

# CODE OF STUDENT CONDUCT AND DISCIPLINE

2023-2024  
Bay District Schools



## PURPOSE

The purpose of Code of Student Conduct and Discipline is to provide information about the Bay County School Board's policies regarding student conduct and discipline. Outlined in this brochure are students' responsibilities and rights; attendance policies; informal and formal discipline procedures; and other pertinent information. The Bay County School Board policies are subject to change at the discretion of the School Board. The complete School Board policies that form the Code of Student Conduct and contain other information relevant to students are available at each school, at the District's web site [www.bay.k12.fl.us](http://www.bay.k12.fl.us), and at the Superintendent's office on Balboa Avenue. Each school's student handbook includes references to the School Board policies and other more specific rules.

## STUDENT CONTROL AND JURISDICTION (School Board Policy 7.201)

Each student enrolled in the District school system shall be subject to the policies of the School Board and the administrative control and direction of the principals, other members of the administrative or instructional staff, or bus drivers to whom such responsibility has been assigned.

1. During the time he/she is enroute to and from school at public expense.
2. During the time he/she is attending school.
3. During the time he/she is attending or participating in a school sponsored activity.
4. While a student is on the school premises before and after school and before and after a school sponsored function.

## STUDENTS' RESPONSIBILITIES AND RIGHTS (School Board Policy 7.208)

Students have rights and responsibilities relative to the knowledge and observation of school and School Board rules; attendance; right to learn; participation in school programs and activities; respect for persons and property; assembly and free speech, student publications, and appropriate dress.

## DAILY ATTENDANCE (School Board Policy 7.105)

Attendance Records. Daily attendance shall be taken for students who are enrolled in Pre-Kindergarten (age 3) through 12<sup>th</sup> grade.

It is the responsibility of each teacher to see that an accurate record of attendance is maintained in the manner prescribed by the State Board of Education and the Superintendent. The principal shall be responsible for the timely administration of attendance policies and procedures and for the accurate reporting of attendance in the school under his/her direction. The principal shall assure that all teachers and clerks are instructed in the proper recording of attendance, and it shall be his/her duty to see that such instructions are followed. The principal or his/her designee shall inspect and determine the completeness and accuracy of the records contained in the record keeping system for each of the required full-time equivalent student membership periods. At the end of each school year the principal or his/her designee shall certify the completeness and accuracy of the automated attendance records indicating that all attendance records have been kept as prescribed by law and rules of the State Board. An attendance record containing any material inaccuracies, resulting from willful or intentional falsification of data by or for the principal, shall be considered a false report for which the principal shall be subject to penalties as provided by law. Attendance verification is adequately documented through the 20 day and 45 day attendance verification reports provided through the online district grade book. In order for the attendance verification reports to be accurate, teachers must input attendance by class period at the secondary level and daily at the elementary level.

Leaving School During the Day. Before releasing a student from school, the principal or his/her designee shall establish the identity and authority of any individual who seeks the release of a student from school. A student shall be released only to the parents or legal guardians or other person authorized by the parents or legal guardians on the student's electronic registration portal. Should a person other than one authorized by the parents or legal guardians request the release of a student, the principal or his/her designee shall first obtain verbal consent of the parents or legal guardians before releasing the student. In the event that a dispute arises between parents regarding who is authorized to pick up a student from school, the student shall be released only to the parents or legal guardians registering the student for school. It is the responsibility of the Enrolling Parent or legal guardian to maintain current contact information in the electronic registration portal.

Students in grades 9-12 age 18 or older may sign themselves out of school during the regular school day if the school has on file a written, notarized request from the student's parent allowing their student to check themselves out of school. The written request shall include an acknowledgment that the parent understands that the school will not notify the parent of excessive absences or tardiness if they allow their student this privilege. The written parental request may be waived by the principal in the event the principal determines through verification that the student is living on his/her own.

No teacher or other employee of the School Board shall permit or cause any student to leave school prior to the regular hour of dismissal except with the knowledge and approval of the principal or his/her designee.

At the discretion of the principal, the parents/guardians may be asked to physically sign the student out. Parents/Guardians must have a picture ID to prove they have authority to remove the student from campus.

No student may be excused from school during regular school hours in order to take private lessons, except as provided herein.

All school campuses shall be closed during lunch periods. Each school year, the principal may request an exemption for eligible eleventh and twelfth grade students. If the exemption is approved by the school board, students must have a written notarized parent/guardian authorization form on file.

No student shall be sent from the campus during the school day to perform errands or to act as a messenger, except with the prior approval of the principal. Approval shall be given only for urgent and necessary school business.

**Tardiness.** Each student is responsible for regular and punctual class attendance. Students must be inside the classroom by the end of the ringing of the tardy bell in order not to be considered tardy. Students who leave more than 15 minutes before a class is over will be given an Early Departure. Chronic tardiness will be investigated by a designated school representative.

**Absences.** By the next school day after the absence, it shall be the responsibility of the parents or legal guardians to notify the school regarding the reason for each absence. The school principal or his/her designee shall contact the student's parent or guardian to determine the reason for any absence for which the reason is unknown. Justification will be evaluated based on the policy below regarding excused or unexcused absences. The final decision for approval will rest with the school principal.

**Attendance Codes.** Absences, Tardies and Early Departures shall be recorded with the following codes, as defined in this policy:

- A - Absent (Adult use only-Tom P. Haney Technical Center)
- B - Administrative Leave (excused)
- E - Excused Absence
- F - Family Leave – Preapproved (excused)
- H - Hospital/Homebound
- I - In-School Suspension (excused)
- NS - No Show (used only during the beginning of the district school year No Show period as determined by Bay District Management Information Systems (MIS) department)
- O - Out-of-School Suspension (unexcused)
- P - Present (Adult use only)
- R - Religious Leave (excused)
- S - School Function Leave (excused)
- T - Tardy (unexcused)
- U - Unexcused Absence
- V - Tardy (excused)
- X - Early Departure (≥ 15 minutes)

**Excused Absences, Tardies or Early Departures.** For an absence to be considered as excused, documentation must be filed with the principal's office within three (3) days of the absence. Excused absences, Tardies or Early Departures may be given for the following reasons:

1. Death in the family or other bona fide family emergency.
2. Illness of student. A written statement from a physician that the student is under the supervision of the physician and that the student's condition justifies the number of days absent may be required after a total of five (5) days of absences (absences do not have to be consecutive).
3. Appointments for medical or dental care (physician's statement required.)
4. Visits to licensed therapist.
5. Legal reasons.
6. Pre-approved family leave. Requests for family leave must be in writing and approved before the student is to be absent and must comply with the following criteria.
  - A. The student must have a C average or higher in all classes for the grading period.
  - B. It must be demonstrated that the leave cannot be taken during school breaks.
  - C. The requested leave cannot be for more than five (5) days per school year and may not be during semester/term exam days and/or during state assessments.

**School Function Leave.** Students shall be granted School Function Leave (excused leave) for school sanctioned events, including but not limited to:

1. School sanctioned activities.
2. Approved educational trips.
3. Curriculum related field trips with teacher chaperones and with principal approval.
4. Functions which the student is administratively recognized as a representative of a school.

