



Bay District Schools Student Code of Conduct



2025–2026

 www.bay.k12.fl.us



Dear Parents and Students,

At Bay District Schools, we are committed to providing a safe, respectful, and structured learning environment. To support this, all students are expected to follow the guidelines outlined in the Bay District Schools' Code of Student Conduct. This Student Code of Conduct document contains the Bay District School Board Policies related to student attendance, conduct, discipline, and a safe and healthy learning environment. The *complete* Bay District Schools' Board Policy can be found at www.bay.k12.fl.us.

Below is a *summary* of key areas contained in the Student Code of Conduct:

I. Student/Parent Rights

Students are entitled to the opportunity for a free, and appropriate education based on their age and maturity. The District attempts to nurture, counsel and provide custodial care to students, while, at the same time, guaranteeing that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

However, students also have certain responsibilities, which include respecting the rights of others and complying with school rules and this Code of Student Conduct.

II. Attendance

Education is predicated upon the presence of the student and requires continuity of instruction and classroom participation. All students are required to attend school during the days and hours that the school is in session. School attendance is the responsibility of parents and students. Absences shall be reported to the school attendance office by the parent or adult student as soon as practicable.

III. Student Conduct, Discipline & Placement Options

All students must exercise respect for the law and persons of authority while attending school. This includes conformity to school rules and applicable laws. All members of the school community are also expected to demonstrate respect for the rights of others and cooperative citizenship.

IV. Anti-Harassment, Bullying, Harassment & Teen Dating Violence

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

V. Extracurricular Activities/Co-curricular Activities

The School Board recognizes the value of extracurricular and co-curricular activities and the positive impact they have on students. These programs are an integral part of the total school experience and benefit the community as a whole. Participation in extracurricular and co-curricular activity programs by a student is a privilege, not a right.

VI. Dress Code and Wireless Communication Devices

To promote safety, personal hygiene, and academic well-being, students shall be expected to comply with reasonable requirements relating to dress, grooming and personal appearance. Additionally, students may possess a Wireless Communication Device (cell phone, tablet, other devices such as watches and ear buds) on Board property, on school transportation, and at school activities as long as the device is powered off and concealed during school hours.

VII. Suicide Prevention, Drug Prevention, Smoking & Nicotine-Free Environment

Bay District Schools promotes a supportive environment that is free of drugs, alcohol, and tobacco. Suicide awareness and prevention resource, as well as substance diversion programs are available to students. Violations of drug/alcohol or tobacco/nicotine policies will result in disciplinary action and may involve referrals for diversion education or counseling.

The *complete* Code of Student Conduct and School Board Policies are available at www.bay.k12.fl.us. Please review carefully.

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SECTION I: Student/Parent Rights

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5780 - STUDENT/PARENT RIGHTS

The School Board recognizes that students possess not only the right to an education but the rights of citizenship as well. Federal and State law prohibits the Board from adopting any policy or rule, or from entering into any agreement, that infringes upon or waives the rights of freedoms afforded to students by the United States Constitution.

In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. The District shall, at the same time, guarantee that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the procedures and rules of the District.

Since a student who has reached the age of majority possesses the full rights of an adult, they may authorize those school matters previously handled by their parents, but the student also assumes the responsibility for their performance in school, attendance, and compliance with school rules.

Educational Decisions

Both parents have an equal right to make decisions about the education and welfare of their student unless Student Services has received a verifiable copy of an enforceable court order that specifies that one of the parents, or someone else, has the sole right to make educational and/or general welfare decisions for the student.

If the parents cannot agree on a significant decision about the student's education or on matters affecting the health, safety, or welfare of the student, the school will take action based on what it considers to be in the best interests of the child.

Parental Notice

Parents normally receive notice by email and/or U.S. Mail of the school's suspension of their student or intended placement of their student in a dropout prevention/academic intervention program. A parent may agree to receive such notices by an alternative method other than U.S. Mail. Such agreement may be made before the need for notice arises or at the time the notice becomes required.

Attendance

A. Termination of Enrollment

A student who attains the age of sixteen (16) years during the school year has the right to file a formal declaration of intent to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the District of its receipt of the student's declaration of intent to terminate school enrollment. (see also Policy 5130 - *Withdrawal from School*)

B. Married or Pregnant

Students who become or have become married or who are pregnant and parenting have the right to attend school and receive the same or equivalent educational instruction as other students. (see also Policy 5751 - *Parental-Married Status of Students*)

C. Compulsory Attendance

Parents of students who have attained the age of six (6) years by February 1st of any school year but who have not attained the age of sixteen (16) years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by attendance of the student in a public school; a parochial, religious, or denominational school; a private school; a home education program; or a private tutoring program. (see also Policy 5112 - *Entrance Requirements* and Policy 5200 - *Attendance*)

D. Absence for Religious Purposes

A parent of a student may request and be granted permission for absence of the student from school for religious instruction or religious holidays. (see also Policy 5223 - *Absences for Religious Instruction* and Policy 5225 -

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Absences for Religious Holidays)

E. Dropout Prevention and Academic Intervention Programs

The parent of a student has the right to receive written notice by certified mail or other method agreed to by the parent before a student initially receives services under a dropout prevention and academic intervention program. The parent will be notified in writing and entitled to an administrative review of any action by school personnel relating to the student's placement. Thereafter, the parent must be notified annually. The notification must be in the parent's primary language or other mode of communication commonly used by the parent unless clearly not feasible pursuant to F.A.C. 6A-6.0908.

F. Absence for Treatment of Autism Spectrum Disorder

A parent of a student may request and be granted permission for absence of the student from school for an appointment scheduled to receive a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

Health Issues

A. Notice of Health Care Services

At the beginning of the school year, the District will provide notice to parents of all health care services offered at their student's school and of the option to withhold consent to or decline any specific service. Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the District will provide the questionnaire or form to the parent and obtain the permission of the parent.

B. School-Entry Health Examinations

The parent of any student shall be exempt from the requirement of a health examination upon written request stating objections on religious grounds. (see also Policy 5112 - *Entrance Requirements*)

C. Immunizations

The parent of any student shall be exempt from the school immunization requirements upon meeting any of the specified exemptions. (see also Policy 5320 - *Immunizations* and Policy 5112 - *Entrance Requirements*)

D. Biological Experiments

Parents may request that their child be excused from performing surgery or dissection in biological science classes.

E. Reproductive Health and Disease Education

A public school student whose parent makes written request to the school Principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS. (see also Policy 2417 - *Comprehensive Health Education*)

F. Contraceptive Services to Students

Students may not be referred to or offered contraceptive services at school facilities without the parent's consent.

G. Career Education Courses Involving Hazardous Substances

High school students must be given plano safety glasses or devices in career education courses involving the use of hazardous substances likely to cause eye injury.

H. Substance Abuse Reports

The parent of a student must be timely notified of any verified report of a substance abuse violation by the student.

I. Short-Acting Bronchodilator Use

Asthmatic students whose parent and physician provide their approval to the Principal may carry a short-acting bronchodilator and components on their person while in school. The school Principal shall be provided a copy of the parent's and physician's approval. (see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*; Policy 5330.04 - *Administration of Short-Acting Bronchodilators and Components by Trained School Personnel*)

J. Epinephrine Use and Supply

A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer epinephrine by auto-injector while in school, participating in school-sponsored

activities, or in transit to or from school or school-sponsored activities if the school has been provided with written parental and physician authorization.

The School District shall be indemnified by the parent of a student who is authorized to carry an epinephrine auto-injector for any and all liability with respect to the student's use of an epinephrine auto-injector pursuant to this policy.

The District and its employees and agents, including the physician who provides the standing protocol for school epinephrine auto-injectors, are not liable for any injury arising from the use of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:

1. unless the trained school personnel's action is willful and wanton;
2. notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the School District is not liable; and
3. regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician's assistant, or advanced registered nurse practitioner.
(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

K. Diabetes Management

The District may not assign a student who has diabetes to a particular school on the basis that the student has diabetes, that the school does not have a full-time school nurse, or that the school does not have trained diabetes personnel.

Diabetic students whose parent and physician provide their written authorization to the school Principal may carry diabetic supplies and equipment on their person and attend to the management and care of their diabetes while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, to the extent authorized by the parent and physician and within the parameters set forth by State Board of Education rule. The written authorization shall identify the diabetic supplies and equipment that the student is authorized to carry and shall describe the activities the child is capable of performing without assistance, such as performing blood-glucose level checks and urine ketone testing, administering insulin through the insulin-delivery system used by the student, and treating hypoglycemia and hyperglycemia.

The District and its employees and volunteers shall be indemnified by the parent of a student who is authorized to carry diabetic supplies or equipment for any and all liability with respect to the student's use of such supplies and equipment pursuant to this policy.

(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

L. Use of Prescribed Pancreatic Enzyme Supplements

A student who has experienced or is at risk for pancreatic insufficiency or who has been diagnosed as having cystic fibrosis may carry and self-administer a prescribed pancreatic enzyme supplement while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, IF the school has been provided with written authorization from the student's parent and prescribing practitioner.

The District and its employees and volunteers shall be indemnified by the parent of a student who is authorized to use prescribed pancreatic enzyme supplements for any and all liability with respect to the student's use of the supplements under this policy.

(see also Policy 5330.01 - *Self-Administered Medication and Epinephrine Use*)

M. Involuntary Examinations of Students

Before a Principal contacts a law enforcement officer for possible removal of a student from school for involuntary examination, the Principal must verify that the school has used de-escalation strategies and initiated outreach to a mobile response team, unless the Principal reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.

The Principal shall make a reasonable attempt to notify a parent of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463. Reasonable attempt to notify means the exercise of reasonable diligence

and care by the Principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the Principal must take the following actions:

1. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
2. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.

The Principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with Federal and State law.

The Principal may delay the required notification for no more than twenty-four (24) hours after a student is removed if:

1. the Principal deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect (see also Policy 2410 - *School Health Services*); or
2. the Principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student.

N. Sun-protective Measures in School

A student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription if the product is regulated by the United States Food and Drug Administration for over-the-counter use to limit ultraviolet light-induced skin damage.

O. Face Covering and Quarantine Mandates in Response to COVID-19

Neither the Board nor any agent or employee of the Board may:

1. require a student to wear a face mask, a face shield, or any other facial covering that fits over the mouth or nose. However, a parent, at the parent's sole discretion, may allow their child to wear a face mask, a face shield, or any other facial covering that fits over the mouth or nose;

This prohibition does not apply to safety equipment required as part of a course of study consistent with occupational or laboratory safety requirements. See Policy 8450.01, *Protective Facial Coverings During Pandemic/Epidemic Events*.

2. prohibit a student from attending school or school-sponsored activities, prohibit a student being on school property, or subject a student to restrictions or disparate treatment, based on an exposure to COVID-19, so long as the student remains asymptomatic and has not received a positive test for COVID-19.

P. Medication to Relieve Headaches

A student may possess and use a medication to relieve headaches while on school property or at a school-sponsored event/activity without a physician's note or prescription if the medication is regulated by the United States Food and Drug Administration for over-the-counter use to treat headaches.

Q. Naloxone Use and Supply

Schools may purchase a supply of the opioid antagonist naloxone from a wholesale distributor as defined in F.S. 499.003 or may enter into an arrangement with a wholesale distributor or manufacturer as defined in F.S. 499.003 for naloxone at fair-market, free, or reduced prices for use in the event that a student has an opioid overdose. The naloxone must be maintained in a secure location on the school's premises.

Discipline

A. Suspension

A student may be suspended only as provided within Board policy. A good faith effort must be made to immediately inform the parent by telephone of the student's suspension and the reason. Each suspension and the reason must be reported in writing within twenty-four (24) hours to the parent by United States mail or other method agreed to by the parent. A good faith effort must be made to use parental assistance before suspension

unless the situation requires immediate suspension. (see also Policy 5610 - *Removal, Suspension, and Expulsion of Students*)

A student with a disability may only be recommended for suspension or expulsion in accordance with State Board of Education rules.

B. Expulsion

Public school students and their parents have the right to written notice of a recommendation of expulsion, including the charges against the student and a statement of the right of the student to due process. (see also Policy 5610 - *Removal, Suspension, and Expulsion of Students*)

Safety

Students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, have the right to be kept separated from the student offender, both at school and during school transportation.

Educational Choice

A. Public School Choices

Parents may seek whatever public school options are applicable and available to students in the School District.

B. Private School Choices

Parents may seek private educational choice options under certain programs established under F.S. Chapter 1002.

C. Home Education

The parent may choose to place the student in a home education program, in accordance with State law. (see also Policy 9270 - *Home-Education Programs*)

D. Private Tutoring

The parent of a student may choose to place the student in a private tutoring program in accordance with State law.

E. New Worlds Scholarships

The parent of a student in kindergarten through grade 5 who (1) exhibits a substantial deficiency in early literacy skills based upon the results of the most recent progress monitoring administered pursuant to F.S. 1008.25; (2) has a substantial reading deficiency identified under F.S. 1008.25 or scored below a Level 3 on the most recent Statewide, standardized English Language Arts (ELA) assessment; (3) exhibits a substantial deficiency in early mathematics skills based upon the results of the most recent progress monitoring administered pursuant to F.S. 1008.25; or (4) has a substantial deficiency in mathematics or the characteristics of dyscalculia as identified under F.S. 1008.25, or scored below a Level 3 on the most recent Statewide, standardized Mathematics assessment may seek a scholarship in accordance with State law.

The District will notify the parent of each eligible student of the process to request and receive a scholarship, subject to available funds, when providing results from the standardized coordinated screening and progress monitoring pursuant to F.S. 1008.25.

F. Request to Transfer to Different Classroom Teacher

Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred to a different classroom teacher. As part of the request, the parent must state with specificity the grounds supporting the request. Requests must be in writing utilizing Form 5780 F2. A completed, signed Form 5780 F2 must be provided to the Principal.

All requests for a student to be transferred to another classroom teacher shall be considered by the Principal or his/her designee. Within two (2) weeks of receiving a completed Form 5780 F2, the Principal shall notify the parent in writing as to whether the request is approved or denied. If denied, the Principal or his/her designee shall specify the reasons for the denial.

G. Request to Transfer to In-Field Classroom Teacher

A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled. Although parents do not have a right to choose a specific classroom teacher, parents may request that their child be transferred. As part

of the request, the parent must complete Form 5780 F3. A completed, signed Form 5780 F3 must be provided to the Principal.

All requests for a student to be transferred to another classroom teacher shall be considered by the Principal. Within two (2) weeks of receiving a completed Form 5780 F3, the Principal shall notify the parent in writing as to whether the request is approved or denied.

If an in-field teacher for the student's course and grade level is employed by the school and the transfer would not violate maximum class size requirements, the request shall be approved. The student shall be transferred no later than two (2) weeks from the date Form 5780 F3 is received.

If denied, the Principal shall specify the reasons for the denial.

ACCEL Options

Parents may request student participation in Academically Challenging Curriculum to Enhance Learning (ACCEL) options, including whole grade promotion, midyear promotion or subject matter acceleration. If the parent selects one of these ACCEL options and the student meets eligibility and procedural requirements in the student progression plan, the student will have the opportunity to participate in the ACCEL option.

Nondiscrimination

All education programs, activities, and opportunities offered by the District are available without discrimination on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), color, ethnicity, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information, which are classes protected by State and/or Federal law (collectively, protected classes). (see also Policy 2260 - *Nondiscrimination and Access to Equal Educational Opportunity* and Policy 2260.01 - *Section 504/ADA Prohibition Against Discrimination Based on Disability*)

Exceptional Students

Parents may enroll their eligible child in gifted or special education. (See also Policy 2460 - *Exceptional Student Education*)

A. Notice and Due Process

Parents of students with disabilities and parents of students in residential care facilities are entitled to notice and due process. (see also Policy 2460 - *Exceptional Student Education*)

B. Graduation

Students with disabilities are provided the opportunity to meet the graduation requirements for a standard high school diploma. Certain students with disabilities may be awarded a special diploma upon high school graduation. (see also Policy 2623 - *Student Assessment*)

C. Meetings with District Personnel

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at any meeting with District personnel.

District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend any meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents or eligible students on school grounds shall sign-in at the front office of such school as a guest.

Parents, or eligible students, and District personnel shall sign a form at the meeting's conclusion which states whether or not any District personnel have prohibited, discouraged, or attempted to discourage the parents, or eligible student from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

Blind Students

Students who are blind have the right to an individualized written education program and appropriate instructional materials to attain literacy.

Limited English Proficient Students

The electronic edition of the BDS Code of Conduct and School Board policy located at www.bay.k12.fl.us is the latest edition. It replaces earlier electronic and printed editions.

Limited English proficient students have the right to receive English for Speakers of Other Languages (ESOL) instruction designed to develop the student's mastery of listening, speaking, reading, and writing in English as rapidly as possible. The students' parents have the right of parental involvement in the ESOL program.

Students with Reading Deficiencies

Each elementary school shall regularly assess the reading ability of each K-3 student. The parent of any K-3 student who exhibits a reading deficiency shall be immediately notified of the student's deficiency with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading; shall be consulted in the development of a progress monitoring plan; and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected.

Students with Substantial Math Deficiencies

The parent of any K-4 student who exhibits a substantial deficiency in mathematics will be notified that the child has been identified as having a deficiency, with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics; a description of current services provided to the child; a description of proposed intensive interventions and supports that will be provided to remediate the identified area of math deficiency; and strategies through a home-based plan the parent can use in helping the child succeed in mathematics, including resources in an electronic format.

Pledge of Allegiance

A student will be excused from reciting the Pledge of Allegiance or the Declaration of Independence, upon written request by the student's parent, in accordance with State law. See also Policy 8800, *Religious/Patriotic Ceremonies and Observances*.

Student Records

- A. Each parent has an equal right of access, right to waive access, right to challenge and hearing and right of privacy in the education records of their student who is a minor or a dependent adult pursuant to law, unless the school has received a certified copy of an enforceable court order that provides to the contrary. (see also Policy 8330 - *Student Records*)
- B. A student is not required to provide their social security number as a condition for enrollment or graduation. (see also Policy 8330 - *Student Records*)
- C. The school will not collect, obtain or retain information on the political affiliation, voting history, religious affiliation or biometric information of a student, parent or siblings.

Student Report Cards

Students and their parents have the right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.

Student Progress Reports

Parents shall be informed at regular intervals of the academic progress and other needed information regarding their child, including ways they can help their child to succeed in school. (see also Policy 5420 - *Reporting Student Progress*)

Student Accountability and School Improvement Rating Reports

Parents of public school students are entitled to an easy-to-read report card about the school's grade designation or, if applicable, school's improvement rating, and the school's accountability report, including the school financial report.

