



April 7, 2022

Delivered by electronic mail to the recipient list below.

Superintendent Diana Greene, The Honorable Chairman Darryl Willie, Dr. Kelly Coker, Mr. Warren A. Jones, and Mses. Cindy Pearson, Charlotte Joyce, Elizabeth Andersen, and Lori Hershey,

Please accept this letter as a follow up our original letter, dated March 4, 2022, in which we requested the District address the student walkouts that occurred on March 3rd at five DCPS schools including Terry Parker High School, Sandalwood High School, Atlantic Coast High School, Mandarin High School, and Julia Landon Middle School.

On behalf of the Duval chapter of the organization *Moms for Liberty*, we wish to express our disappointment in the district's response, as evidenced by the *district allowing yet another student protest on March 30th* at Paxon School for Advanced Studies. This walkout, as covered by a local journalist, was "organized in coordination with the school's administration," and "done under the supervision of an administrator." The journalist "spoke with some of the students who helped stage it."

We are again left wondering how this happened, given not only the clear policy language prohibiting this activity, but also given the notice the district received only weeks prior, reminding the district that such activity is a violation of rules, policies, and parental trust.

In addition to allowing a sixth political protest during school, the district's response includes the lack of expressed commitment to preventing future violations, lack of public announcement condemning the walkouts as a violation of existing policy, failure to warn students and staff against future violations, insufficient communication to parents prior to the walkouts, insufficient communication to the public at large regarding your plan to enforce existing policy and prevent similar violations in the future, and the insistence that the walkouts were purely "student led."

Below is an excerpt of an email received from Superintendent Greene in response to our prior letter:

Thank you for your email and letter to the School Board regarding certain student demonstrations that recently occurred in Duval County Public Schools. As you are probably aware, students do have a limited right of expression in the school setting pursuant to federal court rulings. Nonetheless, school administrators can work with student leaders to regulate the time, manner, and place of their expression. It is our goal to allow students to express their views with minimal disruption to the campus and in a manner and place that ensures safety for all students.

As we understood the initiative, it was completely student led, and the message was fully student constructed. Although this was not a district or school-approved event, we were aware of the possibility of students participating due to the statewide media attention surrounding this matter. Therefore, district leaders were able to engage school leaders and ensure systems were in place to minimize disruption in the event students voluntarily decided to engage in a demonstration. The feedback we received from school leaders indicate that there were no major disruptions and instructional time missed was minimal. To the extent that you have provided information that may indicate that DCPS personnel may have played a different role in the student initiative, we have provided your email and letter to the district's Office of Professional Standards for review. Once that review is completed, the outcome will be available to the public pursuant to Florida's public records laws. In the meantime, we are restricted from commenting on such matters.

Thank you for your interest in this matter, and should you have any additional concerns, you may contact Brian McDuffie, Executive Director, Office of Policy & Compliance at mcduffieb@duvalschools.org.

Kind regards,

Dr. Diana Greene
Superintendent

Even if the walkouts were student led, student-participants violated your own Board Policy.

Superintendent Greene stated the walkouts were “student led” and the messages “fully student constructed.” However, **Board Policy Section 5.24, Student Rights and Responsibilities**, states:

XI. Any student who participates in a boycott, walkout, sit-in, group demonstration, or any similar action which creates a disturbance or interferes with the orderly operation of the school shall be deemed guilty of serious misconduct and shall be disciplined pursuant to the Codes of Student Conduct.

Policy Section 5.24, adopted by the Board in conformity with Florida law, and last revised January 11, 2021, prohibits student involvement in walkouts or group demonstrations. It appears as though DCPS is choosing to ignore the rule-violating behavior of its students, making any future enforcement of its policy questionable and subject to criticism. It also appears as though the district may be hiding its own staff's involvement in the orchestration of the six walkouts through the consistent use of the term “student-led.”

Should DCPS choose to rest on the argument that the walkouts did not *interfere with the orderly operation* of the school because students worked with staff to plan the “time, manner, and place of their expression,” it should also be aware that this means future “student-led” mass gatherings on school grounds will also be deemed perfectly acceptable by this precedent. District employees and parents are also left wondering where the line will be drawn. Based upon Dr. Greene's response, students would be allowed to demonstrate any time there are issues receiving "statewide media attention."