**Administrative Leave.** Students shall be granted Administrative Leave (excused leave) for occasions which the principal feels are appropriate, including but not limited to:

1. Trips for college recruitment should be scheduled when school is not in session. The administration may make an exemption if the college has a planned program for a specific day or if the student has a specific appointment with a college official that is validated in writing.
2. Trips for military recruitment should be scheduled when school is not in session. The administration may make an exception if the recruiter makes arrangements with an administrator prior to the student being out of school.
3. Temporary Administrative Leave of a student, initiated by the principal, prior to the conclusion of a misconduct violation investigation. The principal may temporarily assign a student to Administrative Leave while completing the misconduct violation investigation. When temporary Administrative Leave is necessary, the principal or designee shall inform the parents or legal guardians by the most rapid means (including telephone). As soon as feasible under the circumstances, the principal or designee shall hold a conference with the student or parents or legal guardians.

**Religious Leave.** Students shall be excused from any examination, study, or work assignment for observance of a religious holiday, religious instruction or because the tenets of his/her religion forbid secular activity at such time. No adverse or prejudicial effects shall result to any student who avails him/herself to the provisions of this rule. Major religious holidays include, but are not limited to: Rosh Hashanah, Christmas, Epiphany, Yom Kippur, Sukkot, Ash Wednesday, Palm Sunday, Shmini Atzeret, Simchat Torah, Good Friday, Easter, Passover, Shavout, Vietnamese New Year, Kwanza, and Ramadan.

1. A student with the written consent of his/her parents or legal guardians, or a student who has attained the age of majority, upon application of the student, may be excused from attendance in school in grades 9-12 for a period not to exceed one (1) hour, during each school day to participate in religious instruction at his/her place of worship or at any other suitable place away from school property designated by the

religious group, church, or denomination. Responsibility for transportation of students released for religious instruction shall be that of the parents or legal guardians. Written consent shall consist of request for the release of the student; assumption of responsibility for the student while off the school campus; and identification of the person or institution to which the student is to be released.

2. Student in grades K-12, upon written request of his/her parents or legal guardian, may be released from school in order to participate in a religious observance.

**Unexcused Absences.** Unexcused absences are those absences that are not justified according to the rules of this policy by the parent or legal guardian. In addition, truancy, and/or skipping are considered unexcused absences. Skipping class is defined by one or more of the following criteria:

1. Failure to check out when leaving school before the end of the official school day.
2. Absent from class without parents or legal guardians knowledge and/or permission.
3. Absent from class without teacher knowledge and/or permission.

**Unexcused Absences and Athletic Eligibility.** If a student has had at least five (5) unexcused absences within a calendar month, or ten (10) unexcused absences within a ninety (90) calendar day period, the principal shall, unless there is clear evidence that the absences are not a pattern of non-attendance, refer the case to the school's child study team to determine if early patterns of truancy are developing. If the attendance child study team, after examining the student's attendance records and seeking input from the parent and the student's teachers, finds that a pattern of non-attendance has developed, they will notify the principal and/or designee who will then notify the student, parent, and athletic director that the student will be suspended from all extra-curricular activities until the end of the current grading period or until the student fulfills the terms of an attendance agreement (FHSAA Policy 9.2.1.1. requires regular school attendance).

**Unexcused Absences and Extracurricular Activities.** Students with four (4) or more unexcused absences in a 9 week grading period (block schedule) or eight (8) or more unexcused absences in an 18 week grading period (7 period day) shall be placed on Administrative Probation, which shall include denial of participation in extracurricular activities through the end of the current grading period.

**Appeals.** A parent or student may appeal within five (5) days of notification a decision to classify an absence as unexcused by notifying the principal in writing.

**Make Up Work - Excused Absences.** Students are expected to make up all work missed during excused absences. The student must contact the teacher on the first day back in school in order to make arrangements to make up the work within five (5) school days. The teacher and/or the principal may grant additional time for making up work if warranted by the individual situation. All assignments including tests and exams announced in advance of the student's absence must be made up on the day the student returns to school. Teachers have the prerogative to require a student on school or administrative leave to complete work assigned in advance of the leave.

**Makeup Work - Unexcused Absences.** Students are responsible for making up all work missed, including tests and exams, during an unexcused absence. If the unexcused absence is due to a suspension of one to three (1-3) days, the student must contact the teacher upon the student's return to class to make arrangements to make up within five (5) school days work missed. Parent(s)/guardian(s) of students suspended for more than three (3) days are responsible for contacting the school by the end of the third day of suspension and obtaining the missed work assignments. All work must be completed and returned to the classroom teacher upon the student's return to school.

**Attendance Incentive.** Students on a block schedule in grades 9-12 with perfect attendance including the day of the exam in a 9 week grading period and an average of 85% and above or students in grades 9-12 with no Unexcused Absences and no more than three Excused Absences including the day of the exam in a 9 week grading period and an average of 90% or above may elect to drop the semester exam or a test or project grade from the current grading period which does not count for more than 1/7 of the student's grade in that class within the current grading period. Students on a seven period day in grades 9-12 with perfect attendance including the day of the exam in an 18 week grading period (7 period day) and an average of 85% and above or students in grades 9-12 with no Unexcused Absences and no more than six Excused Absences including the day of the exam in an 18 week grading period and an average of 90% or above may elect to drop the semester exam or a test or project grade from the current grading period which does not count for more than 1/7 of the student's grade in that class within the current grading period. However, the student may not, under this provision, choose to drop the final exam grade unless the student's numerical score on the final exam is within 20 points on a scale of 1-100 of the student's numerical grade for the course prior to the exam unless the student has maintained an A or B average for both grading periods. These students must sit for the semester exam, but may choose to drop their exam grade regardless of the 20 point rule described above. A student may only drop a test which the student has taken or a project which the student has turned in for grading. This provision does not permit students to exempt the taking of tests or participating in projects. School Leave and Religious Leave shall not count as an absence for the purpose of this section.

1. Any student who is placed in in-school or out-of-school suspension during the 9 week grading period shall not be eligible under this policy to drop any test or project grade.
2. Any student who has three (3) unexcused tardies in a class during the 9 week grading period (block schedule) or six (6) unexcused tardies in a class during the 18 week grading period shall not be eligible under this policy to drop any test or project grade.
3. Any student who transfers into a District school or a student who transfers from one school to another in Bay County shall not be eligible to drop any test or project for the 9 week grading period of their transfer.

**Minimum Attendance.** A student may be in jeopardy of being retained if he/she fails to attend school for at least 160 days in a school year.

## **STUDENT DRESS CODE AND GROOMING (School Board Policy 7.209)**

Appropriate dress is the primary responsibility of the student and his/her parent or guardian. In order to promote safety, personal hygiene, academic well-being, and moral development, students shall be expected to comply with reasonable requirements relating to dress, grooming and personal appearance. Students are expected to come to school dressed appropriately with proper attention having been given to personal cleanliness, grooming, and neatness of dress.

The following is the dress code for grades K-12 except students at Margaret K. Lewis and Tom P. Haney Technical Center.

The dress code policy applies from the time the student arrives on campus until the end of the school day and at all school activities during the school day. Exceptions may be made by the principal for field trips or other special activities (examples: Honors and Awards ceremonies).

