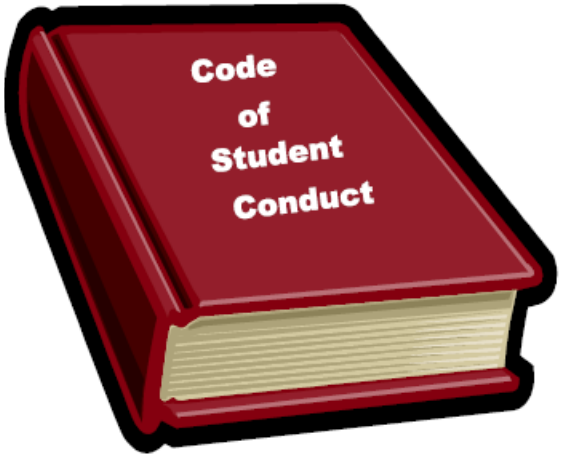
Code of Student Conduct

~~2021-2022~~ 2022-2023



Santa Rosa County District Schools

SANTA ROSA COUNTY DISTRICT SCHOOLS

Dr. Karen Barber
Superintendent of Schools
6032 Highway 90 Milton, Florida 32570

Phone: 850/983-5010

E-mail: BarberK@santarosa.k12.fl.us

Mission: Preparing Students for Success by Providing a Superior, Relevant Education

~~August 10, 2021~~

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

~~Welcome to the 2021-2022 school term. Parents, the school board and I want to humbly thank you for the opportunity you have given us to educate and prepare your children for a successful future! Students, please know that we care about your success now and well beyond high school. To that end, providing a safe, respectful and productive learning environment is our #1 goal. This goal can only be achieved through strong partnerships with our students, parents, our educator family and the community.~~

~~The Code of Student Conduct is an important part of establishing a safe learning environment and setting the expectation for everyone on campus. Please take some time to review this document. You may request a paper copy from your school or review the Code of Conduct on our school district web site at https://sites.santarosa.k12.fl.us/files/coc.pdf.~~

~~To ensure students are aware of the attendance, behavioral and other important policies, classroom teachers will review the Code of Conduct with students at the beginning of the year and each student will take a grade appropriate assessment to demonstrate their understanding. To be fully effective, the Code of Student Conduct addresses not only the role of parents, 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.~~

~~Discipline starts with all of us knowing the rules and the reasons for the rules and then making our own choices. Discipline helps our students develop good citizenship, accountability and responsibility. In Santa Rosa County, a safe learning environment in which civility and excellence are expected will always be the focus, and we thank you for supporting this culture in our school district.~~

~~Florida Statute 1003.31(4) contains a school child's daily Conduct Pledge. You will find this pledge on page 2. 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.~~

~~Let's all make a commitment to have high expectations for ourselves as learners, as role models, and as citizens of Santa Rosa County. With everyone's commitment, Santa Rosa School District will continue to be the best place for students to learn and prepare for success throughout their lives!~~

~~Respectfully,~~

~~Dr. Karen Barber~~
~~Superintendent of Schools~~

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
Linda Sanborn	Elizabeth Hewey	Carol Boston	Charles Elliott	Wei Ueberschaer

SANTA ROSA
COUNTY DISTRICT SCHOOLS

Dr. Karen R. Barber
Superintendent of Schools

6032 Highway 90 Milton, FL 32570
Phone: 850/983-5150
E-mail: barberk@santarosa.k12.fl.us

August 10, 2022

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

Welcome to the 2022-23 school term. Parents, the school board and I want to humbly thank you for the opportunity you have given us to educate and prepare your children for a successful future! Students, please know that we care about your success now and well beyond high school. To that end, providing a safe, respectful and productive learning environment is our #1 goal. This goal can only be achieved through strong partnerships with our students, parents, our educator family and the community.

The Code of Student Conduct is an important part of establishing a safe learning environment and setting the expectation for everyone on campus. Please take some time to review this document. You may request a paper copy from your school or review the Code of Conduct on our school district web site at https://sites.santarosa.k12.fl.us/files/csc.pdf.

