

**Santa Rosa County
School District**



"A Tradition of Excellence"

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Open Letter to the Parents and Students of the Santa Rosa School District:

Welcome to the 2012-2013 2013-2014 school term! We all take great pride in the accomplishments of our students in Santa Rosa County and realize that it takes the joint efforts of the students, the parents, the District's teachers, administrators and support staff, and the support of our communities to bring about the positive outcomes that we enjoy. The School Board and I are grateful for your support of our efforts to provide a safe school environment and for the understanding that discipline is an essential element in a productive educational environment.

The *Code of Student Conduct* is prepared and distributed to set forth the rules and guidelines that students are expected to follow. In complying with the law, the Santa Rosa County School Board defines zero tolerance to mean that certain kinds of misconduct will always lead to a disciplinary consequence. For some discipline infractions, administrators have discretion as to the discipline and penalties, and for others, the School Board has mandatory penalties. There are some infractions that require the school officials to notify law enforcement and there are times that infractions become a violation of the law as well as a violation of the *Code of Student Conduct*. This may result in an arrest and charges being filed by law enforcement. All of these policies have been enacted to ensure your child is safe and has every opportunity to benefit from instruction. The school administrators and teachers will be reviewing this *Code of Student Conduct* along with the school's student handbook to bring attention to the rules, guidelines and consequences that have been established. I encourage you as parents and guardians to read the document and to set forth your expectations for your children to follow the rules and make good choices when faced with those pressures from peers and the temptations that come along each year. **I would like to bring to your attention a growing issue with students bringing and distributing "Spice" and other synthetic drugs. We have had several incidents in which this resulted in suspensions and expulsions for students. It is our desire to prohibit this from occurring and ask that you discuss with your child the dangers of synthetic drugs of which "Spice" is only one of many street names associated with these substances. I also encourage you to discuss with your child, the seriousness of the possession/use/distribution of any drugs, weapon possession, the medication policy, and the commitment of a sexual offense. These are some of the areas that carry severe consequences.** Again, please keep in mind that the primary objective of the *Code of Student Conduct* is to ensure that all our schools are safe and secure places for the students, enabling us to provide the best opportunity for our students to learn and excel.

Florida Statue 1003.31(4) contains a school child's daily Conduct Pledge. You will find this pledge on the following page. While our students are not required to recite this pledge, we do expect them to follow it each day as the way to conduct themselves as students in the schools of the Santa Rosa County School District. With your support we will continue to have Santa Rosa School District and its students bringing honor and pride to us all.

Sincerely,

Timothy S. Wyrosdick

Superintendent of Schools

DISTRICT 1
Diane Scott, Ph.D E.

DISTRICT 2
Hugh Winkles

DISTRICT 3
Diane Coleman

DISTRICT 4
Jennifer Granse

DISTRICT 5
Scott Peden

Conduct Pledge

I will be respectful at all times and obedient unless asked to do wrong.

I will not hurt another person with my words or my acts, because it is wrong to hurt others.

I will tell the truth, because it is wrong to tell a lie.

I will not steal, because it is wrong to take someone else's property.

I will respect my body, and not take drugs or alcohol.

I will show strength and courage, and not do something wrong, just because others are doing it.

I pledge to be nonviolent and to respect my teachers and fellow classmates.

Santa Rosa County Schools **Code of Student Conduct Highlights** **2012-2013 2013-2014**

- The parent/guardian must notify the school to provide the reason for the student's absence or respond to the school's inquiry about the reason for the absence within three (3) days of the absence, or it becomes an unexcused absence.
- A student who has had fifteen (15) unexcused absences in a ninety (90) calendar-day period may have his/her motor vehicle operator's license suspended.
- If a student has had at least five (5) unexcused absences within thirty (30) calendar days or ten (10) unexcused absences within ninety (90) calendar days, then the District's truancy procedures will begin. (See Page 16)
- If a high school student misses a class ten (10) or more days during the semester unit of instruction or five (5) or more days during the quarter unit of instruction, the student must pass the final exam in that class for that unit of instruction to receive credit.
- If a student needs to take medication, prescription or nonprescription, during the school day, the parent must bring the medication to the school and complete the required forms. Medication is dispensed in accordance with the established policy. **(See Medication Policy)**
- When a high school student is allowed to bring a vehicle on campus, the student assumes all responsibility for the vehicle and all contents found in the vehicle.
- A drug incident involving possession, use and/or under the influence will lead to ten (10) days suspension and referral for a Disciplinary Hearing regarding alternative placement or expulsion.
- Possession of a weapon will lead to ten (10) days suspension and referral for a Disciplinary Hearing regarding expulsion.
- Students in honors and/or advanced placement courses who are expelled or offered education through alternative placement must be aware that their curriculum will be impacted. While every attempt is made to match schedules, it is rarely possible to replicate every class. Students taking these classes must be aware that, when engaging in serious violations of the *Code of Student Conduct* they are jeopardizing their academic plan.
- During an alternative placement or expulsion, a student may not participate in any school activity or be on any Santa Rosa County District School campus without specific approval of the Principal.
- Seniors who are alternatively placed or expelled during the second semester/term of their senior year will not be allowed to participate in graduation activities.

- A bomb threat or false report of a bomb threat will lead to a ten (10) day suspension and referral for a Disciplinary Hearing regarding expulsion.
- Illegal use, possession or sale of controlled substances, or possession of a firearm, knife or other weapon, or other behavior determined to be of a criminal nature may result in criminal penalties being imposed.

• **Cell Phone Possession (this includes any electronic communication device):** The only exemptions to the guidelines listed below are the use of a device/ cell phone in the designated area(s) of the school campus with permission from and under the supervision of school personnel.

- Your child may bring a cell phone to school.
- For safety and security, students are strongly encouraged to secure phones in a purse, book bag, etc.,
- It must be turned off and not used at all during the school day.
- The phone must be kept completely out of sight.
- It must not be allowed to ring or make any sound during the school day (including time on the bus).
- A student may only use a cell phone on **a school bus during a life-threatening emergency**
- If a cell phone is seen or heard during the school day, it will be confiscated.
- Consequences will be issued for cell phone violations, including text messaging.
- Parents who need to reach their child (or vice-versa) should communicate via the Front Office only.
- Even if it falls out of a pocket accidentally, it will be confiscated.
- The phone may be held until a parent / guardian picks it up or makes arrangements.
- Use of a cell phone or improper storage during the school day will result in disciplinary action.

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JURISDICTION

Santa Rosa County Public School students are subject to the rules and regulations of the Santa Rosa County District School Board during the school day and regular school activities; while being transported on school buses or at the public expense to and from school or other educational facilities; during the time they are otherwise en route to and from school or are presumed by law to be attending school including while at school bus stops; at such time and places, including, but not necessarily limited to, school-

sponsored events, field trips, athletic functions, and other activities where appropriate school personnel have jurisdiction over students. In addition to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school whenever the conduct of the students is deemed to have a detrimental effect on the health, safety and welfare of other students and/or of the school. **Home schooled students are also subject to the rules and regulations of the Santa Rosa County District School Board when receiving services from, or participating in a class or extra curricular activity with the Santa Rosa County School District.**

PHILOSOPHY

The primary objective of the Santa Rosa County Public School System is to develop each student's potential for learning and to foster positive interpersonal relationships. Therefore, it is necessary that the school environment be free of disruptions which interfere with teaching and learning activities. The student's conduct determines to a great extent the full development of his/her potential for learning and the development of positive relationships.

The purpose of this document is to assist students, parents, teachers and school administrators in the maintenance of an environment which will enhance the achievement of this objective. To be fully effective, the *Code of Student Conduct* addresses not only the role of the parents, the students, and the school but also specifies areas relative to School Board policies; responsibilities and rights of students; grounds for disciplinary action; and procedures to be followed for acts requiring disciplinary action.

Each school is permitted and encouraged to develop rules, procedures and expectations for student conduct. While these may not conflict with direction provided in the district-wide *Code of Student Conduct*, broad latitude in dealing with local school problems shall be afforded each school so that student discipline may be responsive to particular problems in each individual school.

ROLES OF THE HOME, STUDENT, SCHOOL AND SCHOOL PERSONNEL

In order for effective instruction to occur, there must be a cooperative relationship between student, parent and educator. This relationship may be described as follows:

Parents or guardians who:

- Keep in regular communication with the school concerning their child's progress and conduct.
- Let the school know if something has happened at home that could affect how the student performs in school.
- Ensure that the child is in daily attendance and on time for school and promptly report the reason for an absence or tardy.
- Provide the child with the resources needed to complete class work.
- Assist the child in being healthy, neat and clean and dressed appropriately for school since it is a place to work and learn.
- Discuss work assignments, progress reports and report cards with their child.
- Each year provide the school with their current telephone number, home address, work telephone number and emergency contact information. Also, notify the school in case any of the information changes during the year.
- Expect the child to conform to the rules of the *Code of Student Conduct* and those set forth in the school's student handbook.
- Do not leave the child at school more than thirty (30) minutes before the start of the school day or after the end of the school day as supervision will not be provided beyond that time. This also includes school activities outside of the regular school day such as clubs, practices, games, after school detention and tutoring.
- Encourage the child to take care of the textbooks and teaching materials assigned for his/her use and to not purposely damage any School Board property. The parent should be prepared to pay for any damage done to School Board property by their child.
- Is aware that when parents are divorced or separated, both parents have full rights to participate in the child's school activities and know what is happening at school unless there is a court document limiting that access. If such a document exists, then a certified copy must be provided to the school Principal. The non-residential parent will not be allowed to remove the child from school without the permission of the residential parent, unless there is a certified copy of a court order saying that the non-residential parent can remove the child from school. Permission by the residential parent may be in the form of a letter on file or notation on the child's Health Card. A non-residential parent has access to student records and information unless a court order prohibits such access.

Students who:

- Attend all classes daily and are punctual in attendance.
- Are prepared to come to class with appropriate working materials.
- Are respectful of all individuals and property.
- Refrain from profane or inflammatory statements and conduct themselves in a safe and reasonable manner.
- Are neat, clean and drug free.
- Are responsible for their own work.
- Abide by the rules and regulations of the school system, the school, and each classroom teacher.
- Seek changes in an orderly and recognized manner.

Schools that:

- Promote a safe, drug free school environment.
- Provide a rigorous and challenging academic program and encourage the use of good guidance procedures.
- Maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students.

- Plan a flexible curriculum to meet the needs of all students.
- Develop and maintain appropriate extracurricular activities.
- Promote effective training or discipline based upon fair and impartial treatment of all students.
- Develop a good working relationship among staff and with students.
- Encourage the school staff, parents/guardians and student to use the services of the school and of community agencies.
- Encourage parents to keep in regular communication with the school and participation in affairs of the school.
- Endeavor to involve the entire community in order to improve the quality of life therein.

School personnel who:

- Are in regular attendance and on time and are prepared to perform their duties with appropriate materials.
- Are respectful to all individuals and property.
- Are aware of and have respect for the diverse cultures within the community.
- Refrain from profane or inflammatory statements.
- Conduct themselves in a responsible manner and promote the health, safety, and welfare of students.
- Are clean and neat.
- Seek to provide models of conduct for students.
- Seek changes in an orderly and recognized manner.
- Seek to establish and maintain an orderly school environment.

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**PUBLIC NOTICE TO PARENTS, GUARDIANS AND ELIGIBLE STUDENTS’
RIGHTS UNDER THE
FAMILY EDUCATIONAL RIGHT AND PRIVACY ACT (FERPA)
AND
PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)
RIGHTS WITH RESPECT TO STUDENT RECORDS**

The Family Education Rights and Privacy Act (FERPA) affords parents and students over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s education records. The rights under the Family Educational Right and Privacy Act and the Protection of Pupil Rights Amendment transfer from the parents to a student who is eighteen (18) years old or an emancipated minor under State law.

These rights are:

- 1) *The right to inspect and review the student’s education records* within forty-five (45) days of the day the school receives a request for access.
- 2) Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- 3) *The right to request the amendment of the student’s education records* that the parent or eligible student believes is inaccurate.
Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- 4) *The right to consent to disclosures of personally identifiable information* contained in the student’s records, except to the extent that FERPA authorizes disclosure without consent.
One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.
Upon request, the school discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll. Educational records include the transfer of disciplinary records, with respect to a suspension or expulsion for any student who seeks, intends, or is instructed to enroll, on a full or part-time basis.

- 5) *The right to file a complaint with the U.S. Department of Education* concerning alleged failures by Santa Rosa District Schools to comply with the requirements of FERPA and PPRA. The following is the name, address, and phone number of the office that administers both FERPA and PPRA:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920
(202) 260-3887

PARENT NOTICE FOR DIRECTORY INFORMATION

FERPA requires that the District, with certain exceptions, obtain the parent or eligible student's written consent prior to the disclosure of personally identifiable information from the student's educational records. However, Santa Rosa District Schools may disclose appropriately designated directory information without written consent unless the District has been advised to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from the student's educational records in certain school publications. Examples include:

- a playbill showing student's role in a drama production
- the yearbook
- honor roll or recognition lists
- graduation programs
- sports activity sheets, such as for football, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include but are not limited to companies that manufacture class rings or publish yearbooks. In addition, two federal laws (the *No Child Left Behind Act of 2001*, the *National Defense Authorization Act for Fiscal Year 2002*), **require local educational agencies receiving assistance under the *Elementary and Secondary Education Act of 1963* to provide military recruiters, on request, with three directory information categories—names, addresses, and telephone listings—unless parents have advised the school that they do not want their student's information disclosed without their prior written consent.**

You must notify your school in writing on the approved form (available in guidance offices) by the first week of September or within ten (10) school days after the student enrolls if you do not want the school to disclose directory information from your child's education records without your prior written consent. Santa Rosa District Schools has designated the following information as directory information:

- student's name
- address
- telephone, if listed
- date and place of birth
- major field of study
- dates of attendance
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- degrees, honors, and awards received
- the most recent educational agency or institution attended
- grade level

RIGHTS REGARDING DISTRICT CONDUCT OF SURVEYS, COLLECTION AND USE OF INFORMATION FOR MARKETING PURPOSES AND CERTAIN PHYSICAL EXAMS

The Protection of Pupil Rights Amendment (PPRA) affords parents and students who are eighteen (18) or eligible students certain rights, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one (1) or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)
 - 1) political affiliations or beliefs of the student or student's parent;
 - 2) mental or psychological problems of the student or student's family;

- 3) behavior or attitudes regarding sex;
 - 4) illegal, anti-social, self-incriminating, or demeaning behavior;
 - 5) critical appraisals of others with whom respondents have close family relationships;
 - 6) legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - 7) religious practices, affiliations, or beliefs of the student or parents; or
 - 8) income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of*
 - 1) any other protected information survey, regardless of funding;
 - 2) any non-emergency, invasive physical exam (any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body) or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - 3) activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
 - *Inspect, upon request and before administration or use*
 - 1) protected information surveys of students;
 - 2) instructional material used as part of the educational curriculum (instructional material includes materials that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats such as materials accessible through the Internet. The term does not include academic tests or academic assessments.); and
 - 3) instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.

The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

- college or other postsecondary education recruitment, or military recruitment
- book clubs, magazines, and programs providing access to low-cost literary products
- curriculum and instructional materials used by elementary and secondary schools
- tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students
- the sale by students of products or services to raise funds for school-related or education-related activities
- student recognition programs

Santa Rosa District Schools has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will notify parents and eligible students of these policies at least annually at the beginning of the school year and will notify after any substantive changes. The District will also directly notify, such as through U.S. mail or email, parents of students who are scheduled to participate in the specific or approximate dates of the activities or surveys listed below and provide an opportunity for the parent to opt a student out of participation of the specific activity or survey. This District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and are provided an opportunity to opt their student out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- collection, disclosure, or use of personal information for marketing, sales, or otherwise providing that information to others for that purpose
- administration of any protected information survey not funded in whole or in part by ED
- any non-emergency, invasive physical examination or screening that is: 1) required as a condition of attendance; 2) administered by the school and scheduled by the school in advance; and 3) not necessary to protect the immediate health and safety of the student, or of other students. This law does not apply to any physical examination or screening that is permitted without parental notification.

Parents/eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office (FPCO). Informal inquiries may be sent to FPCO via the following email addresses: FERPA@ED.GOV and PPRA@ED.GOV. The FPCO Web site address is www.ed.gov/policy/gen/guid/fpc.

DISSEMINATION OF INFORMATION DURING EMERGENCIES:

Emergency information for parents or guardians before, during or after any critical incident will be disseminated through local radio and television stations.

PUBLIC NOTICE TO PARENTS, GUARDIANS, AND ELIGIBLE STUDENTS

Notice of Privacy Practices Health Insurance Portability and Accountability Act of 1996 (HIPAA) Florida Department of Health Santa Rosa County Health Department School District of Santa Rosa County

**This notice describes how medical information about you may be used and disclosed
and how you can access the information.**

Health Department and School District Duties

The Health Department and School District are required by law to maintain the privacy of your protected health information. This Notice of Privacy Practices tells you how your protected health information may be used and how we keep your information private and confidential. This notice explains the legal duties and practices relating to your protected health information. As part of the department's legal duties this Notice of Privacy Practices must be given to you. The Health Department and School District are required to follow the terms of the Notice of Privacy Practices currently in effect.

The Health Department or School District may change the terms of its notice. The change, if made, will be effective for all protected health information that it maintains. New or revised notices of privacy practices will be posted on the Department of Health website at www.myflorida.com and will be available by email and at all Department of Health buildings. Also available are additional documents that further explain your rights to inspect, copy and amend your protected health information.

Uses and Disclosures of Your Protected Health Information

Protected health information includes demographic and medical information that concerns the past, present, or future physical or mental health of an individual. Demographic information could include your name, address, telephone number, social security number and any other means of identifying you as a specific person. Protected health information contains specific information that identifies a person or can be used to identify a person.

Protected health information is health information created or received by a health care provider, health plan, employer, or health care clearinghouse. This medical information is used in many ways while performing normal business activities.

Your protected health information may be used or disclosed by the Health Department or School District for purposes of treatment, payment, and health care operations. *Health care professionals use medical information in the clinics or hospital to take care of you. Your protected health information may be shared, with or without your consent, with another health care provider for purposes of your treatment. The Health Department or School District may use or disclose your health information for case management and services. The Health Department or School District may send the medical information to insurance companies, Medicaid, or community agencies to pay for the services provided you.*

Your information may be used by certain personnel to improve health care operations. Personnel may send you appointment reminders, information about treatment options or other health-related benefits and services.

Some protected health information can be disclosed without your written authorization as allowed by law. Those circumstances include:

- reporting abuse of children, adults, or disabled persons
- investigations related to a missing child
- internal investigations and audits by the divisions, bureaus, and offices of the Health Department and School District
- investigations and audits by the state's Inspector General and Auditor General and the legislature's Office of Program Policy Analysis and Government Accountability
- public health purposes including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals

- district medical examiner investigations
- research approved by the department
- court orders, warrants, or subpoenas
- law enforcement purposes, administrative investigations and judicial and administrative proceedings

Other uses and disclosures of your protected health information by the Health Department or School District will require your written authorization. This authorization will have an expiration date that can be revoked by you in writing. These uses and disclosures may be for marketing and for research purposes. Certain uses and disclosure of psychotherapist notes will also require your written authorization.

Individual Rights

You have the right to request the Health Department or School District to restrict the use and disclosure of your protected health information to carry out treatment, payment, or health care operations. You may also limit disclosures to individuals involved with your care. The Health Department or School District is not required to agree to any restriction.

You have the right to be assured that your information will be kept confidential. The Health Department or School District will make contact with you in the manner and at the address or phone number you select. You may be asked to put your request in writing.

You have the right to inspect and receive a copy of your protected health information. Your inspection of information will be supervised at an appointed time and place. You may be denied access as specified by law. If access is denied, you have the right to request a review by a licensed health care professional who was not involved in the decision to deny access. This licensed health care professional will be designated by the Health Department or School District.

You have the right to correct your protected health information. Your request to correct your protected health information must be in writing and provide a reason to support your requested correction. The Health Department or School District may deny your request, in whole or part, if it finds the protected health information:

- was not created by the Health Department or School District
- is not protected health information
- is by law not available for your inspection
- is accurate and complete

If your correction is accepted, the Health Department or School District will make the correction and tell you and others who need to know about the correction. If your request is denied, you may send a letter detailing the reason you disagree with the decision. The Health Department or School District will respond to your letter in writing. You also may file a complaint, as described below in the section titled Complaints.

You have the right to receive a summary of certain disclosures the Health Department or School District may have made of your protected health information. This summary does not include:

- disclosures made to you
- disclosures to individuals involved with your care
- disclosures authorized by you
- disclosures made to carry out treatment, payment and health care operations
- disclosures for public health
- disclosures to health professional regulatory purposes
- disclosures to report abuse of children, adults or disabled
- disclosures prior to April 14, 2003

This summary does include disclosures made for:

- purposes of research, other than those you authorized in writing
- responses to court orders, subpoenas or warrants

You may request a summary for not more than a six (6) year period from the date of your request.