Tops:

- All tops must be unaltered and appropriately fitted with sleeves; cannot be so sheer or tight as to reveal underwear or body parts
- Collared or crewneck tops only; scoop or v-neck shirts will not be permitted
- School approved T-shirts (club, spirit, etc) are permitted
- School colors preferred and encouraged
- Students in grades K-5<sup>th</sup>: any solid color or print patterns; manufacturer's graphics or logos permitted
- Students in grades 6<sup>th</sup>-12<sup>th</sup>: any solid color or print patterns; No graphics or logos except for a small manufacturer's trademark
- Students may layer their tops; however, all visible tops including camisoles or undershirts must be in solid colors

Bottoms:

- Bottoms must be any solid color
- Bottoms must be appropriately fitted and seated at the waist; cannot be so sheer or tight as to reveal underwear or body parts
- No shorts, skirts or dresses shorter than five inches (5") above the kneecaps as measured standing up, (K-5 students may wear jumpers)
- Any pants with holes, rips, or tears 5 inches above the kneecaps are not permitted
- Dresses with sleeves (underarm must be covered) must be a solid color or print patterns but no graphics
- Small manufacturer's trademark and minimal embellishments are acceptable
- Fitness pants such as leggings, yoga pants, exercise tights, etc. are permitted but must be covered with a top that reaches fingertip length when arms are at sides

Shoes:

- Closed toes and closed backs preferred
- Sandals with back or back strap for grades K-5 only
- No bedroom shoes, flip-flops, shower shoes, slides or beach footwear

Sweaters/Sweatshirts/Hoodies:

- Long-sleeved sweaters, sweatshirts, or hoodies must be a solid color or print patterns but no graphics (unless school approved spirit or club)
- Small manufacturer's trademark is acceptable
- Hood may not be worn indoors or in covered hallways

Note: School approved means clothing carries school logo and is in school colors.

Cloth Face Coverings:

- Cloth face coverings may be worn by students as necessary for health and safety
- Coverings must be solid colors or school approved
- Coverings may not cover eyes or tops of head
- Students will assume full responsibility for their own personal cloth face coverings

Other:

- Scarves must be worn appropriately around the neck or shoulders (accessory item only; no bandanas)
- No head wear except sunglasses. Hats or other sun-protective wear to only be worn while students are outdoors during school hours (not during class changes); however, at all other times, the sun-protective items must be properly stored by the student in pockets, purse, locker or backpack
- No jewelry or accessory that may be used as weapons such as chains or spiked jewelry
- Jackets/Coats must have either buttons, zippers or snaps that are from top to bottom. Jackets can be any color. Jackets may be worn in the classroom at the discretion of the teacher.
- Students participating in extracurricular activities shall conform to the standards of this policy while attending classes during the regular school day. Cheerleaders may wear their uniforms when required for participation in school sanctioned activities. Athletes may wear the team jerseys on game days with appropriate uniform bottoms.
- Earbuds – Principals are granted discretion of authority necessary to implement a technology policy (including earbuds/headphones) that best meets the needs of their campuses. In order for students to be made aware of security announcements or other hazardous situations in a timely manner, it is expected that all students will adhere to single earbud use while on campus, at school-sponsored events and on school-sponsored transportation. Earbuds are permitted during supervised testing situations.

Exceptions to wearing dress code attire are permitted when:

- A student wears a uniform of a nationally recognized youth organization, such as the Boy Scouts or Girl Scouts, on regular meeting days;
- A student wears a costume, special clothing or attire necessary for participation in a school-sponsored or extracurricular activity provided the clothing complies with District policy.
- The dress code guidelines violate a student's sincerely held religious belief. Students enrolled in special programs such as on-the-job vocational training, or participating in school activities which require additional standards of dress or grooming shall comply with such additional standards. When applicable, students shall be required to "dress out" and wear physical education uniforms prescribed by the school.
- A reasonable accommodation is needed to address a student's disability or medical condition. A request in writing shall be made to the principal by the student's parent/guardian.

Discipline for violating this policy shall be as follows:

- First and second offense consequences are: notification of parent or guardian; change of inappropriate attire;
- Consequences for subsequent offenses may include one or more of the following at the discretion of the principal:
  - A. notification of parent or guardian;
  - B. change of inappropriate attire;
  - C. one to three days of in-school or out-of-school suspension; or
  - D. three days after school detention, if available.
- The fourth and subsequent offenses are willful disobedience which will result in further disciplinary action, which may include out of school suspension or expulsion;
- Any absence resulting from a violation of the Student Dress Code will be considered an unexcused absence.

## Prohibited Attire at all Schools

Each student is expected to dress appropriately in such a manner that is respectful to self and others. Dress and grooming shall be clean, healthy and safe, and shall not be permitted to disrupt the teaching and learning environment. Attire and accessories that are prohibited include, but are not limited to:

- Clothing that exposes underwear or body parts
- Fishnet tights
- Garters
- Halloween costumes or anything perceived as a dress up costume
- Sleepwear, pajamas, or other bedroom clothes
- Beach wear or bathing suits
- Visible undergarments including camisole tops or undershirts
- Animal tails
- Any clothing or accessory item that causes a disruption to the learning environment

Any student who violates this specific policy of prohibited attire is subject to the following disciplinary actions:

- For a first offense, a student shall be given a verbal warning and the school principal shall call the student's parent or guardian.
- For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal shall meet with the student's parent or guardian.
- For a third or subsequent offense, a student shall receive an in-school suspension pursuant to §1003.01(5), Florida Statutes for a period not to exceed three (3) days, the student is ineligible to participate in any extracurricular activity for a period not to exceed thirty (30) days, and the school principal shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities.

Any interpretation of the dress code that is required of this policy shall be the responsibility of the principal of each school. The Superintendent is authorized to make the final decision regarding the interpretation, application and enforcement of this policy and to make certain that it is being uniformly applied and enforced at each of the schools within the District.

The Superintendent can add dress code requirements based upon the unique needs of the population served at a school.

## STUDENT DISCIPLINE (School Board Policy 7.203)

It is the policy of the School Board that there shall be no tolerance of misbehavior. Schools and teachers may develop individual rules and disciplinary practices which supplement the School Board rules but do not conflict with those rules. Discipline should be applied after consideration of the eventual effect on the behavior of the student and should promote improved conduct. Students shall be subject to the provisions of this policy while attending school or on school premises, at any school function, or on any school sponsored transportation, or under the supervision of School Board personnel, whether on or off campus. Students may be subject to discipline even if that conduct occurs on property not owned or controlled by the School Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee. Parents, legal guardians or adult students will be financially responsible for any damage to school property. A student's academic grade shall not be reduced as a disciplinary measure. In accordance with this policy, violent or disruptive students may also be assigned to an alternative educational program or referred for mental health services.

### A. MINOR INFRACTIONS

1. **Behavior Qualifying for Minor Disciplinary Measures.** Minor disciplinary offenses are those acts of misconduct which interfere with orderly classroom procedures, school functions, extracurricular programs, or approved transportation, do not seriously endanger the health and safety of others or a student's own learning process. Following is a non-inclusive list of actions which shall result in Minor Disciplinary Measures.
  - Disrespect of School Staff
  - Distribution of Unauthorized Materials
  - Excessive Talking
  - Failure to follow administrative directive
  - Failure to follow instructions of school staff
  - Inappropriate Behavior/Language
  - Libelous statements
  - Loss/Damage of materials belonging to the school
  - Minor disruption of class/school activities
  - Not remaining in assigned area
  - Possession or use of skateboards
  - Skipping class on or off campus without permission
  - Tardiness
  - Teasing/Horseplay
  - Unauthorized Assembly
  - Unauthorized use of school property
  - Violations of School Board Policy regarding cell phones, computers and/or internet usage
2. **Minor Disciplinary Measures.** Behavior qualifying for Minor Disciplinary Measures may result in any of the following as deemed appropriate by an administrator or teacher:
  - Verbal Correction
  - Counseling
  - Parental Contact
  - Administrative Probation
  - Detention
  - In-School Suspension