High School Athletics

- A. Eligibility
A student is eligible in the school in which they first enrolls each school year, the school in which the student makes himself/ herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred with approval of the Board, in accordance with State law. (see also Policy 2431 - *Interscholastic Athletics*)
- B. Medical Evaluation
Students must satisfactorily pass a medical evaluation each year before participating in athletics, unless the parent objects in writing based on religious tenets or practices, in accordance with State law. (see also Policy 2431 - *Interscholastic Athletics*)

Extra-Curricular Activities

- A. Eligibility
Students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities. (see also Policy 2430 - *District-Sponsored Clubs and Activities*)
- B. Home Education Students
Home education students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies, or may develop an agreement to participate at a private school.
- C. Charter School Students
Charter school students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the school to which the student would be assigned or could choose to attend according to Board policies unless such activity is provided by the student's charter school.
- D. Florida Virtual School Full-Time Students
Florida Virtual School full-time students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies.

Instructional Materials

- A. Core Courses
Students are entitled to adequate instructional materials in the core courses of mathematics, language arts, social studies, science, reading, and literature.
- B. Curricular Objectives
The parent of each student has the right to receive effective communication from the school Principal as to the manner in which instructional materials are used to implement the school's curricular objectives.
- C. Sale of Instructional Materials
Upon request of the parent of a student, the Principal will sell to the parent any instructional materials used in the school.
- D. Dual Enrollment Students
Instructional materials purchased by the District or a Florida College System institution board of trustees on behalf of dual enrollment students is available to the dual enrollment students free of charge.
- E. Parent Access to Instructional Materials
Parents have the ability to access their child's instructional materials and may object to the use of a specific instructional material or contest the adoption of instructional material (See Policy 2520, *Selection and Adoption of Instructional Materials*).

Juvenile Justice Programs

Students who are in juvenile justice programs have the right to receive educational programs and services, in accordance with State law.

Parental Input and Meetings

- A. Meetings with School District Personnel
Parents may be accompanied by another adult of their choice at a meeting with School District personnel.
- B. District Educational Facilities Program
Parents and other members of the public have the right to receive proper public notice and opportunity for public comment regarding the District's educational facilities work program, in accordance with State law.
- C. Parent-Teacher Associations and Organizations
Parents have the right to participate in parent-teacher associations and organizations that are sanctioned by the Board or by the Florida Department of Education.

Transportation

A. Transportation to School

Students are provided transportation to school in accordance with the provisions of State law. (see also Policy 8600 - *Transportation*)

B. Hazardous Walking Conditions

Students in grades K-6 are provided transportation if they are subjected to hazardous walking conditions, in accordance with State law.

C. Parental Consent

Each parent of a public school student must be notified in writing and give written consent before the student may be transported in a privately owned motor vehicle to a school function in accordance with State law. (see also Policy 8660 - *Transporting Students by Private Vehicles*)

Orderly, Disciplined Classrooms

Students will be in orderly, disciplined classrooms conducive to learning without the distraction caused by disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students. (see also Policy 5600 - *Student Discipline*)

Economic Security Report

Prior to registration, each middle school and high school student or the student's parent will be provided a two (2) page summary of the Department of Economic Opportunity's economic security report of employment and earning outcomes and electronic access to the report.

Safe Schools

Parents of District students will be timely notified pursuant to procedures adopted by the Superintendent of threats and the following unlawful acts or significant emergencies that occur on school grounds, during school transportation, or during school-sponsored activities:

- A. Weapons possession or use when there is intended harm toward another person;
- B. Murder, homicide, or manslaughter;
- C. Sex offenses, including rape, sexual assault or sexual misconduct with a student by school personnel;
- D. Natural emergencies, including hurricanes, tornadoes, and severe storms.
- E. Exposure as a result of a manmade emergency.

Parents of District students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9).

Parental Notification of Arrests of Employees

Notwithstanding F.S. 1012.31(3)(a)1 and 1012.796(4), within twenty-four (24) hours after a law enforcement agency provides the Superintendent with written notification pursuant to F.S. 1012.797 that a District employee has been arrested for a felony or a misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance, the Principal shall notify parents of enrolled students who had direct contact with the employee and include, at a minimum, the name and specific charges against the employee.

SECTION II: Attendance

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5200 - ATTENDANCE

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. School attendance is the responsibility of parents and students. Absences shall be reported to the school attendance office by the parent or adult student as soon as practicable.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The School Board reserves the right to verify such statements and to investigate the cause of each single absence.

In addition, educators have the responsibility to encourage regular attendance of students, maintain accurate attendance records, and follow reporting procedures prescribed by the Superintendent. Schools will record absent and tardy students in the automated student attendance recordkeeping system.

Provision shall be made for promoting school attendance through adjustment of personal problems, education of parents, and enforcement of the compulsory attendance laws and related child-welfare legislation. Accordingly:

Absences must be reported to the school by the parent or adult student as soon as practicable.

Failure to report and explain the absence(s) shall result in unexcused absence(s). The final authority for determining acceptability of the reason for the absence(s) shall rest with the principal.

- A. upon each unexcused absence, or absence for which the reason is unknown, the principal, shall contact the student's parent to determine the reason for the absence;
- B. teachers shall record absentees each period of the school day and report absences, excused and unexcused, as required by the school;
- C. insofar as possible, parents should be contacted each time their child has an unexcused absence or an absence for which the reason is unknown, to prevent the development of patterns of nonattendance;
- D. when a student has at least five (5) unexcused absences or absences for which the reasons are unknown, within a calendar month, or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the teacher shall report to the Principal that the child may be exhibiting a pattern of nonattendance. Unless there is clear evidence that the absences are not a pattern of nonattendance, the Principal will refer to the case to the school's child student team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, a meeting with the parent must be scheduled to identify potential remedies. If the problem is not resolved, the child study team implement the interventions set forth in, and act in accordance with, the requirements in F.S. 1003.26.
 1. If a parent refuses to participate in the remedial strategies determined by the child study team because s/he believes that the strategies are unnecessary or inappropriate, the parent may appeal to the Superintendent.
 2. The appeal will be heard by a hearing officer who will make recommendations for final action to the Board.
 3. If the Board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.

If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to F.S. Chapter 1002, the superintendent shall provide the parent a copy of F.S. 1002.41 and the accountability requirements set forth in F.S. 1003.26. The superintendent shall also refer the parent to a home education review committee composed of the District contact for home education programs and at least two (2) home educators selected by the parent from a District list of all home educators who have conducted a home education program for at least three (3) years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by F.S. 1002.41, every thirty (30) days during the District's regular school terms until the committee is satisfied that the home education program is in compliance with F.S. 1002.41(1)(d). The first portfolio review must occur within the first thirty (30) calendar days of the establishment of the

program. The following provisions shall also occur if the committee does not determine that the home education program is in compliance with F.S. 1002.41(1)(d):

- A. If the parent fails to provide a portfolio to the committee, the committee shall notify the superintendent.
- B. The superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under F.S. 1003.01 within three (3) days.
- C. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days.
- D. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of F.S. 1003.21 and may result in criminal prosecution under F.S. 1003.27(2)
- E. Nothing contained herein shall restrict the ability of the superintendent to review the portfolio pursuant to F.S. 1002.41(1)(e).

If a student subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent or the superintendent shall refer the case to the case staffing committee pursuant to F.S. 984.12 and the superintendent may file a truancy petition pursuant to the procedures in F.S. 984.151.

Under the direction of the superintendent, Principal shall give written notice that requires enrollment or attendance within three (3) days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student's non-enrollment in school.

- A. If the notice and requirement are ignored, the Principal shall report the case to the superintendent, who may refer the case to the child study team at the school the student would be assigned according to attendance area policies or to the case staffing committee, established pursuant to F.S. 984.12.
- B. The child study team shall diligently facilitate intervention services and shall report the case back to the superintendent only when all reasonable efforts to resolve the non enrollment behavior are exhausted.
- C. If the parent still refuses to cooperate or enroll the child in school, the superintendent shall take such steps as are necessary to bring criminal prosecution against the parent. Subsequently, the superintendent shall give written notice in person or by return-receipt mail to the parent that criminal prosecution is being sought for nonattendance. The superintendent may file a truancy petition, as defined in F.S. 984.03, following the procedures outlined in F.S. 984.151.

Each school should also establish procedures to ensure good attendance consistent with this policy.

Excused Absences

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. Personal illness of the student (medical evidence may be required by the principal or designee for absences exceeding five (5) consecutive days).
- B. Court appearance of the student.
- C. Medical appointment of the student.
- D. Pregnancy related issues (see also Policy 5751).
- E. Approved school activity.
- F. Insurmountable conditions. Insurmountable conditions are extreme weather conditions, communicable disease outbreaks, and local conditions determined by the School District which, after taking into account the material circumstances, would render impracticable a student's attendance at school. (F.A.C. 6A-1.09513)
- G. Other absences with prior approval of the principal or designee.
- H. Attendance at a center under Children and Families Services supervision.
- I. Significant community events with prior permission of the Principal.
- J. Religious instruction or religious holiday.
- K. Death in the immediate family.
- L. Appointments for a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

Absences not included in excused absences listed above shall be unexcused.

Students may not be given excused absences to remain out of school for the purpose of working unless the job is an integral part of the student's instructional program.

Discipline

No student will be suspended for unexcused tardiness, lateness, absence, or truancy and may be subject to the current discipline matrix.

Any student who fails to attend any regularly scheduled class and has no excuse for absence should be referred to the appropriate administrator. Any disciplinary action will include notification to parents or guardians.

A student's grade in any course is based on his/her performance in the instructional setting and shall not be reduced for reasons of conduct. If a student violates the attendance or other rules of the school, s/he should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate s/he has learned.

The Superintendent shall develop administrative procedures that:

- A. provide the student and his/her parents the opportunity to challenge the attendance record prior to notification and that such notification complies with applicable Board rules;
- B. require a school session that is in conformity with the rules of the State Board;
- C. govern the keeping of attendance records in accordance with the rules of the State Board;
- D. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- E. require that students whose absence has been excused have an opportunity to make up work they missed and receive credit for the work if completed;
- F. require that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 or other appropriate accommodation.

Habitual Truancy

Whenever any student has a total of fifteen (15) unexcused absences from school within ninety (90) calendar days, with or without the knowledge or consent of the parent, s/he will be considered habitually truant. The Board authorizes the Superintendent to inform the student and his/her parents of the record of excessive absences as well as the District's intent to notify the Department of Highway Safety and Motor Vehicles, if appropriate. The Superintendent is authorized to file a truancy petition under F.S. 984.151 if a student has accrued at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown within a ninety (90) calendar day period or has had more than fifteen (15) unexcused absences in a ninety (90) calendar day period.

5223 - ABSENCES FOR RELIGIOUS INSTRUCTION

It is the policy of the School Board to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements set forth in the State-mandated Student Progression Plan.

Upon receipt of a signed, written request (Form 5223 F1) from the parent/guardian or adult student, the Board will grant permission and allow exceptions to the student's attendance at school for religious instruction outside the school building by a religious group, church, or denomination. The signed, written request shall include the following:

- A. a statement attesting that the religious instruction is not provided at a time that does not conflict with the student's attendance at school
- B. a statement of acceptance by the parent/guardian or adult student for any liability that might arise as a result of the student's conduct while on this release
- C. a statement indemnifying and holding harmless the District and District personnel for any liability arising from conduct by the student that does not occur on property under the District's control

Upon receipt of the signed, written request and provided the religious group, church, or denomination responsible for the religious instruction submits evidence, in writing, of the student's registration for religious instruction, as well as written weekly records documenting the student's attendance at such instruction for each day of release, the student shall be considered to have an excused absence during such release for religious instruction.

Prior to approving the request, the principal shall confirm that the student is enrolled in sufficient courses to allow for promotion or graduation and that the student's grades are adequate for promotion or graduation.

The principal may terminate the student's permission for non-attendance. The parent/guardian or adult student may appeal the principal's decisions to terminate permission for the student to be released for religious instruction to the Superintendent.

The religious instruction shall be the responsibility of the religious group, church, or denomination and transportation shall be the responsibility of the parent/guardian, adult student, or the religious institution.

No solicitation for attendance at religious instruction shall be permitted on District premises. No staff member shall encourage or discourage participation in any religious instructional program.

5225 - ABSENCES FOR RELIGIOUS HOLIDAYS

It is the policy of the School Board that absences from school for the observance of a religious holiday or because of the tenets of a student's religion forbid secular activity during a school day or portion thereof shall be excused subject to compliance with this policy.

Student absences will be excused for the following religious holidays:

A. Eid al Fitr	O. Christmas
B. Rosh Hashanah	P. Epiphany
C. Yom Kippur	Q. Mawlid an Nabi
D. Sukkot	R. Nirvana Day
E. Shemini Atzeret	S. Purim
F. Simhat Torah	T. Pesach
G. Navaratri	U. Holi
H. Eid Al Adha	V. Good Friday
I. Diwali	W. Easter
J. Hijra (New Year)	X. Pesach
K. Ashura	Y. Baisakhi
L. Guru Nanak's Birthday	Z. Shavuot
M. Bodhi Day	AA. Visakha (Buddha Day)
N. Hanukkah	BB. Tisha B'Av

If a parent or student requests an excused absence for a religious holiday not on the above list, the Principal shall review the request and make a determination. The Principal's decision is final.

The Superintendent may periodically consult with religious institutions and leaders in the community with regard to modification of the above list of religious holidays. The Board, however, is not bound by the information provided to the Superintendent by religious institutions and leaders.

The Superintendent shall establish procedures and time limits to be observed:

- A. by students, teachers, and administrators in making available to each student, so excused, an opportunity to make up any examination, study, or work assignment which has been missed;
- B. by a student's parent(s) or guardian when giving prior notice of the student's intended absence; and
- C. when giving affected students and parents an opportunity to be heard in connection with the decision not to excuse an absence on a day or portion thereof which is not included in the above list of religious holidays.

5230 - LATE ARRIVAL AND EARLY DISMISSAL

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the District.

The School Board recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

The parent of each student of compulsory school age who has been tardy or released from school for any reason, shall provide documentation to verify the cause for such tardiness or partial absences from school.

A student's tardiness to school or early dismissal from school may be excused at the discretion of the principal.

Late Arrival

A student is tardy when the student arrives after the beginning of the school day or when the student is not inside the assigned room of a class when the tardy bell rings.

Students who are tardy to school must sign-in at the main office. For safety reasons, elementary students must not be dropped off. An excused tardy exists when reasons acceptable to the principal are given:

A. Excused tardies include those caused by:

1. Illness; 2. medical or dental appointments (doctors' statement may be required); 3. automobile accident; 4. death or funeral;	5. required court appearance (copy of court documentation required); 6. late arrival of a school bus; or 7. other situations acceptable to the principal.
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B. Unexcused tardies include, but are not limited to, those caused by:

1. heavy traffic; 2. oversleeping;	3. returned home for forgotten items; or 4. non-educational appointments other than medical appointments.
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Early Dismissal

Once a student arrives on campus, s/he may not leave without permission from the principal. In the event a student must leave early, a responsible adult must make the request in person in the main office. A picture ID must be presented.

An excused early release exists when reasons acceptable to the principal are given. An excused early release may include those caused by:

- A. illness;
- B. medical or dental appointments (doctor's statement may be required);
- C. death or funeral;
- D. required court appearance (subpoena or notice required); and
- E. other situations acceptable to the principal.

During school hours a principal shall permit a child to leave school only in the custody of one of the following adults:

- A. parent(s) of the student with photo ID
- B. person(s) listed on the emergency contact list in accordance with Policy 5112.01, *Student Enrollment and Educational Decisions*;
- C. a law enforcement officer; or
- D. an authorized worker from the Department of Children and Families.

No student shall be sent from school grounds to perform an errand or act as a messenger.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her. No student shall be released to anyone who is not authorized such custody by the parents.



Section III: Student Conduct, Discipline, and Placement Options

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5500: Student Conduct

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.

The Principal shall notify all school personnel as to their obligation to report to the Principal those acts and/or crimes which pose a threat to school safety. School personnel must also properly document the disposition of any such incident.

Zero Tolerance Policy

The School Board has zero tolerance for conduct that poses a threat to school safety. Zero tolerance policies must apply equally to all students and are not intended to be rigorously applied to petty acts of misconduct. This policy minimizes the victimization of students, staff, and volunteers and requires that necessary steps be taken to protect the victim of any violent act from any further victimization. In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened, using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer were necessary to restore or maintain the safety of others.

Florida law requires that students found to have committed one of the following offenses:

- A. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school-sponsored transportation, or possessing a firearm at school; or
- B. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school or school personnel's property, school transportation, or a school-sponsored activity;

shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and shall be referred to mental health services identified by the District and to the criminal justice or juvenile justice system.

The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request that the Board modify the requirement by assigning a student to a disciplinary program or second chance school. The Superintendent's request for modification must be in writing and may only be presented to the Board for consideration if the student and/or the student's parent(s) agree in writing to accept the Superintendent's recommendation. The Board may approve the request if it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is a student who has a disability, the Board shall comply with applicable State Board of Education rules for the discipline of such students.

The District shall enter into agreements with local law enforcement specifying procedures so that acts that pose a threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction. The school's threat management team will consult with law enforcement when a student exhibits a pattern of behavior, based on previous acts or the severity of an act that would pose a threat to school safety.

School Environmental Safety Incident Reporting

The following acts are required to be reported to the Department of Education as school environmental safety incidents (SESIR):

- A. Alcohol (Level IV): possession, sale, purchase, distribution, or use of alcoholic beverages. "Use" means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.
- B. Aggravated Battery (Level I) - A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.
- C. Arson (Level I) - To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents.