For Further Information

Requests for further information about the matters covered by this notice may be directed to the person who gave you the notice, to the Director or Administrator of the Department of Health facility where you received the notice, or to the Department of Health's Inspector General at 4052 Bald Cypress Way, BIN A03/ Tallahassee, FL 32399-1704/ telephone 850-245-4141. For more information on the HIPPA Privacy Rule, visit the Department of Health and Human Services HIPPA Privacy Rule website at <http://www.hhs.gov/ocr/hippa/>.

If you believe your privacy health rights have been violated, you may file a complaint with the: Department of Health's Inspector General at 4052 Bald Cypress Way, BIN A03/ Tallahassee, FL 32399-1704/ telephone 850-245-4141 and with the Secretary of the U.S. Department of Health and Human Services at 200 Independence Avenue, S.W./ Washington, D.C. 20201/ telephone 202-619-0257 or toll free 877-696-6775. The complaint must be in writing, describe the acts or omissions that you believe violate your privacy rights, and be filed within 180 days of when you knew or should have known that the act or omission occurred.

INTRODUCTION

The *Code of Student Conduct*, as required by law, includes the grounds and the procedures to be followed in disciplinary action and an explanation of students' rights and responsibilities. It is designed to provide a framework of discipline for all schools in Santa Rosa County. Used as a guide, it outlines the behavioral problems to be dealt with by classroom teachers, those to be referred to the Principal or a member of the administrative team, and those problems which are beyond the scope of the school's authority. The Principal, or his/her designated representative, has the authority, as delegated by and in accordance with School Board policies, to take additional or more severe action than suggested in the *Code*, if in his/her opinion the conduct warrants it.

The *Code* has been created to help students gain the greatest possible benefit from their school experience. The *Code* is made available to school personnel, teachers, parents, students, and School Advisory Council members at the beginning of each school year. Students receive instruction in the *Code* and are encouraged to share the *Code* with their parents/guardians. Parents/guardians have the responsibility for the actions of their children and should be involved in their education. Parents and students are responsible for knowledge of the contents of the *Code*. The School Board and administrators expect all students to comply with the *Code of Student Conduct*.

A student with a disability refers to any student identified as disabled in accordance with the Individuals with Disabilities Education Act Revised and/or Section 504 of the Rehabilitation Act of 1973. If a student with a disability has an individual Behavior Intervention Plan (BIP), then the BIP supplants the *Student Code of Conduct* and the student will be disciplined in accordance with the procedures delineated in his/her Behavior Intervention Plan.

GENERAL POLICIES

Attendance

Florida Statute 1003.21 requires students ages six (6) up to 18 to be in regular attendance at school. A student who has been absent from school shall have his or her absence reported in a manner which is described in the school's Student Handbook.

- A. **Excused Absences:** Absences granted for personal illness, illness or death of a member of the immediate family, medical or dental appointments, religious holidays, religious instruction, court date and special emergencies or pre-arranged absences approved by the Principal or designee. The parent/guardian must notify the school to provide the reason for the absence or respond to the school's inquiry about the reason for the absence within three (3) days of the absence, or it becomes an unexcused absence.

A student who desires to be absent for reasons not given above; may make a **prior arrangement** request to the school Principal by bringing a written request from his/her parent or guardian.

1. Pre-arranged absence requests must be made at least five (5) school days prior to the date of the absence, except in the case of an emergency.
2. Students shall make pre-arrangements for their school work to be done; it will be due the day the student returns to school. Work done in the pre-arranged time allotted will be given full credit.

- B. **Unexcused Absences:** Absences for shopping trips, vacations, pleasure trips, truancy, dismissal from school, or other avoidable absences which have not been pre-arranged and

approved by the Principal or designee. **Five (5) late to school Check-Ins and/or Check Outs, will equate to the student receiving one (1) unexcused absence for truancy purposes.**

Learnfare Program: The School District will report any wage recipient (student) to the Department of Children & Families when he/she reaches five (5) unexcused absences within thirty (30) calendar days.

Student Contact Program: If a parent/guardian does not respond to the initial school contact regarding unexcused absences, schools have the option of utilizing a law enforcement officer to deliver a letter of notice.

- C. **Notification to School:** Any student who has been absent from school shall bring a note from one of his/her parents or guardians stating the cause of the absence. A Principal may choose to accept notification in person or by telephone in lieu of a note. Failure to properly notify the school or the inability of the school to reach the parent/guardian to establish the reason for the absence within three (3) days shall result in an unexcused absence.

1. The school shall receive notification of the cause of the absence within three (3) days.
2. The school will determine if the absence is to be excused or unexcused.

- D. **Definition of Habitual Truant:** A habitual truant is a child who has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent or legal guardian, who is subject to compulsory school attendance under Florida Statute 1003.21(1) and (2)(a), and who is not exempt under Florida Statute 1003.21(3) or 1003.24 or any other exemptions specified by law or rules of the State Board of Education.

- E. **Truancy Procedures:** If a student has had at least five (5) unexcused absences* or absences for which the reasons are unknown within 30 calendar days, or ten (10) unexcused absences or absences for which the reasons are unknown within 90 calendar days, the student's primary teacher shall report to the school Principal that the student may be exhibiting a pattern of nonattendance.

*** Five (5) late to school Check-Ins and or Check-Outs prior will equate to the student receiving 1 unexcused absence.**

1. The Principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's Integrated Services Team to determine if early patterns of truancy are developing.
2. The parent/guardian shall be invited to meet with the Integrated Services Team to develop a written Truancy Intervention Plan.
3. The parent/guardian shall be informed of the requirements of compulsive attendance laws, Truancy Pick-Up Program and the Department of Motor Vehicle sanctions.
4. If an initial meeting does not resolve the problem, the Integrated Services Team shall implement interventions that best address the problem. The interventions may include, but need not be limited to the following:
 - referral to the School Social Work Department
 - frequent communication between the teacher and the family
 - changes in the learning environment
 - mentoring
 - student counseling
 - tutoring, including peer tutoring
 - placement into different classes
 - evaluation for alternative education programs
 - attendance contracts
 - referral to other agencies for family services
 - other interventions, including, but not limited to, a truancy petition pursuant to s.984.151, F.S.

The Integrated Services Team shall be diligent in facilitating intervention services and shall report the child to the Superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted.

- a. If the parent or guardian in charge of the student refuses to participate in the remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent or guardian in charge of the student may appeal to the School Board.
 - b. If the Board's final determination is that the strategies of the Integrated Services Team are appropriate, and the parent or guardian in charge of the student still refuses to participate or cooperate, the Superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.
 - c. If nonattendance continues after the implementation of intervention strategies, the Principal may request that the Superintendent (or his designee) file a truancy court petition. If a truancy court petition is filed, the parents/guardian of the student will receive a summons to appear in circuit court pursuant to F.S. 984.151, and the parents/guardian may be subject to continued court jurisdiction, fines, probation or jail.
 5. If the parent/guardian 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.1002, the Superintendent of Schools shall provide the parent/guardian a copy of F.S.1002.41 and the accountability requirements of this paragraph. The Superintendent of Schools shall also refer the parent/guardian 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/guardian 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)(b). The first portfolio review must occur within the first thirty (30) calendar days of the establishment of the program. The provisions of paragraph six (6) below do not apply once the committee determines the home education program is in compliance with F.S.1002.41 (1)(b).
 6. If the parent/guardian fails to provide a portfolio to the committee, the committee shall notify the Superintendent of Schools. The Superintendent of Schools shall then terminate the home education program and require the parent/guardian to enroll the child in an attendance option provided under F.S.1003.01 (13), (a), (b), (c), or (e), within three (3) days. Upon termination of a home education program pursuant to this paragraph, the parent/guardian shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent or guardian to enroll the child in an attendance option after termination of the home education program pursuant to this paragraph shall constitute noncompliance with the compulsory attendance requirements of F.S.1003.21 and may result in criminal prosecution under F.S.1003.27 (z). Nothing contained herein shall restrict the ability of the Superintendent of Schools, or the ability of his or her designee, to review the portfolio pursuant to F.S.1002.41(1)(b).
 7. If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent, the guardian or the Superintendent or his designee shall refer the situation to the case staffing committee (Child in Need of Services – CINS) and the Superintendent or his designee may file a Truancy Petition pursuant to the procedures in Florida Statute 984.151.
- F. **Truancy Pick-Up:** Any child believed to be of compulsory school age of six (6) up to eighteen (18) who does not appear to be under adult supervision may be stopped, interviewed and picked-up by law enforcement officers.

- G. **Prolonged or Repeated Absences:** When a student is absent repeatedly or for a prolonged period of time due to an illness or injury, the Principal or designee may require documentation from a physician or health care provider. If the requested documentation is not provided, the absence will be unexcused.

A student who has medically diagnosed physical or mental conditions which confine the student to home or hospital and whose activities are restricted for a period of at least fifteen (15) consecutive school days, may be eligible for **homebound/hospital services**.

Parents/guardian should contact the student's school to secure an application for these services.

A student who has been sent home with **head lice and/or nits** should return to school, free of head lice and/or nits within ~~three (3)~~ **two (2)** calendar days; absences from school during the ~~three (3)~~ **two (2)** calendar days will be excused. For each occurrence of head lice and/or nits, absences beyond ~~three (3)~~ **two (2)** calendar days will be unexcused.

- H. **Department of Motor Vehicles Sanctions:** A student who is fourteen (14) years of age, but less than eighteen (18) years of age, and who has had fifteen (15) unexcused absences within a ninety (90) calendar-day period may have his/her motor vehicle operator's license suspended (in accordance with F.S.322.091).

The student may request a *hardship waiver* hearing with appropriate school officials within fifteen (15) days of *notice of intent to suspend license* issued by the Department of Highway Safety and Motor Vehicles. This hardship waiver request should be made in writing to the school Principal or his/her designee. The written request should set forth, in detail, the extraordinary circumstances which justify a waiver. A hardship hearing shall take place within thirty (30) days of notification of the intent to suspend by the Department of Highway Safety and Motor Vehicles. If the hardship waiver is denied by the Principal or designee, the student may appeal the decision to the Director of High Schools. This request must be written and submitted to the Director within five (5) days of the denial. A student may have his/her license reinstated after he/she has attended school for thirty (30) days with no unexcused absences. The student must complete a reinstatement form, which the school must verify. The student will then take the completed form and reinstatement fee to the driver's license office, which will issue the student another operator's license.

- I. **Intent to Terminate School Enrollment:** A student between the **ages of sixteen (16) and eighteen (18)** who chooses to terminate his/her education **must officially withdraw** and complete a "Declaration of Intent to Terminate School Enrollment" form, which will acknowledge that this action is likely to reduce the student's earning potential and **which must be signed by the parent and student**. The school must notify the student's parents of receipt of the student's declaration of intent to terminate school enrollment. The student must participate in an exit interview with the student's guidance counselor or other school personnel for determination of the reasons for the student's decision to terminate school enrollment and to discuss actions and opportunities to continue the student's education in a different environment. The student must complete a survey as a part of the exit interview that will provide data on student reasons for terminating enrollment and actions taken by schools to keep the student enrolled. Such action, unless recognized by the School Board as a hardship condition, will cause the student to lose his/her driving privilege.

Exceptional Student Education Program (ESE):

- a.) Transfer of Rights – Under the regulations for FERPA in 34 CFR 99.5(a), parent rights regarding education records are transferred to your child at age 18. If the rights accorded to the parent under IDEA are transferred to your child who reaches the age of majority, consistent with 34 CFR 300.520, the rights regarding educational records also are transferred to your child. (Parent Procedural Safeguards for Parents of students with disabilities, Part B Santa Rosa).
- b.) ESE students with disabilities who have not yet reached their twenty-second (22) birthday and who have not earned a standard diploma and who wish to continue their education may continue to receive Free Appropriate Public Education (FAPE) consistent with a properly developed IEP.

- J. **Elementary School Absenteeism:** After review by the Integrated Services Team at each school, the Principal has the authority to retain students who have been absent twenty (20) or more days excused and/or unexcused.

The Principal has the final authority, for the grade placement of each student.

- K. **Middle School Absenteeism:** A student in grades six (6) through eight (8) is **required to be in attendance 162 days per year in the 180 day school year**. If a student accrues more than nineteen (19) absences within a school year, the student will be referred to the Integrated Services Team or the Academic Review Committee at the school to determine whether the student shall be promoted. The Principal has the final authority for the grade placement of each student in accordance with the *Student Progression Plan*.

- L. **High School Absenteeism:** Absenteeism equal to ten (10) or more absences during a semester unit of instruction or five (5) or more absences during a quarter unit of instruction requires the demonstration of mastery of the course for all students, except those students enrolled in competency based Dropout Prevention programs as follows:

1. Meeting the class requirements of the semester/quarter unit of instruction and earning a teacher-assigned passing grade
2. Passing a comprehensive semester/quarter examination covering the performance standards of the semester/quarter unit of instruction at the sixty (60) percent level or above. The length, design, and degree of difficulty of such an exam is to be comparable to the semester/quarter exam required of any other student taking the exam for the same course.
3. Any student who scores below sixty (60) percent on the semester/quarter exam will be awarded a course average of 59 or their actual average, whichever is lower.

Any parent/guardian requesting a waiver of this policy must submit their request in writing to the school principal along with a detailed explanation for the request. The intent of this waiver is for situations regarding absences due to medical reasons. The school principal will evaluate each request and make a determination as to whether or not the waiver will be granted.

Course Average Flow Chart

- | | | | | | |
|-----------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-----|----------------------|
| 1. Excessive absences? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes | No → Actual Average |
| 2. Pass Exam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No | Yes → Actual Average |
| 3. Principal Grants Waiver? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No | Yes → Actual Average |
| 4. Student receives 59 or Actual Average, whichever is lower . | | | | | |

- M. **Make-Up Work:** When a student is absent from school for school-sponsored activities or for an **excused absence**, the student shall be responsible for making arrangements with teachers for completing all work and assignments missed during the absence. All make-up work assigned shall be completed within three (3) days after the student returns to school unless given an extension of time by the teacher. Tests announced prior to the absence can be given on the student's first day back to school, or at the discretion of the teacher. Assignments given prior to an absence that were due during the absence should be turned in the first day the student returns to school (see "Excused Absences"). If the teacher finds it necessary to provide an alternate test or assignment for a student who has been absent, the test or assignment shall be comparable in length, design and degree of difficulty of the test or assignment given to the other students in the class for which the student was absent.

Zeros will be given for class work and assignments missed during an **unexcused absence** and may not be made up for grading purposes unless an exception is made by the Principal or designee.

Accommodations indicated on student IEP/504 Plan must be implemented.

Out-of-School Suspension Assignments

Elementary/ Middle School:

Assignments provided to students **suspended out-of-school**, are due upon the student's return to school. Any assignment not turned in upon the student's return from being suspended out of school will result in the student receiving zeros for the work assigned. Credit will not be awarded for work turned in but will be reviewed for feedback purposes only.

High School:

Students will receive zeros for all assignments during the time the student is **out-of-school suspended**. Assignments provided to students **suspended out-of-school**, are due upon the student's return to school. Credit will not be awarded for work turned in but will be reviewed for feedback purposes only.

- N. **Tardiness:** A tardy is the absence of any student at the time attendance is taken, provided the student is in attendance before the end of class except in the cases of checking in to school after the designated start time. When a student reports to school late or to a class late, the tardy must be appropriately identified as excused or unexcused. Repeated and/or excessive incidents of tardiness may potentially result in disciplinary action for the student.

An **excused tardy** will be given when a student is late to school or a class due to sickness or injury, death in the family, medical or dental appointment with a note from the physician, school sponsored activities, court date, or other reason that was pre-approved by the school Principal.

An **unexcused tardy** will be given any time a student is late to school or to class due to (but not limited to) oversleeping, missing the school bus, shopping trips, pleasure trips or excessive number of tardies due to illness without a physician's note stipulating that the medical condition justifies the student's tardiness.

- O. **Leaving School Prior to End of Day:** If a student leaves school before the end of the instructional day, the absence for the time missed will be determined to be excused or unexcused. It is required that the parent or designated adult sign the student out unless prior arrangement has been made by the parent/guardian. **Repeated and/or excessive incidents of leaving school prior to the end of the day may potentially result in disciplinary action for the student.** Five (5) accumulated "late to school Check-Ins" or "early Check-Outs" will equate to the student receiving 1 unexcused absence.

When a student leaves school through the established procedure at the school due to sickness or injury, death in the family, medical or dental appointment with a note from the physician, school sponsored activities, court date or other reason that was pre-approved by the school Principal, the absence will be **excused**.

When a student leaves school early for any other reason, the absence will be **unexcused**.

Students with an IEP/504 Plan indicating a modified/shortened school day will not be marked absent.

P. **Late to School Check-In or Early Check-Outs:**

- Students arriving after a school's designated start time are considered late to school and will receive a "Late to School Check In" coding.**
- Students checking out of school prior to the end of the school's designated dismissal time will receive an "Early Check -Out" coding.**
- Five (5) accumulated "Late to School Check-Ins" or "Early Check-Outs" will equate to the student receiving one (1) Unexcused absence.**

Q. Accelerated Virtual Option for Elementary Students: Any current elementary school student who scored a level 4 or 5 on FCAT Reading or Mathematics during the 2011-2012 FCAT administration and scores an 80% or higher on the district's placement exam will have the opportunity to take accelerated courses in Reading and Mathematics through Florida Virtual School. Because these accelerated courses are a part of the Middle School (Grade 6) curriculum in Florida Virtual School, the course content will be much more advanced than that of the elementary school. Any student who successfully completes both segments of M/J Reading or M/J Mathematics 1 with a "B" or higher will be able to accelerate to the next course when he or she enters middle school. If you are interested in exploring this possibility further, please contact Patti Peacher, Coordinator of Virtual Education Programs, at 850-981-7860 or Paula Lowrimore at 850-626-3115 no later than Friday, August 31, 2012, to schedule a placement exam to see if accelerated courses are a viable option for your child. Placement exams will take place September 4-5, 2012, from 8:00-10:00 a.m. at the Berryhill Administrative Complex. Interested students should plan to attend just one of these testing days. Students who score an 80% or higher on this placement exam will be eligible to request a course in either virtual M/J Reading 1 or M/J Mathematics 1. All course requests must be completed by September 7, 2012.

R. Open Enrollment for Full-Time Virtual Instruction: Any qualifying student in grades K-12 may choose to become a full-time public education virtual student through our district's Virtual Instruction Program (Grades K-12) or through our partnership with Florida Virtual School (Grades 6-12). Open enrollment will take place from April 15–July 31 each year prior to the beginning of the school year in August. Late registration will continue through the first two weeks of the school year if space is available. Interested students and parents should contact Patti Peacher, Coordinator of Virtual Education Programs, at 850-981-7860, or Paula Lowrimore at 850-626-3115.

S. Student Search

- a. The principal, a teacher, or any other staff member may temporarily detain and question a student when circumstances indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board rules.
- b. School authorities may search student lockers or other areas when reasonable suspicion that prohibited or illegally possessed substance or object is contained within the area pursuant to Florida Statutes.
- c. As a condition of being permitted to park a vehicle on campus, Students understand and agree that the vehicle which is driven onto campus is subject to search at anytime by school officials or their designees, at their discretion. This search may be conducted because of reasonable suspicion by school officials or without any reasonable suspicion. Furthermore anything found in the vehicle shall be deemed to be in the student's possession and it is the student's responsibility to be certain that no items which are prohibited by the Code of Student Conduct are located in the vehicle whether or not said items belong to the student or to others.

Civility

In order to provide a safe, caring and orderly environment, the Santa Rosa School District expects civility from all who engage in school activities. Mutual respect, professionalism and common courtesy are essential qualities that all need to demonstrate in promoting an educational environment free from disruptions, harassment, bullying and aggressive actions. The following are unacceptable behaviors: using loud offensive language or profanity; behaviors which interfere with or threaten to interfere with school activities; intimidating, harassing, bullying, and inappropriate display of temper; threatening verbal or physical harm; threatening, abusive, intimidating or obscene telephone conversations, written communications, electronic mail, or voice mail.

Any student subjected to unacceptable behavior may bring the concern to the attention of a school employee who will notify the school administration for review and resolution of the reported incident.

Any other individual subjected to unacceptable behavior may bring the concern to the attention of the school administration or the School District administration for review and resolution to the reported incident.

Criminal Acts on School Grounds, on School Sponsored Transportation, or During School-Sponsored Activities

- A. The Santa Rosa County School Board has adopted a Zero Tolerance Policy for the following Violent and Non-Violent Criminal Acts:
 - 1. Violent Criminal Acts are defined by the State Board of Education Rule 6A-1.0404 (2) and Florida Statutes as homicide (murder, manslaughter); sexual battery; armed robbery; aggravated battery; battery or aggravated battery on a teacher or other school personnel; kidnapping or abduction; arson; possession, use, or sale of any firearm; possession, use, or sale of any explosive device; possession or use of a weapon; threat to throw, project, place, or discharge any destructive device or to make a false report about planting a bomb or explosive involving school or school personnel's property, school transportation, or a school-sponsored activity.
 - 2. Non-Violent Criminal Acts as defined in this policy are the possession of weapons within one thousand (1000) feet of school property; the possession, use, or distribution of controlled substances and the possession or distribution of controlled substances within one thousand (1000) feet of a school; the violation of the School Board's Sexual Harassment Policy; and other criminal acts of a nonviolent nature.
- B. A student who commits a Violent Criminal Act is to be recommended for expulsion from the school system, and his/her offense is to be reported to the appropriate local law enforcement agency. In addition, if the offense involves a victim, the victim and the victim's parent(s) or legal guardian(s) are to be notified by school officials of the offense and of the victim's right to press charges against the offender. School officials shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights as provided by law.
Note: If a student has an IEP/504 Plan, refer to "Alternative Placement/Expulsion with Continuing Educational Services."
- C. A student who commits a Non-Violent Criminal Act should be disciplined in accordance with the procedures set forth in this *Code of Conduct* and his/her offense reported to the appropriate local law enforcement. Criminal acts are grounds for disciplinary action and may also result in criminal penalties in accordance with Florida Statute.