- Work Detail (with parental consent)
- Seat re-assignment

**B. MAJOR INFRACTIONS**

1. **Behavior Qualifying for Major Disciplinary Measures.** Behavior requiring Major Disciplinary Measures are more serious acts of misconduct including repeated acts of misconduct, serious disruptions of the orderly conduct of the school or school transportation, or threats to the health, safety and property of self or others. Examples of more serious misconduct which may require Major Disciplinary Measures include but are not limited to the following as deemed appropriate by an administrator:

<ul style="list-style-type: none"> <li>• Aggravated Battery</li> <li>• Aiding &amp; abetting another person in committing an act which would be a violation of School Board Policy</li> <li>• Alcohol Use/Possession</li> <li>• Any electronic communication, social media or blog posts that causes a foreseeable risk of substantial disruption to the work or discipline at a district facility.</li> <li>• Arson</li> <li>• Breaking &amp; Entering/Burglary</li> <li>• Bullying</li> <li>• Cheating/Plagiarism</li> <li>• Defiance/Insubordination</li> <li>• Disruption on Campus</li> <li>• Drug Sale/Distribution</li> <li>• Drug Use/Possession</li> <li>• Excessive Tardies</li> <li>• Failure to report to an assigned placement in alternative setting</li> <li>• Fighting</li> <li>• Harassment</li> <li>• Hazing</li> <li>• Homicide</li> <li>• Larceny/Theft</li> <li>• Lying to School Officials</li> <li>• Motor Vehicle Infraction</li> <li>• Obstruction of an Investigation by school or other officials</li> <li>• Participation in or leading a riot or disturbance</li> <li>• Participation in Gang Activity</li> <li>• Physical Attack</li> <li>• Possession of a Weapon</li> <li>• Possession of any device designed to expel a projectile by air or gas</li> <li>• Possession of Dangerous Object or Device</li> </ul>	<ul style="list-style-type: none"> <li>• Possession, sale, or distribution of pornographic material</li> <li>• Possession, use or sale of dangerous articles or chemical propellant sprays</li> <li>• Possession, use or sale of fireworks or other destructive devices</li> <li>• Possession, use or sale of matches or cigarette lighters (except at Tom P Haney by an adult student)</li> <li>• Possession, use or sale of tobacco products of any kind or electronic cigarettes (vapes)</li> <li>• Public display of affection</li> <li>• Robbery</li> <li>• Rude/Obscene Behavior and/or Language (profanity)</li> <li>• Sexual Assault</li> <li>• Sexual Battery</li> <li>• Sexual Harassment</li> <li>• Sexual Offenses Other</li> <li>• Threat/Intimidation</li> <li>• Tobacco</li> <li>• Trespassing</li> <li>• Unauthorized alteration or changing, or aiding and abetting or participating in the alteration of changing a student's grades or attendance records.</li> <li>• Unauthorized use of free/reduced lunch number</li> <li>• Use of wireless communication devices in violation of School Board Policy 7.211</li> <li>• Vandalism</li> <li>• Violating the rights of others</li> <li>• Violation Alternative Placement Requirements</li> <li>• Violation of Re-Entry Behavior Contract</li> <li>• Violation of vehicle/parking regulations</li> </ul>
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2. **Major Disciplinary Measures.** Behavior qualifying for major disciplinary measures may result in any of the disciplines under Minor Disciplinary Measures, as well as the following as deemed appropriate by an administrator:

- Out-of-School Suspension
- Bus Suspension
- Placement in an alternative setting
- Expulsion
- Bus Expulsion

a. **Out-of-School Suspension.** A student may be suspended from school by the principal or his/her designee for violation of any behavior qualifying for Major Disciplinary Measures. A good faith effort shall be made by the principal or his/her designee to employ parental assistance or other alternative measures prior to suspension or expulsion except in the case of emergency or disruptive conditions which require immediate suspension or expulsion.

b. **Bus Suspension or Expulsion.** A student may be suspended for up to ten school days from district approved transportation by the principal or his/her designee for violation of any behavior qualifying for Major Disciplinary Measures. A bus suspension may be imposed by the Superintendent for up to 45 school days. A bus expulsion for a period to be determined by the School Board in excess of a 45-day suspension. A good faith effort shall be made by the principal or his/her designee to employ parental assistance or other alternative measures prior to suspension or expulsion except in the case of emergency or disruptive conditions which require immediate suspension or expulsion. During the period of suspension or expulsion, it is the responsibility of the parent or legal guardian to provide transportation to and from school for the student.

c. **Determination of Out-of-School Suspension or Bus Suspension.** To determine whether out-of-school suspension or bus suspension is appropriate and to decide the length of suspension, the principal or his/her designee shall review the student's individual record and consider:

- 1) The facts and the seriousness of the conduct leading to consideration for suspension;
- 2) The student's age, grade and past disciplinary record; and
- 3) Possible effectiveness of other forms of discipline in correcting behavior.

d. **Out-of-School Suspension on the Basis of Felony Charges Off School Property.** Any student formally charged with a felony,

or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on other than public school property, and that incident is shown, in an administrative hearing with proper notice to the parents or legal guardians, to have an adverse impact on the educational program, discipline or welfare of the school in which the student is enrolled, shall be subject to suspension in accordance with §1006.09, Fla. Stat. until determination of the case by a court of competent jurisdiction. Any student who is suspended as a result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time, which may exceed ten days, as determined by the Superintendent. Such suspension shall not affect the delivery of educational services in a daytime alternative education program, or an evening alternative education program, where appropriate. If the court determines that the student did commit the felony or delinquent act which would have been a felony if committed by an adult, the School Board shall have the authority to expel the student, provided that expulsion under this subsection shall not affect the delivery of educational services to the student in any residential, nonresidential, alternative, daytime, or evening program outside of the regular school setting. Any student who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under Chapter 893 of the Florida Statutes may be entitled to a waiver of the discipline or expulsion in accordance with § 1006.09(2)(a)-(b), Fla. Stat.

### **C. ZERO TOLERANCE**

*Any disciplinary action taken against a student who violates this zero-tolerance policy must be based on the particular circumstances of the student's misconduct.*

#### **1. Zero Tolerance Level One — Weapons and Threats**

**a) Level One Behaviors.** Zero Tolerance Level One behaviors include the following:

- 1) Possession, use or sale of a firearm or weapon. This includes a firearm or weapon found in a student's vehicle, either at school or at a school sponsored event. The student shall be considered to be in possession of the firearm or weapon if it is determined by the principal, based upon evidence, that the student knew of the presence of the firearm or weapon in the vehicle. The School Board specifically waives the exception in §790.115(2)(a)(3) for purposes of student and campus parking privileges.
- 2) A threat or false report, as defined by §§ 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

**b) Level One Discipline.**

- **Mandatory:**
  - suspension for ten days,
  - expulsion for no less than one full year, and
  - referral for criminal prosecution
  - referral for mental health services identified by the school district pursuant to § [1012.584](#)(4) and the criminal justice or juvenile justice system
- **Additional considerations:** The School Board may assign the student to a disciplinary program or second chance school for the purpose of continuing educational services during the period of expulsion. The Superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.