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Respectfully,

Dr. Karen R. Barber

Dr. Karen Barber
Superintendent of Schools

Mission: "To love, educate, and prepare all students for graduation and a successful future"

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
Linda Sanborn	Elizabeth Hewey	Carol Boston	Charles Elliott	Wei Ueberschaer

Conduct Pledge

N. I will be respectful at all times and obedient unless asked to do wrong.
O. I will not hurt another person with my words or my acts, because it is wrong to hurt others.
P. I will tell the truth, because it is wrong to tell a lie.
Q. I will not steal, because it is wrong to take someone else's property.
R. I will respect my body, and not take drugs or alcohol.
S. I will show strength and courage, and not do something wrong, just because others are doing it.
T. I pledge to be nonviolent and to respect my teachers and fellow classmates.

~~2021 -2022~~ 2022-2023 Code of Student Conduct Highlights

- 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 15 unexcused absences in a 90 calendar-day period may have his/her motor vehicle operator's license suspended.
- If a student has had five (5) or more unexcused absences within 30 calendar days or ten (10) unexcused absences within 90 calendar days, then the district's truancy procedures will begin. See Truancy Policy.
- If a middle or 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 in order for that unit of instruction to receive credit.
- If a student needs to take prescription or nonprescription medication 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.
- 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 possible referral for a Disciplinary Hearing regarding alternative placement or expulsion.
- Possession of a weapon may ~~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.

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Jurisdiction

Santa Rosa County Public School students grades Pre-K – 12 are subject to the rules and regulations of the Santa Rosa County District School Board *Code of Student Conduct* 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 School Board *Code of Student Conduct* when receiving services or participating in a class or extracurricular 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:

1. Keep in regular communication with the school concerning their child's progress and conduct.
2. Let the school know if something has happened at home that could affect how the student performs in school.
3. Ensure that the child is in daily attendance and on time for school and promptly report the reason for an absence or tardy.
4. Provide the child with the resources needed to complete class work.

~~a.~~ Assist the child in being healthy, neat, clean, and dressed appropriately for school since it is a place to work and learn.

b. Discuss work assignments, progress reports and report cards with their child.

c. 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.
d. Expect the child to conform to the rules of the *Code of Student Conduct* and those set forth in the school's student handbook.
e. Do not leave the child at school more than 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.
f. 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.
g. Are 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:

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

Schools that:

J. Promote a safe, drug-free school environment.
K. Provide a rigorous and challenging academic program and encourage the use of good guidance procedures.
L. Maintain an atmosphere conducive to good behavior and exhibit an attitude of respect for students.
M. Plan a flexible curriculum to meet the needs of all students.
N. Develop and maintain appropriate extracurricular activities.
O. Promote effective training or discipline based upon fair and impartial treatment of all students.
P. Develop a good working relationship among staff and with students.
Q. Encourage the school staff, parents/guardians and student to use the services of the school and of community agencies.
R. Encourage parents to keep in regular communication with the school and participation in affairs of the school.

S. Endeavor to involve the entire community in order to improve the quality of life therein.

School personnel who:

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

PUBLIC NOTICE TO PARENTS, GUARDIANS, AND ELIGIBLE STUDENTS

Uniform Notice of Non-Discrimination Under Title VI, Title IX, Section 504, Age Discrimination Act, Boy Scouts Act, and Title II of the Americans with Disabilities Act

Santa Rosa County District Schools do not discriminate on the basis of race, color, religion, gender, age, marital status, sexual orientation, pregnancy, disability, political or religious beliefs, national or ethnic origin or genetic information in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

The following person has been designated to handle inquiries regarding the non-discrimination policies:

~~William S. Emerson~~ Michael A. Thorpe
Assistant Superintendent for Curriculum and Instruction
6032 Highway 90
Milton, FL 32570
(850) 983-5040
Santa Rosa County School Board Policy – Chapter 2.00, 2.70, 272

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) afford parents and students over 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 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 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 County 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 County 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 (2) federal laws** (the *No Child Left Behind Act of 2001* and 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 (3) 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 County District Schools has designated the following information as directory information:

1. student's name
2. address
3. telephone, if listed
4. date and place of birth
5. major field of study
6. dates of attendance
7. participation in officially recognized activities and sports
8. weight and height of members of athletic teams
9. degrees, honors, and awards received
10. the most recent educational agency or institution attended
11. 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 18 years of age or eligible students certain rights, and certain physical exams. These include the right to:

1. *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.