Distribution of Audio, Video, Digital, Printed Materials, or Computer Disc

No audio, video, digital, printed material or computer disc from any source shall be distributed on school property, or at a school-sponsored function, without the prior approval of the school Principal.

Dress Code and Grooming of Students

Appropriate student grooming and dress are primarily the responsibility of the student and parent/guardian. Students are expected to give proper attention to personal cleanliness and neatness prior to coming to school. Students whose personal attire, or grooming, distracts other students and/or teachers from school work by exposing underwear or body parts in an indecent or vulgar manner, or whose attire could be hazardous to themselves and/or others in the course of school activities, shall be required to make necessary alterations of such attire and grooming before entering the classroom. If such alterations cannot be made at school, the student will be sent home to make the necessary changes. The time missed from school will be unexcused. Adhering to the school dress code is a prerequisite for student eligibility for participation in interscholastic extracurricular student activities. Out-of-school suspension should not be considered as an automatic solution to dress code violations, but may be used if the student exhibits a persistent pattern of dress code violations. **Students are required to follow the dress code outlined by the**

individual schools at all school sponsored activities, including field trips. The principal or principal's designee has the final authority for interpreting whether a student's apparel/appearance conforms to the dress code.

Guidelines

- Students may not wear clothes, jewelry, accessories, or tattoos which convey messages that are: inappropriate for age group, crude, vulgar/profane, violent/death-oriented, gang related, sexually suggestive, show/promote/ advertise alcohol, drugs or tobacco.
- Students may not wear any color, clothing, insignia, emblem, jewelry, or other object in such a manner as to indicate membership or association with any secret organization or gang.
- Students may not wear **form fitting clothing (such as but not limited to spandex)**, tank tops, halter tops, muscle shirts, undershirts, sports bras or boxer briefs, or other underwear as outer garments.
- Students may not wear clothing that reveals undergarments or the midriff, nor blouses or shirts which are low-cut or see-through. This includes the expectation that pants cover the hips upon sitting so that undergarments are not revealed.
- Skirts, split-skirts, dresses, and shorts may be worn, but must be near the knee in length.
- Shoes must be worn at all times (unless medical reasons indicate otherwise). Elementary students are discouraged from wearing flip flops, high heels or bedroom slippers/house shoes.
- Armbands, wristbands, belts, or other items with heavy metal projections and chains, including wallet chains, are prohibited.
- Students are strongly encouraged not to bring hats or other head coverings to school. The wearing of hats or other head coverings on school campuses shall be in accordance with the local school dress codes and shall not be disruptive to the orderly school environment.
- Students may not wear sunglasses inside the building without prior approval of the Principal or the Principal's designee nor may a student wear a hoodie with the hood worn over the head at school.
- Any student who is required to wear a GPS (ankle monitor) must keep it covered at all times.

More specific guidelines for dress may be provided in the school's Student Handbook.

Drug Testing

All athletes, cheerleaders, and marching band members who participate in interscholastic extracurricular activities may be subject to random drug testing in accordance with the School Board approved guidelines. This will include any random drug testing and designated penalties as required by Florida Statute.

Due Process

Due process in education requires that a student is given notice of what allegation is being made against him/her and that the student is given an opportunity to be heard regarding the allegations. The initial due process is usually at the school where the incident occurred. The Principal or his/her designee provides the student with information regarding the incident and the student is provided with the opportunity to respond. After considering the student's response, the principal makes a decision on discipline. This level is informal. Subsequent levels of due process may involve the student discipline committee, the Superintendent or the School Board. At each level the procedure becomes more formal and the student is apprised of the procedural safeguards. The ultimate decision of expulsion is made by the School Board in accordance with the requirements of due process.

Electronic Media Devices

The following guidelines apply only to the use electronic media devices on Santa Rosa County School campuses/property. Electronic media devices must be approved prior to use by the school administrator or designee.

1. **An electronic media device for use in Santa Rosa District Schools is an electronic device used as an educational delivery tool that has been approved by the school administrator or designee. It does not include gaming devices, game consoles or devices used for non-educational purposes.**

- 2— Students must have written permission from the dean, assistant principal, or principal.
 - a. Permission slips/cards can be picked up from the front office and require parent signature as well as administrative signature prior to using the electronic media device.
- 3— These electronic devices can only be used under the direct supervision of school staff.
 - a. They cannot be used during class changes or lunch.
- 4— Each classroom teacher must give permission for the device to be used.
- 5— The student must disable all Internet functions while on campus except in designated areas.
- 6— The teacher/ administration retain the right to approve or disapprove content used on the electronic media device while on the school campus.
- 7— Students will not be allowed to download content at the school site except in designated areas.
- 8— The student is solely responsible for personal property and neither the school nor School District shall bear any responsibility for lost, damaged, or stolen property brought by a student.
- 9— Neither the school nor School District will provide technical support for any personal electronic device.
- 10— The school may provide, where available, electronic media for current core classroom textbooks to be used by a student via their personal electronic media device.
- 11— Consequences for violation of this policy will coincide with those of cell phone violations.
 - a. Violation of policies will result in the electronic media device being taken from the student.
 - b. A parent/guardian will be required to pick up the device from the dean or administration.
 - c. The school retains the right to assign further consequences as necessary.

Electronic Reading Devices

The following guidelines apply only to the use of e-Readers on Santa Rosa District School campuses/property. Other electronic devices (such as Smart Phones, i-Pods) may not be used as e-Reading devices unless approved by the school administrator.

1. Use of e-Readers should have prior approval from school administration. These electronic devices can only be used under the direct supervision of a teacher. They cannot be used during class changes or lunch.
2. Each classroom teacher must give permission for the device to be used in their respective room.
3. The student must disable all Internet functions while on campus except where required for instruction.
4. The teacher/administrator retains the right to approve or disapprove content used on the e-reader while on the school campus.
5. Students will not be allowed to download content at the school site.
6. The student is solely responsible for personal property and neither the school nor School District shall bear any responsibility for lost, damaged, or stolen property brought by a student.
7. Neither the school nor School District will provide technical support for any personal electronic device.
8. The school may provide, where available, electronic media for current core classroom textbooks to be used by a student via their personal e-reader device.
9. Consequences for violation of this policy will coincide with those of student **mobile device** violations.
 - a. Violation of policies will result in the electronic device being taken from the student.
 - b. A parent/guardian will be required to pick-up the device from the dean or administration.
 - c. The school retains the right to assign further consequences as necessary.

Reading Level Versus Age-Appropriateness

Santa Rosa County District Schools recognizes the value of eBooks as a resource for student reading. While eBooks can serve as a valuable resource for our students, the use of eBooks should be closely

monitored by parents. It is important that parents recognize that reading levels may not always be indicators of the appropriateness of the online content. Just like a book, an eBook that is the correct reading level may not contain age-appropriate material for that specific age level. For example, just because a book is listed at a 5.5 reading level does not mean that the content is appropriate for a child reading at that level. The student may be able to read the words, but the content may be too mature for the student.

A book listed on the Accelerated Reader (AR) site, Scholastic Reading Counts (RC) site, or similar book collection sites, does not necessarily mean the book is available in a Santa Rosa County District School libraries, or that it is endorsed by Santa Rosa County District Schools.

Santa Rosa County District Schools are not liable for the content students are exposed to when a student chooses to navigate to unauthorized sites or use electronic devices in a manner to view or send material that has not been approved by school officials. Students engaging in such behavior may be subject to disciplinary action.

~~**Refer to Electronic Reading Device found within the SR Connected Student Mobile Device Policy for complete information.~~

Failure to Notify

A student who has knowledge of and fails to report to a person in authority the plans or actions of another person that might result or has resulted in harm to a person or damage to property could face disciplinary action. A student may report this information to an administrator, staff member or a School Resource Officer at the school or the student may report it through the Santa Rosa County Crime Stoppers at 437-STOP (437-7867). See Page 75 for "How to Call a Tip to Crime Stoppers."

False Statements

Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. (FS 837.06)

Harassment

It is the policy of the Santa Rosa County District School Board that each student be allowed to receive equal educational opportunities in an environment free from any form of malicious or sexual harassment as prohibited by state and federal statutes.

Students found to be in violation of the Board's policy on harassment may be subject to disciplinary action up to and including expulsion and may also be subject to criminal penalties.

Internet Acceptable Use Policy and Guidelines:

Refer to the Santa Rosa District Schools Acceptable Use Policy [Agreement for Students](#).

Language Other Than English

Students may not be disciplined for the use of a language other than English. However, students may be disciplined for the use of profanity or obscenity in any language.

Law Enforcement Officers/Court Officials/DCF Representatives

- A. **Non-Victim/Non-Witness Interviews/Suspect:** When a law enforcement officer, an identified representative of the court on official business, or an identified Department of Children and Families representative makes a request to interview a student **who is not a victim or witness of a crime or delinquent act or is not involved in a suspected child-abuse case**, the following steps shall be taken by the administrator or designee:

1. The parent shall be called and notified of the request.
 2. If the parent objects to such questioning or if the parent cannot be contacted, the officer shall be requested to make arrangements for questioning the student at a later date when the parents or their representative can be present, unless a law officer has an investigative subpoena.
 3. In the event an interview or interrogation takes place, the school administrator should request to be present in the room during the interview or interrogation.
- B. **Victim/Witness Interviews:** Principals shall permit law enforcement officers, identified representatives of the court on official business, or identified Department of Children and Families representatives to interview students who are victims of or witnesses to a crime or delinquent act, or students who are involved in suspected child abuse cases. The Principal or his/her designee shall document attempts to notify the student's parent or guardian prior to such interviews with victims unless a family member is the alleged abuser or participant in the crime or delinquent act. In accordance with Florida Statutes, the Principal or designee shall be present for interviews regarding suspected child abuse only if requested by the student and the official conducting the interview. Other interviews involving the student as a victim, witness shall be conducted in the presence of the Principal or designee. School Resource Officers shall be required to document parent contact prior to interviewing a suspect for activities that occurred off campus unless the student is 18 years of age or an emancipated minor. School Resource Officers shall not be required to document parent contact prior to interviewing a victim or witness.
- C. **Warrants and Subpoenas:** Principals shall permit law enforcement officers and identified representatives of the court on official business to serve students with arrest or search warrants and subpoenas.
- D. **Removal of Student from School:** Should an officer request to take the student out of school, he/she shall do so only with the consent of the parents or with a subpoena which requires the student to be a witness. If the officer desires to make an arrest, either with or without an arrest warrant, he/she shall be allowed to do so without objection by the administrator or teacher in charge. If the student is removed by an officer, the administrator shall endeavor to notify the parents prior to the student's removal from school premises or as soon thereafter as possible.
1. If a law enforcement officer demonstrates to a Principal, or his/her representative, that the child needs to be taken into protective custody pursuant to Section 39.401 F.S., the officer shall be permitted to remove the student.
 2. Should the officer request to take the student out of school, he/she should be permitted to do so under the aforementioned conditions and upon the condition that he/she signs the student out in accordance with local school policies regarding students leaving campus.

Medication

Any medication, either prescription or nonprescription, to be administered to a student on school premises or at school functions (including field trips), must be brought to the school by the parent/guardian/authorized adult representative for retention and administering. No student will be allowed to have medication, prescription or nonprescription, with the exception of an Epipen or an asthma inhaler, in his/her possession on school premises, on school transportation, or at a school function. Epipens, insulin pens, or asthma inhalers will be permitted to be carried with parental permission and physician's signature on the "Dispersion of Medication Form." The parent/guardian of a student with diabetes should contact the school to update the "Students Health Care Plan for Insulin Dependent Diabetes Form."

Medication brought to the school must be in the original prescription container, properly labeled with the child's name, doctor's name, name of medication, route, dosage, directions and expiration date. A "Dispersion of Medication Form" must be completed for **each** prescription, and a method of disposal of any

unused or expired medication designated. The medication must be counted jointly by the parent/guardian and a school staff member. The parent/guardian and school staff member must both sign the "Registry of Medication Form" both for the initial prescription and each time additional medication for the same prescription is brought to the school. Nonprescription medication should also be in the original container and the procedures previously described for dispersion and registering of medication apply.

Parents/guardians are encouraged to request prescriptions for medications which limit administration during school hours. First morning doses should be given at home with only mid-day doses administered by a school staff member. Doses missed at home will not be administered by school staff.

Medication(s) will not be provided by the school.

Nondiscrimination

No student shall be denied the opportunity to participate in appropriate programs, services, and activities by this School District on the basis of race, color, religion, gender, age, marital status, disability, political or religious beliefs, national or ethnic origin, if otherwise qualified, social and family background, or on the basis of the use of a language other than English, except as provided by law.

Accommodations shall be afforded to students with disabilities who qualify for services under Section 504 and/or the Individuals with Disabilities Education Act.

F.S.1006.0625 forbids a public school to deny any student access to programs or services because the parent/guardian of the student has refused to place the student on psychotropic medication.

Off Campus Actions Which Disrupt the School Environment

Normally off-campus actions of students are not the basis for disciplinary actions by the school or School District. However, when those actions are of such a nature and extent that they reasonably can or do cause a disruption of the educational environment at the school, they may be the subject of disciplinary action. An example might be a student's use of an off-campus computer to post libelous, slanderous, demeaning, or profane remarks pertaining to school personnel or other students. It is not the purpose of this section to suppress the student's right of free speech, but rather to protect the school environment from actions that have a direct and detrimental effect on the educational process taking place at the school. Any disciplinary action by the School District shall in no way limit the right of the individual teacher or other school personnel to report the false allegation of committing a crime to the appropriate law enforcement authority, and/or pursue a civil action for libel, slander or defamation.

Patriotic Programs: Rules

F.S. 1003.44 requires that the pledge of allegiance to the flag be recited at the beginning of the day in each public elementary, middle, and high school in the state. The pledge shall be rendered by students standing and placing their right hand over their heart. Upon written request from his or her parent, a student must be excused from reciting the pledge. When the pledge is given or the national anthem is played, all civilians (including students) must show full respect to the flag by standing at attention, men removing headdress, except when the headdress is worn for religious purposes.

Personal Property and Possessions

Students are solely responsible for any personal property brought onto school grounds, on school-sponsored transportation, or to a school-sponsored activity. Neither the Board nor any Board employee shall bear any responsibility for any lost, damaged, or stolen personal property brought by a student onto school grounds, on school-sponsored transportation or to a school-sponsored activity.

Reporting of Expulsions, Alternative Placements, Arrests and Juvenile Justice Actions

Students are required at initial registration for school enrollment in the District to report any previous school expulsions, alternative placements, arrests resulting in a charge, and/or juvenile justice actions. The School Board has the authority to waive or honor the final order of expulsion, alternative placement or dismissal of a student by any in-state or out-of-state public district school board or private school for an act that would have been grounds for expulsion or alternative placement according to the receiving District School Board's *Code of Student Conduct*.

Safety of Students

A. Arriving/Leaving School During School Day:

1. Students arriving or leaving school during the school day must have permission verified by parent/guardian and follow prescribed Check-In and Check-Out procedures.
2. Students shall not be permitted to leave school with persons whose identity has not been satisfactorily established or whose authority to take the child away from school has not been authenticated by appropriate school records.

B. Campus Hours/Limits of Liability: Each school campus shall be open, and students shall be supervised beginning thirty (30) minutes before the beginning of the school day and continuing until thirty (30) minutes after the school day. Students are to remain in assigned areas prior to the beginning of the school day and after the ending of the school day as stipulated by the school.

Parents/guardians are advised that the school will not be responsible for students who are on school premises other than these times. Students who are not authorized to be on the campus are to leave the school campus upon dismissal in the afternoon. Supervision of students authorized to participate in or attend school-sponsored activities on the school premises shall begin thirty (30) minutes before the actual beginning of the activity and continue until thirty (30) minutes after the actual ending of the activity.

C. Student Pick-Up Area: The Principal of each school will designate a specific area for students who are waiting to be picked up at the conclusion of after-school activities. If a student must call his/her parents, a specific telephone will be designated. It shall be the responsibility of the student to wait in the designated area. Parents/guardian shall pick up their children in a timely manner at the conclusion of after-school activities.

B. No student shall **leave the school bus** on his/her way to or from school without the documented permission of his/her parent or guardian and the Principal or designee, except at the customary destination of the child which shall be the school or home.

C. Evacuation / Lockdown:

Santa Rosa County District Schools utilizes two standard responses for handling students and staff in any emergency situation – evacuation or lockdown. Evacuation plans begin with a fire drill procedure and include at least two routes for moving students very quickly away from the campus. A lockdown of the school building may be used during any emergency where there is a need to keep students in place. Some lockdown situations (i.e., a hazardous waste spill, a tornado warning or an intruder) may begin with a lockdown procedure and then proceed with additional precautions. Schools are required to participate in a series of drills during the school year to practice the procedures. If an emergency were to occur on a school campus, parents are asked to tune into local media stations (television and radio) for additional information rather than reporting to the school campus.

School Bus Transportation

- A. Transportation on a school bus is a direct extension of both the classroom and the school in general. All rules, guidelines, and codes of conduct which apply to students at school continue to be in effect while students are being transported by school buses. This includes loading and unloading both on and off the school grounds and time spent waiting at bus stops. The time a student is on a school bus is considered an extension of the regular school day/time.
- B. In addition, the following specific rules are posted in each school bus:
 - 1. Stand off roadway while awaiting bus.
 - 2. Remain in your seat with the seatbelt buckled at all times while bus is moving.
 - 3. Keep all body parts inside the bus at all times.
 - 4. Do not throw any object or material on the bus or out of a bus window or door.
 - 5. Walk ten (10) feet in front of the bus and wait for the driver's signal before crossing the road.
 - 6. Unnecessary conversation with the driver is dangerous. Please remain quiet.
 - 7. Absolute silence is required at all railroad crossings.
 - 8. The driver is in full charge of bus and students. Students must obey the driver.
 - 9. The driver will assign a seat to each student who rides the bus.
 - 10. No eating, drinking, or using of tobacco products is allowed on the bus.
 - 11. Students should be at their designated stop 10 minutes prior to scheduled bus pick-up time; the bus cannot wait for those who are tardy.
 - 12. Students must exit the bus at their designated stop only unless written permission is granted by school administration.
 - 13. Riding the bus is a privilege. Do not abuse it.
 - 14. Students riding Santa Rosa District School buses may be subject to video recording for disciplinary purposes.
- C. The bus driver is responsible for the safe operation of each vehicle. Therefore, the driver has the authority to assign seats, restrict movement, and set other rules which he or she deems necessary for the orderly and safe operation of the school bus.
- D. Violation of School Board transportation policies, including disruptive behavior on a school bus or at a school bus stop, by a student is grounds for suspension of the student's privilege of riding on a school bus, may be grounds for additional disciplinary action by the school, and may also result in criminal penalties being imposed.
- E. For Pre-K students Special Transportation means that a car seat will be provided by the school district to transport the child to and from school. Parent or guardian is to place the child in the car seat on the bus in the morning and remove the child from the car seat on the bus in the afternoon.

Secret Societies Prohibited in Public Schools ("Gangs")

- A. It is unlawful for any person, group, or organization to **organize** or **establish** a fraternity, sorority, or other secret society or gang in the state whose membership shall be comprised in whole or in part of pupils enrolled in any public schools, whether elementary or secondary, or to go upon public school premises for the purpose of soliciting any pupils to join such an organization.
- B. It shall be unlawful for any pupil enrolled in any public school to be a **member** of or to take part in the organization of such a group, unless such organization is fostered and promoted by the school authorities or is first approved and accepted by school authorities, and whose

membership is selected on the basis of good character, good scholarship, leadership ability and achievement.