**c) Simulating a Firearm or Weapon.** Simulating a firearm or weapon while playing or wearing clothing or accessories that depict a firearm or weapon or express an opinion regarding a right guaranteed by the Second Amendment to the United States Constitution is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system under Section 1006.07 or Section 1006.13, Florida Statutes. Simulating a firearm or weapon while playing includes, but is not limited to:

1. Brandishing a partially consumed pastry or other food item to simulate a firearm or weapon.
2. Possessing a toy firearm or weapon that is 2 inches or less in overall length.
3. Possessing a toy firearm or weapon made of plastic snap-together building blocks.
4. Using a finger or hand to simulate a firearm or weapon.
5. Vocalizing an imaginary firearm or weapon.
6. Drawing a picture, or possessing an image, of a firearm or weapon.
7. Using a pencil, pen, or other writing or drawing utensil to simulate a firearm or weapon.

However, a student may be subject to disciplinary action if simulating a firearm or weapon while playing substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm. The severity of consequences imposed upon a student, including referral to the criminal justice or juvenile justice system, must be proportionate to the severity of the infraction and consistent with district school board policies for similar infractions. If a student is disciplined for such conduct, the school principal or his or her designee must call the student's parent. Disciplinary action resulting from a student's clothing or accessories shall be determined pursuant to Policy 7.209 unless the wearing of the clothing or accessory causes a substantial disruption to student learning, in which case the infraction may be addressed in a manner that is consistent with district school board policies for similar infractions.

#### **2. Zero Tolerance Level Two — Controlled Substances and Intoxicants**

**a) Level Two Behaviors.** Zero Tolerance Level Two behaviors include possession, sale, distribution, use, or being under the influence of any controlled substance under Chapter 893, Fla. Stat., any counterfeit controlled substance as defined by §831.31, Fla. Stat., model glue, other inhalant, or alcohol.

**b) Level Two Discipline.**

- **Mandatory:** suspension of one to ten days
- **Permissive:** may also result in expulsion
- **Additional considerations:**
  - A principal may, at his/her absolute discretion, reduce the length of the out of school suspension if the student is a first time alcohol or drug offender who possesses or is under the influence of any substance controlled under §893, Fla. Stat., or is under the influence of model glue or other inhalant or alcohol. **The principal's option to reduce the length of a suspension is only available for incidents involving small amounts of a controlled substance**

which the principal determines is for the student's individual use and not for distribution, delivery, or sale to other students.

- The Superintendent has the authority in drug or alcohol cases to offer the student an Alternative Placement in lieu of Expulsion under this policy.

### 3. **Zero Tolerance Level Three — Fighting and Physical Aggression**

- a) **Level Three Behaviors.** Fighting and/or Physical Aggression will not be tolerated on Bay District School Board property at any time. If a student participates in a fight, he/she will be subject to disciplinary action as defined in the Bay District Schools Discipline Matrix. Schools will make a good faith effort to provide behavioral interventions for events of this nature. However, the following are deemed Zero Tolerance Level Three behaviors, subject to discipline in accordance with this policy:
- student exhibits a pattern of fighting and/or physical aggression;
  - student participates in a fight which results in injury; or
  - student participates in a fight which results in the significant disruption of the school environment.
- b) **Level Three Discipline.**
- Mandatory: suspension for up to ten days
  - Permissive: placement in an alternative setting or expulsion

## D. **BEHAVIOR THAT POSES THREATS TO SCHOOL SAFETY**

1. **Expulsion.** If the Superintendent, after reviewing the particular circumstances, determines that the behavior poses a serious threat to school safety, the Superintendent shall recommend expulsion of the student to the School Board.
2. **Criminal Referrals.** All actions which are determined by this policy to be serious threats to school safety shall be reported to law enforcement. This policy does not require the reporting of petty acts of misconduct and misdemeanors to a law enforcement agency, including, but not limited to, disorderly conduct, disrupting a school function, simple assault or battery, affray, theft of less than \$300, trespassing, and vandalism of less than \$1,000.00.

## E. **PROCEDURES**

1. **Procedures for Out-of-School Suspension or Bus Suspension.** The following procedures shall be utilized in suspending a student, including those instances in which there is also a principal's recommendation for expulsion to the Superintendent.
  - a) The principal or his/her designee may suspend a student only in accordance with the rules of the School Board.
  - b) The principal or his/her designee shall make a good faith effort to immediately inform a student's parents or legal guardians by telephone of a student's suspension and the reasons for the suspension.
  - c) Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student's parents or legal guardians by United States mail or by hand delivery. The notice shall contain:
    - (i) The nature of the offense;
    - (ii) The date of the offense, beginning date of suspension, and the date on which the student may return to school; and
    - (iii) Any conditions involving suspension, such as reduction of the suspension following a conference and assurance from the student of a change in attitude.
  - d) Each suspension and the reasons for the suspension shall be reported electronically within 24 hours to the Superintendent.
  - e) At a conference, the student shall be given both oral and written notice of the charges and given an opportunity to present his/her side of the story prior to suspension.
  - f) The principal may temporarily suspend a student prior to a conference when, in his/her judgment, the safety or health of students, staff or other persons in the school may be threatened by the continued presence of the student. When temporary suspension is necessary, the principal shall inform the parents or legal guardians by the most rapid means (including telephone). As soon as feasible under the circumstances, the principal shall hold a conference with the student or parents or legal guardians.
  - g) Upon request, the parents or legal guardians will be given an opportunity for an informal hearing with the principal or his/her designee within 48 hours of the request (excluding Saturday, Sunday and school holidays).
2. **Procedures for Out-of-School Suspension on the Basis of Felony Charges Off School Property.** The following procedures shall be utilized by the principal in instituting and conducting an administrative hearing in the suspension of a student on the basis of felony charges:
  - a) Upon receiving proper notice from the State Attorney that a student has been formally charged with a felony, the principal shall immediately notify the parents or legal guardians of the student, in writing, of the specific charges against the student and of the right to a hearing prior to disciplinary action being instituted under the provisions of §1006.09, Fla. Stat.
  - b) Such notice shall stipulate a date for the hearing which shall be not less than two school days nor more than five school days from postmarked date, or delivery, of the notice and shall also advise the parents or legal guardians of the conditions under which a waiver of suspension may be granted, as prescribed in subsections (2) (a)-(b) of §1006.09, Fla. Stat. Pending such hearing the student may be temporarily suspended by the principal.
  - c) The hearing shall be conducted by the principal or his/her designee, and may be attended by the student, the parents or legal guardians, the student's representative or counsel, and any witnesses requested by the student or the principal.
  - d) The student may speak in his/her own defense, may present any evidence indicating his/her eligibility for waiver of disciplinary action, and may be questioned on his/her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.
  - e) In conducting the hearing, the principal or his/her designee shall not be bound by the rules of evidence or any other courtroom procedure, and no transcript of testimony shall be required.
  - f) Following the hearing, the principal shall provide the student, parents or legal guardians, and Superintendent or his/her designee with a decision, in writing, as to whether or not a ten-day suspension will be made. In arriving at this decision, the principal shall consider the conditions prescribed by subsection (2) (a)-(b) of §1006.09, Fla. Stat., under which a waiver of suspension may be granted, and may grant such a waiver when s/he determines such action to be in the best interests of the school and the student. The principal shall have authority to modify the decision to either grant or deny a waiver, at any time prior to adjudication of the student's guilt by a court, provided that any such modification adverse to a student shall be made



- only following a hearing conducted in accordance with this rule.
- g) Any student who is suspended as a result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time, which may exceed ten days, as determined by the Superintendent or his/her designee. If the suspension is extended beyond ten days by the Superintendent or his/her designee, the student will be enrolled in an alternative education program pending adjudication of guilt.