Even if it were true, *and it is not*, that the walkouts across the entire district were orchestrated solely by extraordinarily ambitious tweens and teens, DCPS had an obligation to abide by its own policy. Given that the walkouts were planned, it stands to reason that the district had time to review their own policy, communicate the policy, and make themselves ready to enforce their own rules. One of the justifications for **Board Policy Section 5.24** is surely so that children are not put in the position of participating in, or opting not to participate in and facing ridicule, an orchestrated political demonstration. By willfully neglecting to take responsibility for the walkouts, DCPS must admit it also neglected to consider the

potential and unnecessary discomfort of impressionable children; not to mention the faculty and staff who did not have the support of their administration if they desired to exercise their authority to enforce school district policy. This is not the type of leadership DCPS parents or policy-compliant teachers deserve.

DCPS provides cover for policy-violating staff by insisting they merely “regulate[d] time, manner, and place of expression”

Dr. Greene insists that DCPS staff only regulated the “time, manner, and place of expression” for the walkouts. By doing so, she both alleviates the District of responsibility for the disruption to the school day, and condones the actions of those employees who participated in the coordination of the walkouts. In other words, the Superintendent approves of the activity of both the students and the DCPS staff.

One can only surmise that the teachers (and students) knew there would be zero consequences for their actions.

Board Policy 6.85, POLITICAL ACTIVITIES FOR EMPLOYEES, states:

"No employee shall use his/her position in any way to influence or attempt to influence students to support or oppose any candidate, party or issue. Such prohibition shall include, but not be limited to, any form of advocacy or opposition in a classroom or school setting or other school related student-teacher relationship."

Has DCPS looked at the activities of the teachers and administrators who regulated the time, manner, and place of the walkouts to see if its staff violated **Policy 6.85**? Per Dr. Greene's guidance, we will follow up with the Office of Professional Standards to learn the outcome of the district's review of staff members (Joseph Rawlins and Coach Rowan) who publicly shared on social media their involvement with and promotion of the political protests. Their social media posts alone demonstrate their commitment to engage in political advocacy in the school setting.

The picture below is from Julia Landon Middle School, and was brought to our attention after sending our prior letter. Did middle school students alone create this event? How did middle school students learn of the pending legislation? Did anyone ask the 6th graders, or even the 13-year-old children walking out of school that day, which section of HB1557 they found offensive?



It is astonishing that our District has a literacy rate below the state average and yet hundreds of our students are savvy enough to understand the rationale and impact of pending legislation.

Parents, if asked, may have a slightly different take on the “peaceful, student le[d] and organized protest.” Parents will likely tell you that their “civic minded” students did not actually read the bill and were simply doing what was expected of them. Parents will also likely tell you they do not believe that the event was completely student-led.

We note that the person who posted this on behalf of this middle school remembered to echo the same message as Dr. Greene – *100% student led and organized.*



In this photo one of the students has a megaphone. Did the school lend the students equipment paid for with our tax dollars, yet fail to notify parents that their children might be engaged in a political protest?

Additional questions we have include: Who gave the students flags and supplies to make posters, etc.? Were these signs made at school? Were school facilities used to plan protests?

We realize, now more and more, that teachers and school administrators do not view our minor children as just that – minor children.

This could be because you see them in a school setting and not in our homes, where we feed, clothe, and care for them. Our homes where we pay their car payments, or drop them off at school, or give them medicine when they are ill, or do their laundry, just a few of the many things that these “civic minded students” cannot, or refuse to, do for themselves.

Please remember this the next time DCPS decides to allow its teachers to “regulate” a walkout with our minor children during the school day.

- *The photo above was shared by The Florida Times-Union. Did the DCPS employees who helped to regulate the time, manner, and place of the walkout also contact the media? If not, who did?*
- *Was the media given permission on school grounds? If so, by whom, and why?*
- *Did DCPS bother to consider that photos of our minor children, on school grounds, would be posted to social media?*
- *Did DCPS think to consider the potential privacy violations of inviting cameramen to campus and permitting the images of our minor children to be disseminated across the internet?*
- *One of the arguments against HB1557 is that it may endanger the privacy of students, as the schools will no longer be permitted to enter into gender transition plans with children outside of the purview of their parents. Yet, the DCPS employees regulating the walkouts had no concern for the privacy rights of those children put on the front page of the newspaper.*

The District’s blatant disregard for the privacy rights and safety of our children once again proves that the best advocate for a child is their parent.

Please stop using our children as human shields for a political agenda.

We resent deeply that when children are sent to school for an education, they are allowed or encouraged to participate in political activism. We also resent deeply the intentional efforts to mischaracterize this legislation, which narrowly impacts K-3 teachers, as legislation that forbids all teachers from saying the word, "gay." This is a gross mischaracterization of HB 1557 meant to elicit a certain disproportional response.