- D. Burglary (Level II) - Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.
- E. Bullying (Level IV) - Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Policy 5517.01, *Bullying and Harassment*. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property.
- F. Criminal Mischief (Felony Vandalism - \$1,000 threshold) - Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti or other acts of vandalism on the property.
- G. Disruption on Campus - Major (Level III) - Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others, such as, but not limited to, bomb threats, inciting a riot, or initiating a false fire alarm.
- H. Drug Sale or Distribution (Level II) - The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance, or substance represented to be a drug, narcotic, or controlled substance
- I. Drug Use or Possession (Level III) - The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. "Use" means the person is caught in the act of using, admits to use, or is discovered to have used in the course of an investigation.
- J. Fighting (Level III) - When two (2) or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention.
- K. Grand Theft (\$750 threshold) (Level III) - The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm.
- L. Harassment (Level IV) -- as defined in Policy 5517, *Anti-Harassment*.
- M. Hazing (Level III) - as defined in Policy 5516, *Student Hazing*.
- N. Homicide (Level I) - The unjustified killing of one human being by another.
- O. Kidnapping (Level I) - Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.
- P. Other Major Incidents (Level III) - Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. This includes any drug or weapon found unattended and not linked to any individual.
- Q. Robbery (Level II) -- The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear.
- R. Sexual Assault (Level II), Sexual Battery (Rape) (Level I), Sexual Harassment (Level III), and Sexual Offenses (Other) (Level III) -- as defined in Policy 2266, *Nondiscrimination on the Basis of Sex in Educational Programs and Activities*.
- S. Simple Battery (Level II) -- An actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual.
- T. Threat/Intimidation (Level III) - An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically, or through any other means.
- U. Tobacco (Level IV) -- as defined in Policy 5512, *Smoking and Tobacco-Free Environment*.
- V. Trespassing (Level III) - To enter or remain on school grounds, school transportation, or at a school-sponsored event, without authorization or invitation and with no lawful purpose for entry, if involves a student currently under suspension or expulsion, an offender who was previously issued an official trespass warning by school officials, or an offender who was arrested for trespass.
- W. Weapons Possession (Level II) - as defined in Policy 5772, *Weapons*.

Acts that Pose a Threat to School Safety

Acts that pose a threat to school safety and require consultation with law enforcement include, but are not limited to,:

- A. possession of firearms or other weapons
- B. placing, discharging, or throwing an explosive item or noxious substance or making threats to do so
- C. arson
- D. felony assault
- E. threats of unsafe and potentially harmful, dangerous, violent, or criminal activities

Petty Acts of Misconduct

Petty acts of misconduct that are not a threat to school safety do not require consultation with law enforcement.

The following are typically considered petty acts of misconduct, although each act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement:

- A. disorderly conduct
- B. disrupting a school function (Level IV)
- C. simple assault or battery
- D. verbal abuse or use of profanity
- E. cheating
- F. theft of less than \$300, trespassing (incidents without prior official warning, not resulting in arrest, or not involving students under suspension or expulsion), and vandalism of less than \$1,000

Assault or Battery on School District Personnel

Notwithstanding any other provision of Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any elected official of the School District, teacher, administrator, or other School District personnel, may be recommended for expulsion or placement in an alternative school setting, as appropriate.

Code of Conduct

The Code of Conduct that is adopted annually shall provide for review of a decision to suspend or expel a student pursuant to this policy and the Code, consistent with F.S. 1006.07. The Code shall also include the following:

- A. criteria for recommending to law enforcement that a student who commits a criminal offense be allowed to participate in a civil citation or similar prearrest diversion program as an alternative to expulsion or arrest;

All civil citation or similar prearrest diversion programs must comply with F.S. 985.12.

- B. criteria for assigning a student who commits a petty act of misconduct to a school-based intervention program. If a student's assignment is based on a noncriminal offense, the student's participation in a school-based intervention program may not be entered into the Juvenile Justice Information System Prevention Web.
- C. Violations of Policy 5511 - *Student Dress Code* are subject to the disciplinary actions specified in that policy.

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in F.S. 1006.13(6)(a), the Board shall, pursuant to State law and the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense or a sibling of the victim.

Students may be subject to discipline for violation of the Code of Conduct even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the 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.

Student conduct shall be governed by the rules and provisions set forth in the Code of Conduct which is reviewed and adopted whenever revisions are proposed in accordance with F.S. Chapter 120 and is incorporated in the policy by reference.

MINOR INFRACTIONS

- A. 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.

1. Disrespect of School Staff	9. Minor disruption of class/school activities
2. Distribution of Unauthorized Materials	10. Not remaining in assigned area
3. Excessive Talking	11. Possession or use of skateboards
4. Failure to follow administrative directive	12. Skipping class on or off campus without permission
5. Failure to follow instructions of school staff	13. Tardiness

6. Inappropriate Behavior/Language 7. Libelous statements 8. Loss/Damage of materials belonging to the school	14. Teasing/Horseplay 15. Unauthorized Assembly 16. Unauthorized use of school property 17. Violations of Board policy regarding cell phones, computers and/or internet usage
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B. Minor Disciplinary Measures

Behavior qualifying for Minor Disciplinary Measures may result in any of the following as deemed appropriate by an administrator or teacher:

1. Verbal Correction 2. Counseling 3. Parental Contact 4. Administrative Probation	5. Detention 6. In-School Suspension 7. Work Detail (with parental consent) 8. Seat re-assignment
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MAJOR INFRACTIONS

A. 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:

1. Academic Dishonesty 2. Aggravated Battery 3. Aiding & abetting another person in committing an act which would be a violation of Board policy 4. Alcohol Use/Possession 5. 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. 6. Arson 7. Breaking & Entering/Burglary 8. Bullying 9. Defiance/Insubordination 10. Disruption on Campus 11. Drug Sale/Distribution 12. Drug Use/Possession 13. Excessive Tardies 14. Failure to report to an assigned placement in alternative setting 15. Fighting 16. Harassment 17. Hazing 18. Homicide 19. Larceny/Theft 20. Lying to School Officials 21. Motor Vehicle Infraction 22. Obstruction of an Investigation by school or other officials 23. Participation in or leading a riot or disturbance 24. Participation in Gang Activity 25. Physical Attack 26. Possession of a Weapon 27. Possession of any device designed to expel a projectile by air or gas	28. Possession of Dangerous Object or Device 29. Possession, sale, or distribution of pornographic material 30. Possession, use or sale of dangerous articles or chemical propellant sprays 31. Possession, use or sale of fireworks or other destructive devices 32. Possession, use or sale of matches or cigarette lighters (except at Tom P Haney by an adult student) 33. Possession, use or sale of tobacco products of any kind or electronic cigarettes (vapes) 34. Public display of affection 35. Robbery 36. Rude/Obscene Behavior and/or Language (profanity) 37. Sexual Assault 38. Sexual Battery 39. Sexual Harassment 40. Sexual Offenses Other 41. Threat/Intimidation 42. Tobacco 43. Trespassing 44. Unauthorized alteration or changing, or aiding and abetting or participating in the alteration of changing a student's grades or attendance records. 45. Unauthorized use of free/reduced lunch number 46. Use of wireless communication devices in violation of Board policy. 47. Vandalism 48. Violating the rights of others 49. Violation Alternative Placement Requirements 50. Violation of Re-Entry Behavior Contract 51. Violation of vehicle/parking regulations
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B. 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:

1. Out-of-School Suspension 2. Bus Suspension 3. Placement in an alternative setting	4. Expulsion 5. Bus Expulsion
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The Code of Conduct shall contain provisions for the assignment of violent or disruptive students to an alternative educational program and/or referral of such students to mental health services identified by the District.

5600 - STUDENT DISCIPLINE

The School Board acknowledges that conduct is closely related to learning - an effective instructional program requires an orderly school environment and the effectiveness of the educational program is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

All school personnel shall be informed and responsible for all Board administrative procedures concerning discipline. All school personnel shall become involved in the discipline process anywhere on campus or at school functions off campus. A good faith effort shall be made by the principal to employ parental assistance or other alternative measures prior to suspension.

Students are under the control and direction of the principal and under the immediate control and direction of the teacher or other member of the instructional staff or bus driver to whom such responsibility may be assigned by the principal:

- A. when they are being transported to or from school at public expense;
- B. when they are attending school;
- C. when they are engaged in a school-sponsored activity, and on the school premises; and
- D. during a reasonable time before and after a student is on the premises for attendance at school or for authorized participation in a school-sponsored activity, and only when on the premises. A "reasonable time" means thirty (30) minutes before or after the school day or school-sponsored activity is scheduled or actually begins or ends, whichever period is longer.

The Board shall also require each student of this District to:

- A. conform to reasonable standards of socially acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others.

The Board will not tolerate any form of violence, disruptive, or inappropriate behavior, nor excessive truancy which it defines as more than fifteen (15) unexcused absences within a ninety (90) calendar day period. In addition to disciplinary action specified in the parent/student handbooks, the Superintendent shall develop strategies that will help prevent students from demonstrating any of these unacceptable behaviors.

The Superintendent shall promulgate administrative procedures for student conduct which carry out the purposes of this policy and:

- A. are not arbitrary but bear a reasonable relationship to the need to maintain a school environment conducive to learning;
- B. do not discriminate among students;
- C. do not demean students;
- D. do not tend to violate any individual rights constitutionally guaranteed to students.

The Superintendent shall designate sanctions for the infractions of rules, excluding corporal punishment, which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;

- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The Superintendent shall publish to all students and their parents the rules of this District regarding student conduct and the sanctions which may be imposed for breach of those rules.

The Superintendent shall inform the Board periodically of the methods of discipline imposed by this District and the incidence of student misconduct in such a degree of specificity as shall be required by the Board.

Principals shall have the authority to assign discipline to students, subject to Board policy, the administrative procedures of the Superintendent and to the student's due process right to notice, hearing, and appeal.

Teachers, school bus drivers, and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

Bay District Schools



SCHOOL DISCIPLINE MATRIX FOR SCHOOL - BASED ADMINISTRATORS 2025-2026

Revised

DISCIPLINE CODE	DEFINITION	SESIR/ LOCAL	K-2 DISCIPLINARY STEPS	3-5 DISCIPLINARY STEPS	MIDDLE DISCIPLINARY STEPS	HIGH DISCIPLINARY STEPS	Reminders
SESIR DISCIPLINE CODES							Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
SESIR DISCIPLINE CODES in blue		SESIR requiring an investigation		Local codes			
AGGRAVATED BATTERY	(intentional great bodily harm) A battery where the attacker intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant. (Violence carried out by a person who is NOT fighting back, must be "injury-related")	SESIR*	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	
ALCOHOL 1. (USE/ POSSESSION) 2. (SALE/ DISTRIBUTION)	(possession, use, or sale) Possession, sale, purchase, or use of alcoholic beverages. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. Alcohol incidents cannot be Drug related.	SESIR	1."According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps." 2. Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	1."According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps." 2. Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	1."According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps." 2. Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	1."According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps." 2. Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	
ARSON	(intentionally setting a fire on school property) To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.	SESIR^	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	
BULLYING *Requires investigative paperwork*	(intimidating behaviors that are repeated, intentional, and involve a power imbalance) Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Section 1006.147(3)(b), F.S. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment.	SESIR^	1. 1-3 Days ISS, counseling 2. 1-3 days OSS, re-entry meeting 3. 3-10 Days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. 1-5 Days ISS, counseling 2. 1-3 days OSS, re-entry meeting 3. 3-10 Days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 1-3 days OSS 2. 3-5 days OSS 3. 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 1-3 days OSS 2. 3-5 days OSS 3. 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	
BURGLARY	(illegal entry into a facility) Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.	SESIR^	Consult w/ SRD 1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	Consult w/ SRD 1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	Report to SRD 1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	
CRIMINAL MISCHIEF	(destruction, damage, or defacement of school or personal property) (\$1,000 threshold) Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.	SESIR	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion, restitution	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion, restitution	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS with option of Admin Placement/Alt Placement/Expulsion	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS with option of Admin Placement/Alt Placement/Expulsion	

DISRUPTION ON CAMPUS (MAJOR)	(major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation) Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others. Examples of major disruptions include bomb threats, inciting a riot, or initiating a false fire alarm. Situations causing the school to be evacuated or go on lock down.	SESIR*	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Reminders
DRUG SALE/ DISTRIBUTION (EXCLUDING ALCOHOL)	(illegal sale or distribution of drugs) The manufacture, cultivation, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.	SESIR	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance- Report to SRD, 10 days OSS, Expulsion	Zero Tolerance- Report to SRD, 10 days OSS, Expulsion	Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
DRUG USE/ POSSESSION (EXCLUDING ALCOHOL)	(illegal drug possession or use) The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. (Including student possessing or observed swallowing prescription drugs that are not prescribed to him/her.)	SESIR	*According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps.*	*According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps.*	*According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps.*	*According to Statute this is an expellable offense and this situation will be taken to the Superintendent. The student is being suspended for 10 days at this point and the district will be in contact with future steps.*	
FIGHTING	(mutual combat, mutual altercation) When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR.	SESIR*	1. 1-3 Days OSS (can be reduced with counseling) 2. 3-5 Days OSS (no reduction, parent re-entry meeting mandatory) 3. 5-10 Days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. 1-3 Days OSS (can be reduced with counseling) 2. 3-5 Days OSS (no reduction, parent re-entry meeting mandatory) 3. 5-10 Days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 10 days OSS (could be reduced w/counseling) 2. 10 days OSS (no reduction), parent re-entry meeting mandatory 3. 10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 10 days OSS (could be reduced w/counseling) 2. 10 days OSS (no reduction), parent re-entry meeting mandatory 3. 10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	
GRAND THEFT	(taking of property from a person, building, or a vehicle)The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally defined incidents according to district policies. Thefts of property of any value that involve the use of force, violence, assault, or putting the victim in fear must be reported as Robbery.	SESIR		Consult w/ SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	Report to SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	Report to SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	
HARASSMENT *Requires investigative paperwork*	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear or harm to his or her person or damage to his or her property; has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school, including any course of conduct directed at a specific person that causes a substantial emotional	SESIR*	1. 1-3 days ISS 2. 1-3 days OSS 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. 1-5 days ISS 2. 1-3 days OSS 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 1-3 days OSS 2. 3-5 days OSS 3. 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 1-3 days OSS 2. 3-5 days OSS 3. 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	
HAZING	Any action or situation that endangers the mental or physical health or safety of a student at a school with any grades of 6-12 for the purposes of initiation or admission into or affiliation with any school-sanctioned organization.	SESIR			1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	
HOMICIDE	(murder/manslaughter) The unjustified killing of one human being by another.	SESIR*	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	
KIDNAPPING	(abduction of an individual)Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.	SESIR*	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Report to SRD, OSS, Expulsion	

OTHER MAJOR	(major incidents that do not fit within the other definitions) Any serious, harmful incident resulting in the need for LE consultation not previously classified. Examples: Counterfeit money, gambling, possessing child pornography, or possessing drug paraphernalia	SESIR ^a	Consult w/ SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	Consult w/ SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	Consult w/ SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	Consult w/ SRD 1. 3-5 days OSS and restitution 2. 5-10 days OSS and restitution 3. Admin Placement/Alt Placement/Expulsion, restitution	Reminders
ROBBERY	(using force to take something from another) The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.	SESIR ^a	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Other Administrative Disciplinary Actions: *Parent/Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
SEXUAL ASSAULT Contact Title IX	An incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault.	SESIR ^a	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	
SEXUAL BATTERY Contact Title IX	(attempted or actual) Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or foreign object. Both males and females can be victims of sexual battery.	SESIR	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	Zero Tolerance-Consult w/ SRD, 10 days OSS, Expulsion	
SEXUAL HARASSMENT *Requires investigative paperwork*	(undesired sexual behavior) Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.	SESIR ^a	1. 1-3 days ISS 2. 1-3 days OSS 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. 1-5 days ISS 2. 1-3 days OSS 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 1-3 days OSS 2. 3-5 days OSS 3. 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	If necessary, report to SRD 1. 1-3 days OSS 2. 3-5 days OSS 3. 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	
SEXUAL OFFENSES (OTHER) Contact Title IX	(lewdness, indecent exposure) Other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. (Law enforcement must be notified to investigate.)	SESIR	1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	1. 3-5 days OSS 2. 5-10 days OSS 3. Admin Placement/Alt Placement/Expulsion	
SIMPLE BATTERY	An actual and intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.	SESIR	Zero Tolerance-Report to SRD, OSS, Expulsion	Zero Tolerance-Report to SRD, 10 days OSS, Expulsion	Zero Tolerance-Report to SRD, 10 days OSS, Expulsion	Zero Tolerance-Report to SRD, 10 days OSS, Expulsion	
THREAT/INTIMIDATION *Requires TAT Paperwork & SSMP*	An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats (e.g. brandishing a weapon) and verbal threats of physical harm which are made in person, electronically or through any other means. (High Level)	SESIR	1. Student conference, parent notification, 1-3 ISS 2. Parent conference, 3-5 ISS 3. 1-5 days OSS, reentry meeting 4. 5-10 days OSS; can be reduced with counseling, reentry meeting	1. Student conference/Parent contact and/or 1-5 days OSS 2. 5 days OSS, reentry meeting 3. 5-7 days OSS, reentry meeting 4. 5-10 days OSS; can be reduced with counseling, reentry meeting	1. Student conference/Parent contact and/or 1-5 days OSS 2. 5 days OSS, reentry meeting 3. 5-7 days OSS, reentry meeting 4. 5-10 days OSS; can be reduced with counseling, reentry meeting	1. Student conference/Parent contact and/or 1-5 days OSS 2. 5 days OSS, reentry meeting 3. 5-7 days OSS, reentry meeting 4. 5-10 days OSS; can be reduced with counseling, reentry meeting	
THREAT/INTIMIDATION *Requires TAT Paperwork & SSMP*	An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats (e.g. brandishing a weapon) and verbal threats of physical harm which are made in person, electronically or through any other means. (Medium Level)	SESIR	1. Student conference/Parent contact and/or 1-3 days ISS 2. 3-5 Days ISS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling	1. Student conference/Parent contact and/or 1-3 days ISS 2. 3-5 Days ISS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling	1. Student conference/Parent contact and/or 3-5 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling	1. Student conference/Parent contact and/or 3-5 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling	