**3. Procedures for Placement in an Alternative Educational Setting.** Placements in alternative educational settings are initiated by the principal and approved by the Superintendent or his/her designee in accordance with the following procedures:

- a) A student may be placed in an alternative educational setting for a documented pattern of inappropriate behavior or for committing an offense qualifying for major disciplinary measures.
- b) If a change in placement is contemplated for ESE students, a manifestation determination and an IEP meeting with the student's parents must be initiated. This meeting must include a review of the present IEP and a discussion to determine if additional supports are needed for the student to be successful in the present placement or whether a change in placement is needed. In addition to the locations listed below, IEP teams may also consider St. Andrew and New Horizons Learning Center as options for ESE students.
- c) A placement letter will be mailed from the Superintendent or his/her designee to the student's parent/guardian informing them of the student's change in placement.
- d) Students will have ten school days from the date of the placement letter to the parent/guardian to comply with the Placement option. If the student is not enrolled within ten school days, the student may be recommended for expulsion.
- e) Placement locations may include, but are not limited to: Rosenwald High School, St. Andrew School, Bay Virtual School, and other dropout prevention programs as may be available.
- f) Upon enrollment in the alternative setting, a student will be required to execute a Placement and Behavior Contract.
- g) In addition to the core curriculum, students placed in an alternative setting will receive:
- A Structured, Small-Group Environment
  - Positive Behavior Supports
  - Intensive Social Skills Instruction/Groups
  - Focused and Individualized Academic Support
- h) Students who are placed in an alternative setting shall not be eligible to participate in extra-curricular activities.
- i) The length of placement shall be determined by the Superintendent and by the student achieving Program Completion. Students may be placed in an alternative setting for not more than 90 Earned Days. However, students placed may be placed in the alternative setting in lieu of expulsion for up to 180 Earned Days.
- j) Program Completion. A student attains Program Completion by attaining the required number of Earned Days.
- a. Days are earned for purposes of this policy for each school day that the student completes and adheres to the behavior contract and complies with all facets of the program, which includes consistent attendance, completion of assigned academic work, and appropriate behavior.
- b. Upon Program Completion, the student will be eligible to return to his/her zoned school at the beginning of the next grading period following a reentry meeting to be held at the receiving school.
- k) If the student does not meet the program criteria or refuses to adhere to the program requirements, he/she may be referred for expulsion or alternative placement in lieu of expulsion
- l) After a minimum of ninety school days or at the Superintendent's discretion, and with the recommendation of a placement review team designated by the principal, the student and parent/guardian may request in writing to the Superintendent to be allowed to return to a traditional zoned school in accordance with the District's school choice policy contingent upon behavior, attendance and academic progress during the placement period. If granted, the student will be allowed to return at the beginning of the next academic semester following a reentry meeting to be held at the receiving school where a behavior contract may be required.

**4. Procedures for Expulsion**

- a) Upon finding that a student has committed a major disciplinary infraction warranting expulsion, a principal may recommend expulsion to the Superintendent. The principal's recommendation to the Superintendent shall be accompanied by the student's disciplinary history and all alternative and supportive measures previously implemented by the school.
- b) The length of the expulsion period will be recommended by the Superintendent and must be approved by the School Board.
- c) Once recommended for expulsion, all eligibility for extra-curricular activities is forfeited regardless of the student's educational setting. Eligibility to participate in extra-curricular activities is restored upon completion of the original terms or length of the expulsion period.
- d) The Superintendent may then choose to recommend expulsion of the student to the School Board. Upon such recommendation, the Superintendent will provide written notice to the student and his/her parent: (i) of the recommendation and charges; (ii) advising the student and parent of their right to due process; and (iii) stating that the principal will hold an informal hearing at a specified time and place to hear from the student and parent.
- e) Following the Superintendent's written notice, an informal hearing at the school level shall be conducted by the principal. If available, the student shall be given an opportunity to be heard at this hearing. At the conclusion of the hearing, and based upon the facts and totality of the circumstances at issue, the principal will announce a decision to either withdraw or affirm the recommendation for expulsion. If the expulsion recommendation is withdrawn, the principal may then announce an alternative course of action.
- f) If the recommendation for expulsion is affirmed at the conclusion of the informal hearing with the principal, the student and/or parent will be given notice of their right to request a hearing before the School Board, which will be conducted in the manner provided in § 120.57, Fla. Stat. and School Board policy 1.105. The date of the informal hearing shall be deemed the date of the Notice of Disciplinary Action.
- g) Students and parents/guardians of students recommended for expulsion may file a request for hearing before the School Board within 15 calendar days of the date of the Notice of Disciplinary Action. Failure to file a timely request shall be deemed

a waiver of the right to a hearing before the School Board. If no hearing is requested, the School Board will enter a final order of expulsion at the next available School Board meeting.

- h) Requests for a hearing on a student expulsion must contain:
  - i. name and address of the petitioner;
  - ii. explanation of substantial interests that will be affected by the Board's proposed action;
  - iii. statement of when and how petitioner received the notice of the proposed Board decision;
  - iv. statement of disputed issues of material fact; if there are none, the request must state that there is no disputed issue of material fact;
  - v. a concise statement of the ultimate facts alleged, and the rules, regulations, statutes and constitutional provisions which entitle the petitioner to relief;
  - vi. a description of the relief requested; and
  - vii. notice of waiver or non-waiver of 14-day notice of hearing.Hearing requests that do not comply with these conditions are subject to dismissal for lack of legal sufficiency.

- i) When a request for hearing is made, unless the School Board determines that the request is untimely or does not comply with the filing requirements, the matter shall be set for a hearing before the School Board at the next available meeting.
- j) After completion of the expulsion period, the student will be allowed to return at the beginning of the next academic semester following a reentry meeting to be held at the district office where a written reentry plan must be developed prior to the return of an expelled student to the school program. Each plan is to be developed in cooperation with all parties involved, including the student and parent/guardian.

5. **Procedures for Expulsion Re-Hearing.** After a minimum of 180 school days or at the Superintendent's discretion, the student and parent/guardian may request in writing to the Superintendent that s/he recommend to the School Board a modification of the expulsion order based upon the student's behavior and academic progress (if applicable) during the expulsion period. All requests for modification of the expulsion order must go through the Superintendent.

If granted, the student will be allowed to return at the beginning of the next academic semester following a reentry meeting to be held at the district office where a written reentry plan must be developed prior to the return of an expelled student to the school program. Each plan is to be developed in cooperation with all parties involved, including the student and parent/guardian.

6. **Confiscation of Contraband.** Any item that may not be possessed or used by a student under this policy shall be confiscated by the principal. If appropriate, the prohibited item shall be given to the proper law enforcement agency. Otherwise, if possession of the item is legal, the item shall be given to the student's parent or guardian after the conclusion of all disciplinary action against the student.

#### **F. DISCIPLINE OF STUDENTS WITH DISABILITIES.**

For the purpose of this rule a student with disabilities is defined as any student appropriately classified as 504 or Exceptional Student Education and presently placed in an exceptional student education program, excluding gifted. Parental notification of policies, procedures, and student rights regarding discipline of students with disabilities shall be provided, in writing, at the eligibility staffing meeting or when parental consent for 504/ESE placement is documented. Parental safeguards and rights of due process shall, in addition, be observed and followed at all steps in the process. Additional information is available in the "Florida Department of Education District Implementation Guide for Section 504 (504 Guide)" or the "Special Programs and Procedures for Exceptional Students (SP&P)," adopted by the Board pursuant to Section 1.103 and hereby incorporated by reference as a part of the Rules of the Bay County School Board.