How many DCPS students, including those who “fully constructed” the message, even know the actual title of HB1557? Do they know that it is actually named **Parental Rights in Education**? It appears clear that the DCPS employees regulating these walkouts failed to adhere to their own professional code of code. DCPS employees consistently referred to the incorrect name of the legislation and persisted in a narrative that the legislation would not permit them to use the word “gay.”

Florida’s **Principles of Professional Conduct for the Education Profession, Rule 6A-10.081(2)(a) 9.(b)1 and 2**, require an educator, “*take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated*” and “*not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.*” **Rule 6A-10.081(2)(c)14**, states the individual “[s]hall report to appropriate authorities any known allegations of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1) F.S.” Did anyone within DCPS report these violations, including the misrepresentation of the name of the piece of legislation for political purposes?

Board Policy Chapter 4.10 governs how DCPS teachers are to engage with minor children on political issues:

XXI. When addressing political issues as an objective of the instructional program, the positions of all parties will be presented on a nonpartisan basis. Partisan political literature will not be distributed in schools.

Did the DCPS employees adhere to their responsibility under the Board’s own policies to present both sides of political argument?

The Board saw fit to create an entire section in policy around this issue because, in its wisdom, recognized the need for teachers to remain neutral. What controls are in place to ensure this occurs?

We remind you again of the Littlejohn case in Leon County, and the Perez case in Clay County. In both cases, public schools entered middle school children into gender transition plans without notifying the parents. Instead of engaging with parents who had no suspicion or record of abuse or neglect, the public schools hid vital information from them because the schools thought they knew better.

The willingness of DCPS to ignore the inappropriate and disruptive actions of its staff in using our children as tools for a political demonstration proves the NEED for HB 1557.

School Board Policies 5.24, 6.85, 4.10, as well as Florida's Principles of Professional Conduct Rule 6A-10.081(2)(a) 9.(b)1 and 2 and Rule 6A-10.081(2)(c)14 all set the reasonable standard that both district employees and students should not engage in political protests during school. After six planned protests, the district's response is that even though administration can and will regulate the time, manner, and place of protests, these were not district or school-approved event[s]. To any fair-minded person, this appears to be a distinction without a difference. The district allowing, while "not [approving]" political activity during school begs the question: Why is the board approving such policies and citing the Principles of Professional Conduct in policies and on their website in the first place?

We request that you enforce your own policies and the corresponding state provisions. There is no need to create new policies. The plain language of the existing policies is sufficient to prevent future misconduct, should DCPS choose to enforce them. Attached is a sample notice we suggest you distribute to all schools and staff, reminding them of existing rules and policies.

We request that you investigate, in the sunshine, the questions we have posed herein. We further request that you respect the boundaries and scope of your duties.

Please lead with common sense and courage.

Respectfully,

Moms for Liberty - Duval County
Momsforlibertyduval@gmail.com

Recipient electronic email address list:

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Duval County School Board members:

District 1 - The Honorable Dr. Kelly Coker | cokerk@duvalschools.org

District 2 - The Honorable Elizabeth Andersen | andersene1@duvalschools.org

District 3 - The Honorable Cindy Pearson | pearsonc1@duvalschools.org

District 4 - The Honorable Darryl Willie | willied@duvalschools.org

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District 6 - The Honorable Charlotte Joyce | joycec@duvalschools.org

District 7 - The Honorable Lori Hershey | hershey1@duvalschools.org

DCPS DISTRICT POLICY

THIS IS A POLITICS-FREE ZONE

BOARD POLICY 5.24, STUDENTS RIGHTS AND RESPONSIBILITIES

XI. Any student who participates in a boycott, walkout, sit-in, group demonstration, or any similar action which creates a disturbance or interferes with the orderly operation of the school shall be deemed guilty of serious misconduct and shall be disciplined pursuant to the Codes of Student Conduct.

BOARD POLICY SECTION 6.85, POLITICAL ACTIVITIES FOR EMPLOYEES

"No employee shall use his/her position in any way to influence or attempt to influence students to support or oppose any candidate, party or issue. Such prohibition shall include, but not be limited to, any form of advocacy or opposition in a classroom or school setting or other school related student-teacher relationship."

FLORIDA'S PRINCIPLES OF PROFESSIONAL CONDUCT RULE 6A-10.081(2)(a) 9.(b) 1

Requires educators to "take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated," and "not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression."

BOARD POLICY 4.10, THE CURRICULUM

XXI. When addressing political issues as an objective of the instructional program, the positions of all parties will be presented on a nonpartisan basis. Partisan political literature will not be distributed in schools.

FLORIDA'S PRINCIPLES OF PROFESSIONAL CONDUCT RULE 6A-10.081(2)(c) 14

Requires individuals to "report to appropriate authorities any known allegations of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1) F.S."