discuss them if they do" Not an accurate statement - in addition to the provisions contained in Policy GBI, which govern political activity of staff, those who work with K-3 students, or who may come in contact with K-3 students, were cautioned not to wear clothing that may elicit discussions that could be deemed classroom instruction on sexual orientation or gender identity.
 - "Teachers will be required to notify parents if a student comes out to them that they are gay." Not an accurate statement - what was recommended was consistent with the statutory language created by HB 1557 that requires notification to a student's parent 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.
 - "Teachers will not be allowed to use preferred gender pronouns." Not an accurate statement – it was shared that the district will continue to use the child's and parent's preferred gender pronouns.
 - "The resource person assigned at the RBELC to assist GLESEN and GSA clubs will no longer be functioning in that capacity" Not an accurate statement - this topic was not covered during legal training.
 - "Student passing time between classes will be counted as "breaks" for teachers. The district will be scheduling teachers for more than 3 continuous hours with students. ("ARTICLE XIV Duty Day B. 3. d. No teacher shall be assigned responsibility for students for more than three continuous hours.") We assume this means that no teacher will be directed to watch students in the hallways between classes. Please advise." Not an accurate statement - this topic was not covered during legal training.

As you are aware, there are new limitations on how district staff interacts with our students and those interactions must be in accordance with the law. Our office merely assists in providing what the law currently says. Once the Florida Department of Education provides its guidance, the district will be able to provide formal guidance to the schools. Clarity is important, especially with the new legislation. Ultimately, the district wants each of our students to be respected and to feel safe at school and for our teachers to continue to be prepared to provide a safe place in which our students can learn.

I hope this clears up the misunderstandings of the training that have been shared. Please let me know if you have further questions about the training.

Warm regards,

Amy D. Envall

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**Beginning June 9, 2022, all schools and district offices will be operating on summer hours: Monday through Thursday, 7:00 a.m. - 5:30 p.m., and closed on Fridays. Accordingly, emails received on Friday may not have action until Monday.*

From: "Doromal, Wendy" <wendy.doromal@floridaea.org>**Date:** June 24, 2022 at 2:46:21 PM EDT**To:** "Jenkins, Barbara M." <barbara.jenkins@ocps.net>, "Jacobs, Teresa S." <Teresa.Jacobs@ocps.net>, "Vazquez, Maria F." <maria.vazquez@ocps.net>**Subject:** Legal Camp

CAUTION: This email originated from outside of Orange County Public Schools. Do not click links or open attachments unless you know the content is safe.

Good Morning,

I have heard from OCCTA members that OCPS administrators and managers attended a "Legal Camp" where OCPS attorneys shared information on policies, contract updates, legislation and other issues. I need to know what statements are true or not so I can share the facts with concerned members as soon as possible.

Here is a list of concerns that was shared with OCCTA:

- OCPS administrators and managers attended a "Legal Camp" where OCPS attorneys directed them in expected behaviors and rules concerning legislation, specifically any parental rights bills. If true, when will teachers receive this information?
- The teachers have reported that at this camp the statements listed below were shared. I would like to know if these particular statements are accurate or not so I can correct any misinformation:
 - Students may only use restrooms and locker rooms according to the gender assigned at their birth
 - Teachers with same sex partners may not display photos of their weddings or discuss their same-sex partners. However, heterosexual teachers may discuss their family relationships.
 - All books that reference gender identity or sexuality will be removed from classroom libraries and the media centers in elementary and middle schools
 - Teachers may not display pride flags and safe space stickers will be removed from classroom doors.
 - Teachers are not allowed to make references to gay pride and are discouraged from wearing pride or BLM shirts and may not discuss them if they do
 - Teachers will be required to notify parents if a student comes out to them that they are gay.
 - Teachers will not be allowed to use preferred gender pronouns.
 - The resource person assigned at the RBELC to assist GLESEN and GSA clubs will no longer be functioning in that capacity
 - Student passing time between classes will be counted as "breaks" for teachers. The district will be scheduling teachers for more than 3 continuous hours with students. ("ARTICLE XIV Duty Day B. 3. d. No teacher shall be assigned responsibility for students for more than three continuous hours.") We assume this means that no teacher will be directed to watch students in the hallways between classes. Please advise.

I look forward to confirmations or clarifications so we can get the correct information out to teachers as soon as possible.

Thanks so much,

Wendy L. Doromal
OCCTA President

"Nothing is impossible. The word itself says, "I'm possible."
-Audrey Hepburn

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