Student Detention, Search and Seizure

- A. The Principal, any member of the administrative or instructional staff, or the School Resource Officer shall be authorized to temporarily detain and question a student when circumstances indicate that such a student has committed, is committing, or is about to commit a violation of law or a regulation of the School Board.
- B. If at any time reasonable suspicion exists that the student is unlawfully concealing any stolen or illegal property, an alcoholic beverage or liquor, illegal drugs, or any weapon as provided in these regulations or any other item in violation of this code, a school official or the School Resource Officer may temporarily detain and search the student, school property assigned to a student (including, but not limited to lockers and desks), a student's personal property located on school grounds including student's vehicles on campus, or any property in the possession of the student on the school grounds for the purpose of disclosing the presence of items as herein provided. In the absence of probable cause, school officials may temporarily detain and search a student if reasonable suspicion exists.
- C. If a search of a student, school property assigned to a student (including, but not limited to lockers and desks), a student's personal property located on school grounds, or other property in the possession of the student on the school grounds reveals stolen or illegal property or any item prohibited by School Board regulations, such item or items may be seized and surrendered to the proper authorities or the parents/guardians of the student or disposed of by the school official in the most appropriate manner.
- D. The Board reserves the right to inspect students' school lockers or other school property assigned to students in order to protect the health, safety, and welfare of students. Such property is the property of the school system, and each student who desires to exercise the privilege of using such property must sign a form, if requested, acknowledging the ownership of the school system and that such property may be inspected by school authorities at any time without notice or consent and without the student's knowledge or presence. Such searches shall be conducted only if school personnel have reasonable suspicion. Routine clean-ups shall not be considered a search.
- E. Metal detectors or specially trained animals may be used in the course of a search when reasonable suspicion exists. A trained drug-sniffing dog may be used to walk through the parking lot or the building without reasonable suspicion provided that students are not being detained (without reasonable suspicion) while the dog is sniffing. An alert by a trained drug-sniffing dog that drugs are present in a particular location provides school officials and law enforcement officers alike with probable cause to conduct a search of the person or place to which the dog alerted.
- F. As a condition of being permitted to park a vehicle on campus, Students understand and agree that the vehicle which is driven onto campus is subject to search at anytime by school officials or their designees, at their discretion. This search may be conducted because of reasonable suspicion by school officials or without any reasonable suspicion. Furthermore anything found in the vehicle shall be deemed to be in the student's possession and it is the student's responsibility to be certain that no items which are prohibited by the Code of Student Conduct are located in the vehicle whether or not said items belong to the student or to others.

Student Mobile Device Possession (includes any electronic communication device)

- **Under no circumstances are students to physically connect to any port or district-owned device while on School Board property through Ethernet cables, USB cables, Paralink cables, etc., or to connect by Ad Hoc mode to any other district-owned device.**
- **Your child may bring a mobile device to school.**
- **For safety and security, students are strongly encouraged to secure mobile devices in a purse, book bag, etc.**

- Student **mobile devices** must not make any sound during the school day (including time on the bus).
- Except as permitted in designated instructional and **SR** areas
 - The **mobile device** must be turned off and not used at all during the school day.
 - The **mobile device** must be kept completely out of sight.
- Outside of designated instructional and **SR** areas
 - If a **mobile device** is seen or heard during the school day, it may be confiscated.
 - If it falls out of a pocket accidentally, it may be confiscated.
 - Use of a **mobile device** or improper storage during the school day will result in disciplinary action (below).
- A **mobile device** may be held until a parent/guardian picks it up or makes arrangements with school officials.
- Parents who need to reach their child (or vice versa) should communicate via the Front Office only.
- A student may only use a **mobile device** on a school bus during a life-threatening emergency or as directed by the official in charge.

Students acknowledge that

- Students are required to access the Internet only through district-provided, filtered networks. Under no circumstances are students to use any device (e.g., air card, smart phone, Palm, 3/4/5G-capable device or other Internet data device) to bypass this requirement.
- Bringing on premises or infecting the network with a Virus, Trojan, or program designed to damage, alter, destroy, or provide access to unauthorized data or information is in violation of Policy.
- Processing or accessing information on school property related to "hacking", altering, or bypassing network security policies is in violation of Policy.
- The school district has the right to collect and examine any device that is suspected of causing problems or was the source of an attack or virus infection.
- While permission is granted for texting, texting for reasons other than instructional is still prohibited.
- While many mobile devices provide file storage, they must not be physically attached to district hardware for file exchange or other purposes (see 2nd paragraph of previous page). Files may have to be saved on the C drive of a laptop, a jump drive, an external drive, or another media device.
- Printing from personal laptops or other mobile devices will not be possible at school.
- Personal technology is charged prior to bringing it to school and runs off its own battery while at school.
- **Neither the school nor School District will provide technical support for any personal electronic device.**
- **The student is solely responsible for personal property and neither the school nor School District shall bear any responsibility for lost, damaged, or stolen property brought by a student.**

Student Expression

In accordance with First Amendment rights of students, the Principal of a school has the right to review any student publication or expression in any format prior to its publication and distribution on campus. It is the responsibility of the student(s) who intends to distribute such expressions to bring the material to the Principal. A student who refuses to allow the Principal to review the material shall be considered in defiance of authority.

Reasons for denial of permission to distribute such materials shall include but not be limited to violation of Board policy; handling and dissemination concerns; staff availability; conflicts with school events calendars; obscenity, profanity, and vulgarity incompatible with normal activity associated with the school system; or a

threat to the safe school environment. The Principal shall confer with the Board attorney to determine the appropriateness of denial.

The Principal shall give a written statement of explanation of the reasons for denial of the right to publish or distribute the material to the Superintendent and will furnish the students and teacher advisor, if appropriate, with a copy of such statement. The Principal's statement shall indicate whether the advice of the Board attorney was to proceed or not to proceed with restraint of the material.

Student With A Disability

A student with a disability refers to any student identified as disabled in accordance with the Individuals with Disabilities Education Act Revised and/or Section 504 of the Rehabilitation Act of 1973. If a student with a disability has an individual **Positive** Behavior Intervention Plan (**PBIP**), then the **PBIP supersedes the Student Code of Conduct** and the student will be disciplined in accordance with the procedures delineated in his/her **Positive** Behavior Intervention Plan. By the 10th day of Out Of School Suspension, a student with an IEP/or 504 Plan must have a Manifestation Determination Hearing. Manifestation Hearing members will consist of LEA representative, ESE teacher, General Education teacher, Administrator, parent, and student. Students with an IEP/504 Plan may not be suspended greater than 10 days without educational services based on IEP.

Tobacco-Free School District Policy

Santa Rosa District Schools are “**Tobacco-Free**” per School Board Policy 2.90, **Section (2)**. To comply with the Florida Clean Indoor Air Act and to set a positive, healthy example for students, **the use of tobacco products (both smoking and non-smoking) is prohibited in any facility or on any real or personal property** owned by or under the control of the Santa Rosa School Board.

The “Tobacco-Free” policy extends to any person on School Board property. If the person is not a School Board employee, the following actions will be taken:

- Step 1: The person will be informed of the “Tobacco-Free” policy and asked to discontinue use of the tobacco product.
- Step 2: If the person refuses, he/she will be asked to leave the campus.
- Step 3: If the person continues to refuse, additional measures will be addressed by administrative personnel and/or law enforcement.

Trespassing Upon Grounds or Facilities of a School

Any person who does not have legitimate business on the campus or any other license or invitation to enter or remain upon the school property or who is a student currently under out-of-school suspension, expulsion, or alternative placement in lieu of expulsion and who enters or remains upon the campus or any other facility owned by the school, commits a trespass upon the grounds of a school facility and is guilty of a misdemeanor of the second degree.

Any person who enters or remains upon the campus or other facility of a school after the Principal of the school or his/her designee has directed such person to leave the campus or facility or not to enter the campus or facility, commits a trespass upon the grounds of a school facility and is guilty of a misdemeanor of the first degree. Law enforcement will be notified with the occurrence of trespassing.

Textbook Fines Unpaid

Any student who has not paid fees or charges related to the loss or damage of a textbook or completed prescribed community service hours if available in lieu of payment of such fees or charges, may be prevented from participating in extracurricular activities.

Vehicle Use by Students

High school students only are permitted to bring and use vehicles on school campus. Each high school will have guidelines governing safe use of vehicles by students on school grounds. When a student is permitted to bring a vehicle on campus, the student assumes all responsibility for the vehicle and all contents found in the vehicle. (See Student detention, search and seizure)

Victimization

Upon notification by the Department of Juvenile Justice that a *no contact order* has been issued by the court for the purpose of a juvenile offender not attending the same school or riding the same bus as the victim of the crime committed or as the siblings of the victim, the Superintendent, or his/ her designee, will determine the appropriate setting for delivery of educational services to the offender. If the delivery of educational services requires transportation which is beyond the existing transportation and would incur additional costs to the School District, then the offender, or the parents or legal guardians of the offender if the offender is a juvenile, shall be responsible for arranging and paying for transportation.

If it is determined that it is not possible to deliver educational services to the offender at a different school site from the victim or the siblings of the victim, then the School District and the Principal will take steps such as the use of in-school suspension of the offender, and the scheduling of classes, lunch or other school activities of the victim and the offender so as not to coincide, to keep the offender separated from the victim.

As a part of the Unsafe Schools Choice Option, when a student has been a victim of a felony violation or a violation that would be a felony if committed by an adult, pursuant to statutes that have been designated within the policy and the crime was committed upon school property or on school transportation, the student upon whom the crime was committed shall be permitted by the School Board, upon written request from the student's parent, or the student (if such student is an emancipated minor), to transfer to another comparable school determined by the School Board, if available. In order to be considered a violent criminal offense for the purposes of transferring to another school, it is necessary that the incident be reported to the appropriate law enforcement agency. The parent of the victim or the victim (if an emancipated minor) of any such designated felony crime may invoke the transfer option once the state attorney files charges against the offender. Any transportation for such students shall be provided in accordance with School Board policies.

Video Recording/Audio Taping for Disciplinary Purposes

Students may be video recorded or audio taped on a school campus or while riding a Santa Rosa District school bus for disciplinary purposes by school officials. Such recordings will be subject to the same confidentiality rules as other student records.

Virtual Education

- A. Open Enrollment for Part-Time or Full-Time Virtual Instruction: Any qualifying student in grades K-12 may choose to become a part-time or full-time public education virtual student through our district's Virtual Instruction Program (Grades K-12) or through our partnership with Florida Virtual School (Grades 6-12). Open enrollment will take place from April 15 – July 31 each year prior to the beginning of the school year in August. Late registration will continue through the first two weeks of the school year if space is available. Interested students and parents should contact Patti Peacher, Coordinator of Virtual Education Programs, at 850-981-7860.
- B. Accelerated Virtual Option for Elementary Students: Any current elementary school student who scored a level 4 or 5 on FCAT Reading or Mathematics during the 2011-2012 2012-2013 FCAT administration and scores an 80% or higher on the district's placement exam will have the opportunity to take accelerated courses in Reading and Mathematics through Florida Virtual School. Because these accelerated courses are a part of the Middle School (Grade 6) curriculum in Florida Virtual School, the course content will be much more advanced than that of the elementary school. Any student who successfully completes both segments of M/J Reading or M/J Mathematics 1 with a "B" or higher will be able to accelerate to the next course when he or she enters middle school. If

you are interested in exploring this possibility further, please contact Patti Peacher, Coordinator of Virtual Education Programs, at 850-981-7860.

Voluntary School Assignment (refer to the School Choice Plan)

The voluntary transfer by parent request of a student from one school to another, pursuant to Policy 5.20, may be revoked and the student returned to his/her zoned school of attendance if tardiness, unexcused absences or behavior/discipline problems develop at the receiving school.

Weapons

- A. In accordance with the Gun-Free Act of 1994, a part of Public Law 103-382, a student who brings a weapon as defined in this policy to school or any setting associated with a school function is to be expelled from school for a period of not less than one full year (12 months). In addition, school officials shall be required to refer all such incidents to the criminal justice or juvenile delinquency system.
- B. In reference to this Act, a weapon is defined to include:
 - 1. Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other propellant if the device using the other propellant has a barrel with a bore of more than one-half inch in diameter,
 - 2. The frame or receiver of any weapon described above,
 - 3. Any firearm muffler or firearm silencer,
 - 4. Any explosive, incendiary, or poison gas bomb; grenade; rocket having a propellant charge of more than four (4) ounces; missile having an explosive or incendiary charge of more than one-quarter ounce; mine; or similar device or,
 - 5. Any combination of parts either designed or intended for use in converting any device into any destructive device described in items one (1) or four (4) above.
- C. The weapons definition used by Santa Rosa School District is more inclusive than the definition referenced in Public Law 103-382, as is Florida Statute 790.001. See Page 52 in this document for the definition and procedures used in reference to weapons in schools in the Santa Rosa School District.

STUDENT RIGHTS AND RESPONSIBILITIES

The intent of the Student Rights and Responsibilities section is to summarize the broad principles of student rights. With each right comes a responsibility in a free and democratic society. The rights and responsibilities defined are basic and reflect the most recent court decisions on students' rights.

Assembly

- 1. Students have a right to meet in accordance with school rules and scheduled use of facilities.
- 2. Students have a responsibility to:
 - a. conduct themselves and their activities consistently with the educational objectives of the school.
 - b. refrain from disrupting the educational process.
 - c. not endanger the health, safety, or welfare of other students.

Attendance

- 1. Students have a right to:
 - a. be informed of school rules and policies regarding absenteeism and tardiness.

- b. make-up class work within a reasonable length of time.
- 2. Students have a responsibility to:
 - a. attend classes daily and on time.
 - b. provide appropriate explanation of absences as requested.
 - c. request make-up assignments immediately upon returning to school.
 - d. abide by school rules and regulations.

Due Process

Students have a right to be provided due process in all instances involving disciplinary action.
See page 23 for further “due process” policy.

Free Speech and Publications

- 1. Students have a right to:
 - a. express their viewpoints in an appropriate manner.
 - b. print and distribute publications within the guidelines agreed upon by the students and administrators.
- 2. Students have the responsibility to:
 - a. recognize the rights of others by expressing themselves in a manner which does not interfere with the orderly process of education, violate school rules, or infringe on the rights of others.
 - b. observe guidelines agreed upon by students and administrators.
 - c. follow rules of responsible journalism.

Grievance

- 1. Students have a right to file a grievance if they believe that they have been discriminated against on the basis of race, color, national origin, English language proficiency, marital status, sex, disability, age or religion.
- 2. Students have a responsibility to process the grievance using the procedure approved by the District School Board. (See Page 60.)

Participation in School

- 1. Students have a right to participate in school.
- 2. Students have a responsibility to abide by school rules and regulations.

Privacy

- 1. Students have a right to:
 - a. privacy in their personal possession unless there is reasonable suspicion to believe the material is prohibited by law, disruptive to the educational process, or a violation of School Board policy.
 - b. prior notification of any general search of lockers or personal property except in emergency situations.
- 2. Students have a responsibility to:
 - a. not carry or conceal any such material prohibited by law or a violation of School Board policy or that would detract from the educational process.
 - b. accept the consequences for the contents stored within their lockers or personal property.

Respect for Persons and Property

1. Students have a right to:
 - a. receive respect for their persons and property from other students and school personnel in the school setting.
 - b. expect school property to be clean and well maintained.
2. Students have a responsibility to:
 - a. respect the persons and property of other students and school personnel.
 - b. take care of the property of the school system.

Right to Learn

1. Students have a right to:
 - a. 13 years of education appropriate to their needs.
 - b. a positive learning climate free of disruption.
 - c. information on how grades are determined.
2. Students with Disabilities:
 - a. ESE students with disabilities who have not yet reached their 22nd birthday and who have not earned a standard diploma and who wish to continue their education, may continue to receive Free Appropriate Public Education (FAPE) consistent with a properly developed IEP.
3. Students have a responsibility to:
 - a. utilize the educational experiences made available to them.
 - b. provide assistance to improve the educational experiences.

Rules of Conduct

1. Students have a right to:
 - a. a copy of clearly defined rules of student conduct.
 - b. expect the rules to be enforced without discrimination.
2. Students have a responsibility to know and observe school rules and regulations which govern their conduct.

STUDENT CONDUCT - DEFINITIONS AND PROCEDURES

- Administrative judgment, particularly at the elementary level, is needed in classifying offenses or behaviors into these incident types. In making these classifications, age and developmentally appropriate behavior **MUST** be taken into consideration.
- In all instances of disciplinary action,
 - the incident shall be investigated by the Principal or designee,
 - a conference shall be held with the student,
 - and due process procedures shall be followed.
- When a student is suspended or recommended for expulsion or alternative placement, procedures for the recommended action as described in this *Code* shall be followed.
- A complete written report of the incident and the action taken shall be maintained.
- A student with an IEP/504 Plan cannot be suspended for greater than ten (10) cumulative school days within one school year and must have a Manifestation Determination Hearing.
- Some infractions may result in arrest and charges being filed due to being a violation of the law as well as a violation of school rules.

- Some specific infractions and consequences are detailed in this section of the *Code of Student Conduct*. It is realized that there will be instances of misconduct that may arise that will not be detailed in this document or in the school's handbook. Decisions regarding the consequences in such cases will be made based on the details of the information gathered in the investigation of the incident and the severity and seriousness of the misconduct.

Alcoholic Beverages

Any liquid which contains alcohol, either manufactured or mixed, or any intoxicating beverage; the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages.

Distribution/Possession/Under the Influence of Alcohol

A student who distributes alcohol to another student and the student who receives the alcohol and or passes the alcohol to another shall be subject to the disciplinary penalties for distribution of alcohol.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of five (5) to ten (10) days for a first offense.
3. For any subsequent violation, out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period up to one (1) calendar year through alternative placement or expulsion.
4. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and alternative placement or expulsion.
5. Referral for in-school counseling.

Arson

To unlawfully and intentionally damage or attempt to damage any real or personal property by fire or an incendiary device.

1. Notification of appropriate law enforcement agency.
2. Discipline of student in accordance with the school's discipline plan up to and including expulsion.
3. Notification of the parents/guardians of the discipline and the responsibility of the student and/or parents/guardians for restitution to the School Board if applicable.
4. Damages are to be assessed by School Board employees and reported to the student and parents/guardians.

Assault/Threat

To unlawfully place another person or persons in fear for emotional and/or physical harm with or without the use of a weapon; three elements present (1) intent, (2) fear, (3) capability. (i.e. verbal or written threat; listing of identified person or persons).

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of one (1) to ten (10) days to be determined in accordance with the school's discipline plan or as deemed appropriate by the school's administration.
3. Notification of parents/guardians of out-of-school suspension in accordance with out-of-school suspension procedures.
4. Threats of school violence will be taken seriously. This includes threats of violence, direct or indirect, toward an individual, group, or the school, itself. In addition to the above actions, when deemed appropriate, school administrators have the right to refer a student, who makes or poses a threat of school violence, for a violence-risk evaluation/threat assessment through the school district's Student Services department.

Assault (Aggravated)

Assault with a weapon or with the intent to commit a felony and punishable by law as a felony of the third degree.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program at least one (1) year through expulsion.
3. Notification of parents/guardians of out-of school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Assault: School Board Employee

Assault punishable by law as a first degree misdemeanor and expulsion by the School Board from the regular school program for a period of one (1) calendar year.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program at least one (1) year through expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Assault (Aggravated): School Board Employee

Assault punishable by law as a felony of the second degree and expulsion by the School Board from the regular school program for a minimum period of one (1) calendar year and a maximum period of the remainder of the current school year plus one (1) additional school year.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a minimum of one (1) calendar year and a maximum of the remainder of the current school year plus one (1) additional school year.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Battery

The willful and unlawful use of force or violence upon the person of another; has three primary elements present - (1) an aggressor, who (2) intended to cause physical harm, to (3) an innocent person.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of one (1) to ten (10) days to be determined in accordance with the school's plan of discipline
3. Notification of parents/guardians of out-of-school suspension in accordance with out-of-school suspension procedures.
4. Notification of the victim's parents/guardian of the offense committed and the victim's right to press charges against the offender.
5. Cooperation in any procedures leading to the victim's exercise of rights as provided by law.

Battery (Aggravated)

Battery which intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a minimum of one (1) calendar year and a maximum period of the remainder of the current school year plus one (1) additional school year.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.
4. Notification of the victim's parents/guardian of the offense committed and the victim's right to press charges against the offender.
5. Cooperate in any procedures leading to the victim's exercise of rights as provided by law.

Battery: School Board Employee

Battery punishable by law as a felony of the third degree and expulsion by the School Board from the regular school program for a period of one (1) calendar year.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of ten(10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for one (1) calendar year through expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.
4. Notification of the victim of his/her right to press charges against the offender.
5. Cooperation in any procedures leading to the victim's exercise of rights as provided by law.

Battery (Aggravated): School Board Employee

Battery punishable by law as a felony of the first degree and expulsion by the School Board from the regular school program for a minimum period of one (1) calendar year and a maximum of the remainder of the current school year plus one (1) additional school year.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a minimum of one (1) calendar year and a maximum of the remainder of the current school year plus one (1) additional school year.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.
4. Notification of the victim of his/her right to press charges against the offender.
5. Cooperation in any procedures leading to the victim's exercise of rights as provided by law.

Bomb Threats/False Report

Communication of a threat to use any destructive device with intent to cause damage or do bodily harm involving school or school personnel's property, school transportation, or a school-sponsored activity; a false report of an explosive or destructive device involving school or school personnel's property, school transportation, or a school-sponsored activity.

1. Notification of appropriate law enforcement agency.

2. Out-of-school suspension of the student for a period of ten (10) days and a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through expulsion for one (1) calendar year.
3. Notification of parents/guardians of out-of-school suspension and the recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Breaking and Entering/Burglary

The unlawful entry into a school building or other structure with the intent to commit a crime punishable by law as a felony of the third degree.

1. Notification of appropriate law enforcement agency.
2. Discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
3. Notification of parents/guardians in accordance with appropriate procedures.