TOBACCO/VAPE (under 21 years of age)	(cigarettes or other forms of tobacco/nicotine) The possession, sale, purchase, distribution, or use of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related. *SWR note in the discipline referral when parent gives permission - In Additional Administroator Notes. SWT will enter the SWR based on DR notes.	SESIR	1. Confiscation /3 days ISS - reduce to 1 with SWR (4 weeks) 2. Confiscation /5 days ISS - reduce to 3 with SWR (6 weeks)	1. Confiscation /3 days ISS - reduce to 1 with SWR (4 weeks) 2. Confiscation /5 days ISS - reduce to 3 with SWR (6 weeks)	1. Confiscation /3 days ISS - reduce to 1 with BDS 360 (while in ISS) 2. Confiscation /5 days ISS - reduce to 3 with SWR (4 weeks) 3. Confiscation /10 days ISS - reduce to 5 with SWR (6 weeks)	1. Confiscation /3 days ISS - reduce to 1 with BDS 360 (while in ISS) 2. Confiscation /5 days ISS - reduce to 3 with SWR (4 weeks) 3. Confiscation /10 days ISS - reduce to 5 with SWR (6 weeks)	Reminders Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandalory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
TRESPASSING	(illegal entry onto campus) To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass are required to be reported in SESIR. Trespass incidents that did not have a prior official warning, did not result in arrest, or did not involve students under suspension or expulsion should be reported as locally defined incidents according to district policies.	SESIR	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion, restitution	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion, restitution	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion, restitution	1. 5-10 days ISS and restitution 2. 1-3 days OSS and restitution 3. 3-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion, restitution	
WEAPONS POSSESSION	(possession of firearms and other instruments which can cause harm) Possession of a firearm or any instrument or object (as defined by Section 790.001(13), Florida Statutes, or district code of conduct) that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm. Zero Tolerance-Report to SRD, refer to Policy 5772 for guidance, Expulsion (minimum of 1 calendar year) *Mere possession of BB-gun, common pocketknife, or chemical propellants may be reported as a local code with appropriate discipline action. *If a student threatens with the aforementioned items, or instills fear or harm with it, or uses it, a SESIR code is used. Call Student Placement and text/email a picture	SESIR	10 days OSS Expulsion no less than one full calendar year Referral for criminal prosecution Referral for mental health services	10 days OSS Expulsion no less than one full calendar year Referral for criminal prosecution Referral for mental health services	10 days OSS Expulsion no less than one full calendar year Referral for criminal prosecution Referral for mental health services	10 days OSS Expulsion no less than one full calendar year Referral for criminal prosecution Referral for mental health services	
* "Violent Incidents" that must be reported in the data element "Injury-Related"							
^ "Violent Incidents if they Result in Bodily Injury" that must be reported in the data element "Injury-Related"							
LOCAL DISCIPLINE CODES							
Bathroom Misconduct	Inappropriate use of bathroom facilities (I.E. - 2 or more people in the same stall, placing foreign objects in facilities, intentionally urinating on the floor, etc.)	LOCAL	1. Student conference, parent notification, loss of privilege 2. Parent conference, loss of privilege, and detention 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference, parent notification, loss of privilege and detention 2. Parent conference, loss of privilege, 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. 1-3 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-7 days OSS	2. 1-3 days OSS 3. 3-5 days OSS 4. 5-7 days OSS	
Cell Phone	Wireless Communication Devices ("WCDs") include, but are not limited to, cell phones, tablets, and auxiliary/ancillary devices such as watches and ear buds. WCDs should be powered off and concealed in the student's backpack or purse during the school day. Use is STRICTLY prohibited for all students during school hours.	LOCAL	1. Confiscation of the item (only return to parent/guardian) 2. Confiscation with 1-3 days ISS-Return to parent 3. Confiscation with 3-5 days ISS-Return to parent 4. Confiscation with 1-3 days OSS-Return to parent, re-entry meeting with admin	1. Confiscation of the item (only return to parent/guardian) 2. Confiscation with 1-3 days ISS-Return to parent 3. Confiscation with 3-5 days ISS -Return to parent 4. Confiscation with 1-3 days OSS-Return to parent, re-entry meeting with admin	1. Confiscation of the item – returned end of day 2. Confiscation with 1-3 days ISS– Return to parent 3. Confiscation with 3-5 days ISS–Return to parent 4. Confiscation with 1-3 days OSS-Return to parent, re-entry meeting with admin	1. Confiscation of the item – returned end of day 2. Confiscation with 1-3 days ISS– Return to parent 3. Confiscation with 3-5 days ISS–Return to parent 4. Confiscation with 1-3 days OSS-Return to parent, re-entry meeting with admin	

Cheating (Cheat/Lying)	Willful or deliberate unauthorized use of the work of another person for academic purposes, or unauthorized use of notes or other material in the completion of an academic assignment or test.	LOCAL	In accordance with BDS APP: 1. Incomplete on the assignment/test w/an opportunity to re-assess, student conference, loss of privilege 2. Incomplete on the assignment/test w/an opportunity to re-assess, student conference, detention 3. Incomplete on the assignment/test w/an opportunity to re-assess, student conference, 1-3 days ISS 4. Incomplete on assignment/test w/an opportunity to re-assess, 1-3 days OSS	1. Incomplete on the assignment/test w/an opportunity to re-assess, student conference, detention 2. Incomplete on the assignment/test w/an opportunity to re-assess, student conference, 1-3 days ISS 3. Incomplete on assignment/test w/an opportunity to re-assess, 1-3 days OSS In accordance with the BDS APP Manual	1. Incomplete on assignment/test w/an opportunity to re-assess and 1-3 days ISS 2. Incomplete on assignment/test w/an opportunity to re-assess and 1-3 days OSS 3. Incomplete on assignment/test w/an opportunity to re-assess and 3-5 days OSS In accordance with the BDS APP Manual	1. Incomplete on assignment/test w/an opportunity to re-assess and 1-3 days ISS 2. Incomplete on assignment/test w/an opportunity to re-assess and 1-3 days OSS 3. Incomplete on assignment/test w/an opportunity to re-assess and 3-5 days OSS In accordance with the BDS APP Manual	Reminders Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices
Dangerous Object	When a student is found in possession of a pocketknife or another acquired object that could be utilized as a weapon, but there was no wielding, threat, or harm instilled. Call Student Placement and text/email a picture	LOCAL	1. Confiscation of the item, parent pick-up and conference are required, 1-3 days ISS/OSS 2. Confiscation of the item, parent pick-up and conference are required, 3-5 days ISS/OSS 3. Confiscation of the item, parent pick-up and conference are required, 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. Confiscation of the item, parent pick-up and conference are required, 1-3 days ISS/OSS 2. Confiscation of the item, parent pick-up and conference are required, 3-5 days ISS/OSS 3. Confiscation of the item, parent pick-up and conference are required, 5-10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. Confiscation, parent only pick-up, 1-3 days OSS 2. Confiscation, parent only pick-up, 3-5 days OSS 3. Confiscation, parent only pick-up, 10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	1. Confiscation, parent only pick-up, 3-5 days OSS 2. Confiscation, parent only pick-up, 10 days OSS w/option of Admin Placement/Alt Placement/Expulsion	1- *Supervising change student placement at any step
Defiance/ Insubordination/ Non-compliance	The act of flagrantly or willfully challenging the authority of a school staff member, bus driver, or any other adult in authority.	LOCAL	1. Student conference, parent notification, loss of privilege, and/or detention 2. Parent conference, loss of privileges and 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference, parent notification, loss of privilege, and 1-3 days ISS 2. Parent conference and 3 days ISS 3. 3-5 days ISS or 1-3 days OSS 4. 5 days ISS or 3 days OSS	1. Student conference, parent contact and/or 1-3 days ISS 2. 3 days ISS 3. 3-5 days ISS or 1-3 days OSS 4. 5 days ISS or 3 days OSS	1. Student conference, parent notification, loss of privilege, and 3 days ISS 2. Parent conference and 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS	
Disrespect	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration. Discipline may skip to step two for a first offense that involves the use of language that demeans an individual or group based on race, ethnicity, national origin, religion, disability, gender, sexual orientation, or other protected characteristics.	LOCAL	1. Student conference, parent notification, loss of privilege, and/or detention 2. Parent conference, loss of privileges and 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference, parent notification, loss of privilege, and/or 1 day ISS 2. Parent conference, loss of privileges and 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference, parent contact and/or 1-3 days ISS 2. 3 days ISS or 1-3 days OSS 3. 3-5 days ISS or 3-5 days OSS 4. 5 days ISS or 5 days OSS	1. Student conference, parent contact and/or 1-3 days ISS 2. 3 days ISS or 1-3 days OSS 3. 3-5 days ISS or 3-5 days OSS 4. 5 days ISS or 5 days OSS	
Disruption Classroom	The act of behaving inappropriately which disrupts the learning environment, which inhibits the instructor's ability to teach, or interferes with other students' ability to learn.	LOCAL	1. Student conference, parent notification, loss of privilege, and/or detention 2. Parent conference, loss of privileges and 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference, parent notification, loss of privilege, and/or 1 day ISS 2. Parent conference, loss of privileges and 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference, parent contact and/or 1-3 days ISS 2. 3 days ISS or 1-3 days OSS 3. 3-5 days ISS or 3-5 days OSS 4. 5 days ISS or 5 days OSS	1. Student conference, parent contact and/or 1-3 days ISS 2. 3 days ISS or 1-3 days OSS 3. 3-5 days ISS or 3-5 days OSS 4. 5 days ISS or 5 days OSS	

Dress Code Violation	Dress in a manner that violates the established dress code policy and/or in a manner that would constitute a safety hazard. Refer to Policy 5511.	LOCAL	1. Notification of parent/guardian; change of inappropriate attire 2. Notification of parent/guardian; change of inappropriate attire 3. Notification of parent/guardian; change of inappropriate attire; 1-3 days ISS 4. Notification of parent/guardian; change of inappropriate attire; 3-5 days ISS 5+ Willful disobedience - use Failure to Follow Admin Directive	1. Notification of parent/guardian; change of inappropriate attire 2. Notification of parent/guardian; change of inappropriate attire 3. Notification of parent/guardian; change of inappropriate attire; 1-3 days ISS 4. Notification of parent/guardian; change of inappropriate attire; 3-5 days ISS 5+ Willful disobedience - use Failure to Follow Admin Directive	1. Notification of parent/guardian; change of inappropriate attire 2. Notification of parent/guardian; change of inappropriate attire 3. Notification of parent/guardian; change of inappropriate attire; 1-3 days ISS 4. Notification of parent/guardian; change of inappropriate attire; 3-5 days ISS 5+ Willful disobedience - use Failure to Follow Admin Directive	1. Notification of parent/guardian; change of inappropriate attire 2. Notification of parent/guardian; change of inappropriate attire 3. Notification of parent/guardian; change of inappropriate attire; 1-3 days ISS 4. Notification of parent/guardian; change of inappropriate attire; 3-5 days ISS 5+ Willful disobedience - use Failure to Follow Admin Directive	Reminders Other Administrative Disciplinary Actions: *Parent/Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
Drug/OTC/ Legal	The act of using, possessing, selling or distributing an over-the-counter medication. Student using or possessing medication prescribed to him/her without going through the district medication procedure. Policy 5330 Student must have signed permission on file to carry and self administer headache medication. Medication must be in original container - no more than one day dosage.	LOCAL	1. Parent conference, loss of privileges 2. 1 day ISS 3. 1-3 days ISS 4. 1-3 days OSS	1. Confiscation and Student conference/Parent contact and/or 1 day ISS 2. Confiscation and 1-3 days ISS 3. Confiscation and 1-3 days OSS 4. Confiscation and 3-5 days OSS	1. Confiscation and Student conference/Parent contact and/or 1-3 days ISS 2. Confiscation and 3-5 days ISS 3. Confiscation and 3-5 days OSS 4. Confiscation and 5-7 days OSS	1. Confiscation and Student conference/Parent contact and/or 1-3 days ISS 2. Confiscation and 3-5 days ISS 3. Confiscation and 3-5 days OSS 4. Confiscation and 5-7 days OSS	
Excessive Tardies	A consistent failure to be in a place of instruction at the assigned time. #1-#4 Minor Infraction by teacher, #5 Tardy (per nine weeks) = 1st Admin Referral, #10 Tardy (per nine weeks) = 2nd Admin Referral	LOCAL	Parent Notification required (Note: If tardies occur due to student not attending class after arriving at school, refer to skipping for disciplinary action)	Parent Notification required (Note: If tardies occur due to student not attending class after arriving at school, refer to skipping for disciplinary action)	1. Conference with student/parent, 3 days lunch detention 2. 1-3 days Detention (go to ISS during elective) 3. 3-5 days detention or ISS 4. 6 or more days of detention or ISS	1. Conference with student/parent, 3 days lunch detention 2. 1-3 days Detention (go to ISS during elective) 3. 3-5 days detention or ISS 4. 6 or more days of detention or ISS	
Failure to Follow Administrator Directive	The act of flagrantly or willfully challenging the authority of a school or district administrator.	LOCAL	1. Parent notification, loss of privilege, detention or 1-3 days ISS DEPENDING on circumstance. 2. Loss of privilege and 1-3 days ISS 3. OSS 1-3 days 4. OSS 3-5 days	1. Parent notification, loss of privilege, detention or 1-3 days ISS DEPENDING on circumstance. 2. Loss of privilege and 1-3 days ISS 3. OSS 1-3 days 4. OSS 3-5 days	1. 3-5 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-7 days OSS	1. 1-3 days OSS 2. 3-5 days OSS 3. 5-7 days OSS 7-10 days OSS w/option of Admin Placement	
Failure to Submit to Reasonable Search & Seizure	Student refusing to allow backpack, purse, locker, desk, vehicle or other belongings to be searched by an administrator. Standard procedure involves having the student remove outer clothing like coats, sweaters, hats, and	LOCAL	Call Student Placement 850-767-5448	Call Student Placement 850-767-5448	Call Student Placement 850-767-5448	Call Student Placement 850-767-5448	
False Accusation Against Others	*An allegation that is completely false in that the events that were alleged did not occur. *An allegation that describes events that did occur, but were perpetrated by an individual who is not accused, and in which the accused person is innocent. *An allegation that is false, in that it mixes descriptions of events that actually happened with other events that did not occur	LOCAL	1. Student conference, student counseling, parent notification, loss of privilege 2. Parent conference, loss of privilege, and detention 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference, student counseling, parent notification, loss of privilege and detention 2. Parent conference, loss of privilege, 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. 1-3 days ISS, student counseling 2. 3-5 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. 1-3 days OSS, student counseling 2. 3-5 days OSS 3. 5-7 days OSS 7-10 days OSS w/option of Admin Placement	
Felony Charges Off School Property	The formal charge by state attorney officials of a student for the alleged commission of a felony or delinquent act which would be classified as a felony if committed by an adult.	LOCAL	See School Board Policy 5610 for procedures	See School Board Policy 5610 for procedures	See School Board Policy 5610 for procedures	See School Board Policy 5610 for procedures	

Horseplay/ Disruptive / Unruly Play	"Play fighting", any actions that give the impression of fighting, slapping, pushing/shoving on purpose	LOCAL	1. Student conference, parent notification, loss of privilege 2. Parent conference, loss of privilege, and detention 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference, parent notification, loss of privilege and detention 2. Parent conference, loss of privilege, 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS or detention 2. 1-3 days ISS 3. 3-5 days ISS or 1-3 days OSS 4. 5-10 days ISS or 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS or detention 2. 3-5 days ISS 3. 5 days ISS or 1-3 days OSS 4. 3-5 days OSS	Reminders Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
Inappropriate Behavior/ Language	Written, verbal remarks, gestures, or physical contact that shows a lack of respect, rudeness, and/and is inappropriate.	LOCAL	1. Student conference, parent notification, loss of privilege 2. Parent conference, loss of privilege, and detention 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference, parent notification, loss of privilege and detention 2. Parent conference, loss of privilege, 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS or detention 2. 1-3 days ISS 3. 3-5 days ISS or 1-3 days OSS 4. 5-10 days ISS or 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS or detention 2. 3-5 days ISS 3. 5 days ISS or 1-3 days OSS 4. 3-5 days OSS	
Instigation and/or Promotion of Fighting	Engaging in any behavior that incites, encourages, or escalates physical conflict between other students on school grounds or during school-sponsored events. This includes, but is not limited to: *Urging, pressuring, or provoking students to fights *Spreading rumors or messages intended to cause conflict *Coordinating or arranging confrontations *Filming, live-streaming, or distributing video or images of fights *Sharing such media via text, social media, or other means for the purpose of sensationalizing, embarrassing, or encouraging violence. This behavior undermines the safety and well-being of the school community and will be addressed with appropriate disciplinary action.	LOCAL	1. Student conference, parent notification, loss of privilege 2. Parent conference, loss of privilege, and detention 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference, parent notification, loss of privilege and detention 2. Parent conference, loss of privilege, 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS or detention 2. 1-3 days ISS 3. 3-5 days ISS or 1-3 days OSS 4. 5-10 days ISS or 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS or detention 2. 3-5 days ISS 3. 5 days ISS or 1-3 days OSS 4. 3-5 days OSS	
Physical Aggression	(Fighting or Physical Attack) The act of an actual and intentional striking of another person against his/her will, with no significant injury. *If there are significant injuries, consult with Law Enforcement and code with appropriate SESIR code. (Includes spitting)	LOCAL	1. Student conference, parent notification, 1-3 days ISS, (could be reduced w/ counseling) 2. 1-3 days OSS w/ School Based Intervention, (could be reduced w/ counseling) 3. 3-5 days OSS cont School Based Intervention 4. 5-7 days OSS MTSS-B plan or change strategy	1. Student conference, parent notification, and 1-3 days OSS, (could be reduced w/ counseling) 2. 3-5 days OSS w/ School Based Intervention 3. 5-7 days OSS cont School Based Intervention 4. 7-10 days OSS MTSS-B plan or change strategy	1. 3-5 days OSS w/ School Based Intervention 2. 5 days OSS cont w/ School Based Intervention 3. 5-7 days OSS with MTSS-B plan or change strategy 4. 7-10 days OSS w/option of Admin Placement	1. 3-5 days OSS w/ School Based Intervention 2. 5 days OSS continue w/ School Based Intervention 3. 5-7 days OSS with MTSS-B plan or change strategy 4. 7-10 days OSS w/option of Admin Placement	
Physical Attack (Adult)	The act of an actual and intentional striking of another person against his/her will, with no significant injury. (Toward an adult)	LOCAL	1. 1-3 days ISS (could be reduced w/ counseling) 2. 1-3 days OSS w/ School Based Intervention (could be reduced w/ counseling) 3. 3-5 days OSS cont School Based Intervention 4. 5-10 days OSS MTSS-B plan or change strategy	1. 1-3 days OSS (could be reduced w/ counseling) 2. 3-5 days OSS w/ School Based Intervention 3. 5-7 days OSS cont School Based Intervention 4. 5-10 days OSS MTSS-B plan or change strategy	1. 3-5 days OSS w/ School Based Intervention 2. 5-7 days OSS with MTSS-B plan or change strategy 3. 5-10 days OSS w/option of Admin Placement	1. 3-5 days OSS w/ School Based Intervention 2. 5-10 days OSS with MTSS-B plan or change strategy 3. 10 days OSS w/option of Admin Placement	
Profanity Directed Towards Staff	Abusive, profane, obscene, or vulgar language (verbal, written, or gestures) directed toward staff.	LOCAL	1. Student conference, parent notification, loss of privilege, and/or detention 2. Parent conference, loss of privileges and 1-3 days ISS 3. 3-5 days ISS 4. 1-3 days OSS	1. Student conference, parent notification, and 1-3 days ISS 2. Parent conference and 3-5 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. 1-3 days ISS OR 1-3 days OSS 2. 3-5 days OSS 3. 5-7 days OSS 4. 10 days OSS with option of Admin Placement	1. 1-3 days ISS OR 1-3 days OSS 2. 3-5 days OSS 3. 5-7 days OSS 4. 10 days OSS with option of Admin Placement	