1. **Suspension of Students with Disabilities.** The principal may suspend a student with disabilities for a period of time not to exceed ten school days (or an accumulation of ten school days within a school year) without the provision of a free and appropriate public education. Appropriate due process shall be observed, except in emergency situations in which a student's presence poses a continuing danger to persons or property or represents an ongoing threat of disruption to the academic process.

When a bus incident occurs, a student with disabilities may be suspended from the bus. It is the principal's responsibility to ensure that a bus suspension will not interfere with the student's access to a free and appropriate public education.

Following procedures outlined in the 504 Guide or the SP&P Manual, the school must conduct a functional behavioral assessment and develop a behavioral intervention plan for any student exhibiting a pattern of inappropriate behavior. If the student has a behavioral intervention plan, the 504/IEP Team shall meet to review the plan and consider modifying the plan to address the behavior.

2. **Suspension After Accumulation of Ten Suspension Days.** At such time that accumulated suspensions exceed ten days within a school year and a pattern of removal has been determined, the principal shall convene the 504/IEP Team and include the principal or his/her designee. This Team shall review the student's program and conduct a manifestation determination meeting to determine whether or not the student's disability is a precipitating factor in the disciplinary infraction.

If the 504/IEP Team determines that the student's behavior is related to the student's disability, then using procedures outlined in the 504 Guide/SP&P, the Team will amend the student's Plan to address the behaviors.

If the 504/IEP Team determines that the student's behavior is not related to the student's disability, the Team shall document the rationale for this decision in a manifestation determination meeting. In this case, procedures for disciplinary action will follow its regular course of action, as designated in School Board Policy 7.203. Parents must be informed of this decision. In no case will services cease for a student with a disability.

3. **Expulsion of Students with Disabilities.** If the student to be expelled is a student with disabilities, the following procedures from the 504 Guide/SP&P must be followed. Instances in which students with disabilities engage in behavior that could warrant expulsion action are described in School Board Policy 7.203.
- a) Expulsion of an identified student with disabilities constitutes a change in educational placement and may not be an exclusion from educational services.
  - b) When a principal plans to recommend expulsion for a student with disabilities, the Superintendent or his/her designee shall be notified that a 504/ IEP Team meeting will be held. The Team shall meet to determine whether the student's misconduct

- is a manifestation of his/her disability.
- c) The 504/IEP Team shall determine the relationship of the student's behavior to the student's disability and amend the Plan to provide the alternative placement and/or programming. In no case may the District cease provision of educational services to a student with an IEP.
  - d) Policies and procedures for conducting 504/IEP meetings and providing procedural safeguards to parents or legal guardians of students with disabilities consistent with Fla. Admin. Code R. 6A-0331(3) apply to this meeting.
  - e) A copy of these policies and procedures shall be given to parents or legal guardians of students with disabilities at eligibility and 504/IEP manifestation determination meetings.

#### **G. PROCEDURES FOR DISCIPLINARY DECISION APPEAL**

A disciplinary decision of a school-based administrator or teacher may be appealed to the principal. The principal's decision may be appealed to the Superintendent or his/her designee. An electronic copy of the decision and notification of the right to appeal shall be furnished to the student, parents, or legal guardians via Parent Portal. The student, parents, or legal guardians shall have five working days from receipt of notification of the disciplinary decision to appeal.

#### **H. DEFINITIONS**

1. **Administrative Probation.** The placing of a student on probation by an administrator, which may include denial of participation in extracurricular activities, and may require the student to maintain frequent contact with a staff member assigned responsibility for monitoring his/her activities.
2. **Bus Expulsion.** The removal of district approved transportation privileges for a period of time to be determined by the School Board. During the expulsion period, it is the responsibility of the parent or legal guardian to provide transportation to and from school for the student.
3. **Bus Suspension.** Bus suspension is defined as the temporary removal of a student from district approved transportation for a period not to exceed ten school days if assigned by the principal or designee, and not to exceed 45 school days if assigned by the Superintendent. During the bus suspension period, it is the responsibility of the parent or legal guardian to provide transportation to and from school for the student.
4. **Counseling.** Guidance and written direction given to a student in a conference with teachers, School Counselors, and/or school administrators where problems are discussed and future expectations outlined.
5. **Dangerous Objects or Devices.** These may include, but not be limited to, razor blades, box cutters, common pocketknives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation weapons, or similar items.
6. **Destructive Device.** Any bomb, smoke bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing an explosive, incendiary, or poison gas and includes any frangible container filled with an explosive, incendiary, explosive gas, or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage; any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled; any device declared a destructive device by the Bureau of Alcohol, Tobacco, and Firearms.
7. **Detention.** The assignment during non-classroom time of appropriate work, including work details, for misconduct. When a student is to be detained after school hours, the parents or legal guardians shall be notified. Special transportation arrangements necessitated by student detention are the responsibility of the student, parents or legal guardians.
8. **Electronic cigarette (e-cigarette).** Any oral device that provides a vapor of liquid nicotine and/or other substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarette, e-cigars, e-pipes, or under any other product name or descriptor.
9. **Expulsion.** Expulsion is defined as the removal of the right and obligation of a student to attend a public school under conditions set by the School Board. An expulsion may not exceed a period of time including the remainder of the school year and one additional year. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly. Final orders of expulsion may only be entered by action of the School Board.
10. **Firearm.** Any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term firearm does not include an antique firearm unless the antique firearm is used in the commission of a crime.
11. **In School Suspension.** Students may be removed from class or classes and assigned to alternative education classes or to other activities on the school campus under the supervision of District personnel.
12. **Out-of-School Suspension.** Out of school suspension is defined as the temporary removal of a student from the regular school program and all other school sponsored activities for a period not to exceed ten school days with the student being remanded to the custody of his/her parent(s) with specific homework assignments for the student to complete.
13. **Parental Contacts.** Contacts through notes, letters, phone calls or conferences between school personnel and parents or legal guardians.
14. **Possession.** Possession is defined as found on a student's person, within his/her control, his/her locker or other storage space or his/her vehicle (regardless of ownership of the vehicle) while parked on school property.
15. **School Environmental Safety Incident Reporting (SESIR).** Incidents that are against the law or represent serious breaches of the code of student conduct. This includes those incidents considered severe enough to require the involvement of a School Resource Officer (SRO) or incidents to be "Reported to Law Enforcement."

16. Sexual Harassment. Examples of sexual harassment include unwanted sexual advances or propositions, demands for sexual favors in exchange for favorable treatment, unwanted sexually oriented remarks, verbal abuse of a sexual nature, graphic verbal commentary about an individual's body or sexual prowess, coerced sexual acts of assault, physical contact such as grabbing, pinching, or patting unnecessarily, leering, whistling or gestures of a sexual nature.
17. Verbal Correction. The verbal correction of a student by any member of the school staff for misconduct in the classroom, hallways, on the school grounds, going to and from school, or while attending school sponsored activities.
18. Weapon. Any dirk, metallic knuckles, slingshot, billie, tear gas gun, chemical weapon, knife, or any other deadly device except a firearm, a common pocketknife with a blade not exceeding 4", a plastic knife, or a blunt-bladed table knife.