Bullying

A form of aggression in which a person(s) willfully subjects another person(s) systematically and chronically to an intentional, unwanted and unprovoked hurtful verbal and/or physical action(s) which result in the victim feeling oppressed, intimidated or threatened at any school site, on school transportation school-sponsored activity or through the use of data or computer software that is accessed through a computer, computer system, or computer network of a Santa Rosa County District School. Types of bullying may include, but not be limited to, physical, verbal, emotional, and psychological bullying. Bullying actions may include, but not be limited to teasing, social exclusion, intimidation, threat, stalking, destruction of property, physical violence, theft, public humiliation and sexual, religious, or racial harassment. (SB: 2.70, SB: 5.321)

An individual who is a victim of bullying has a right to

1. Report an incident(s) without fear of retaliation. Retaliation must not occur.
2. Present witnesses and other evidence relating to the incident.
3. The victim or parent/guardian of the victim will be notified of the opportunity for school counseling services.
4. The victim or the parent/guardian of the victim, if such is a student, will be given notification of the opportunity to speak to a School Resource Officer regarding pursuit of criminal charges against the perpetrator.

Allegations of bullying shall be promptly investigated, giving due regard to the need for confidentiality and the safety of the victim and/or any individual reporting an incident of bullying. Proven allegations of bullying can have serious consequences for the student(s) deemed guilty. When a violation of the District bullying/harassment policy by an individual or group of individuals has been determined, the district will take steps to prevent a recurrence of any harassment, and to correct its discriminatory effects on the complainant and others, if appropriate: (SB: 2.70, SB: 5.321)

1. Discipline of the student up to and including referral for Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by school officials.
2. Notification of the parent/guardian in accordance with appropriate procedures.
3. The student(s) found guilty of any bullying/harassing behavior or the parent/guardian of the student(s), will be given notification of the opportunity to speak to a School Resource Officer or school counselor regarding the incident.

If you are the victim of bullying:

- clearly tell the "bully" to stop
- immediately report the incident to a teacher, guidance counselor or administrator at the school. Tell your parent/guardian.

- if the bullying continues after you have told the bully to stop, keep a written record of the incident including date, time, witnesses and individuals involved in the incident Again report the incident immediately to a teacher, guidance counselor or administrator
- avoid being alone with the person who has attempted to bully you in the past

To minimize the risk of being accused of bullying:

- keep your hands to yourself and never cause physical harm to another person
- think before you speak. Don't make remarks that may make another person feel scared, intimidated, uncomfortable or fearful.
- immediately apologize if you accidentally say or do something that has made another person feel oppressed or uncomfortable
- report all incidents of bullying you have witnessed to appropriate school personnel
- don't keep interacting with a person after he/she has perceived your behavior toward him/her as being inappropriate and has clearly told you to stop

Individuals who are deemed guilty for wrongfully and intentionally accusing another of an act of bullying can receive serious consequences:

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Cheating

Violations of dishonesty, defrauding, swindling, obtaining by deception, deliberate perversion of the truth.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Damage to Property

The unlawful and/or malicious destruction, damage, or defacement of public or private property without the consent of the owner or the person having custody or control of it; the amount of damage less than \$1,000.

1. Notification of appropriate law enforcement agency.
2. Discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials with consideration for cost of repair or replacement of damaged item(s).
3. Notification of parent/guardians of discipline action.

Defiance of Authority

The refusal or failure to carry out lawful or reasonable instructions of authorized school personnel or failure to comply with state law, School Board policy, local school rule, behavior contracts, or classroom rules.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Demonstrations

The inciting, instigation or participation in demonstrations, including but not limited to walk-outs, sit-ins, and picketing, either on or immediately off school premises.

1. Out-of-school suspension from school in accordance with the school's discipline plan.
2. Notification of the parents/guardians in accordance with out-of-school suspension procedures.

Disorderly Conduct/Disruption on Campus

*Any act or disruptive behavior which **substantially** disrupts the orderly learning environment or poses a serious threat to the health, safety, and/or welfare of students, staff, or others; serious campus disruption.*

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension with discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
3. Notification of the parents/guardians in accordance with appropriate procedures.

Disruptions

Conduct or behavior which interferes with or disrupts the school or learning environment.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Dress Code

Violations of dress code as outlined in the Student Code of Conduct and School Based Student Handbook. The principal or principal's designee has the final authority for interpreting whether a student's apparel/appearance conforms to the dress code.

1. First offense: A verbal warning and parent notification. The school principal or designee shall call the parent/guardian and send written notification.
2. Second offense: Discipline student in accordance with the school's discipline plan, and the student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal/designee will meet with the student's parent/guardian.
3. Third and subsequent offense: In-School Suspension of the student not to exceed three (3) school days and the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 30 days. The school principal/designee will call the student's parent/guardian and send the parent/guardian a letter regarding the discipline and ineligibility to participate in extracurricular activities.

Drugs

The possession, receipt, use, being under the influence of, cultivation, transportation, sale, purchase, or negotiation for the sale or distribution of any controlled (F.S. 893) or unlawful substance(including "spice" and other synthetic substances); possession or use of an inhalant or any substance represented as drugs (such as designer drugs, caffeine pills, herbs, foods), or any substances not used in accordance with the manufacturers' instructions (over the counter medication, designer herbs/ products) or any prescription drug for which the student does not have a valid prescription and/or which is not in the original container on school property or within one thousand (1000) feet of school property or at a school-sponsored activity on property other than school property. A student, who distributes "drugs", is defined as a student who possesses, gives to or leaves drugs for another student. It also applies to the student who takes, receives, passes to/from or picks up the "drugs". These students who engage in the behavior as described in this section shall be subject to the disciplinary penalties for distribution of "drugs".

Distribution, Possession, or Under the Influence of an Illegal, Purported*, or Unlawful Substance, Prescription Drug without a Prescription or substance not used in accordance with manufacturers instructions

1. Notification of the appropriate law enforcement agency.

2. Out-of-school suspension of the student for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period up to one (1) calendar year through alternative placement or expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and alternative placement or expulsion.
- * Under certain circumstances possession of "purported" substances may have an alternate consequence (see "Failure to Follow Medication Policy").

Drug Paraphernalia

Any apparatus or material that may be used in the cultivation, use, manufacture, or distribution of drugs.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension for a period of five (5) to ten (10) days for a first offense.
3. Out-of-school suspension for a period of ten (10) days for each subsequent offense.
4. Notification of parents/guardians of out-of-school suspension in accordance with out-of-school suspension procedures.

Electronic Devices

~~The possession of tape players, compact disc players, radios, televisions, remote controls, electronic games, laser pens, or any other electronic device, including tapes, game cartridges, iPods, mp3 players, mp4 players or discs used in the operation of the devices.~~

1. ~~Discipline student in accordance with the school's discipline plan.~~
2. ~~Confiscate the device.~~
3. ~~Notification of parents/guardians of the discipline and of the responsibility to retrieve the item from school officials.~~

~~Exceptions for possession of electronic devices exist with school official's permission only for instructional purposes. Devices brought with such permission are to be used only in the classroom with the instructor's permission and supervision.~~

Electronic Pagers/Cellular Phones/Wireless Communication Devices/Electronic Pagers

While a student may be in possession of a wireless communication device, it may not be used during the regular school day except for educational purposes in designated areas only under the direction/supervision of school staff. **The device must be in the "OFF" position and must not be visible on a student's person during the school day.** Failure to follow the rules regarding the possession and use of the wireless communication device will result in disciplinary action up to and including a loss of the privilege of carrying said device(s) on campus for a period of time to be determined by the school official. Use of a wireless communication device in a criminal act on school property or in attendance at a school function may result in criminal penalties as well as disciplinary action.

~~The possession of tape players, compact disc players, radios, televisions, remote controls, electronic games, laser pens, or any other electronic device, including tapes, game cartridges, iPods, mp3 players, mp4 players or discs used in the operation of the devices are prohibited.~~

~~Exceptions for possession of electronic devices exist with school official's permission only for instructional purposes. Devices brought with such permission are to be used only in the classroom with the instructor's permission and supervision.~~

1. Discipline student in accordance with the school's discipline plan. Device may be confiscated or possession prohibited on school campus for a period of time.
2. ~~Discipline of a student up to and including out-of-school suspension for a period up to three (3) days for a first offense. Device may be confiscated or possession prohibited on school campus for a period of time.~~
- 3.2 ~~Out-of-school suspension of the student for a period up to and including ten (10) days for each subsequent offense. Depending on the degree of the offense in the use/possession of~~

the electronic device, a student may receive an out-of-school suspension period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period up to one (1) calendar year through alternative placement or expulsion. The device may be confiscated or possession prohibited on campus for a period of time.

4. 3 Notification of law enforcement as necessary

- 5. 4** Notification of the parents/guardians of the discipline and their right to receive the device confiscated at the earliest opportunity.

Energy/ Stimulant Drinks

Santa Rosa County District Schools are committed to providing school environments that promote children's health, well-being, and ability to learn by supporting healthy eating, drinking and physical activity. While not all Energy or Stimulant Drinks are prohibited we strongly encourage parents to curtail their child's consumption of these beverages. These drinks are laden with caffeine and have very high concentrations of sugar. Most energy drinks also contain at least 80 mg of caffeine. Energy drinks can also cause side effects such as irritability, concentration difficulties, headaches, restlessness, dehydration, nausea, sleep disruption and heart irregularities. Research has shown that children and teenagers are becoming addicted to energy drinks and end up on a jolt-and-crash cycle.

Definition: Prohibited Energy/ Stimulant Drinks:

Some Energy/ Stimulant Drinks are prohibited on school property because they contain alcohol or have age limit restrictions on the purchase indicating that it is not for consumption of anyone under the required age.

Possession, Consumption, Distribution of Prohibited Energy Drinks

1. Discipline student in accordance with the school's discipline plan.
2. In the case of Energy/ Stimulant Drinks containing Alcohol refer to the section "Alcoholic Beverages".
3. Confiscate the drink.
4. Notification of parents/guardians of the discipline.

Extortion

Obtaining of money or property (something of value) from an unwilling person by means of coercion or intimidation.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Failure to Follow Internet Acceptable Use Policy and Guidelines

In an effort to ensure the safety of our students and to maintain the integrity of the network, categories of sites were blocked if they met one or more of several criteria: are illegal in nature and/or promote illegal activities; provide a means to bypass the internet firewall; represent and/or promote hate, violence, or racism; provide access to file types that negatively impact the District network or pose a security risk; provide an unacceptable risk to student well-being; and reduce productivity. Failure to follow the policies and guidelines for Internet use will result in disciplinary action. For a 1st offense that the Administration deems excessive the resulting consequence may be greater than what is outlined for a 1st or 2nd offense.

1. Disciplinary action may include up to and including suspension, alternative placement or expulsion.
 - a. 1st offense
 - i. Administrative designee(s) will be notified by Content Filter Administrator.
 - ii. Administrative designee notifies the teacher and the parents.
 - iii. Conference with the Administrative designee, student and possibly parents.
 - iv. Administrative design documents incident.
 - b. 2nd offense
 - i. Administrator, teacher, and parents notified.

- ii. Student's privileges are restricted to instructor-directed sites and District web applications.
 - iii. Disciplinary action up to and including suspension.
 - c. 3rd offense
 - i. Notification of Administrator, teacher and parents.
 - ii. Disciplinary action up to and including suspension/alternative placement or expulsion.
- 2. Appropriate law enforcement agency will be notified when offenses involve illegal or threatening sites.

Failure to Follow Medication Policy (See Medication Policy)

The Medication Policy is described in this document. The possession of any medication, either prescription or non-prescription, by a student on school premises, on the school bus, or at a school function will result in appropriate disciplinary action. Products such as, but not limited to, vitamins, herbal supplements, caffeine pills, sleeping pills, diet pills and nicotine cessation products are viewed as nonprescription medication and are subject to the guidelines set forth in the medication policy and in the disciplinary procedures regarding possession of such substances. The exception of Epipen, insulin pen, pancreatic enzymes or an asthma inhaler which has been prescribed by a physician for a student to carry on his/her person should still be in accordance with the District's medication policy. ("Purported" substances may fall under this definition if school officials are able to validate that the possession of purported substance was not a controlled or unlawful substance (see "Drugs") and was not distributed).

- 5. Discipline student in accordance with the school's discipline plan.
- 6. In the case of "Possession of Purported substances": Out-of-school suspension for a period of ten (10) days for a first offense.
- 7. Confiscate the medication.
- 8. Notification of parents/guardians of the discipline and of the responsibility to retrieve the item from school officials.
- 9. If a student uses and/or distributes non-prescription medication, or purports a substance as a controlled substance or unlawful substance a second or subsequent time, there may be a recommendation for a disciplinary hearing regarding removal from the regular school program through expulsion.
- 10. Any use (being under the influence) and/or distribution of non-prescription medication in excess of the product's directed dosage may result in a recommendation for a Disciplinary Hearing regarding removal from the regular school program through alternative placement or expulsion.
- 11. Any use in excess of the directed dosage by a student having a valid prescription of medication will result in a recommendation for a Disciplinary Hearing regarding removal from the regular school program through alternative placement or expulsion. (See "Drugs")

False Accusation of a School Staff Member

Any false accusation which jeopardizes the professional reputation, employment, or certification of any member of the school staff.

- 1. Disciplinary action, up to and including expulsion
- 2. Notification of parents/guardians of the disciplinary action.

False Identity

Refusing to identify or falsely identifying one's self.

- 1. Discipline student in accordance with the school's discipline plan.
- 2. Notification of parents/guardians of discipline.

False Information/Falsifying Records/Documents

Intentionally providing false or misleading information or the withholding of valid information from a school staff member. Any form of tampering with records/documents either for one's own purpose or to alter the records of others for any purpose. It also includes, but is not limited to, the writing and signing of notes and papers by any person not authorized to do so, misrepresenting a situation, or falsely signing another's name to such notes or other papers.

Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083., F.S. 837.06.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.
3. Notification of appropriate law enforcement agency

Fighting

Mutual participation in an altercation with physical violence that requires physical restraint and/or results in injury.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Fire Alarm System

Willful and/or malicious activation of a school fire alarm system punishable by law as a misdemeanor of the first degree.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of student for a period of ten (10) days.
3. Notification of parents/guardians in accordance with out-of-school suspension procedures.

Fireworks/Firecrackers

Unauthorized possession and/or igniting of fireworks or firecrackers on school property or at a school-sponsored activity, including possession of matches or lighters.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Forgery

Refer to False Information/Falsifying Records/Documents.

Gambling

Participation in games of chance or skill for money or profit.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Gang Activity (Secret Societies/ Gangs)

Any activity that can reasonably be associated or identified with a gang, such as, but not limited to, symbols, special dress, verbalizations or colors.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension with discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
3. Notifications of the parents/guardians in accordance with appropriate procedures.

Harassment: Malicious

Definition: Harassing another person because of that person's race, religion, color, sex, age, national or ethnic origin, political beliefs, marital status, disability, or social and family background, that places an individual in reasonable fear of harm to his/her person or damage to his/her property or has the effect of substantially disrupting the orderly operation of a school. Such harassment may include any slurs, innuendoes, or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender, or disabling condition which has the purpose or effect of creating an intimidating, hostile, or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's educational opportunities. Such harassment is prohibited at any school site, on school transportation or school-sponsored activity or through the use of data or computer software that is accessed through a computer, computer system, or computer network of a Santa Rosa County School District School.

An individual who is a victim of harassment has a right to report an incident(s) without fear of retaliation. Retaliation must not occur.

Procedures for reporting of harassment are provided in **Harassment: Sexual**. Contact for Title IX: Director of High Schools, (850-983-5000), 5086 Canal Street, Milton, Florida 32570. Contact for 504: Director of Exceptional Student Education and Student Services, (850-983-5150), 6751 Berryhill Street, Milton, Florida 32570.

Consequences which arise from malicious harassment will include:

1. Out-of-school suspension from school in accordance with the school's discipline plan.
2. Notification of the parents/guardians in accordance with out-of-school suspension procedures.
3. The victim or the parent/guardian of the victim, if such is a student, will be given notification of the opportunity to speak to a School Resource Officer regarding pursuit of criminal charges against the perpetrator.

Harassment: Sexual

Definition: Undesired sexual behavior towards another; unwanted or repeated verbal or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation, or creates a hostile environment. The following types of conduct by any adult or student constitute sexual harassment: (1) Creating a Hostile Environment - sexually harassing conduct which can include unwelcome sexual advances; or other verbal, nonverbal or physical behavior of a sexual nature that is sufficiently severe, persistent, or pervasive enough to create a hostile or abusive educational environment; or (2) Quid Pro Quo - to condition, explicitly or implicitly, sexual favors for participation in an education program or activity or in determining an education decision.

1. Students have a responsibility to promptly report any occurrence of harassment; however, the student has up to sixty (60) days from the occurrence to report.
2. Informal complaints may be presented to the local school Principal or guidance counselor or to the Assistant Superintendent of Curriculum and Instruction. (850-983-5040)

3. Formal complaints should be presented to the Assistant Superintendent of Curriculum and Instruction. (5086 Canal Street, Milton, Florida 32570) The complaint should be in writing, state the act(s), state the date(s), state the name(s) of witnesses, and be signed by the complainant.
 - a. Investigations will be conducted with discretion. The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. Claims found to be factually supported will be promptly acted upon. The decision shall be given to the student in writing within ten (10) calendar days of the receipt of the written complaint. No employee or student shall be retaliated against in any manner for reporting conduct which is believed to be a violation of this rule or for participating in an investigation of a possible violation of this rule.
 - b. In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Superintendent or Assistant Superintendent of Curriculum and Instruction has the responsibility of investigating and resolving complaints of harassment by students. The Assistant Superintendent of Human Resources is included if the alleged harassment involves an employee.
 - c. If the student is not satisfied with the decision of the Principal or Assistant Superintendent of Curriculum and Instruction, the student may appeal the decision in writing to the Superintendent within five (5) school days of the decision. The Superintendent or designee must respond in writing within five (5) school days of receipt of the appeal.
 1. If the student is not satisfied with the decision of the Superintendent, within five (5) school days of the decision the student must notify the Superintendent of a request of an appeal hearing before the School Board. Scheduling of a hearing before the School Board will be in compliance with applicable School Board policies.
4. Violation of the School Board's sexual harassment policy by a student is grounds for disciplinary action up to and including expulsion and may result in criminal penalties being imposed.

Individuals who are deemed guilty for wrongfully and intentionally accusing another of an act of harassment of any type can receive serious consequences:

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Hazing

Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student at a school for purposes, including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of the school; includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

1. Notification of the appropriate law enforcement agency.

2. Discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
3. Notification of parents/guardians in accordance with appropriate procedures.

Homicide (Murder, Manslaughter)

The unlawful killing of one human being by another that occurs on a school campus, at any school-sponsored event, or on school transportation.

1. Notification of the appropriate law enforcement agency.
2. Out-of-school suspension for a period of ten (10) days and immediate referral for a Disciplinary Hearing with the recommendation for expulsion for the remainder of the present school year and one (1) additional year.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Interference with School Personnel

The preventing or attempting to prevent school personnel from engaging in their lawful duty.

1. Out-of-school suspension from school in accordance with the school's discipline plan.
2. Notification of the parents/guardians in accordance with out-of-school suspension procedures.

Interference with the Movement of Students

Any actions that prevent or delay scheduled transportation of students to and from an assigned school or that prevent students from entering or leaving school at scheduled hours.

1. Out-of-school suspension from school in accordance with the school's discipline plan.
2. Notification of the parents/guardians in accordance with out-of-school suspension procedures.

Intimidation

Any action that would create reasonable fear.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Kidnapping

Forcibly, secretly, or by threat confining, abducting, or imprisoning another person against his or her will and without lawful authority.

1. Notification of the appropriate law enforcement agency.
2. Out-of-school suspension for a period of ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period up to the remainder of the present school year and one (1) additional year through expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.
4. Notification of parent/guardian of victim.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle that occurs on School Board property or at a school-sponsored event or of a school bus, or other vehicle owned by the School Board.

1. Notification of the appropriate law enforcement agency.
2. Out-of-school suspension for a period of ten (10) days and for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period of one (1) calendar year through expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Possession

Any student who has any item on his/her person, within their personal effects, or within any vehicle in which he or she has arrived on School Board property or at a school sponsored activity on property other than School Board property shall be considered to be in possession of such item.

1. A determination shall be made as to the nature of the item the student has been found to be in possession or have had in possession.
2. Any disciplinary action resulting from a student's possession of an item as defined in this Code shall be in accordance with the procedures as described in this Code.
3. Any disciplinary action resulting from a student's possession of an item not defined in this Code shall be in accordance with the discipline plan of the school which shall maintain consistency as to the degree of the infraction.

Profane, Obscene, Abusive Language or Gestures, Objects, Videos or Pictures

The use of profane, obscene, abusive language or gestures, or the possession of objects, videos or pictures which are disrespectful, offensive or socially unacceptable and which can or tend to disrupt the school environment, a school function, or extracurricular/co-curricular activities. This includes the taking and /or sending, of inappropriate or offensive images or texts using electronic devices as well as being in the possession of inappropriate images or texts. Engaging in the use of electronic devices in this manner may result in law enforcement being notified.