Sexting	Sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photos, images or messages by or on a cell phone, computer or other electronic means during school hours or any school sponsored activities on or off campus, while on school district property, or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school or that disrupts the educational process.	LOCAL		Consult w/ BDS officer 1. 1-3 days ISS 2. 3-5 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	Report to SRD 1. 3-5 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS w/ option Admin Placement	Report to SRD 1. 3-5 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS w/ option Admin Placement	Reminders	
Skipping – Off/On Campus	Failure to report to class or school without receiving proper prior approval and/or following the established procedures for checking out of school. Eloping. *No student shall be suspended for unexcused tardiness, lateness, absence, or truancy.* FL Stat 1006.09(1)(b)	LOCAL	1. Parent notification required Loss of privilege, detention days ISS 5 days ISS	2. 3. 1-3 4. 3-	1. Parent notification required, Loss of privilege, detention 2. 1-3 days ISS 3. 3-5 days ISS 4. 5-7 days ISS	1. 1-3 days ISS or detention 2. 3-5 days ISS 3. 5 days ISS 4. 5 – 10 days ISS	1. 1-3 days ISS 2. 3-5 days ISS 3. 5 days ISS 4. 5 – 10 days ISS	Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
Technology Violation	Non-educational use, inappropriate use and search, gaming, streaming	LOCAL	1. Explain AUP and/or detention 2. 1-3 days ISS 3. 3-5 days ISS, and/or up to 2 weeks in the Penalty box (contact TOSA) 4. 1 day OSS, and/or up to 9 weeks in the Penalty box (contact TOSA)	1. Explain AUP and/or detention 2. 1-3 days ISS 3. 3-5 days ISS, and/or up to 2 weeks in the Penalty box (contact TOSA) 4. 1 day OSS, and/or up to 9 weeks in the Penalty box (contact TOSA)	1. AUP paper copy and/or detention 2. 1-3 days ISS 3. 3-5 days ISS, and/or up to 2 weeks in the Penalty box (contact TOSA) 4. 1 day OSS, and/or up to 9 weeks in the Penalty box (contact TOSA)	1. AUP paper copy and/or detention 2. 1-3 days ISS 3. 3-5 days ISS, and/or up to 2 weeks in the Penalty box (contact TOSA) 4. 1 day OSS, and/or up to 9 weeks in the Penalty box (contact TOSA)		
Theft	(less than \$750) The unauthorized taking, carrying riding away with, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm.	LOCAL	1. Student conference, parent notification, loss of privilege and/or detention, and restitution 2. Parent conference, loss of privilege, 1-3 days ISS and restitution. 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference, parent notification, loss of privilege and/or detention, and restitution 2. Parent conference, loss of privilege, 1-3 days ISS and restitution. 3. 1-3 days OSS 4. 3-5 days OSS	1. 1-3 days ISS; restitution 2. 3-5 days ISS; restitution 3. 1-3 days OSS; restitution 4. 3-5 days OSS; restitution	1. 1-3 days ISS; restitution 2. 3-5 days OSS; restitution 3. 5-10 days OSS; restitution		
Threat/ Intimidation *Requires TAT Paperwork*	The act of making another person fearful of being harmed by a declaration of intent through words (oral, written, electronic, or symbolic) or acts to do violence to another person. (Low Level)	LOCAL	1. Student conference, parent notification, loss of privilege 2. Parent conference, loss of privilege, and detention 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS 2. 3-5 Days ISS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling	1. Student conference/Parent contact and/or 1-3 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling	1. Student conference/Parent contact and/or 1-5 days ISS 2. 1-3 days OSS 3. 3-5 days OSS 4. 5-10 days OSS; can be reduced with counseling		
Under the Influence	Observed abnormal behavior or impairments in mental or physical performance leading a reasonable person to believe the individual has used alcohol, any controlled substances, marijuana, or inhalants that impairs their work performance. Ex. of abnormal behaviors include, but are not limited to hallucinations, paranoia, or violent outbursts. Ex. of impairments in physical or mental performance include, but are not limited to slurred speech as well as difficulty walking or performing school activities. (Be sure to inform parent/guardian immediately. If the student shows a high level of impairment and you are concerned for his/her safety, you can call EMT. Also, if you are concerned for student safety, you can send the student home with the parent/guardian and mark attendance as ADM leave.)	LOCAL	1. Parent conference, loss of privileges 2. 1 day ISS 3. 1-3 days ISS 4. 1-3 days OSS	1. Student conference/Parent contact and/or 1 day ISS 2. 1-3 days ISS 3. 1-3 days OSS 4. 3-5 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS 2. 3-5 days ISS 3. 3-5 days OSS 4. 5-7 days OSS	1. Student conference/Parent contact and/or 1-3 days ISS 2. 3-5 days ISS 3. 3-5 days OSS 4. 5-7 days OSS		

Use/ Possession of Combustibles	Possession, use or sale of fireworks, matches, cigarette lighters or other destructive device. THIS IS NOT FOR VAPE.	LOCAL	1. Parent conference, loss of privilege and 1-3 days ISS, confiscation 2. 1-3 days ISS/OSS, confiscation 3. 3-5 days ISS/OSS, confiscation	1. Parent conference and 1-3 days OSS, confiscation 2. 3-5 days ISS/OSS, confiscation 3. 5-7 days ISS/OSS, confiscation	1. Student conference/Parent contact and/or 1-3 days detention/ISS/OSS, confiscation 2. 3-5 days ISS or OSS, confiscation 3. 5-10 days ISS/OSS, confiscation	1. Student conference/Parent contact and/or 1-3 days detention/ISS/OSS, confiscation 2. 3-5 days ISS or OSS, confiscation 3. 5-10 days ISS/OSS, confiscation	3. 5-	Reminders
Vandalism/ Property Damage	The intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of it.	LOCAL	1. Student conference, parent notification, loss of privilege and/or detention, and restitution 2. Parent conference, loss of privilege, 1-3 days ISS, and restitution 3. 1-3 days OSS and restitution 4. 3-10 days OSS and restitution	1. Student conference, parent notification, loss of privilege 1-3 days ISS, and restitution 2. Parent conference, loss of privilege, 1-3 days OSS, and restitution 3. 3-5 days OSS and restitution 4. 5-10 days OSS and restitution	1. 1-3 days ISS; restitution 2. 3-5 days ISS or 1-3 days OSS; restitution 3. 3-10 days OSS; restitution	1. 1-3 days ISS; restitution 2. 1-3 days OSS; restitution 3. 3-10 days OSS; restitution		Other Administrative Disciplinary Actions: *Parent/ Guardian contacted (Mandatory) *Referral to Mental Health Services *Conference with student *Parent Conference *Guidance Referral *Detention *Behavior Contract *Peer Mediation *Restorative Practices *Mentoring *Supt can change student placement at any step
Violation of Detention/ Work Detail	The act of not attending detention or work detail assigned as a disciplinary consequence.	LOCAL			1. 1-3 days ISS, may be reduced with completion of detention/work detail 2. 3-5 days ISS 3. 5-10 days ISS	1. 1-3 days ISS, may be reduced with completion of detention/work detail 2. 3-5 days ISS, may be reduced with completion of detention/work detail 3. 5 days ISS		
Vehicle Violation		LOCAL				1. Violation sticker and student required to purchase a parking decal		
Other Minor/Major Infractions	Only use this code if behavior will NOT fit in a discipline code described above which substantially disrupts the orderly conduct in the school environment.	LOCAL	Call Student Placement Options 850-767-5448	Call Student Placement Options 767-5448	850- Call Student Placement Options 850-767-5448	Call Student Placement Options 767-5448	850-	
BUS DISCIPLINE CODES School bus drivers will provide an initial warning to all students. Upon reoccurrence, the bus driver will contact individual parents to inform them of the problem behavior(s) and seek support. Subsequent bus infractions will result in a referral. Referrals will be coded based on the behavior. Be sure to note the location as Bus and include the Bus #.								
of Student Conduct. This tool is designed to offer consistency at all levels across the District so that students are disciplined appropriately from school to school when								

5610 - REMOVAL, OUT-OF-SCHOOL SUSPENSION, DISCIPLINARY PLACEMENT, AND EXPULSION OF STUDENTS

The School Board recognizes that exclusion from the educational program of the schools, whether by emergency removal, suspension, disciplinary placement, or expulsion, is the most severe sanction that can be imposed on a student in this District, and one that cannot fairly be imposed without due process.

No student is to be removed, suspended, expelled, or excluded from an activity, program, or a school unless his/her behavior represents misconduct as specified in the Code of Conduct approved by the Board. The Code of Conduct shall also specify the procedures to be followed by school officials. In determining whether a student is to be suspended or expelled, District administrators shall use a preponderance of evidence standard. In addition to the procedural safeguards and definitions set forth in this policy and the Code of Conduct, the procedures set forth in Policy 5605 shall apply to students identified as disabled under the IDEA and/or Section 504 of the Rehabilitation Act of 1973.

For purposes of this policy and the Superintendent's administrative procedures, the following shall apply:

- A. "Suspension", also referred to as "out-of-school suspension", means the temporary removal of a student from all classes of instruction on school grounds and all other school-sponsored activities, except as authorized by the principal, for a period not to exceed ten (10) school days and remanding of the student to the custody of the student's parent, with specific homework assignments to complete.
- B. "Serious breach of conduct" includes, but is not limited to, willful disobedience, open defiance of the authority of a member of the staff, actual or threatened violence against persons or property, or any other act that substantially disrupts the orderly conduct of the school.
- C. "Expulsion" means the removal of the right and obligation of a student to attend a public school for a period of time and under conditions set by the Board not to exceed the remainder of the term or school year and one (1) additional year of attendance.
- D. "Disciplinary placement" means the involuntary separation of a student from his/her regular school or traditional education setting and benefits attached to such placement to a separate alternative school or disciplinary setting with continued educational services.

REMOVAL FROM CLASS

A. Referral

A teacher has the authority to refer a disruptive student to the Principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the Code of Conduct.

Disruptive behavior will include, but not be limited to, the following:

1. assault on staff or students, 2. threat(s) or violence, 3. willful disregard of a teacher's directions, interfering with the class or activity, 4. malicious vandalism,	5. possession of weapons of any type, 6. continuing use of profane language or obscene gestures, and 7. instigation of violence or mass disobedience to legitimate directions.
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After determining that the student has violated the Code of Conduct, the Principal shall respond either by employing the teacher's recommended consequence, or by imposing a more serious disciplinary action, if the student's overall behavioral history warrants it.

If the Principal determines that disciplinary action other than that recommended by the teacher is appropriate, the Principal should consult with the teacher before taking disciplinary action. If the Principal deviates in any way from the teacher's recommendation, the Principal must provide the reasons for any such deviation in writing to the teacher.

If the Principal determines that the student has not violated the Code of Conduct, the Principal may not impose any discipline.

The Principal shall notify the teacher of any decision regarding discipline, or lack thereof, and interventions provided to a student to address the behavior.

B. Removal

Pursuant to F.S. 1003.32, a teacher may remove from his/her class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with other students in the class or with the ability of the student's classmates to learn.

The principal may not return a student who has been removed by a teacher to the teacher's class without the teacher's consent unless the Placement Review Committee established herein determines that such placement is the best or only available alternative.

The teacher and the Placement Review Committee must render decisions within five (5) working days of the removal of the student from the classroom.

In accordance with State law, each school shall establish a Placement Review Committee(s) to determine if a student is to be returned to a teacher's class after that student has been removed by the teacher and the teacher has withheld consent for that student to be returned to the teacher's class. Committee membership shall be as set forth in State law. The Placement Review Committee(s) will be selected during preschool planning.

A teacher who removed a student from his/her class and who has withheld consent for the return of that student to his/her class shall not serve on the committee when the committee makes its decision regarding the return of the student.

SUSPENSION FROM SCHOOL OR SUSPENSION FROM RIDING SCHOOL BUS

When a student's actions are so disruptive to himself/herself or to the school as to violate law, Board policies, or school rules, the student may be suspended by the Principal. A student who is suspended shall not be allowed to attend his/her regular classes or school-sponsored activities for a prescribed number of days not to exceed ten (10). The principal or designated representative may refer the student during the period of the suspension to in-school suspension, or shall remand the student to the custody of his/her parent or guardian.

The principal may suspend a student from school for a period not to exceed ten (10) school days. Before suspending a student, except in emergencies or disruptive conditions that require immediate suspension or in the case of a serious breach of conduct, the principal or designee shall make a good faith effort to employ parental assistance or alternative methods of dealing with the student and shall document such efforts.

In no case shall a teacher suspend a student from school or class, nor shall a bus driver suspend a student from riding a school bus. A student may not be suspended for unexcused tardiness, lateness, absence, or truancy.

Before a suspension, the Principal will hold an informal hearing to give the student oral and written notice of the charges and an explanation of the evidence against him/her. The student will then have an opportunity to explain his/her side of the story. The hearing will be held on the day of the alleged infraction unless it would be impossible or unreasonably difficult to do so.

The Principal will make a good faith effort to contact the student's parent or guardian by telephone immediately after making the decision to suspend.

The Principal will send formal written notice to the student's parent or guardian by U.S. Mail, or other method agreed to by the parent, informing of the length of the suspension and the reasons for it. The Principal will also report each suspension to the Superintendent in writing within twenty-four (24) hours of the time the student is informed of the suspension.

Except in the event of emergencies, all out-of-school suspensions shall begin at the end of the school day of the infraction, unless the parents or guardians have been notified and are able to pick up the student at school. The school will provide homework assignments for the student to complete.

When Board action on a recommendation for the expulsion of a student is pending, the superintendent may extend the suspension assigned by the principal beyond ten (10) school days if such suspension expires before the next regular or special meeting of the Board.

In the case of students with disabilities, suspensions shall be pursuant to the procedures outlined in Policy 5605.

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. 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.

The student will begin serving the suspension while an appeal is pending. If the appeal is decided in the student's favor, even if the decision is made after the suspension has been served, the student's record will be updated to reflect whatever discipline, if any, was ultimately imposed.

DELAYED ADMISSION

The Board authorizes the superintendent to delay the admission of a student who has been suspended by another public or private school for an act that would have been grounds for suspension according to the Board-adopted *Code of Conduct* for a period equal to that of the suspension.

School Work Assigned During Out-of-School Suspension

A student shall be given the opportunity to make up schoolwork and course requirements missed while absent due to out-of-school suspension. The student shall have a reasonable amount of time up to five (5) school days following suspension to complete the school work missed and shall do so on his/her own initiative.

EXPULSION

The Board recognizes that expulsion from the educational program is the most severe sanction for a student in this District that cannot fairly be imposed without due process.

A principal may recommend to the Superintendent the expulsion of a student who has committed a serious breach of conduct. A recommendation of expulsion will include a detailed report on the student's actions and alternative measures taken before the recommendation.

A student and his/her parent or guardian will be given written notice of the principal's recommendation and the reasons therefore and an opportunity to meet with the Superintendent's designee to answer the charges.

The Superintendent, after reviewing the facts and circumstances of the student's misconduct and the principal's recommendation, may accept, reject, or modify the principal's recommendation. Upon the Superintendent's recommendation, the Board will decide on the expulsion of any student.

When the Superintendent makes a recommendation for expulsion to the Board, written notice shall be given to the student and his/her parent or guardian of the recommendation setting forth the charges against the student, with a summary of the factual, legal, and policy grounds for the recommendation, and advising the student and his/her parent or guardian of their right of due process, including the right to a hearing.

When making a determination whether or not a student will be expelled or permanently excluded under this policy, the Superintendent shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - *Information Management* (i.e. "Litigation Hold")) created and/or received as part of an investigation.

A parent or adult student may make a written request for a hearing within five (5) calendar days from receipt of the Superintendent's notice.

Expulsion Hearings

The hearing, if one is requested, will be conducted by the entire Board

All parties will be given reasonable notice of the hearing of not less than fourteen (14) days; however, the fourteen (14) day requirements may be waived by the parent or adult student.

Failure to timely request a hearing or failure to appear at a hearing after notice of the date and time of the hearing shall be deemed to be a waiver of any hearing on the matter.

Hearings will be conducted in accordance with Florida statutes. Reasonable flexibility in method or order of presentation shall be permitted. No parent or adult student shall be prohibited from presenting reasonable matters because of insubstantial procedural irregularities. A parent or adult student may be represented at the hearing by an adult, whether as legal counsel or qualified representative. Expulsion hearings are exempt from the public meetings law; however, the parent may elect to have the hearing held as a public meeting.

No Disputed Issues(s) of Material Fact

If there is no disputed issue of material fact, the parent or adult student, or their counsel, will have the opportunity at the hearing to present written or oral evidence in opposition to the proposed action or a written statement challenging the propriety of the proposed action.

Disputed Issue(s) of Material Fact

If there is a disputed issue of material fact, all parties will have an opportunity at the hearing to respond, to present evidence, and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence.

Findings of fact shall be based on a preponderance of the evidence and shall be based exclusively on the evidence of record and on matters officially recognized.

Board Action

At the conclusion of the hearing, or at a later time designated by the Board, the Board will consider all the evidence and argument presented and by majority vote will decide whether to uphold the superintendent's recommendation or to impose a different penalty or no penalty.

Final Order

The Board will enter a written final order, including findings of fact and conclusions of law separately stated. The final order will include a ruling on each exception filed, if any, in accordance with Florida statutes.

The final order will be served on all parties.

Appeal

A party may seek judicial review of the final order in accordance with F.S. 120.68.

Application Requirements for Earned Return of Expelled Students

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 during the expulsion period. All requests for modification of the expulsion order must go through the Superintendent, whose recommendation shall be made in writing to the Board. 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.

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 (10) 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 (10) 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:
 1. a structured, small-group environment;
 2. positive behavior supports;

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3. intensive social skills instruction/groups;
 4. 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 ninety (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.
1. 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.
 2. 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, s/he may be referred for expulsion or alternative placement in lieu of expulsion.
- L. After a minimum of ninety (90) 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.

Denial of Admission

A student seeking to enroll in a District school who has been expelled by an in-state or out-of-state public district school board, private school, or lab school for an act that would have been grounds for expulsion according to the Board-adopted *Code of Conduct* may be denied admission to the District's school for a period equal to that of that expulsion.