#### **POSSESSION AND USE OF WIRELESS COMMUNICATIONS DEVICES (School Board Policy 7.211).**

For the purposes of this policy, "personal electronic mobile device" ("PEMD") shall include, but not be limited to, the following: cellular or satellite telephones of any type, pocket PCs, laptops, and personal data assistants ("PDA") owned, used or possessed by a student but shall not include such devices if owned and provided for use by the District.

Beginning 2012–2013, Bay District schools will allow the use of personal electronic mobile devices during specified times. Students will be allowed to bring their own device (BYOD). High schools will be allowed to participate in this initiative beginning with the 2012-2013 school year. Middle and elementary schools will be allowed to use personal electronic mobile devices when wireless infrastructure is available at the school location. BYOD access will be granted only after teachers have participated in BYOD professional development and with the approval of the Superintendent and principal.

It is not mandatory for students to bring their own personal electronic mobile devices. When personal electronic mobile devices are used to enhance student learning in the classroom, students without a PEMD will be provided access to an appropriate digital device. Students who choose to bring their personal electronic mobile devices MUST log in and use BDS filtered wireless network during the school day.

**NOTE: Students will bring personal electronic mobile devices to school at their own risk. The district WILL NOT be responsible if a phone or other device is lost, stolen, misplaced, damaged, or confiscated. The district WILL NOT be responsible for virus, malware, or other computer related issues associated with connecting to the BDS network.**

Beginning 2012–2013, students may utilize electronic mobile devices in the classroom for educational purposes when the teacher deems appropriate and with a signed AUP on file. While the district encourages students to use electronic mobile devices for educational purposes in the classroom, *high school* students may use these devices during lunch and before and after school. *Middle and elementary* students may use these devices before and after school, not during lunch. All students may use devices in the classroom setting with teacher permission and supervision. Use is STRICTLY prohibited for all students during passing periods due to safety issues.

Use of electronic mobile devices during the school day is a privilege. Adherence to the guidelines below is essential to maintaining an academic environment and the integrity of the classroom.

Teachers that wish to allow students to use mobile devices in the classroom must first participate in professional development opportunities provided by the Bay District Schools Instructional Technology Department.

#### **ELECTRONIC MOBILE DEVICE GUIDELINES**

- Using functions on electronic devices that disrupt the educational environment, from within or from outside the classroom, or violates the rights of others, including, but not limited to using the device to cheat, violate school conduct rules, harass or bully staff or students or use their device for unlawful purposes will be subject to disciplinary action; up to and including suspension, expulsion, and being reported to local authorities.
- Cell phone conversations during instruction or class time should take place only under the supervision of staff personnel unless otherwise directed.
- Using any device that permits recording voice or image of another in any way that disrupts the educational environment, invades privacy of others, or is made without prior consent of individuals being recorded is **prohibited**. Also, using any device that permits recording voice or image of another to take, disseminate, transfer, or share audio, images, video, or photos that reveal private parts of the body that are ordinarily covered by clothing is **prohibited**. The possession of pornographic images or video on any electronic device is **prohibited**.
- Students must comply with staff directives, including but not limited to, using appropriate device volume. When in use, devices must be on vibrate or silent mode so that no audible tone is heard.

PEMDs misused in accordance with this policy shall be confiscated from the student and only returned to the student's parent upon notification from the school office. Continued misuse of PEMDs may subject the student to disciplinary action, as determined by the principal. Use of a PEMD will subject the student to the possibility of the imposition of disciplinary action by the school or criminal penalties if the PEMD is used for the purposes of a criminal act.

Parents may request special permission for their student to use cellular or satellite telephones if the parent has requested such use in writing to the school principal and has provided a physician's statement that provisions for immediate medical needs are necessary. If such permission is granted by the principal at the principal's discretion, the cellular telephone will be placed on "vibrate" so not to disturb other students. Misuse of the cellular telephone under these circumstances will subject the student to disciplinary actions, as determined by the principal.

## **STUDENT DETENTION, SEARCH, AND SEIZURE** (School Board Policy 7.204).

Any member of the instructional or administrative staff may temporarily detain and question a student when there is reasonable suspicion that the student has committed, is committing, or is about to commit a violation of law or School Board policy. No student shall be temporarily detained longer than is reasonably necessary. Such temporary detention shall not extend beyond the place where it was first effected, or the immediate vicinity thereof. Searches should be conducted discreetly and with an eye toward causing the least amount of embarrassment to the student as possible.

If reasonable suspicion exists, including proper identification by a drug detection dog and its trainer, that a student is concealing or has concealed stolen, prohibited, or illegally possessed substances or objects (contraband) on his/her person, within his/her locker or other storage place, or vehicle owned or operated by the student, then the principal or a school employee designated by the principal may search the student, his/her locker or other storage space, or his/her vehicle owned or operated by the student. Student searches and questioning should be conducted and witnessed by school officials of the same gender as the student.

If the search reveals prohibited, or illegally possessed substances or objects (contraband), such property shall be seized and, when appropriate, turned over to law enforcement authorities.

Any prohibited, illegally possessed substances or other contraband found to be in the possession of students shall be confiscated by the principal and turned over to appropriate law enforcement personnel.

Each principal shall place a sign within the school, in a place readily seen by students, which shall contain the following text:

### Notice to Students

"Student lockers, other student storage spaces provided by the school system, and student vehicles are subject to search by school authorities at any time, upon reasonable suspicion, for prohibited or illegally possessed substances or objects."

## **BULLYING, HARASSMENT, CYBERSTALKING, OR TEEN DATING VIOLENCE AND ABUSE** (School Board Policy 7.207)

It is the policy of the School Board of Bay County, Florida (the "District" or "School Board") that all of its students and school employees have an educational setting that is safe, secure, and free from harassment, bullying, and dating violence and abuse of any kind. The District will not tolerate bullying, harassment, or teen dating violence and abuse of any type. Conduct that constitutes bullying, harassment, or teen dating violence and abuse as defined herein, is prohibited, including discrimination on the basis of race, color, national origin, sex and disability. The full policy (7.207) is found in Chapter 7 of the School Board Policy, available at your child's school or [www.bay.k12.fl.us](http://www.bay.k12.fl.us).

## **HAZING** (School Board Policy 7.2075)

Hazing activities of any type are prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to activities or incidents that have occurred on school property. No student shall plan, encourage, or engage in any hazing activities of any type as a condition for membership and/or participation in a District club or activity or a non-district sponsored club or activity or for acceptance by any group of students. No administrator, faculty member, or other School Board employee shall encourage, permit, authorize, condone, or tolerate any hazing activities of any type as a condition for membership and/or participation in a District club or activity or a non-district sponsored club or activity or for acceptance by any group of students. The full policy (7.2075) is found in Chapter 7 of the School Board Policy, available at your child's school or [www.bay.k12.fl.us](http://www.bay.k12.fl.us).

## **ELIGIBILITY FOR PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES** (School Board Policy 8.801)

A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to district school board's suspension or expulsion powers provided by law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s.1006.20(2)(b).

A student may not participate in a sport if the student participated in the same sport at another school during that school year, unless the student meets criteria in s. 1006.15(3)(h).

The full policy (8.801) is found in Chapter 8 of the School Board Policy, available at your child's school or [www.bay.k12.fl.us](http://www.bay.k12.fl.us).

**(The electronic edition of the School Board policy is the latest edition. It replaces earlier electronic and printed editions.)**