1. Discipline student in accordance with the school's discipline plan.
2. Notification of appropriate law enforcement agency as appropriate.
3. Notification of parents/guardians of discipline.

Reasonable Suspicion

Suspicion when coupled with supporting information or evidence.

1. May be used for evidence for disciplinary action.
2. Use applies only to school officials and not to law enforcement agents.

Robbery

The taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or putting the victim in fear.

1. Notification of the appropriate law enforcement agency.
2. Out-of-school suspension of the student for ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and alternative placement or expulsion.

Sexual Battery

The attempted or actual forcible penetration.

1. Notification of the appropriate law enforcement agency.
2. Out-of-school suspension of the student for ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through expulsion for at least one (1) calendar year.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and expulsion.

Sexual Misconduct

Minor misconduct of a sexual nature that does not constitute an offense as serious as sexual battery, sexual harassment, or sexual offense as defined in this document.

1. Out-of-school suspension for one (1) to ten (10) days as determined by school officials.
2. Notification of parent/guardian of out-of-school suspension in accordance with procedures for out-of-school suspension.

Sexual Offense

"Sexual contact without force or thrust of force when the victim is capable of giving consent. It may also include but not be limited to exposing an individual to lewd, sexual behavior or action."

1. Notification of appropriate law enforcement agency.
2. Discipline action of out-of-school suspension and up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through expulsion as determined by the school officials.
3. Notification of the parent/guardian in accordance with appropriate procedures.

Stealing

The unlawful taking or concealing the property of another person without threat, violence, or bodily harm, with intent to prevent or deprive the rightful owner of its use value less than \$300.

1. Discipline according to the school's discipline plan up to and including out-of-school suspension.
2. Notification of parents/guardians of discipline.

Substance Abuse

The use of any drug or substance when such is unlawful and use of any drug or substance when such use is detrimental to the user or to others but is not unlawful.

Tardiness

A tardy is the absence of any student at the time attendance is taken provided the student is in attendance before the end of class. (See "Attendance" for further information.)

1. Discipline student in accordance with the school's discipline plan.
2. Notification of parents/guardians of discipline.

Theft/Larceny

The unlawful taking, carrying, leading, riding away, or concealing the property of another person without threat, violence, or bodily harm with the intent to prevent or deprive the rightful owner of its use. Value of item \$300 or more.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension with discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
3. Notification of the parents/guardians in accordance with appropriate procedures.

Threat

See Assault/Threat

Tobacco Products: Possession/Smoking

*A student smoking, using smokeless tobacco, in possession of tobacco products, distributing or selling of tobacco products on school property, school buses, or in attendance at a school-sponsored activity will be subject to disciplinary action by the school. A person under the age of eighteen (18) who possesses tobacco products **on or off** school property is in violation of law and subject to a fine (or sixteen (16) hours of community service: available only for hardship cases) and required participation in an anti-tobacco program, if locally available. Driving privileges may also be suspended for repeat offenders or for those who fail to meet the sanctions imposed by the first offense.*

1. Notification of appropriate law enforcement agency which will make a determination whether or not to issue a civil citation for each offense. This citation will include any appropriate fines as determined by law.
2. Out-of-school suspension of the student for a period of one (1) day and the completion of a Santa Rosa County School District approved anti-tobacco course within five (5) calendar days for the first offense. Failure to complete the anti- tobacco course will result in two (2) additional days of out-of-school suspension and will count as the student's second tobacco product offense.
 - a. Elementary **school students only** for first offense:
Either in-school suspension of the student for a period of three (3) days or out-of-school suspension for a period of one (1) to three (3) days.
3. Out-of-school suspension of the student for a period of three (3) days for a second offense.
4. Out-of-school suspension of the student for a period of up to five to ten (5-10) days the third and subsequent offenses.
5. Notification of parents/guardians of out-of-school suspension in accordance with out-of-school suspension procedures.

Subsequent infractions of this statute and policy may result in the expulsion of the student.

Tobacco Products: Facsimile

A student in possession or using a facsimile tobacco product /item including but not limited to electronic cigarettes, tobacco free snuff, herbal tobacco-like products or nicotine/tobacco cessation products.

1. Discipline according to the school's discipline plan up to and including out-of-school suspension.
2. Notification of parents/guardians of discipline.

Trespassing

To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension, expulsion, or alternative placement in lieu of expulsion.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension from school in accordance with the school's discipline plan.
3. Notification of the parents/guardians in accordance with out-of-school suspension procedures.

Truancy

The absence of a student without excuse.

1. Discipline student in accordance with school discipline plan.
2. Student may not be suspended out-of-school for truancy.
3. Notification of parents/guardians of discipline.

Unauthorized Access or Use of Electronic Devices and Instruments:

Includes, but is not limited to, unauthorized access to, modification of, use of, creation or destruction of computer-stored data and programs and the inappropriate use of electronic devices and instruments.

1. Discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials with consideration for cost of repair or replacement of damaged item(s).
2. Notification of parents/guardians of discipline.

Unauthorized Use of Media Devices

Unauthorized photography, audio or video taping of activities/ behaviors/ events occurring on School Board property that violate Santa Rosa County School Board Policy during the school day or at school sponsored activities. This includes possessing and/or maintaining the unauthorized images or audio on a device, sending the unauthorized images electronically or posting the images/video to any web/ internet site(s).

1. Notification of appropriate law enforcement agency if necessary.
2. Required for removal of unauthorized images/audio/video from device and/or web/internet site(s).
3. Discipline of a student up to and including out-of-school suspension for a period up to five (5) days for a first offense. Device may be confiscated or possession prohibited on school campus for a period of time.
4. For subsequent acts, out-of-school suspension of the student for a period up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
5. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of-school suspension and alternative placement or expulsion.

Vandalism

The unlawful and/or malicious destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it; the amount of damage \$1,000 or more.

1. Notification of appropriate law enforcement agency.
2. Discipline up to and including a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program through alternative placement or expulsion as determined by the school officials.
3. Notification of parent/guardians in accordance with appropriate procedures.

a. If damaged property is personal property, notification of the

victim's parents/guardians.

- b. If damaged property is School Board property, damages are to be assessed by School Board employees and reported to the student and his/her parent/guardian with notification of responsibility for restitution to the School Board, if applicable.

Weapons (Firearms)

The possession of any firearm (loaded or unloaded, operable or inoperable, replica or facsimile) including, but not limited to, a pistol, rifle, shot gun, zip gun, BB gun, starter gun, explosive propellant, or destructive device.

(Firearms): Possession

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for ten (10) days and recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period of at least one (1) calendar year through expulsion.
3. Notification of parents/guardians of out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with procedures for out-of school suspension and expulsion.

Weapons (Other)

Common Pocket Knives/Box Cutters/Razor Blades

A common pocket knife is defined as a pocket knife with a blade no longer than 3 ¾ inches long. While a common pocket knife, or a box cutter, or a razor blade is not considered a weapon for purposes of expulsion unless used as such, it is not permissible for a student to possess these items on a school campus, at a school-sponsored activity, or on school transportation. Any student found to be in possession of a common pocket knife, or box cutter or razor blade which is NOT displayed or coupled with threat, intimidation, and/or reasonable suspicion for use is subject to the following disciplinary action:

1. Out-of-school suspension for up to ten (10) days. Parent/guardian will be notified in accordance with appropriate procedures. The appropriate law enforcement agency will be notified.
2. If possession is coupled with evidence or suspicion of use for self harm, the student will be suspended for up to ten (10) days. A threat assessment will be initiated and completed prior to consideration of returning to a school campus.

Weapons (Other): Possession and/or Use

Any instrument or object that could be deliberately used to inflict harm, or intimidate any person including, but not limited to, knives (except common pocket knives, plastic knife, or blunt-bladed table knife), razor blades, any dirk, metallic knuckles, slingshot, billie, tear gas gun, chemical weapon or device, electric weapons or devices including stun guns, destructive devices or other deadly weapons, or any other object being used as a weapon; possession of a weapon at a school-sponsored event, on school property, on a school bus, or at a school bus stop is punishable as a third degree felony.

1. Notification of appropriate law enforcement agency.
2. Out-of-school suspension of the student for ten (10) days and a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period of at least one (1) calendar year through expulsion.
3. Notification of parents/guardians of the out-of-school suspension and recommendation for a Disciplinary Hearing in accordance with appropriate procedures for out-of-school suspension and expulsion.

STUDENT CONDUCT PROCEDURES

DISCIPLINE ALTERNATIVES

This list of options is provided to suggest some of the possible actions which may be taken in response to student misconduct. An administrator may select options as is deemed necessary, except when specific actions are required by Board Policy, State Board Rule and/or Florida Statute.

- **Alternative Programs:** A student may be assigned to or offered the opportunity to participate in alternative programs available if, in the opinion of school officials, such assignment would benefit the student. A student with a disability should be referred to the IEP team to determine appropriate services and placement.
- **Behavioral Contract:** A behavioral contract between a student and appropriate school personnel may define expected behaviors, conditions, and consequences.
- **Behavioral Intervention Plans:** A Behavioral Intervention Plan (BIP) is a written, specific, and purposeful plan which describes behavioral interventions and other strategies that will be implemented to reduce and/or prevent targeted misbehaviors and reinforce appropriate replacement behaviors. An individual BIP will be developed for a student with a disability if the student's behavioral difficulties significantly interfere with the ability to benefit from his/her education and education of others. Prior to initiation of a BIP, a Functional Behavior Assessment (FBA) must be completed and assessment information used to develop the BIP. The Behavior Intervention Plan (BIP) must be noted on the current IEP. If a student with a disability has an individual Behavior Intervention Plan (BIP), then the BIP supersedes the *Student Code of Conduct* and the student will be disciplined in accordance with the procedures delineated in his/her Behavior Intervention Plan. By the 10th day of Out Of School Suspension, a student with an IEP/or 504 Plan must have a Manifestation Determination Hearing. Manifestation Hearing members will consist of LEA representative, ESE teacher, General Education teacher, Administrator, parent, and student. Students with an IEP/504 Plan may not be suspended greater than 10 days without educational services based on the IEP.
- **Conferences:** Conferences between/among any combination of student, teachers, parent/guardian, and administrator may be held to discuss student conduct and/or problems. Such conferences consider alternatives available and seek to determine a Plan of action which will be most beneficial to the student.
- **Counseling:** If, in the opinion of school officials, a student would benefit from counseling by a school psychologist, social worker, guidance counselor, or an outside agency, such counseling shall be arranged.
- **Referrals:** If, in the opinion of school officials, a student would benefit from services provided by a school or outside agency, such referrals shall be made.
- **Other:** Other alternatives may be used as deemed appropriate by the school administration.

DISCIPLINARY ACTIONS AND PROCEDURES

This list of options is provided for possible actions in response to student misconduct. The Principal or designee may or may not consider alternatives to discipline depending on the nature of the misconduct and the maintenance of consistency within the school's disciplinary actions.

- **Restriction**

- A. **Definition:** Restriction is the withdrawal of specific non-academic privileges of a student to participate in school-sponsored activities.
- B. **Conditions:**
 - 1. A student shall not be restricted from any activity for which the student has an opportunity to earn a grade or credit.
 - 2. The specific privilege(s) to be restricted should be associated with the misconduct to the extent feasible.
 - 3. The duration of the restriction shall be commensurate with the degree of the misconduct.
- C. **Procedures:**
 - 1. Teachers may impose restrictions on students within the realm of classroom privileges without a discipline referral.
 - 2. The Principal or designee may restrict a student from specific non-academic privileges to participate in school-sponsored activities after hearing the student's defense and/or explanation of his/her conduct and giving the student an explanation of the reasons for and the conditions of the restriction.

- **Detention**

- A. **Definition:** Detention is the confinement of a student for a specified amount of time to be served under the supervision of school officials.
- B. **Conditions:**
 - 1. **Lunch Detention** may consist of a period of time spent in academic study and isolation from social interaction and/or work assignments related to the upkeep and maintenance of school facilities during his/her lunch period in which the student will also be afforded the opportunity of lunch. The amount of time assigned for lunch detention on any one day shall not exceed the student's normal lunch period.
 - 2. **After School Detention** may consist of time spent after the regular school day on academic study and/or work assignments related to the upkeep and maintenance of school facilities. Parents shall be responsible for the student's transportation.
 - 3. **Saturday Detention** may consist of time spent on Saturday on academic study and/or work assignments related to the upkeep and maintenance of school facilities. The amount of time assigned to one (1) day of Saturday detention shall not exceed four (4) hours. Parents shall be responsible for the student's transportation.
- C. **Procedures:**
 - 1. The Principal or designee may assign a student to detention on the basis of a discipline referral after hearing the student's defense and/or explanation of his/her conduct and giving the student an explanation of the reasons for and the conditions of the restriction.
 - 2. A student who fails to appear for the assigned detention may be assigned an additional amount of detention time or may be assigned a higher level of discipline.

- **Corporal Punishment**

- A. **Definition:** The moderate use of physical force or physical contact by a Principal or Assistant Principal, may be necessary to maintain discipline or to enforce rules. We believe that corporal punishment is a viable alternative in maintaining discipline in a school setting. **If a parent or guardian objects to the use of corporal punishment for their child, then it is the responsibility of that parent or guardian to notify the school in writing each school year of that objection. A parent must request in each instance for corporal punishment to be administered. However, the school administrator reserves the right not to use corporal punishment as a disciplinary intervention.** For a student with a disability, the teacher or administrator should refer to the Individual Education Plan, 504 Plan and/or the Positive Behavior Intervention Plan (PBIP) for contra indicators regarding the use of Corporal

Punishment. The development of individualized positive behavior interventions/supports should be included in the above noted plans. Special consideration should also be given to students with active involvement with the Department of Children and Families or mental health issues.

B. Conditions:

1. The use of corporal punishment shall be approved in principle by the Principal or designee before it is used in accordance with Florida law.
2. The Principal shall prepare guidelines for administering such punishment which identify the types of punishable offenses, the conditions under which the punishment shall be administered, and the specific personnel on the school staff authorized to administer the punishment. Principals will submit their guidelines to Directors of Elementary, Middle School and High School Education for review, not for approval.
3. Corporal punishment for students shall be limited to the following:
 - a. Grades **K-3** - two strokes or less
 - b. Grades **4-6** - three strokes or less
 - c. Grades **7-12** - four strokes or less
 - d. One instance of corporal punishment during the school day.
4. Paddles must be made of wood (not plywood), no more than nineteen (19) inches long, not more than 3/8 inch thick, nor more than four (4) inches wide. It must be smooth with no sharp edges. A handle must be provided just large enough for a normal one-hand grip.

C. Procedures:

1. An Assistant Principal or Principal may administer corporal punishment only in the presence of another adult who is a teacher, Assistant Principal or Principal and who is informed beforehand and in the student's presence of the reason for the punishment.
2. Corporal punishment shall not be unduly severe or degrading in its nature and shall not be administered in the presence of other students or adults not involved in the handling of the incident.
3. Under no circumstances shall a student be struck indiscriminately on the body. The punishment shall be administered to the posterior, making every effort to avoid striking the body above or below the buttocks.
4. Parents will be notified in writing when corporal punishment has been administered to their child. An Assistant Principal or Principal who has administered punishment shall, upon request, provide the pupil's parents or guardian with a written explanation of the reason for the punishment and the name of the adult witness/witnesses present.

• **In-School Suspension**

A. **Definition:** In-school suspension is a discipline program established as an alternative to out-of-school suspension.

B. Conditions:

1. Any school center that has an in-school suspension program established in accordance with the District's guidelines may place students in in-school suspension.
2. The parent/guardian must be notified of the placement of a student in in-school suspension.
3. All criteria for student eligibility and the instructional program are subject to the requirements of the District's guidelines.
4. Schools shall not use continuous or multiple in-school suspensions to exclude a student with a disability from educational services. Services must be adhered to as outlined in the student's Individual Education Plan or 504 Accommodation Plan.

C. **Procedures:**

1. The Principal or designee may assign a student to an in-school suspension program on the basis of a discipline referral after hearing the student's defense and/or explanation of his/her conduct and giving the student an explanation of the reasons for and conditions of the in-school suspension.
2. A student who fails to appear for in-school suspension may be assigned an additional amount of in-school suspension or be assigned a higher level of discipline which may include out-of-school suspension.

• **Out-of-School Suspension**

A. **Definition:** Out-of-school suspension is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the Principal or the Principal's designees, 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 for the student to complete. Homework assignments given will be due on the day the student returns to school.

B. **Conditions:**

1. No student shall be given an out-of-school suspension for absences, truancy, or cutting classes.
2. A good faith effort shall be made by the Principal or his/her designated representative to employ parental assistance or other alternative measures prior to out-of-school suspension, except in the case of emergency or disruptive conditions which require immediate removal of the student from the school environment. Parents will be strongly encouraged to schedule a conference with school personnel before their suspended child returns to school.
3. Schools shall not use continuous or multiple out-of-school suspensions to exclude a student with a disability from educational services since the major purpose of disciplinary action is to bring about positive student behavior within the school setting--not exclusion from that setting.
4. A student with a disability who has an Individual Education Plan (IEP) or a Section 504 Plan shall not receive out-of-school suspension (OSS) for more than ten (10) cumulative days within a school year- without provision of educational services. By the 10th day of OSS, Manifestation Determination must be conducted by the IEP team. After the manifestation determination the IEP team will review the student's current IEP to initiate behavioral interventions, a functional behavior assessment, a behavior intervention plan, and/or appropriate educational placement.
5. Students suspended must be under adult supervision during school hours for the duration of their suspension. Suspended students are subject to the "Truancy Pick-Up Program" Law enforcement-officers will pick up any student not in school during regular school hours who is not under adult supervision and transport him or her to an off-campus site. Parents will be contacted to pick up their child immediately. Parents will follow the imposed sanctions. The school site will be notified.
6. Students who are suspended out-of-school pending a disciplinary hearing will remain on out-of-school until the disciplinary hearing process has been finalized.

C. **Procedures:**

1. The Principal or designee must attempt to inform the student's parents by telephone of a student's suspension and the reasons for the suspension prior to the suspension of the student.
2. After the parent has been notified or an attempt made at such notification, and after hearing the student's defense or explanation of his/her conduct and explaining the reasons for the suspension and the conditions, the Principal or his/her designated representative may suspend a student from the school program or the school bus.
3. Each out-of-school suspension shall be reported in writing by mail or delivered in person by a staff member within twenty-four (24) hours with the reasons for the suspension, the dates involved, and any conditions to the student's parent or guardian. A copy should also be sent via the courier service within twenty four (24)

hours to the Superintendent, and the appropriate Director of Elementary, Middle or High School Education.

4. The letter of notification to parents/guardians will include the requirements for adult supervision during the suspension.

- **Alternative Placement/Expulsion With Continuing Educational Services**

- A. **Definition:** Alternative Placement or Expulsion with Continuing Educational Services is the removal of the right of the student to attend the regular school program at a District public school for a period of time with educational services provided at an alternative site in lieu of expulsion without continuing educational services. The alternative placement should not exceed the remainder of the current school year and one (1) additional year of attendance.
- B. **Conditions:**
 1. The Principal or his/her designated representative may recommend to the Superintendent that a Disciplinary Hearing be conducted regarding the removal of a student from the regular school program when a student has committed a serious breach of conduct.
 2. Alternative Placement of a **student with an identified disability** who has an active IEP or Section 504 Plan, constitutes a change in educational placement. The following procedures shall be followed:
 - a. If a Principal determines that a student with a disability has engaged in a behavior that warrants alternative placement or expulsion (a disciplinary hearing), he/she shall contact the Director of Exceptional Education and request an Individual Education Plan (IEP)/Section 504 Accommodation Plan meeting be conducted. The meeting shall be held to make a manifestation determination and if determined by the IEP Team a Functional Behavior Assessment (FBA) and/or Behavioral Intervention Plan (BIP) may be developed.
 - b. If the team determines that the student's misconduct **is** a manifestation of the student's disability, a review of the student's IEP/Section 504 Accommodation Plan shall be conducted and an appropriate alternative implemented. A guardian/student may request a recommendation to the Disciplinary Hearing Committee for a due process hearing regardless of the manifestation decision.
 - c. If the misconduct **is not** a manifestation of the student's disability, then the student will be recommended to the Disciplinary Hearing Committee for a due process hearing. Exceptional students may be recommended for removal from the regular school with the continued provision of services in accordance with the student's IEP. A student identified disabled under Section 504 shall be afforded disciplinary action to the same extent that such disciplinary action is taken against non-disabled students.
 - d. Schools can recommend placement in an alternative education setting for up to 45 school days for students with a disability, irrespective of the manifestation determination decision (i.e., even if the offense is determined to be related to the disability) if the child engages in the following behaviors:
 1. carries or possesses a weapon to or at school, on school premises, or to or at a school function;
 2. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function.
 3. has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

According to 34 CFR 300.530(i)(3), the term "serious bodily injury" is defined as:

- a substantial risk of death
- extreme physical pain
- protracted and obvious disfigurement
- protracted loss or impairment of the function of a bodily member, organ or mental faculty

Within the 45 school day placement, an IEP review will be conducted to determine continuation of services in an alternative education setting or the return to placement in the former school setting. Placement will be recommended based upon the outcome of the earlier manifestation determination and, if appropriate, recommendation of the Disciplinary Hearing Committee.