Prior to making a recommendation regarding admission or denial thereof, the Superintendent may offer the student an opportunity for a hearing to review the circumstances of the expulsion and any other factors the Superintendent determines to be relevant.

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 F.S. 1006.09, 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 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 F.S. Chapter 893 may be entitled to a waiver of the discipline or expulsion in accordance with F.S. 1006.09(2)(a)-(b).

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 F.S. 1006.09.
- B. Such notice shall stipulate a date for the hearing which shall be not less than two (2) school days nor more than five (5) 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 F.S. 1006.09. 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 the Superintendent or his/her designee with a decision, in writing, as to whether or not a ten (10) day suspension will be made. In arriving at this decision, the principal shall consider the conditions prescribed by subsection (2) (a)-(b) of F.S. 1006.09, 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 (10) days, as determined by the Superintendent or his/her designee. If the suspension is extended beyond ten (10) days by the Superintendent or his/her designee, the student will be enrolled in an alternative education program pending adjudication of guilt.

5611 - DUE PROCESS RIGHTS

The School Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures.

To better ensure appropriate due process is provided a student, the Board establishes the following regulations which District administrators shall use when dealing with students:

- A. Students subject to suspension:
Prior to a suspension, a student will receive oral and written notice of the charges and an explanation of the evidence against him/her. The written notice to the student's parent or guardian will be sent by U.S. Mail, or other method agreed to by the parent, informing them of the length of the suspension and the reasons for it. The Principal will hold an informal hearing to give the student an opportunity to explain his/her side of the story. An appeal may be addressed to the principal, whose decision will be final.
- B. Students subject to expulsion:
A student and his/her parent or guardian will be given written notice of the principal's recommendation and the reasons therefore and an opportunity to meet with a representative of the Superintendent to answer the charges.

The student and/or his/her parent or guardian shall also be provided a brief description of the student's rights and of the hearing procedure. The Board shall act on any recommendation for an expulsion.

In determining whether disciplinary action set forth in this policy is to be implemented, District administrators shall use a preponderance of evidence standard. Further, any individual charged with making a disciplinary determination under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - *Information Management* (i.e., "Litigation Hold")) created and/or received as part of an investigation.

The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

5605 - SUSPENSION/EXPULSION OF DISABLED STUDENTS

In matters relating to the disciplining of disabled students, the School Board shall abide by Federal and State laws regarding suspension and expulsion.

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

1380 - THREATENING BEHAVIOR TOWARD STAFF MEMBERS

The School Board believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning physical well-being is strictly forbidden. Any parent, visitor, staff member, volunteer, or agent of the Board who is found to have threatened a member of the staff will be subject to discipline or reported to the authorities.

5772 - WEAPONS

But for the exceptions specified below, and pursuant to State law, all persons are prohibited from possessing any firearm, electric weapon or devise, destructive device, or other weapon as defined F.S. 790.001, in a school safety zone, any school property, any administration building, as well as into any School Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, a school bus, a school bus stop, or in a District vehicle.

Firearms, electric weapons or devices, destructive devices, or other weapons as defined in F.S. 790.001, are not permitted in vehicles on the property of any school. This policy is an express waiver of the rights contained in section F.S. 790.25(5) for the purposes of student and campus parking privileges and is adopted in accordance with F.S. 790.251(7)(a).

No person shall exhibit any sword, sword cane, firearm, electric weapon or device, destructive device, or other weapon as defined in F.S. 790.001, including a razor blade, box cutter, or common pocketknife, in the presence of one (1) or more persons in a rude, careless, angry, or threatening manner and not in lawful self-defense at a school-sponsored event or on the property of any school, school bus, or school bus stop or within 1,000 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, during school hours or during the time of a sanctioned school activity. This subsection does not apply to the exhibition of a firearm or weapon on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner.

Definitions

For purposes of this policy, the following definitions shall apply:

- A. "Administration building" is any Board-owned or leased facility where one (1) or more administrative employees are assigned.
- B. "School property" means the property of any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.
- C. "Weapons and firearms" as defined in F.S. 790.001 and include, but are not limited to, any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, knives, metallic knuckles, or other deadly weapon. "Weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The Superintendent is authorized to establish administrative procedures on weapons which require students to immediately report knowledge of weapons and threats of violence by students and staff to the building principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.

Exceptions

Police or other licensed law enforcement officers, school guardians appointed by the Superintendent in accordance with F.S. 30.15 and F.S. 1006.12(3), and other persons approved by the Superintendent on a case-by-case basis may possess a firearm or weapon.

Students and personnel participating in academic or extra-curricular programs which involve the use of simulated or air-powered weapons, such as a JROTC marksmanship program, may use or possess such simulated or air-powered weapons in strict adherence with the instructions of the responsible faculty members and building administrators.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

This policy shall be interpreted in a manner consistent with Florida law and any portions in conflict with Florida law shall be severable and unenforceable.

5610.04 - SUSPENSION OF BUS RIDING/TRANSPORTATION PRIVILEGES

Students on a bus or other authorized School Board transportation vehicles are under the authority of and directly responsible to the bus/vehicle driver. The driver has the authority to enforce the established regulations for bus/vehicle conduct.

A student may be suspended from school bus/vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or for conduct occurring on the bus/vehicle in violation of the Student Code of Conduct/Student Discipline Code. The Principal may suspend a student from riding the school bus for a period not to exceed ten (10) school days.

Before a suspension from bus/vehicle riding privileges is imposed, the Superintendent or Principal will provide a student with notice of an intended suspension and an opportunity to appear before the school Principal. Disciplinary suspension periods will be commensurate with the infraction(s) committed as determined by the Principal or designated District personnel for a suspension of ten (10) days or less, or as determined by the Board upon the recommendation of the Superintendent for a suspension longer than ten (10) days.

Any additional procedures regarding conduct on school buses/vehicles, as well as general information about the school transportation program, will be made available to all parents and students and posted in a central location.

5540 - THE SCHOOLS AND INVESTIGATIONS INVOLVING STUDENTS

The School Board recognizes that all employees and agents of the Board have an affirmative duty to cooperate with law enforcement agencies and the Department of Children and Families and comply with investigations relating to child abuse, abandonment, and neglect, or an alleged unlawful sexual offense involving a child. As provided herein, building administrators may also assist authorities in their investigations of other violations of law in which students are alleged to be involved.

When State and Federal law enforcement authorities or officials from the Department of Children and Families arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and expressing their desire to question a student or students.

Investigation of Child Abuse/Neglect by the Department of Children and Families

Every employee and agent of the Board who, in connection with his/her position, knows or has reasonable cause to suspect child abuse, abandonment, or neglect must immediately report that knowledge or suspicion online at <https://www.dcf.state.fl.us/service-programs/abuse-hotline/report-online.shtml> or by calling the abuse hotline at 1-800-962-2873, or TDD (Telephone Device for the Deaf): 1-800-453-5145. If the situation constitutes an emergency, the employee should call 911 first and then call the abuse hotline number. (also see Board Policy 8462)

An official of the Department of Children and Families or law enforcement agency on its behalf may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student's family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency shall be encouraged to contact the student during non-school hours and investigate the matter off school property, if at all possible.

The building administrator shall attempt to contact the parent prior to questioning unless directed not to do so by the investigator. The building administrator must not attempt to contact the parent without first advising the investigator of his/her intent to do so.

The building administrator or designated guidance counselor shall request to remain in the room during questioning of the student.

Investigations of Child Abuse/Neglect by Law Enforcement Agencies

A law enforcement agency may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student's family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency shall be encouraged to contact the student during non-school hours and investigate the matter off school property, if at all possible.

The building administrator shall attempt to contact the parent prior to questioning unless directed not to do so by the agency. The building administrator must not attempt to contact the parent without first advising the investigator of his/her intent to do so. Prior to being permitted to question a student without making prior contact with the parent, a law enforcement officer shall provide the building administrator a sworn declaration averring that 1) reasonable suspicion exists that the child is the victim of child abuse, neglect, or another criminal offense, and 2) prior notification to the parents and/or legal guardians of the child would either impede the investigation and/or potentially lead to further harm committed against the student.

Investigations of Violations of Law by Law Enforcement Agencies

State and Federal law enforcement agencies investigating complaints other than under the Child Protection Act should contact a student during non-school hours and investigate alleged violations of the law off school property if at all possible. An investigation can take place immediately on school property during school hours at the request of the building administrator if the alleged violation of law took place on school property, involves other situations affecting school safety, or presents an emergency situation.

If the student to be questioned is under the age of eighteen (18), the building administrator shall notify the parents or legal guardians prior to allowing an interview to begin. Except as otherwise provided for in this policy, if the parents or legal guardians refuse to give permission, the building administrator shall not permit the law enforcement officer to question or interview the student on campus. If the parents or legal guardians give permission, the building administrator shall, upon the parent's request, participate in the interview.

If the parents or legal guardians cannot be reached, the building administrator shall evaluate the necessity for the law enforcement officer having immediate access to the student and either permit or refuse access. A report of the interview shall be made to the parents or legal guardians at the earliest possible time. If the student is over the age of eighteen (18), the building administrator shall evaluate the necessity or reason for the law enforcement officer to have access to the student and may either permit or deny such access during school hours.

When law enforcement is given access to interview or search a student on campus, the building administrator shall participate in the interview or search. No more than two law enforcement officers will be permitted in the room with the student, unless officer safety is an issue. Student searches and questioning should be witnessed by school officials of the same gender as the student, whenever possible.

Questioning of Student by School Resource Deputy

Notwithstanding the provisions herein, a School Resource Deputy may interview a student concerning a school-related matter when authorized by the building administrator. Removal of a student from the school campus by a School Resource Deputy must be conducted in accordance with this policy.

Removal of Student from School Campus

No law enforcement officer shall be permitted to remove a student from the school campus for questioning or any other purpose, except under the following conditions:

- A. A court order is presented authorizing the officer to take the student into custody.
- B. A warrant is presented authorizing the arrest of the student.
- C. The student is placed under arrest by the officer.
- D. The officer presents written documentation of parental permission.

Notification and Release of Records

Attempts to notify the parents regarding investigations of child abuse/neglect and other law enforcement investigations shall be documented. When an authorized law enforcement officer or the Department of Children and Family Services removes a student, the building administrator shall also notify the parent(s) and the Superintendent.

No school official may release personally identifiable student information in education records to the police or the Department of Children and Family Services without the prior written permission of the parent, a lawfully-issued subpoena, a court order or a health or safety emergency. (See Board Policy 8330).

5771 - SEARCH AND SEIZURE

The School Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner.

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board and, in accordance with law, may be the subject of search upon reasonable suspicion that a prohibited or illegally possessed substance or object is contained therein. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property, including vehicles, of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Search of a student's person or personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender when possible, and only in exceptional circumstances when the health or safety of the student or of others is threatened.

The Board also authorizes the use of canines trained in detecting the presence of drugs or devices. This means of detection shall be used only to determine the presence of drugs in locker areas and other places on school property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal, who shall seek the freely offered consent of the student to the inspection. -Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings.

The principal shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.



Section IV: Anti-Harassment, Bullying and Harassment, and Teen Dating Violence

5517 - ANTI-HARASSMENT

I. General Policy Statement

It is the policy of the School Board to maintain an educational and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board. Further, the Board prohibits the bullying of any employee as set forth in F.S. 1006.147.

The Superintendent will vigorously enforce its prohibition against discriminatory harassment on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation, gender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively, "protected classes") (hereinafter referred to as unlawful harassment), and encourages those within the School District community who feel aggrieved to seek assistance to rectify such problems. The Superintendent will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Superintendent will take steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

Further, nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

II. Other Violations of the Anti-Harassment Policy

The Board will also take steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

III. Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, professional, and classified staff)

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

A. Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more employees and that bullying is based upon sex, race (including anti-Semitism), color, national origin, religion, or disability, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve:

1. teasing;	7. cyberbullying;
2. social exclusion;	8. physical violence;
3. threats;	9. theft;
4. intimidation;	10. sexual, religious, or racial harassment;
5. stalking;	11. public or private humiliation; or
6. cyberstalking;	12. destruction of property.

B. Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against school employee that:

1. places a school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. has the effect of substantially interfering with an employee's educational performance, opportunities, or benefits; or
3. has the effect of substantially disrupting the orderly operation of a school.

C. "Bullying" and "harassment" also include:

1. Retaliation against a school employee by a student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed under the definitions of "bullying," "cyberbullying," or "harassment" by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a school employee by:
 - a. incitement or coercion;
 - b. accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or,

- c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

D. Sexual Harassment

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined :

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – *Nondiscrimination on the Basis of Sex in Education Programs or Activities* is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
2. Physical and/or sexual assault.
3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
4. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
5. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
7. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
8. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
9. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
10. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
11. Pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
12. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

13. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's education, or such that it creates a hostile or abusive educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

E. Sexual Cyberharassment

Pursuant to Florida law, "sexual cyberharassment" means to publish to an Internet website or disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his/her reasonable expectation of privacy for that image. Sexual cyberharassment may be a form of sexual harassment.

F. Race/Color Harassment (Including Anti-Semitism)

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Prohibited anti-Semitism harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's Jewish heritage and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is based upon a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his/her property, or toward Jewish community institutions or religious facilities.

G. Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

H. National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of

speaking, language, surnames, or ethnic slurs.

I. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

J. Pregnancy Harassment

Prohibited pregnancy harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's pregnancy and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's pregnancy and condition of pregnancy.

IV. Reports and Complaints of Harassing Conduct

Board employees are required to promptly report incidents of unlawful harassing conduct to an administrator, supervisor, or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Students and all other members of the School District community, are encouraged to promptly report incidents of unlawful harassing conduct to a teacher, administrator, supervisor, or other School District employee or official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a report shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. Anonymous reports of an alleged act of bullying or harassment may be reported to an administrator, supervisor, or other School District official; however, formal disciplinary action may not be based solely on an anonymous report.

Members of the School District community, which includes students who believe they have been unlawfully harassed are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs unless the complaining individual makes the complaint maliciously or with the knowledge that it is false. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of reported act of bullying and/or harassment in accordance with Policy 5517.01 – *Bullying and Harassment*, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race (including anti-Semitism), color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or while the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 5517 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that

results from the Policy 2266 grievance process.

A. Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators"; hereinafter referred to as the "COs").

Holly Buchanan
Executive Director of Human Resources
850-767-4100
1311 Balboa Avenue
Panama City, FL 32401
buchahd@bay.k12.fl.us

Maria Lang
Title IX Coordinator
850-767-4322
1311 Balboa Avenue
Panama City, Florida 32401
langmh@bay.k12.fl.us

Clinton Whitfield
Executive Director of ESE and Student Services
850-767-4100
1311 Balboa Avenue
Panama City, Florida 32401
whitfcj@bay.k12.fl.us

B. Section 504 Compliance Officer/ADA Coordinator

The Board designates the following individuals to serve as the District's Section 504 Compliance Officer/ADA Coordinators.

Clinton Whitfield
Executive Director of ESE and Student Services
850-767-4100
1311 Balboa Avenue
Panama City, Florida 32401
whitfcj@bay.k12.fl.us

C. Title IX Coordinators

The Board designates the following individuals to serve as the District's Title IX Coordinators.

Maria Lang
Title IX Coordinator
850-767-4100
1311 Balboa Avenue
Panama City, Florida 32401
langmh@bay.k12.fl.us

D. Publication Required

The names, titles, and contact information for these individuals will be published annually on the School District's website.

A Compliance Officer will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct or to intercede informally on behalf of the student.

E. Duties and Responsibilities

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the Complainant, if age eighteen (18) or older, or the Complainant's parents/guardians if under the age of eighteen (18), within two (2) business days to advise them of the Board's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Anti-Harassment Compliance Officers within two (2) days. Thereafter, the Compliance Officer or designee must contact the Complainant, if over age eighteen (18) or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Superintendent's intent to investigate the alleged misconduct, including the obligation of the compliance officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

The Compliance Officers are assigned to accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District or to receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

V. Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 - *Nondiscrimination on the Basis of Sex in Education Program or Activities*, any student who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, and/or the Equal Employment Opportunity Commission.

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate

resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students, other members of the School District community who believe that they have been unlawfully harassed or retaliated against, may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to the Compliance Officers who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide students, other members of the School District community who believe they are being unlawfully harassed by a student with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

1. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
2. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
3. If both parties agree, the Compliance Officers may arrange and facilitate a meeting or a mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officers or designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process as described below shall be implemented.

This formal complaint process is not intended to interfere with the rights of a student, other member of the School District community, or third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Florida Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Complainant may file a formal complaint, in writing with a teacher, principal, or other District official at the student's school, the Compliance Officer, Superintendent, or other District official who works at another school or at the district level. Due to the sensitivity surrounding complaints of unlawful harassment, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); and a list of potential witnesses and the resolution sought by the complainant.

If the complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the complainant from further harassment or retaliation including but not limited to a change of class schedule for the Complainant and/or the Respondent, or possibly a change of school for either or both of the parties. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees to any action deemed appropriate. If the Complainant is unwilling to consent to any change that is deemed appropriate by the Compliance Officer, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent and/or Board Attorney.

Within two (2) days of receiving a formal complaint, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) days.

Within two (2) days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the complainant has been subject to offensive conduct/harassment. The principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment within fifteen (15) days of receiving the formal complaint. The investigation will include:

1. interviews with the Complainant;

2. interviews with the Respondent;
3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
4. consideration of any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether Respondent engaged in unlawful harassment/retaliation of the Complainant. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. The Compliance Officer may consult with the Board Attorney before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

The decision of the Superintendent shall be final.

The Superintendent reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the School District community alleging the unlawful harassment pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

VI. Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality cannot be guaranteed, however. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the

Compliance Officer in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the *Family Educational Rights and Privacy Act* will be maintained in a manner consistent with the provisions of the Federal law.

VII. Sanctions and Monitoring

The Superintendent shall vigorously enforce the Board's prohibitions against unlawful harassment/retaliation/bullying by taking appropriate action reasonably calculated to stop the harassment/retaliation/bullying and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

VIII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

IX. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) is a victim of child abuse or neglect to immediately report that knowledge or suspicion to the Department of Children and Family Services. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the complainant, a report of such knowledge must be made in accordance with State law and Board policy.

If the Compliance Officer or a designee has reason to believe that the complainant has been the victim of criminal conduct as defined under Florida law, such knowledge should be reported to local law enforcement.

Any reports made to the local child protection service or to local law enforcement shall not terminate the Compliance Officer's or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officers or a designee may work cooperatively with outside agencies to

conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

X. Mandatory Reporting of Misconduct by Certificated Employees

The Superintendent is required by State law and Board Policy 8141 to report alleged misconduct by certificated employees of the District that affects the health, safety, or welfare of a student. In accordance with Board policy and State law, the Superintendent shall investigate each allegation of such conduct and, if confirmed, shall report such misconduct pursuant to Policy 8141.

XI. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding this policy and harassment, in general, will be age and content appropriate.

XII. Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports/allegations/complaints/statements;
- C. a narrative of all actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;
- D. any written documentation of actions taken by District personnel;
- E. written witness statements;
- F. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- G. all documentary evidence;
- H. e-mails, texts, or social media posts pertaining to the investigation;
- I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- K. dated written determinations to the parties;
- L. dated written descriptions of verbal notifications to the parties;
- M. written documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt;
- N. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- O. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- P. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- Q. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment; and

- R. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

5517.01 - BULLYING AND HARASSMENT

The School Board is committed to providing an educational setting and workplace that is safe, secure, and free from bullying and harassment for all students and employees.

The Board will not tolerate unlawful bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited:

- A. during any education program or activity conducted by the District;
- B. during any school-related or school-sponsored program or activity, or on a District school bus, or at a District school bus stop;
- C. through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the District, meaning regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
- D. through the use of data or computer software that is accessed at a nonschool-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by the District or school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any nonschool-related activity, function, or program.

This policy has been developed and reviewed in consultation with District students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies as prescribed in F.S. 1006.147 and in conformity with the Florida Department of Education (FLDOE) Revised Model Policy (April 2016).

Pursuant to State law, District students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies shall be involved in the review of this policy every three (3) years.

The Superintendent shall develop a comprehensive plan intended to prevent bullying and harassment and to cultivate the school climate so as to appropriately identify, report, investigate, and respond to situations of bullying and harassment as they may occur on school grounds, at school-sponsored events, and through school computer networks. Implementation of the plan by each principal will be ongoing throughout the school year and will be integrated with the school curriculum, the bullying and prevention program, District disciplinary policies, and violence prevention efforts.

Bullying and harassment of school employees shall be addressed in accordance with Policy 1362, Policy 3362, and Policy 4362 - *Anti-Harassment*.

Definitions

"Bullying" includes "cyberbullying" and means systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates an intimidating, hostile, or offensive educational environment; causes discomfort or humiliation; or unreasonably interferes with the individual's school performance or participation; and may involve:

The electronic edition of the BDS Code of Conduct and School Board policy located at www.bay.k12.fl.us is the latest edition. It replaces earlier electronic and printed editions.

<ul style="list-style-type: none"> A. teasing; B. threats; C. intimidation; D. stalking; E. cyberstalking; F. physical violence; 	<ul style="list-style-type: none"> G. theft; H. sexual, religious, or racial harassment; I. public or private humiliation; or J. destruction of property; and K. social exclusion.
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"Cyberbullying" means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

"Cyberstalking" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- C. has the effect of substantially disrupting the orderly operation of a school.

"Bullying" and **"harassment"** also encompass:

- A. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
- B. Perpetuation of conduct listed in the definition of bullying and/or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
 - 1. incitement or coercion;
 - 2. accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or
 - 3. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

"Harassment" also means electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistants (PDA), or wireless hand-held device) that a student(s) or a group of students exhibits toward another particular student(s) and the behavior both causes mental and physical harm to the other student and creates an intimidating, threatening, or abusive educational environment for the other student(s).

Sexual Cyberharassment

Pursuant to Florida law, "sexual cyberharassment" means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Sexual cyberharassment may be a form of sexual harassment.

"Within the scope of the District" means regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.

Expected Behavior

The District expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

Such behavior is essential in maintaining an environment that provides each student the opportunity to obtain a high quality education in a uniform, safe, secure, efficient, and high quality system of education.

The standards for student behavior shall be set cooperatively through interaction among students, parents/guardians, staff and community member, producing an atmosphere that encourages students to grow in self-discipline. The development of such an atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. School administrators, faculty, staff, and volunteers serve as role models for students and are expected to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying.

Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority.

Consequences

Consequences and appropriate remedial action for students who commit acts of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.

Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall include discipline in accordance with District policies, administrative procedures, and the collective bargaining agreement. Egregious acts of harassment by certified educators may result in a sanction against an educator's State-issued certificate. (See the *Principles of Professional Conduct of the Education Profession in Florida* - F.A.C. 6A-10.081)

Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

Procedure for Reporting

The Board designates the principal as the person responsible for receiving all alleged acts of bullying. Any student or student's parent/guardian who believes s/he has been or is the victim of bullying or harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

All school employees are required to report alleged violations of this policy and alleged acts of bullying and harassment to the principal or as described above. The alleged violations and acts must be reported by school employees to the principal within twenty-four (24) hours.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.

Written and oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The principal shall establish and prominently publicize to students, staff, volunteers, and parents the procedure for reporting bullying and how such a report will be acted upon. A victim of bullying and/or harassment, anyone who

witnessed the act, and anyone who has credible information that an act of bullying and/or harassment has taken place may file a report.

Procedure for Investigation

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. All complaints about bullying and/or harassment that may violate this policy shall be promptly investigated by an individual, designated by the principal, who is trained in investigative procedures. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the accused perpetrator or victim. At no time shall the accused perpetrator and victim be interviewed together. The investigator shall collect and evaluate the facts including, but not limited to, the following:

- A. a description of the incident, the nature of the behavior, and the context in which the incident occurred;
- B. how often the conduct occurred;
- C. whether there were past incidents or past continuing patterns of behavior;
- D. the relationship between the parties involved;
- E. the characteristics of the parties involved;
- F. the identity of the alleged perpetrator, including whether the individual was in a position of power over the individual allegedly subjected to bullying or harassment;
- G. the number of alleged bullies/harassers;
- H. the age of the alleged bully/harasser;
- I. where the bullying and/or harassment occurred;
- J. whether there have been other incidents in the school involving the same or other students;
- K. whether the conduct adversely affected the student's education or educational environment;
- L. the date, time, and method in which the parent(s) of all parties involved were contacted.

In accordance with State law, District staff may monitor as part of any bullying or harassment investigation any nonschool-related activity, function, or program.

If, during an investigation of reported acts of bullying and/or harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively "protected classes"), the principal or his/her designee will report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - *Anti-Harassment*.

Sexual Harassment covered by Policy 2266 - *Nondiscrimination on the Basis of Sex in Education Programs or Activities* is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Upon the completion of the investigation to determine whether or not a particular action or incident constitutes a violation of the policy, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:

- A. a recommendation of remedial steps necessary to stop the bullying and/or harassing behavior; and
- B. a written report

A maximum of ten (10) days should be the limit for the completion of the investigative procedural steps and submission of the incident report. While ten (10) the expectation for completion of the investigative procedural steps, more time may be needed based on the nature of the investigation and the circumstances affecting that investigation. The investigator shall document in his/her report the reasons for needing additional time beyond ten (10). The highest level of confidentiality possible shall be provided regarding the submission of a complaint or a report of bullying and/or harassment and for the investigative procedures that are employed.

The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

Scope

The investigator will provide a report on the results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of District authority. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. If the action is within the scope of the District, District procedures for investigating bullying and/or harassment shall be followed. If the action is outside the scope of the District and believed to be a criminal act, the action shall be referred to the appropriate law enforcement agency. If the action is outside the scope of the District and believed not a criminal act, the principal shall inform parents/guardians of all minor parties.

Parent Notification

The principal shall report the occurrence of an incident of bullying as defined by District policy to the parent/guardian of all students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone, e-mail, personal conference, or by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the State Board of Education.

If the bullying incident results in the perpetrator being charged with a crime, the principal shall inform by first class mail or by telephone the parent/guardian of the identified victim(s) involved in the bullying incident about the Unsafe Schools Choice Option (the Elementary and Secondary Education Act, as amended) that states, in pertinent part, as follows:

"....a student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

Upon the completion of the investigation and if criminal charges are to be pursued against the perpetrator, the appropriate law enforcement agencies shall be notified by telephone and/or in writing.

Counseling Referral

The District shall provide a referral procedure for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure will include:

- A. a process by which the teacher or parent may request informal consultation with school staff (e.g., school counselor, school psychologist, school social worker, etc.) to determine the severity of concern and appropriate steps to address the concern;
- B. a referral process to provide professional assistance or services that may include a process by which school personnel or parent/guardian may refer a student to the school intervention team (or equivalent school-based team with a problem-solving focus) for consideration of appropriate services (parent/guardian involvement is required at this point); or

If a formal discipline report or formal complaint is made, the principal must refer the student(s) to the school intervention team for determination of counseling support and interventions (parent/guardian is required at this point).

- C. a school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
 - 1. counseling and support to address the needs of the victim(s) of bullying or harassment;

2. interventions to address the behavior of students who bully and harass others (e.g., empathy training, anger management, etc.);
3. interventions which include assistance and support for parents, as may be deemed necessary or appropriate.

Data Report

The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data as prescribed. If a bullying (including cyberbullying) and/or harassment incident occurs it will be reported in SESIR, coded appropriately using the relevant incident code and the related element code. Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System. In a separate section, the District shall include each alleged incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding such incidents.

The District will provide bullying incident, discipline, and referral data to the Florida Department of Education (FLDOE) in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

Training and Instruction

Students, parents, teachers, school administrators, counseling staff, and school volunteers shall be provided training and instruction, at least annually, on the District's policy and administrative procedures regarding bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as information about how to effectively identify and respond to bullying in schools. Instruction regarding bullying, harassment, and the District's violence prevention and school safety efforts shall be integrated into District curriculum at the appropriate grade levels. The training and instruction shall include recognizing behaviors that lead to bullying and harassment and taking appropriate preventative action based on those observations. The programs of training and instruction authorized by the District shall include, but not be limited to, creating a safe and respectful environment in the nation's classrooms.

Victim's Parent Reporting

The principal shall report the occurrence of an incident of bullying as defined herein to the parent/guardian of students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone and in writing by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). According to the level of infraction, the victim's parents will be notified by telephone and/or in writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident.

Policy Publication

At the beginning of each school year, the Superintendent shall, in writing, inform school staff, parents/guardians/other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.

The District shall provide notice to students and staff of this policy in the Code of Student Conduct, employee handbooks, and via the District's official website. The Superintendent will also provide such notification to all District contractors.

Each principal shall implement a process for discussing, at least annually, the District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages will be displayed, as appropriate, at each school and at District facilities.

Immunity

A school employee, school volunteer, students, parent/guardian, or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the

procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any school employee, school volunteer, student, parent/guardian, or other person determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

Privacy/Confidentiality

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

Nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry under this policy is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Suspected retaliation should be reported in the same manner as aggressive behavior and/or bullying.

5517.03 - DATING VIOLENCE AND ABUSE

The School Board strictly prohibits any act of dating violence and abuse committed by one student against another on school property, during a school-sponsored activity, or during school-sponsored transportation.

Dating Violence and Abuse Defined

For purposes of this policy, dating violence and abuse shall be defined as emotional, verbal, sexual, or physical abuse of a student who is in a current or was in a past dating relationship by the other person in that dating relationship. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats and/or acts of mental, physical or sexual abuse. It may also be a pattern of demeaning, coercive, abusive actions that amount to emotional or psychological abuse. Dating violence and abuse may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, as well as harassment through a third party.

Reporting Acts of Dating Violence and Abuse

Any student who is the victim of an act of dating violence and abuse, or has cause to believe that s/he is in immediate danger of becoming the victim of an act of dating violence and abuse, should report the matter to the Principal or to any member of the school staff.

Any Board employee who receives a report of an act of dating violence and abuse, who directly observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse shall report such report, observations, or suspicions to the Principal.

Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse is strongly encouraged to promptly report the matter to the Principal or other District administrator or official. These reports can be made either in person or anonymously.

Investigating Reports of Dating Violence and Abuse

Upon receiving a report of alleged dating violence and abuse, the Principal shall conduct an investigation of the allegation promptly. As part of the investigation, the Principal shall contact the parent(s) of the alleged victim and/or the parent(s) of the alleged perpetrator, if they are under the age of eighteen (18), to inform them of the report.

The investigation of the report should include interviews of the alleged victim, the individual accused of perpetrating the dating violence and abusive behavior, and any other person who may have witnessed the alleged act or who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

The Board reserves the right to investigate a report of dating violence and abuse regardless of whether the student who is allegedly the victim of the dating violence and abuse wants to pursue the matter.

Consequences

At the conclusion of the investigation, the Principal will determine whether or not the allegation of dating violence and abuse was substantiated. If the Principal determines that a student has committed an act of dating violence and abuse, that violation of this policy shall result in disciplinary action in accordance with the Student Code of Conduct, which may include suspension, assignment to another school or program, or recommendation for expulsion. All disciplinary action shall be taken in accordance with State law and applicable Board policy. (See Policy 5500 and Policy 5600) When imposing discipline, the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved, shall be considered.

Suspensions for acts of teen violence and abuse may be appealed in accordance with the procedures set forth in the Student Code of Conduct. (See Policy 5500)

Further, the Department of Children and Families shall be notified if the student who is found to have perpetrated the act of dating violence and abuse is eighteen (18) years of age or older and the student who was the victim of the act of dating violence and abuse is a minor.

In those cases where teen dating violence and abuse is not substantiated, the Principal may consider whether the alleged conduct nevertheless warrants disciplinary action in accordance with the Student Code of Conduct or other Board policies.

Support and Reasonable Accommodations

If requested during or after the investigation, the Principal shall make reasonable accommodations for the student who is allegedly experiencing dating violence and abuse including, but not limited to the following:

- A. Stay Away Contract, that is, a contract with the alleged perpetrator to stay away from the victim while on school grounds, on school transportation, and during school-sponsored programs and events;
- B. Class schedule changes;
- C. Protection that will enable safe egress/regress from school, as well as movement within the school; and
- D. Referrals for outside support or counseling.

Students should provide the Principal with a copy of an order of protection that has been issued by the court. The Principal shall then contact the student whose behavior is to be regulated by that order of protection and initiate a Stay Away Contract that is consistent with the terms of that order and provides penalties for known violations of the contract. Further, the Principal shall notify law enforcement immediately if s/he knows or has reason to believe that a criminal or civil restraining order has been violated.

The School Resource Officer shall respond immediately to a report of a violation of a criminal or civil restraining order.

Other Violations of the Dating Violence and Abuse Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging dating violence and abuse, or who has participated as a witness in an investigation of such an allegation.
- B. Filing a malicious or knowingly false report or complaint of dating violence and abuse.
- C. Disregarding, failing to investigate adequately, or delaying the investigation of allegations of dating violence and abuse, when responsibility for reporting and investigating allegations of dating violence and abuse comprises part of one's supervisory duties.

Privacy/Confidentiality

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of dating violence and abuse. The Superintendent shall require that the District's comprehensive health curriculum in grades 7-12 include a component about teen dating violence and abuse that is age appropriate and includes the content required by State law.

Further, the Superintendent shall provide appropriate training to all members of the School District staff related to dating violence and abuse, and the implementation of this policy.

2371 - EDUCATIONAL OPTIONS FOR INCIDENTS OF VIOLENCE AND BULLYING

Students subjected to an incident of violence or bullying at school have the opportunity to seek a transfer to another District school with capacity or request a scholarship to attend an eligible private school.

Eligibility

A student in grade K-12 is eligible for certain educational options if the student was subjected to, and subsequently reported to the Principal, any of the following incidents (as set forth in F.S. 1002.40(3)) at school, on a school bus, at a school bus stop, at a school-related/sponsored program or activity, or at any other school location:

- A. battery;
- B. harassment (see Policy 5517.01 - *Bullying and Harassment*);
- C. hazing (see Policy 5516 - *Student Hazing*);
- D. bullying (see Policy 5517.01 - *Bullying and Harassment*);
- E. kidnapping;
- F. physical attack;
- G. robbery;
- H. sexual offenses (including harassment, assault, or battery) (see Policy 2266 - *Nondiscrimination on the Basis of Sex in Education Programs or Activities*);
- I. threat or intimidation; or

The electronic edition of the BDS Code of Conduct and School Board policy located at www.bay.k12.fl.us is the latest edition. It replaces earlier electronic and printed editions.

J. fighting.

Investigation and Parental Notification of Hope Scholarship Program

Upon receipt of a report from a student of any of the incidents set forth herein, the Principal shall provide a copy of the report to the parent of the student and investigate the incident within ten (10) school days to determine if the incident must be reported to the Florida Department of Education's (FLDOE) Automated Student Information System.

Within twenty-four (24) hours after receipt of the completed report, the Principal shall provide a copy of the report to the parent of the alleged offender and to the superintendent.

Upon conclusion of the investigation or within ten (10) school days after the incident was reported, whichever occurs first, the District shall notify the parent of opportunities to enroll the student in another public school that has capacity, and notify the parent of the student's eligibility to apply for a scholarship to attend an eligible private school under F.S. 1002.394 and 1002.395.



Section V: Participation in Extracurricular/Co-curricular Activities

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2431 - INTERSCHOLASTIC ATHLETICS

The School Board recognizes the value of interscholastic athletics and the positive impact sports have on students. A program of interscholastic athletics for students is an integral part of the total school experience and benefits the community as a whole. The program should foster the growth of school loyalty within the student body as a whole and stimulate community interest in athletics. Participation in the District's interscholastic athletics programs by a student is a privilege, not a right.

The program of interscholastic athletics shall include all activities relating to competitive sport contests, games, events, or sport exhibitions involving individual students or teams of students from high schools in this District with those from a high school in another district.

Competition involving middle schools (grades 6-8) or a combination middle school programs (grades 6-8) shall be in accordance with the Bay County Middle School Activities Association Bylaws.

Competition involving High Schools (grades 9-12) shall be in accordance with Florida High School Athletic Association's (FHSAA's) Bylaws.

Since the primary purpose of the interscholastic athletics program is to enhance the education of participating students, as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition.

Student athletes are responsible for making up school work that is missed.

An interscholastic contest is any competition between organized teams or individuals of different schools in a sport recognized by the FHSAA, and therefore shall be subject to all regulations pertaining to such contests. The interscholastic athletics program shall be considered an essential part of the total school program and shall be under the principal's direction and general supervision. The principal shall select the personnel to direct and to act as coaches and advisors.

Interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the District alone. It should also offer an opportunity for career and educational development. The game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

Appropriate adult supervision consistent with Florida law shall be provided to all students. All athletic coaches and sponsors of extra-curricular activities involving outdoor practices or events shall complete annual training in exertional heat stroke (EHS) identification, prevention, and response, including effective administration of cooling zones. All coaches shall complete NFHS courses in concussion, cardiac arrest, heat illness prevention annually (FHSAA Policy 40,41,42).