C. Procedures:

1. The Principal or his/her designated representative shall conduct an investigation into the charges and shall obtain a written and signed statement from any witness immediately after the incident.
2. The Principal or his/her designated representative shall hear and consider the student's defense and/or explanation of his/her conduct before making any decision and if removal is appropriate, shall explain to the student the reasons for recommending removal from the school.
3. A written notice of the recommendation for a Disciplinary Hearing, including a detailed report of alternative measures taken prior to the recommendation, shall be sent by mail to the parent/guardian as well as an attempt to contact the parent/guardian via telephone. A written copy of the notice and report shall be sent to the Superintendent and the appropriate Grade Level Director. The requested length of removal of the student from the regular school program shall be included in the written notice and shall not exceed the remainder of the current school year and one (1) additional year.
4. A Disciplinary Hearing Committee consisting of a minimum of four (4) of the following: the Director of Elementary Education, the Director of Middle School Education, the Director of High School Education (in the absence of the Director, a district grade level representative may be present for the previous three), the Director of Work Force Education, the Assistant Superintendent of Curriculum and Instruction, the Director of Alternative Education, a representative of Student Services, and a representative of the district's Exceptional Student Education staff will review each recommendation in a due process hearing, and the student has the right to:
 - a. appear with counsel.
 - b. confront and cross-examine.
 - c. be heard by an impartial tribunal.
 - d. receive a CD of the proceedings.
 - e. appeal.
5. The Disciplinary Hearing Committee will hear all pertinent information relating to the recommendation for the student's removal from school. The committee may then make a recommendation to the Superintendent for the expulsion of the student or a recommendation for an alternative placement. Any member of the committee who has participated in the investigation shall abstain from voting on the recommendation, but may otherwise participate in the hearing.
6. If the Disciplinary Hearing Committee's recommendation is for alternative placement or expulsion with continuing educational services, the Superintendent will notify the parent/guardian by mail for continued education services in an alternative program. A form will be provided for the parent/guardian and student to accept the educational services offered, indicate other educational services the parent/guardian will provide through home education or non-public school or request the action proceed to a hearing before the School Board.
7. A student who has been given an alternative placement or expulsion with continuing educational services is not allowed on any School Board property without prior

permission from the school's administration. Violation will be considered trespassing. Seniors who are alternatively placed or expelled during the second semester/term of their senior year will not be allowed to participate in graduation activities.

- **Expulsion Without Continuing Educational Services**

A. **Definition:** Expulsion is 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 School Board not to exceed the remainder of the school year and one (1) additional year of attendance.

B. **Conditions:**

1. The Principal or his/her designated representative may recommend to the Superintendent that a Disciplinary Hearing be conducted regarding the removal of a student from the regular school program when a student has committed a serious breach of conduct.
2. Expulsion/alternative placement of a **student with a disability and Individual Education Plan** constitutes a change in educational placement, not an exclusion from educational services. A free appropriate public education must be available to all disabled children with an Individual Education Plan residing in the state between the ages of three (3) and 21, including children with disabilities who have been suspended or expelled. Services do not have to replicate all of the services and instruction a student would have received had he/she stayed in school. Procedures will follow those outlined in "Alternate Placement/ Expulsion with Continuing Educational Services" regarding students with an identified disability.

C. **Procedures:**

1. The Principal or a designated representative shall conduct an investigation into the charges and shall obtain a written and signed statement from any witness immediately after the incident.
2. The Principal or a designated representative shall hear and consider the student's defense and/or explanation of his/her conduct before making a final decision, and if removal is appropriate, shall explain to the student the reasons for recommending removal from school.
3. A written notice of the recommendation for a Disciplinary Hearing, including a detailed report of alternative measures taken prior to the recommendation, shall be sent by mail to the parent/guardian as well as an attempt to notify the parent/guardian via telephone. A written copy of the notification will be sent to the Superintendent and the appropriate Grade Level Director. The requested length of removal of the student from the regular school program shall be included in the written notice and shall not exceed the remainder of the current school year and one (1) additional year.
4. A Disciplinary Hearing Committee consisting of a minimum of four (4) of the following: the Director of Elementary Education, the Director of Middle School Education, the Director of High School Education (in the absence of the Director, a district grade level representative may be present for the previous three), the Director of Work Force Education, the Assistant Superintendent of Curriculum and Instruction, the Director of Alternative Education, a representative of Student Services, and a representative of the district's Exceptional Student Education staff will review each recommendation in a due process hearing, and the student has the right to:
 - a. appear with counsel.
 - b. confront and cross examine.
 - c. be heard by an impartial tribunal.
 - d. receive a CD of the proceedings.
 - e. appeal.

5. The Disciplinary Hearing Committee will hear all pertinent information relating to the recommendation for the student's removal from school. The committee may then make a recommendation to the Superintendent for the expulsion of the student. Any member of the committee who has participated in the investigation shall abstain from voting on the recommendation, but may otherwise participate in the hearing.
6. If the Disciplinary Hearing Committee's recommendation is for a student's expulsion, the Superintendent will notify the parent/guardian by mail of the specified date and place of the School Board meeting and the scheduled time of the expulsion hearing to act on the Superintendent's recommendation.
7. A student who has been expelled/alternatively placed is not allowed on any School Board property without prior permission from the school's administration. Violation will be considered trespassing.

EARLY TERMINATION OF ALTERNATIVE PLACEMENT

- A. **Definition:** Reduction of the number of days a student has been alternatively placed through School Board action.
- B. **Conditions:** The student must remain alternatively placed for a period no less than the remainder of the grading period in which the offense occurred plus one additional grading period. The school board must approve the action to return the student to the school site. Approval of an Early Termination of Alternative Placement is contingent upon criteria set forth in the "Procedures" section.
- C. **Procedures:** To be considered for Early Termination the following procedures must be followed
 1. If the student is enrolled at the Learning Academy of Santa Rosa, the district will request a report evaluating the student in three areas: Attendance, Behavior, and Grades.
 2. The student must receive a good evaluation in all three areas (attendance, behavior and grades).
 3. The student must also have the Director of the Learning Academy recommend an early termination for the student's placement.
 4. In addition, the student must not have any arrests, charges, or pending court action.
 5. In addition, the principal of the school in which the offense occurred must agree to allow a recommendation of early termination as well as allow the student to return to the school. If the student has moved or has matriculated to another school (due to promotional requirements), the principal of the school in which the offense occurred as well as the receiving school's principal must both agree to an early termination recommendation.
 6. Once the principal (s) have agreed to an early termination based upon the student's evaluation then the grade level director will petition the School Board for an Early Termination of Alternative Placement for the student.
 7. If the student is not enrolled in the Learning Academy then it is incumbent upon the parent/guardian of the student to provide the Grade Level Director the following information for consideration of an early termination: transcript of grades, letter of character reference from a non-family member, and a letter of apology from the student regarding his/her offense and future actions. The principal of the school in which the offense occurred and the principal of the receiving school (if different) must agree to consideration of early termination as well as receiving the student into the school. Once the principal (s) have agreed to an early termination based upon the student's evaluation then the grade level director will petition the School Board for an Early Termination of Alternative Placement for the student.
 8. If the student receives an Early Termination of Alternative Placement from the School Board, the student and parents must meet with the Principal or his/her designee to enact a contract for the student's return to the school.
 9. Depending on the date a student receives an early termination, the school may recommend a delay in returning to the school due to the school calendar and what is academically in the best interest of the student.

10. If a student does not meet the terms of the contract, the school may return the student to the Learning Academy (or other parent choice educational option) for the duration of the original year of Alternative Placement.

FELONY OR FELONY ACT

- A. **Definition:** Felony acts are any delinquent acts which would be a felony if committed by an adult.
- B. **Conditions:** Any student who commits a felony act on public school property or property other than public school property and if, in the opinion of the school administrator, the student's attendance at school will have an adverse impact on the educational program, discipline, or welfare of the school in which the student is enrolled, the student's right and obligation to attend school may be temporarily or permanently removed.
- C. **Procedures:**
1. **Arrested:** Any student who is arrested for a felony act may be suspended from school for a period not to exceed ten (10) days if, in the opinion of the school administrator, the student's attendance would adversely impact the school. Such suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in a daytime or evening alternative educational program. A student with a disability or a Section 504 Plan who has been suspended from school for a total of ten (10) school days must be afforded a manifestation determination hearing prior to the culmination of the ten (10) day period. The IEP committee, including the student and his/her parents, will determine which services are needed to provide a free, appropriate public education in order to progress in the general curriculum and achieve his or her IEP goals and objectives.
 2. **Charged:** Any student who is formally charged with a felony act may be suspended from school indefinitely or have his or her suspension to continue until the determination of guilt or innocence or until the charges are dismissed if, in the opinion of the school administrator, the student's attendance would adversely impact the school. Such suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in a daytime or evening alternative educational program. A student with a disability or a Section 504 Plan who has been suspended from school for a total of ten (10) school days must be afforded a Manifestation Determination Hearing prior to the culmination of the ten (10) day period. The IEP committee, including the student and his or her parent/guardian, will determine which services are needed to provide a free, appropriate public education in order to progress in the general curriculum and achieve his or her IEP goals and objectives.
 3. **Conviction of a Felony:** Any student who has been charged and found guilty of a felony will be afforded a hearing with parent/guardian present to determine whether the student's continued attendance will adversely impact the school; the hearing may result in continuance or expulsion.
 4. **Adjudicated Delinquent:** Any student who has been adjudicated delinquent for committing a felony act will be afforded a hearing with parent/guardian present to determine whether the student's continued attendance will adversely impact the school; the hearing may result in continuance or expulsion.
 5. **Adjudication Withheld:** Any student who has had adjudication withheld for committing a felony act will be afforded a hearing with parent/guardian present to determine whether the student's continued attendance will adversely impact the school; the hearing may result in continuance or expulsion. A hearing must be held prior to a recommendation for expulsion.

**D. Extra-Curricular Activities:
Procedures:**

1. **Arrested:** Any student who is arrested for a felony act may be suspended from participation in extra-curricular activities if, in the opinion of the school administrator, the student's continued participation in extra-curricular activities would adversely impact the school.
2. Any student who has been **charged**, (per accompanying documentation from the state attorney's office), will not be eligible nor permitted to publicly represent the school or the School District in any extra-curricular activity until a court rendering.
3. Any student who has been **convicted of a felony, adjudicated delinquent or had adjudication withheld** will not be eligible nor permitted to publicly represent the school or the School District in any extra-curricular activity for the balance of the school year.
4. A report of an alleged violation of this standard of conduct shall be submitted to the principal or designee for investigation. If the principal or designee determines that a violation has occurred, the student and his parent or legal guardians shall be notified in writing of the suspension from school sponsored extracurricular activities.

SECURED SECLUSION/ RESTRAINT

Through legislative reviews and continual safety, Florida State Legislation has approved the need for all restraint and secured seclusion procedures to be performed:

Section 393.067, Section 393.13, Section 1004.55, Section 1003.573, Section 1012.582

Definitions:

The Office of Civil Rights (OCR) now requires that the Department report all instances of restraint and seclusion for all students (not just those with disabilities). In order to meet this requirement, three elements were added to the automated student database using the definitions issued by OCR. To remain consistent, the same definitions will be used for the web reporting of restraint/seclusion incident reporting of students with disabilities. The definitions included in the database are as follows:

Mechanical Restraint: The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel or devices utilized by a student that have been prescribed by an appropriate medical or related service professional and are used for the specific and approved purposes for which such devices were designed, such as:

- Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle
- Restraints for medical immobilization
- Orthopedically prescribed devices that permit a student to participate in activities without risk of harm

Physical Restraint: A personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

Seclusion: The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

These definitions may also be found on the Department of Education website at http://www.fldoe.org/eias/dataweb/database_1011/st81_1.pdf.

Procedures:

Teacher and Administration Responsibility

1. Teacher will have the form ***Parental Notification of the Use of Secured Seclusion and/or Restraint*** (Attachment 1) signed by a parent for any student who has exhibited aggressive behaviors toward themselves or others. This student will have a Behavior Intervention Plan (BIP) in place. **Forms can also be found on:**
http://www.santarosa.k12.fl.us/ese2/P2_Resources1/Resources1_Home.html
2. Once a student has initiated harm to himself or others and all non-violent intervention and de-escalation techniques have been exhausted, a person certified in Non-Violent Crisis Intervention (CPI) will initiate secured seclusion and/or restraint.
3. When secured seclusion/restraint is initiated, there will be at least one other adult to assist with the seclusion/restraint and/or documentation of duration of incident, personnel involved in the incident, anecdotal records of the incident, etc. When possible, school administration should be called immediately upon the use of secured seclusion/restraint.
4. Once the secured seclusion/restraint incident has ended, the supervising teacher will notify the school administration immediately (unless this has been done in Step 3) and will brief administration on the situation using the form ***Preventive Strategies Utilized before Secured Seclusion and Restraint*** (Attachment 2). **Forms can also be found on:**
http://www.santarosa.k12.fl.us/ese2/P2_Resources1/Resources1_Home.html
5. By the end of the day of the incident, administration will complete the ***Parent Written Notice for the Use of Secured Seclusion and/or Restraint*** form. Administration will then make at least two attempts to notify parent, through email and/or phone, regarding the use of seclusion/restraint. Administration will also ensure that the form is sent home with the student at the end of the day. Parent signature must be obtained and the signed form returned to the school. **Forms can also be found on:** http://www.santarosa.k12.fl.us/ese2/P2_Resources1/Resources1_Home.html
6. If the signed ***Written Notice*** form (Attachment 3) is not returned, the administrator will send a 2nd copy through certified mail and/or by a school social worker for signature. All attempts will be documented on the form.
7. Within 24 hours, supervising teacher will complete the electronic version of the form ***Santa Rosa District Incident Report for Secured Seclusion and/or Restraint*** (Attachment 4) and send it via email to the supervising school administrator. NOTE: Best practice for documenting the Restraint and Secured Seclusion for Santa Rosa County incident would be that the document is completed by the end of the workday to ensure that all facts of the incident are recorded accurately. **Forms can also be found on:** http://www.santarosa.k12.fl.us/ese2/P2_Resources1/Resources1_Home.html
8. Within 24 hours of receiving the teacher's report, supervising school administrator will review for accuracy and completeness. Information will then be transferred from the Santa Rosa County District ***Incident Report*** form (Attachment 4) to the state's Secured Seclusion and Restraint database and **SAVED AS DRAFT by the administrator**. Website can be found at:
<https://app1.fldoe.org/ESE/RestraintSeclusionIncident/Default.aspx>
9. Once state report has been completed and saved as a draft, supervising school administrator will immediately contact Santa Rosa County District ESE Program Facilitator for Behavior via email.
10. Within 24 hours of receipt, Santa Rosa County District ESE Program Facilitator for Behavior will email confirmation of receipt and indicate any changes/additions needed.
11. The supervising school administrator will review and print the state report. The report will be mailed to the parent of the student within three days of the incident.
12. Parent will sign and return the ***Incident Report*** form (Attachment 4). All signed incident reports will be placed within the cumulative file on the left side of the ESE or Section 504 folder.
13. If the signed ***Incident Report*** form (Attachment 4) is not returned, the administrator will send a

2nd copy through certified mail and/or by a school social worker for signature. All attempts will be documented on the form.

COMPLAINT/GRIEVANCE PROCEDURE

(School Related Problems not Connected to Suspension or Expulsion)

A student or parent/guardian on behalf of their minor child shall have the opportunity to question and register a complaint/grievance regarding a decision made by any school employee. The opportunity to question included decisions perceived by the student to be discriminatory on the basis of race, color, religion, gender, age, marital status, disability, political or religious beliefs, national or ethnic origin, or social and family background, regarding any phase of educational programs, activities, application of rules of behavior, sanctions, or treatment. This procedure may be used to file a formal complaint under the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title IX of the Educational Amendments of 1972, and McKinney-Vento Homeless Education. It is the aim of these procedures to settle a complaint/grievance at the lowest possible level. The following procedures shall be used to submit a complaint/grievance:

- A. **Informal:** If the student wishes to question a decision of any school employee, the student shall first request an appointment to discuss the issue with the employee concerned and/or a school site administrator at a time other than regular class time. The appointment shall be requested within sixty (60) calendar days of the incident of concern.
- B. **Formal:** If the student is not satisfied after discussing the issue with the employee and/or school site administrator, the student may submit an appeal in writing to the Principal of the school or the Assistant Superintendent of Curriculum and Instruction to review the matter. Such an appeal shall be submitted within ten (10) calendar days of the informal step described above.
 - 1. The Principal or Assistant Superintendent of Curriculum and Instruction shall investigate the problem and shall render a decision. Such investigation may include interviews with the student, at which the student may have parents/guardians or representation present. The decision shall be given to the student in writing within ten (10) calendar days of the written notice of appeal.
 - 2. If the student is not satisfied with the decision of the Principal or Assistant Superintendent of Curriculum and Instruction, the student may appeal the decision in writing to the Superintendent within five (5) school days of the decision. The Superintendent or designee must respond in writing within five (5) school days of receipt of the appeal.
 - A. If the student is not satisfied with the decision of the Superintendent within five (5) school days of the decision the student must notify the Superintendent of a request of an appeal hearing before the School Board. Scheduling of a hearing before the School Board will be in compliance with applicable School Board policies.
- C. **Further Possible Appeals:** If the individual filing the complaint is not satisfied with the decision of the School Board, a complaint may be filed with the Florida Department of Education. In addition, complaints alleging discrimination under the ADA, Section 504, or Title IX may be filed with the Office of Civil Rights, U.S. Department of Education, within 180 days of the alleged discrimination.

No student shall be retaliated against in any manner for filing a complaint/grievance regarding conduct which is believed to be in violation of District and/or school policy or for participating in an investigation of a possible violation of District and/or school policy. Confidentiality will be ensured to the greatest extent possible.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

MINOR I. DOE, et al.;
Plaintiffs,

v.

SCHOOL BOARD FOR SANTA
ROSA COUNTY, FLORIDA; et al.;

No.: 3:08-cv-361 MCR/CJK

Defendants.

FIRST AMENDED CONSENT DECREE AND ORDER

On August 27, 2008, Plaintiffs MINOR I DOE and MINOR II DOE filed a Complaint asserting claims pursuant to 42 U.S.C. §1983 against Defendants SCHOOL BOARD FOR SANTA ROSA COUNTY, FLORIDA ("School Board"), JOHN ROGERS, in his official capacity as Superintendent of the School District of Santa Rosa County, Florida (who has subsequently been replaced by Tim Wyrosdick) ("Superintendent"), and H. FRANK LAY, in his official capacity as Principal of Pace High School (who has subsequently been replaced by Bryan Stephen Shell) (collectively "Defendants"). The Defendants admitted liability for the claims in the Complaint and for the violations of the U.S. Constitution's Establishment Clause and the Florida Constitution's No-Aid Provision. To avoid further costly and protracted disputes, the parties agreed voluntarily to the original Consent Decree and Order entered on May 6, 2009, and now wish to agree, as indicated by the signatures below, to this First Amended Consent Decree and Order (hereinafter "Order").

The Court reviewed the claims as to which the Defendants have admitted liability and the terms of their agreement set out in this Order, which the parties have together reached. Other than this Court's rulings and findings made elsewhere regarding the original Consent Decree and those specifically made here regarding this Order, the Court does not here decide any new legal or factual dispute concerning the matters presented herein. In adopting this Consent Decree, the Court has ensured it comports with the U.S. Constitution, which prescribes the floor beneath which protections may not fall rather than a ceiling. Concluding that the terms of the parties' Agreement are appropriate under the circumstances presented and that the entry of this Order comports with federal constitutional law, the Court therefore

ORDERS, ADJUDGES, and DECREES as follows:

1. Some of the Defendants' District-wide policies, practices, and customs alleged in the Complaint violate the Establishment Clause of the First Amendment to the U.S. Constitution and the "No Aid" provision of the Florida Constitution. Some of the Defendants' policies, practices, and customs (a) endorse and promote religion and (b) have the purpose or effect of advancing religion.
2. The Consent Decree and Order entered on May 6, 2009, is hereby amended. This Order replaces that original Consent Decree and Order. The Court finds that, as it previously held with respect to original Consent Decree and Order, this Order is "plainly legitimate because it expressly applies to official capacity conduct and remedies admitted Establishment Clause" violations. *Doe v. School Board for Santa Rosa County*, 264 F.R.D. 670, 687 n. 31 (N.D. Fla. 2010).

Definitions

3. The following definitions shall apply to this Order. Inconstruing these definitions the singular shall include the plural and the plural shall include the singular:

(a) "Club" means a noncurricular student group recognized by the School District and that qualifies through the five, safe-haven provisions (20 U.S.C. §4071 (c)) for protection under the Equal Access Act.

(b) "Prayer" means a communication (written or audible) with a deity, including, but not limited to, a benediction, an invocation, the Lord's Prayer, or otherwise calling upon a deity to offer guidance, assistance, or a blessing.