Eligibility and Regulation

All middle schools shall be members of the Bay County Middle School Activities Association and high schools shall be members of the FHSAA and governed by its rules and regulations. All District students (including transfer students) shall satisfy the eligibility requirements established by the BCMSAA, FHSAA, Florida law, Board Policy 2431.01, and Policy 5610.05.

Students enrolled in a private school, charter school, Florida Virtual School (FLVS), or educated at home are permitted to participate in a District interscholastic or intrascholastic sport and must fulfill the same academic and nonacademic requirements as any other participant.

A student who participates in an interscholastic or intrascholastic activity at a District public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at that school for the remainder of the school year if:

- A. during the period of participation in the activity, the student continues to meet the requirements specified in F.S. 1006.15.
- B. the student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for enrollment requirements at the school at which the student participates.
- C. the parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the Board are exempt from civil liability arising from any injury that occurs to the student during such transportation.

The Principal of each District school shall be responsible for determining each participant's eligibility pursuant to State law, the rules of this Board, and the bylaws of the FHSAA. Any school that allows an ineligible student to participate shall be subject to the penalties set forth in Florida law and the bylaws of the FHSAA. (see also Policy 2431.01)

The Superintendent shall develop appropriate administrative procedures for the operation of the interscholastic athletics program. Such regulations should provide for the following safeguards:

- A. Prior to enrolling in the sport,
 - 1. each participant shall submit to a thorough physical examination by a licensed physician;
 - 2. and parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation. Physicals must be updated and current during the time of participation.
- B. Any student who is found to have a health condition which may be life-threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical review panel that has determined the conditions under which the student may participate. Pursuant to F.S. 1006.20(2)d, the District shall not be liable for any student with a health condition who has been authorized to play by the parent(s) if the parent(s) of the student objects in writing to the student undergoing a medical evaluation because such evaluation is contrary to his/her religious tenets or practices.
- C. Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.
- D. In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and volunteer coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.
- E. The Superintendent and District school Principals will require that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Follow and adhere to the coach's code of conduct and the student athlete code of conduct

In order to support the FHSAA's program to strengthen sportsmanship, ethics, and integrity, the Board commits itself to:

- A. adopt policies (upon recommendation of the administration) which reflect the District's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;
- B. reinforce the concept that participation in athletic activities are a privilege, not a right;
- C. attend and enjoy school athletic activities, serving as a positive role model and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. support and recognize participants, coaches, school administrators, and fans who display good sportsmanship; and
- E. recognize the value of school athletic activities as a vital part of education.

Participation by Agreement

An individual District public school student who is otherwise eligible to participate in interscholastic extracurricular activities may either participate in any such activity at any public school in the District in which the student resides or develop an agreement to participate in such activity at a private school, unless the activity is provided by the student's traditional public school. Such student must:

- A. meet the same standards of acceptance, behavior, and performance that are required of other students in extra-curricular activities at the school at which the student wishes to participate;
- B. before participation, register with the school the student's intent to participate in interscholastic extra-curricular activities as a representative of the school. The student must be able to participate in curricular activities if that is a requirement for an extra-curricular activity.

Recruiting Prohibited/Penalties

The Board recognizes that the recruitment of student athletes is strictly prohibited by F.S. 1006.20. The FHSAA, through its bylaws, has prescribed penalties, sanctions, and an appeals process for athletic recruiting violations. These penalties and sanctions may be applied by the FHSAA against a member school, student athletes, and coaches. In addition to FHSAA penalties and sanctions, District employees, volunteer coaches found to have engaged in the improper recruitment of a student athlete may be subject to disciplinary action, up to and including termination.

A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit or any promise of benefit if such benefit is not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

Eligibility Appeals

If the Principal determines that a transfer student is ineligible to participate in interscholastic athletics, a student may submit an appeal in accordance with Florida law and the FHSAA's Bylaws.



SECTION VI: Dress Code and Wireless Communication Devices

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5511 - STUDENT DRESS CODE

Appropriate dress is the primary responsibility of the student and his/her parent or guardian. To promote safety, personal hygiene, and academic well-being, students shall be expected to comply with reasonable requirements relating to dress, grooming and personal appearance.

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

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. The principal may make exceptions for field trips or other special activities.

For purposes of this policy:

- A. School colors refer to the three (3) assigned colors for the school plus gray serving as a neutral for all schools.
- B. Standard color palette refers to khaki, navy blue, black, or gray to include jeans.
- C. Articles of clothing may have a logo or trademark no larger than 3 inches.

Tops

- A. Collared shirts should have no more than the top two buttons unfastened and must be in the school's designated colors.
- B. School-approved club/spirit shirts are permitted.
- C. Solid school colored, crew neck, t-shirts with small logo are permitted.
- D. Shirts do not have to be tucked in.
- E. Shirts must be long enough to ensure that no midriff is visible with raised arms.
- F. Tube tops and halters of any style are prohibited.

Bottoms

- A. Bottoms must be either one of the three assigned school colors or from the standard color palette.
- B. Small manufacturer's trademark and minimal embellishments are acceptable.
- C. No holes, rips, or tears.
- D. Bottoms must be appropriately fitted and seated at the waist.
- E. Belts, if worn, must be in the loops.
- F. Shorts should come to the mid-thigh in length.
- G. Leggings, spandex, or tights are permitted only when worn under a skirt, dress, shirt, or jumper that is at least mid-thigh. May not be sheer or see-through material.
- H. Jogger pants fitted at the ankle are permitted. (Joggers differ from sweatpants and are not made of sweatshirt material, must be fitted at the waist and ankle.)
- I. Pajama pants, sweatpants, low-rise, and hip-huggers are not permitted.

Skirts/Dresses/Jumpers

- A. Must be one of the school colors or from the standard school palette.
- B. Skirts or dresses must come to the mid-thigh in length.
- C. The underarm and shoulder area must be covered.
- D. Spaghetti straps and jumpers are allowed only with a school-approved shirt underneath.
- E. No graphics or print patterns.
- F. A small logo not to exceed 3 inches is permissible.

Shoes

- A. Shoes must be worn at all times.
- B. Shoes must have closed toes.

- C. Closed backs or shoes with backstraps appropriately fitted behind the foot.
- D. No bedroom shoes, flip-flops, shower shoes, slides, beach footwear, or shoes with wheels are allowed.

Sweaters/Sweatshirts/Hoodies

- A. Long-sleeved sweaters, sweatshirts, or hoodies must be in school colors or gray.
- B. School approved club and spirit sweatshirts are permitted.
- C. Small manufacturer's trademark is acceptable.
- D. Hoodies, zippered sweatshirts, and sweatshirts in school colors or gray may be worn in the classroom; however, attached hoods may not be worn indoors.

Coats/Jackets

- A. Can be any color, but school colors are preferred.
- B. Outerwear may not have graphics.
- C. Trench coats are not permitted.
- D. Coats and jackets can be worn but must be worn over dress code-compliant clothing; however, attached hoods may not be worn indoors.

Face Coverings/Head and Neck Wear

- A. Solid color cloth face coverings may be worn by students as necessary for health and safety.
- B. Coverings or headgear may not cover eyes or tops of head.
- C. Scarves must be worn around the neck or shoulders (accessory item only; no bandanas).
- D. Headwear, including hats, sunglasses, or other sun-protective items may be worn outside only. Such protective items must be properly stored in cubbies, purse, locker or backpack.
- E. Jewelry or accessories that may be used as a weapon, such as chains or spiked jewelry, are not permitted.

Sports and Extra-Curricular Activities

- A. Students participating in extra-curricular activities shall conform to the standards of this policy while attending classes during the regular school day.
- B. Cheerleaders may wear their uniforms when required for participation in school-sanctioned activities.
- C. Athletes may wear the team jerseys on game days with appropriate uniform bottoms.

Exceptions to wearing dress code attire are permitted when:

- A. students may wear a uniform of a nationally recognized youth organization, such as JROTC, FFA, etc., on regular meeting days.
- B. a student wears a costume, special clothing or attire necessary for participation in a school-sponsored or extra-curricular activity provided the clothing complies with District policy.
- C. the dress code guidelines violate a student's sincerely held religious belief.
- D. 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.
- E. applicable, students shall be required to "dress out" and wear physical education uniforms prescribed by the school.
- F. upon a parent's written request, the principal may approve reasonable accommodations for special needs.

Prohibited Attire

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:

- A. Clothing that exposes underwear or private body parts
- B. Fishnet tights
- C. Garters
- D. Sleepwear, pajamas, or other bedroom clothes
- E. Beach wear or bathing suits
- F. Animal tails
- G. Any clothing or accessory item that causes a disruption to the learning environment

Students in kindergarten through fifth grade who violate this Policy are subject to the following disciplinary actions:

- A. First and second violation — Parent notification, verbal warning, and change of inappropriate attire.
- B. Third violation — Parent notification, change of inappropriate attire, and possible loss of privilege.
- C. Fourth violation — Parent conference, change of inappropriate attire, and 1-3 days of In-School Suspension (ISS).
- D. Additional offenses will result in additional days of ISS and possible further disciplinary action up to and including Out-of-School Suspension (OSS) if the continued offenses are a result of willful disobedience.

Students in sixth through twelfth grades who violate this Policy are subject to the following disciplinary actions:

- A. First and second violation — Parent notification, verbal warning, and change of inappropriate attire.
- B. Third violation — Parent notification, change of inappropriate attire, and 1-3 days of ISS.
- C. Fourth violation — Parent conference, change of inappropriate attire, and 3-5 days of ISS.
- D. Additional offenses will result in additional days of ISS and possible further disciplinary action up to and including OSS if the continued offenses are a result of willful disobedience.

Any interpretation of the dress code that is required of this policy shall be the responsibility of the Superintendent or his/her designee. The Superintendent or his/her designee 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.

5136 - WIRELESS COMMUNICATION DEVICE

For purposes of this policy, Wireless Communication Devices (“WCDs”) include, but are not limited to, cell phones, tablets, and auxiliary/ancillary devices such as watches and ear buds.

A student may possess a WCD on Board property, on school transportation and at school activities, provided that the WCD is powered off and concealed during school hours. The use of WCDs is prohibited during the school day (from the first morning bell to dismissal) unless expressly directed by a teacher solely for educational purposes, or within a location designated by the Principal with the express permission of a school administrator. All WCDs must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight in the student’s backpack or purse during the school day.

Violations of the cell phone policy may result in discipline and confiscation of the WCD. Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it can either be released/returned to the student or to the student’s parent/guardian at the end of the day, or after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the WCD may be turned over to law enforcement. If multiple offenses occur, a student may lose the privilege to bring a WCD to school for a designated length of time or on a permanent basis.

A confiscated device will be marked in a removable manner with the student’s name and held in a secure location in the building’s central office until it is retrieved by the parent/guardian or turned over to law enforcement. School officials will not search or otherwise tamper with WCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure.

Students may not receive discipline if they use a WCD in accordance with the student’s IEP or Section 504 Plan. A student may also be permitted use of a WCD or to monitor a health condition that is documented through medical records provided to the school for inclusion in a Health Plan.

The School Board is not responsible for theft, loss, or damage to cell phones or other electronic devices brought onto its property.



Section VII

Suicide Prevention, Drug Prevention, Smoking and Tobacco-Free Environment

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5350 - STUDENT SUICIDE PREVENTION, AWARENESS, AND SCREENING

The School Board recognizes that suicide is one of the leading causes of death for Florida's youth. To address the prevalence of student suicide, the Board believes there must be a partnership between families, the community, and schools. It is critical for families and community members to communicate with and provide information to school staff to identify students at risk of suicide.

The Board will provide access to suicide prevention educational resources to all instructional and administrative staff as part of the District's professional development program. The suicide educational resources will include material approved by the Statewide Office for Suicide Prevention, the Florida Suicide Prevention Coalition, and the Coordinated School Health Resource Center. The District's student personnel services staff will require that suicide prevention, awareness, and screening training and resources are made available to students and staff.

Signs of Suicidal Ideations

All school personnel should be alert to signs of suicide ideation and to students who threaten or attempt suicide. Suicide ideation is the process of fantasizing, planning, practicing, and motivating oneself to commit suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness. Families, community members, and students are encouraged to report any such signs to the Principal.

Suicide Risk Assessments

All schools and local mobile response teams shall use the same suicide risk assessment instruments approved by the FLDOE pursuant to F.S. 1012.583. Only school-based mental health service providers who have been trained in the use of the instruments utilized by the District may give a risk assessment to a student expressing suicidal ideation or suicidal intent.

A "school-based mental health services provider" means a school psychologist certified under F.A.C. 6A-4.0311, a school social worker certified under F.A.C. 6A-4.035, a school counselor certified under F.A.C. 6A-4.0181, or a mental health professional licensed under F.S. Chapters 490 or 491, who is employed or contracted by the District to provide mental health services in its schools.

If a trained school-based mental health services provider is unavailable, a contracted certified or licensed mental health provider may evaluate students in the District for suicide risk, including the mobile response teams serving the District upon receipt of parental consent.

When a suicide risk assessment results in the initiation of an involuntary examination, the Principal is required to make a reasonable attempt to notify the student's parent(s) before the student is removed from school, school transportation, or a school-sponsored activity, unless notification is delayed pursuant to F.S. 1002.20.

When a suicide risk assessment results in a change in related services or monitoring, a student's parent(s) must be notified as soon as possible, unless notified is withheld or delayed pursuant to AP 1213, AP 3213, or AP 4213 - *Student Supervision and Welfare*.

Youth Suicide Awareness and Prevention Training

In-service training in youth suicide awareness prevention shall be provided for support staff, administration, and instructional staff.

Resources Listed on Student Identification Cards (Grades 6 Through 12)

Any student identification cards issued to students in grades 6 through 12 will include the telephone numbers for national or Statewide crisis and suicide hotlines and text lines.

5530 - DRUG PREVENTION

The School Board recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole school community.

As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Florida statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. anabolic steroids;
- F. any substance that is a "look-alike" to any of the above.

The Board prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia as the term is defined by law, or the misuse of a product containing a substance that can provide an intoxicating or mood-altering effect on school grounds, on school vehicles, and/or at any school-sponsored event.

The Superintendent shall prepare procedures for the identification, amelioration, and regulation of drug use in the schools. Such procedures shall:

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
 - 3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students and which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- I. provide a biennial review of the School District's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;

Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well-being in the educational setting which may negatively affect behavior and interfere with their ability to learn.

The Superintendent shall establish administrative procedures necessary to implement this policy. Such procedures shall ensure that the proper notice regarding the use of anabolic steroids is posted in each of the District's locker rooms used by students in grades 7- 12.

5512 - SMOKING AND TOBACCO-FREE ENVIRONMENT

The School Board recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is committed to providing students, staff, and visitors with a smoking and tobacco-free environment on school property and at off-campus, school-sponsored events.

The Board also believes accepting gifts or materials from the tobacco industry will send an inconsistent message to students, staff, and visitors.

The Board recognizes that adult staff and visitors serve as role models for students. The Board embraces its obligation to promote positive role models in schools and to provide an environment for learning and working that is safe, healthy, and free from unwanted smoke or aerosol and other tobacco use for the students, staff, and visitors.

Definitions

- A. "Any time" means twenty-four (24) hours a day, seven (7) days a week, 365 days a year.
- B. "Electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic smoking device" includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, or similar devices. "Electronic smoking device" also includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, or pods.
- C. "School property" means all facilities and property, including land, whether owned, rented, or leased by the Board, and also includes all vehicles owned, leased, rented, contracted for, or controlled by the Board and used for transporting students, staff, or visitors.
- D. "Tobacco product" means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic smoking devices; cigars; little cigars; and other kinds and forms of tobacco.

General Statement of Policy

- A. Students are prohibited from possessing, using, consuming, displaying, or selling any tobacco products, tobacco-related devices, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored event.
- B. Administrators, staff, or visitors are prohibited from using, consuming, displaying, activating, or selling any tobacco products, tobacco-related devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored events. This includes products or paraphernalia displaying tobacco industry brands.
- C. It is a violation of this policy for administrators or staff to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry. This includes, but is not limited to, donations, monies for sponsorship, advertising, alleged educational materials, promotions, loans, scholarships, or support for equipment, uniforms, and sports and/or training facilities. It is also a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the Board.

- D. It is a violation of this policy for any person to promote tobacco products on the school property or at off-campus, school-sponsored events via the display of images of tobacco products on gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other material.

Exceptions

It is not a violation of this policy

- A. for a staff member or approved visitor to include tobacco products, tobacco-related devices, imitation tobacco products, or lighters in an instructional or work-related activity in District school buildings, if the activity does not include smoking, chewing, or otherwise ingesting the product; or
- B. for a person to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and if the product is being marketed and sold solely for such an approved purpose.

Opportunities for Cessation Programs

Administrators shall consult with the local public health department or other appropriate health and allied community-based organizations to provide students, staff, and administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of tobacco products.

Administrators shall identify and offer evidence-based programs and services for staff members who use tobacco products to support them in complying with this policy.

Enforcement

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of the entire school community. All individuals on school premises, including students, staff, administrators, and visitors, are responsible for adhering to and enforcing this policy. Members of the school community are encouraged to communicate this policy with courtesy and diplomacy. Any person acting in violation of this policy will be informed or reminded of the policy and asked to comply.

The first violation will result in confiscation of tobacco products, tobacco-related devices, imitation tobacco products, or lighters; notification to parent(s); and at least one of the following:

- A. A student meeting and individual student assessment with a health educator or designated staff to discuss tobacco use and the school policy.
- B. Student participation in a tobacco education program.
- C. Provision of information to the student about available cessation programs and resources.

Any subsequent violation will result in confiscation of tobacco products, tobacco-related devices, imitation tobacco products, or lighters; notification to parent(s) and/or guardian(s); the provision of information to the student about available cessation programs; and Student will receive disciplinary consequences from the Disciplinary Matrix.

Dissemination of Policy

Notice of this policy will be provided through:

- A. appropriate "No Tobacco" signage posted in the District on school buildings, building entrances, vehicles, vehicular entrances to school grounds, and indoor and outdoor athletic facilities;
- B. written notice to students and parents/guardians in student handbooks and orientations;
- C. written notice in staff handbooks, in orientations and employee or staff trainings, and when offering employment;
- D. reminder announcements of this policy at school and District events, as appropriate.

Program Evaluation

This smoking and tobacco-free policy shall be assessed by the District or its designated evaluator at regular intervals, but at least once a year, to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.