Accordingly, "Prayer" does not include customary, polite expressions and greetings, including "God Bless You" or "Thank Heavens," or a student's religious expression responsive to a legitimate academic class assignment.

(c) "Religious Service" means a convocation for a religious purpose, including, but not limited to, baccalaureate, religious youth group meeting or event, church service, and Bible study.

(d) "Religious Title" means *Benediction, Invocation, Prayer, Blessing, Inspirational Message, Sermon, Devotional Pledge, Bible Reading, Devotion* or any other title that in any way relates to Prayer.

(e) "Religious Venue" means a property, facility, building, or place that is maintained and controlled by or for a religious body that is organized, in whole or in part, to sustain public worship.

(f) "School District" means the Santa Rosa County School District.

(g) "School Event" means any activity or happening (i) at a School Board facility or (ii) sponsored, conducted, or supervised by a School Official acting in his or her Official Capacity. It includes, but is not limited to, a graduation, grade-promotion ceremony, award program, induction ceremony, pep rally, competition, practice, performance, class instructional time, and a club meeting or event. However, each of the following activities is not a School Event:

(1) A student religious Club meeting or event, if all School Board employees and agents are only present at the meeting or event in a "nonparticipatory capacity," as used in the Equal Access Act;

(2) An activity at a School Board facility, if (i) it is outside the presence of School District students and (ii) no School Official acts in his or her Official Capacity; and

(3) An activity at a School Board facility that is used by a thirdparty (i) pursuant to a standard facility use agreement or (ii) the principal's advance written permission in accordance with School Board policy and that permission indicates the name of the responsible third-party user, the use period, facility to be used, purpose of use, and conditions of use. The foregoing third-party uses must (I) occur during the agreed use period, (II) be on terms of usage (including rent) that are consistent with the terms applicable to other third-party users, (III) not involve any School Official acting in his or her Official Capacity, and (IV) not take place during school hours. Until May 6, 2014, School Officials shall not permit third parties to use a school facility pursuant to a standard facility use agreement or principal's permission (A) during instructional time, (B) when the majority of school employees assigned to the subject school facility are contractually obligated to be present, or (C) during the transitional period before or after school when students are embarking or disembarking from school buses or private transportation. School Officials may supervise students between instructional time and the third-party use period if the supervision is neutral with respect to religion. (h) "School Official" means the Defendants and their officers, agents, affiliates, subsidiaries, servants, employees, successors, and all other persons or entities in active concert or privity or participation with them, but only to the extent such a person acts in his or her Official Capacity or is in active concert or privity or participation with the Defendants. Outside organizations that receive no support from the Defendants, do not receive remuneration of any kind from the Defendants, are not controlled by the Defendants, and are not given preferential treatment or access (e.g., to sell wares) by the Defendants are not School Officials, for example booster clubs when they satisfy these requirements.

(i) "Official Capacity": As the Court has previously made clear, "the plain language of the consent decree simply does not address the conduct of school employees in any context other than in their official capacity." *Doe v. School Board for Santa Rosa County*, 264 F.R.D. 670, 683 (N.D. Fla. 2010). A person acts in his or her "Official Capacity" when

(1) performing official duties or furthering the work of the School Board or

(2) acting under or with a power or authority granted by virtue of employment by or association with the School Board.

However, where the only power or authority the School Official exercises is the authority to be present at a School Board facility and the School Official is not interacting with or in the presence of a student, then the School Official is not in his or her Official Capacity by virtue of subsection (i)(2).

Equal Access Act

4. No provision in this Order is intended to supplant or alter the rights afforded student clubs by the Equal Access Act. School Officials shall comply with the Equal Access Act. 20 U.S.C. §4071 et seq.

Permanent Injunction

5. **Prayer at School Events**: School Officials are permanently enjoined from promoting, advancing, endorsing, participating in, or causing Prayers during or in conjunction with School Events for any school within the School District:

- (a) School Officials shall neither offer nor participate in a Prayer during or in conjunction with a School Event.
- (b) School Officials shall prohibit non-student third-parties (including clergy or other religious leaders) during or in conjunction with a School Event from offering a Prayer addressed to an audience as part of the event or program, soliciting a Prayer from anyone as part of the event or program, or promoting a religious belief to anyone as part of the event or program.
- (c) School Officials shall not include Prayer, whether or not it is noted in a printed program, during or in conjunction with a School Event. School Officials shall not give authorization to a group of students, a student body (e.g., through an election), or third parties to include Prayer, whether or not it is noted in a printed program, during or in conjunction with a School Event.
- (d) School Officials shall not encourage, solicit, or invite any person, either implicitly or explicitly, to deliver or offer a Prayer during or in conjunction with a School Event. School Officials shall not set aside a time for Prayer during or in conjunction with a School Event.
- (e) If a School Official elects to review or may by policy review the content of a student's or any other person's planned address during or in conjunction with a School Event, then School Officials shall prohibit the person making the address from offering a Prayer.
- (f) School Officials shall prohibit any segment of a School Event from having a Religious Title. School Officials shall not give any segment of a School Event a Religious Title. School Officials shall not permit students, student groups, or third parties to give a segment of a School Event a Religious Title.
- (g) If School Officials select persons to make an address during or in conjunction with School Event, they shall do so by a selection process that is neutral to religion and in compliance with a written policy.
- (h) To the extent that School Officials permit a person during or in conjunction with School Events to give an address that a School Official can or does shape, review, or edit for content, substance, message, style, or theme, then School Officials shall ensure the person's address excludes Prayer.

6. Religious Services (Baccalaureate): School Officials are permanently enjoined from planning, organizing, financing, promoting, or otherwise sponsoring in whole or in part a Religious Service, including baccalaureate, for any school within the School District:

- (a) School funds shall not be used to plan, organize, finance, promote or otherwise sponsor a Religious Service, including, but not limited to (1) printing programs for a Religious Service, (2) compensating or reimbursing expenses for a speaker at a Religious Service, or (3) paying for overhead costs (lighting, heating, cooling, janitorial, etc.) for a Religious Service. Subsection (a)(3) shall not apply when School Board facilities are used for a Religious Service by a third-party pursuant to a standard facility use agreement, on terms and schedules (including rental rates) that are applicable to all applicants.
- (b) School Officials shall not require School Officials to attend any Religious Service, including baccalaureate. School Officials shall not be tasked with official responsibilities at any Religious Service, except serving as the faculty

advisor to supervise a Club meeting or event. School Officials shall not monitor behavior of students or require them to conform to any standards at any Religious Service, including delineating proper dress at baccalaureate, except to supervise a Club meeting or event. School Officials shall not plan or organize any Religious Service on school time or do so by using School District equipment or supplies.

(c) School Officials during or in conjunction with a School Event shall not require or encourage students to attend any Religious Service, including baccalaureate. School Officials shall prohibit a school band or choir from performing at a Religious Service, including baccalaureate. Provided however, that individual students, in their personal capacities, may not be prohibited from such performance.

(d) No Religious Service commemorating the graduation or grade promotion of a class of students shall be comprised, led, or directed by School Officials in their Official Capacity. Nothing herein restricts a School Board employee or agent's non-Official Capacity participation in, or speech or conduct during, a private religious service, including baccalaureate.

7. School Events at Religious Venues: School Officials are permanently enjoined from holding School Events for any school within the School District at a Religious Venue when an alternative venue is reasonably suitable that is not a Religious Venue; When it is reasonably necessary for a School Event to be held at a Religious Venue, the secular justification for the use of the Religious Venue shall be documented pursuant to subparagraph 7(a).

(a) If a School Event is held at a Religious Venue, School Officials shall document in writing before the event takes place the following: (1) the Religious Venue's physical address, (2) the Religious Venue's owner and contact information, (3) the owner's affiliation with a house of worship or congregation, if any, (4) the nature of the School Event, the expected number and category (students, School Officials, and others) of attendees, and the available parking, (5) the venue for the last three years for past school events of this nature for this school, (6) the compensation that will be paid to use this Religious Venue, (7) the compensation typically paid to use this Religious Venue, if known, (8) the distance from the applicable school, whose event this is, and the Religious Venue, (9) the identity of the School Officials involved in selecting the Religious Venue, and (10) a certification that no other venue that is not a Religious Venue would be reasonably suitable for this School Event. The written documentation shall be verified by the signature of at least one School Official. School Officials shall transmit a copy of this written documentation to the superintendent's office or his or her delegatee for maintenance and review by the public. The use of a Religious Venue for a School Event may only be done with the approval of the Superintendent or his or her delegatee.

(b) Notwithstanding the foregoing and without complying with this procedure, School Officials may hold School Events at a venue, facility, or property owned or maintained by (1) another School Board (e.g., a opposing team in a football game); (2) a state or any political subdivision or agency thereof; or (3) any Non-Religious Venue.

8. Promotion of Personal Religious Beliefs: School Officials are permanently enjoined from permitting School Officials at any school within the School District to promote their personal religious beliefs to students in class or during or in conjunction with a School Event.

(a) School Officials shall not participate in any way in a Prayer with students during or in conjunction with instructional periods or a School Event. During or in conjunction with a School Event, School Officials shall not offer a Prayer, recite a Prayer alongside or with students, bow their heads or otherwise posture in a manner that is likely to be perceived as an endorsement of the Prayer, or kneel or join hands with students. A School Official's remaining still and silent with hands folded, as a sign of respect, during a Prayer shall not alone constitute an endorsement.

(b) School Officials shall be present at student-, religious-club meetings or events only in a nonparticipatory capacity. School Officials shall not lecture, proselytize, pray, or preach at student-, religious-club meetings or events.

(c) School Officials shall not read or assign readings from a sacred text or a sermon absent a legitimate non-religious educational objective. School Officials shall not cite to the Bible or any sacred text as authority for historical or scientific fact to students during or in conjunction with a School Event.

(d) School Officials during or in conjunction with a School Event shall not solicit, discourage, or encourage students to engage in religious activity or attend a Religious Service.

(e) School Officials shall not orally express personal religious beliefs to students during or in conjunction with instructional time or a School Event. School Officials shall not express personal religious beliefs to students through written or symbolic means (whether placed on a classroom wall, erected on a classroom floor, or attached or placed on the District's tangible property). However, jewelry on the School Official's person or clothing or religious articles worn by the School Official (e.g. a yarmulke and a cross necklace) are permissible. Nothing herein shall prohibit a teacher from using religious symbols, articles, or books for a non-religious educational reason.

(f) School Officials shall not include any information that is not directly related to their official duties on their Teacher Pages or similar teacher-specific pages posted on or directly navigable from a District school's webpage. Except for educational background, School Officials shall exclude on such pages biographical information, e.g. personal interests, memberships, and activities.

(g) School Officials shall prohibit nonreligious Clubs and organizations from having an official position in the organization of "chaplain" or one whose responsibilities are to serve as a religious leader, counselor, or guide. Nor shall School Officials recognize such a position.

9. School Officials are permanently enjoined from taking retaliatory action against Plaintiffs for bringing this lawsuit.

Other Orders

10. The Defendants shall provide a copy of this Order to all current School Officials throughout the School District. The Defendants shall provide a copy of this Order to all persons who later become School Officials, for the period from the present to January 1, 2015. This Order shall be disseminated in the same manner as School Board Policies and Procedures and shall be maintained in any electronic or paper policy manual. This Order shall be included in the District's "Code of Student Conduct" or substantially equivalent publication.

11. The Defendants shall continue to maintain a process for the investigation of student initiated complaints.

12. This Court retains jurisdiction of this case to enforce the terms of this Order.

13. **Attorneys' Fees, Costs, and Litigation Expenses:** Pursuant to (a) 42 U.S.C. §1988, (b) Rule 54, Federal Rules of Civil Procedure, and (c) Rule 54.1. Local Rules of the Northern District of Florida, this Court concluded that the Plaintiffs are the prevailing parties on all claims filed in this matter. The Court concluded that the Defendants are liable (as the term is used in N.D. Fla. Loc. R. 54.1 (C)) for the Plaintiffs' reasonable attorneys' fees, costs, and litigation expenses in accordance with applicable law. The parties reached an agreement on the amount of attorneys' fees, costs, and litigation expenses, including those for any monitoring, through June 30, 2011, which the Defendants paid.

14. The Clerk entered Judgment in favor of the Plaintiffs, Minor I Doe and Minor II Doe, and against the Defendants. Judgment (DE 96). Defendants paid Minor I Doe damages in the amount of \$1.00. Defendants paid Minor II Doe damages in the amount of \$1.00.

15. Nothing in this Order will be construed to limit any party's right to enforce this Order according to its terms. If any court of competent jurisdiction determines that any provision contained in this Order, or any part thereof, cannot be enforced, the parties agree that such determination shall not affect or invalidate the remainder of the Order.

16. This Order shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, successors, and assigns.

17. This Order is designed to ensure that the School District's practices and policies do not violate, either currently or in the future, the First Amendment rights of students in the School District. The parties to this

Order shall endeavor in good faith to resolve informally any differences regarding interpretation of and compliance with this Order before bringing such matters to the Court for resolution. On the Plaintiffs' counsel's request, the Superintendent shall provide information reasonably available to him so that the Plaintiffs' counsel may ensure the School Officials' compliance with this Order and evaluate in context the Defendants' guidance and interpretation of this Order and their enforcement efforts with respect to this Order. However, in the event that the Defendants either fail to perform in a timely manner any act required by this Order or act in violation of any provision of this Order, each Plaintiff or any affected student-present or future-who alleges a violation may contact the Plaintiffs' counsel. As may be appropriate, counsel may then move the Court to impose any remedy authorized by law or equity, including, but not limited to, an order requiring performance or non-performance of certain acts.

18. The Defendants, their agents, representatives, successors, and assigns shall take no action that would disclose the identities of the Plaintiffs, including the release of filed or unfiled court documents, or otherwise compromise the Plaintiffs' anonymity until May 6, 2014.

19. On or about May 6, 2014, the parties shall contact the Court to discuss the need for further continuation of the Order.

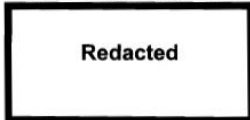
20. If this Order does not expressly prohibit conduct, then it is permitted as authorized bylaw.

SO ORDERED, this 15th day of August 2011

M. Casey Rodgers
HON. M. CASEY RODGERS, U.S. District Judge

By their signatures on this and the following pages, the undersigned parties agree to, and request the entry of, this Order:

PLAINTIFF MINOR I. DOE



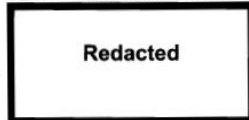
DEFENDANT SCHOOL BOARD
FOR SANTA ROSA COUNTY,
FLORIDA

Diane Scott
by Diane Scott
School Board Chairperson

DEFENDANT BRYAN STEPHEN
SHELL, in his official capacity as
Principal of Pace High School

Bryan Stephen Shell
by Bryan Stephen Shell

PLAINTIFF MINOR II. DOE



DEFENDANT TIM
WYROSICK, in his official
capacity as Superintendent of the
School District of Santa Rosa
County, Florida

Tim Wyrosick
by Tim Wyrosick



Approved as to Form:
Plaintiffs' Counsel

Benjamin James Stevenson

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HOTLINE NUMBERS FOR STUDENTS AND PARENTS

Abuse/Neglect Reporting Line	1-800-96-ABUSE
Adult Basic Education/Adult Learning Center	850-983-5165
AIDS Counseling & Information Hot Line	1-800-FLA-AIDS
Alcoholics Anonymous	850-433-4191
Anti-Tobacco: Florida Quitline	1-877-U-CAN-NOW
Big Brothers/Big Sisters Mentoring Program	850-433-KIDS
Child Care – Children’s Services Center	850-983-5317
Child Support	1-800-622-KIDS
Currie House – Lutheran Services (Runaway Shelter)	1-850-453-2772
Domestic Violence Hotline	1-800-799-SAFE
Family Health Line	1-800-451-2229
First Call for Help (Information & Referral to Community Resources)	850-983-7200
Food Stamp Office – 8190 Pensacola Boulevard, Pensacola, FL Apply online: www.myflorida.com/accessflorida	1-866-762-2237
Gamblers Anonymous	1-800-426-7711
Health Departments - Escambia County	595-6500
Gulf Breeze	934-4074
Jay	675-4211
Milton	983-5200
Health Source (Baptist Health Care 24 hour hotline)	850-434-4080
Healthy Start (Information & Referral for Pregnancy)	1-888-242-5240
	623-6363
Help Line/Crisis Line (Milton)	1-800-750-6682
Help Line – Crisis Line for Lakeview Counseling	850-438-1617
Job Counseling – Workforce EscaRosa Career Center	850-983-5325
KidCare Health Insurance (for uninsured, ages 0-18)	1-888-540-5437
Law Enforcement -	
Florida Highway Patrol	850-484-5000
Santa Rosa County Sheriff’s Office	850-983-1100
Gulf Breeze Police Department	850-934-4050
Milton Police Department	850-983-5420
Legal Services	432-3999
Libraries - Gulf Breeze Branch	850-932-5166
Jay Branch	850-675-6293
Milton Branch	850-623-5565
Navarre Branch	850-936-6120
Pace Branch	850-994-9542
Medicaid Services	1-888-419-3456
Mental Health & Counseling (Milton)	850-623-6363
Crisis Line	1-800-750-6682
Missing Children	1-800-THE-LOST
National Teen Dating Help Line (www.loveisrespect.org)	1-866-331-9474
Pensacola Junior College (Milton)	850-484-4410
RAP Line – to report sales of alcohol & tobacco to minors	1-888-994-9944
Rape Crisis Line	1-850-433-RAPE
Run Away Teens Florida Network	1-800-RUNAWAY
Safe Line (Those away from home in need)	1-800-ToBeSafe
Santa Rosa County Community Clinic	850-981-9433
Santa Rosa School District	850-983-5000
Social Security	850-434-5488
Suicide Prevention Hot Line (National Suicide Prevention Lifeline)	1-800-273-8255
Teen Line (M-F, 3-9 p.m.) for teen counseling	850-433-8336
Telephone Message Line (for persons without phones)	850-469-0809
Veterans	1-800-827-1000
Victims Advocate	850-981-2103



WHAT IS SAFE PLACE?

Safe Place is a community program that sets up public locations as a network of places where youth in crisis can get immediate help.

HOW CAN I RECOGNIZE A SAFE PLACE?

Bright yellow and black diamond-shaped signs or decals identify Safe Place sites.

WHAT TYPE OF PLACES ARE SAFE PLACE SITES?

Fire stations, YMCAs, Boys and Girls Clubs, libraries, fast food restaurants, convenience stores, other businesses and buses (as mobile Safe Places) all serve as Safe Place sites in different communities. Look for the Safe Place sign.

WHO SHOULD USE SAFE PLACE?

Any youth under 18, in a crisis situation, can get help at a Safe Place site. If you are having problems at home, are suffering from abuse or neglect, are lost or in some dangerous situation on the street, are with a drunk or unsafe driver, or just need someone to talk to about a problem -- go the nearest Safe Place site.

WHAT IF I GO TO A SAFE PLACE SITE THAT ISN'T OPEN?

Most Safe Place sites have a Safe Place decal that says, "If Closed call..." and gives the local number to contact. If the decal is not there, you can look for another Safe Place site that is open or call the local community crisis line or 453-2772.

WHAT HAPPENS WHEN I GO TO A SAFE PLACE?

Just tell one of the employees that Safe Place is the reason you are there. They will find you a safe, comfortable spot for you to wait until someone comes from Safe Place to talk with you.

WHAT HAPPENS WHEN THE PERSON FROM SAFE PLACE ARRIVES?

The Safe Place employee will talk to you and help you figure out what to do. The Safe Place representative will be happy to take you to a shelter or counseling agency where counselors will be willing to help you.

ONCE I GO TO A SAFE PLACE SITE, DO I HAVE TO GO TO A SHELTER?

No. Your decision to go to the shelter is voluntary. At the shelter, no one will force you to stay. The decision is always yours.

WILL MY PARENTS (OR GUARDIANS) BE TOLD WHERE I AM?

Yes. By law, the agency has to contact your legal guardians to let them know that you are safe. Remember that the counselors will be there as objective third parties if your parents/guardians come in. If you have made any allegations of physical abuse, child protective services will be contacted.

REPORT A CRIME...



How to Call a Tip to Crime Stoppers:

1. Call the Crime Stoppers Tip line at **437-STOP (7867)**.
DO NOT GIVE YOUR NAME. Say you are calling with a tip.
2. Give the information you have relating to a wanted fugitive or criminal activity in your school or community. You may be asked some questions regarding your tip, but you will NOT be asked to reveal your name or any other information relating to your identity.
3. You will then be instructed to check in weekly by calling 437-STOP and asking for the status of your tip using the special code provided at the time of your initial call. Your code number is your only link to the status of your tip. It is your responsibility to remember and protect that code number.
4. Should your tip lead to an arrest, apprehension or prevention of a crime, you will be provided with specific instructions for collecting your reward. Rewards are paid in cash and must be picked up within six months of the award date.

REMEMBER – DO NOT REVEAL YOUR NAME, TELEPHONE NUMBER, ADDRESS OR ANY OTHER INFORMATION RELATING TO YOUR IDENTITY. RELAYING ANY IDENTIFYING INFORMATION MAY DISQUALIFY YOU FROM REWARDS.