2. *Receive notice and an opportunity to opt a student out of*

- any other protected information survey, regardless of funding;
- 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
- activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

3. *Inspect,* upon request and before administration or use

a. protected information surveys of students;
b. 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
c. 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:

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

Santa Rosa County 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:

10. collection, disclosure, or use of personal information for marketing, sales, or otherwise providing that information to others for that purpose
11. administration of any protected information survey not funded in whole or in part by the Department of Education
12. 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/fpco**.

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.

Extracurricular Activities

Interscholastic extracurricular student activities are those organized between or among schools which are carried on outside the curriculum. These activities include displays of talent which may include but are not limited to sports; music festivals and speech, debate, art, drama, foreign language, and club competitions. s.1006.15, F.S.

“Eligible to participate” is defined as including participation in try-outs, off-season conditioning and workouts, in-season practices, and contests. It does not mean the student must be placed on a team. In order to be eligible for participation in interscholastic and intra-scholastic extracurricular activities, such as athletics, a student must satisfy any applicable Florida Statutory requirements, and meet and fulfill the eligibility requirements adopted by School Board Policy, which includes, but is not limited to the FHSAA eligibility criteria, and the criteria set forth in the *Code of Student Conduct*.

A student must also maintain the grade point average listed:

1. **Students in Grade 9:** to be eligible in the fall semester of 9th grade, must have been regularly promoted the previous year from Grade 8. To be eligible in the spring semester of the 9th grade year, a student must have a 2.0 GPA on a 4.0 scale.

2. **Students in Grade 10:** must have a cumulative 2.0 GPA on a 4.0 scale or have earned a 2.0 GPA in courses taken during the current spring semester and sign an academic performance contract with their school and enroll in and attend summer school as necessary.
3. **Students in Grade 11 and 12:** must have a cumulative 2.0 GPA on a 4.0 scale

The sponsor or coach of each individual extracurricular activity may institute more stringent policies. In this instance, the policies shall be published in the student handbook or activity's policy manual.

Student Athlete Eligibility Requirements:

Florida High School Athletic Association (FHSAA) Requirements

All high schools in the Santa Rosa County School District are members of the Florida High School Athletic Association (FHSAA). Interscholastic athletic eligibility is determined according to the FHSAA Handbook Operational Bylaws. Additional information regarding FHSAA bylaws can be found at http://www.fhsaa.org.

A. Student athletes are eligible to participate:
   1. at the school in which he/she first enrolls each school year;
   1. at the school to which the student has transferred with approval from the School Board.

   A student who transfers to a school during the school year may seek to immediately join an existing team if the roster has not reached the maximum size and the coach for the activity determines that the student has the requisite skill and ability to participate.

B. Exceptions:
   A student may not participate in a sport if the student participated in that same sport at another school during the same school year, unless the student is:

   1. a dependent child of active duty military personnel whose move resulted from military orders;
   2. a child who has relocated due to a foster care placement in a different school zone;
   3. a child who moved due to a court ordered change in custody due to separation, divorce, or the serious illness or death of a custodial parent; and/or
   4. authorized for good cause in Board policy. The following exemptions may be granted:
      1. Reassigned by District School Board or Charter School Board, as long as reassignment is not for athletic or disciplinary reasons and is not requested by the student or his/her parent/guardian.
      2. Transfer, approved by the Grade Level Director, to a new school within the first ten (10) days of the semester, i.e., acceptance to a previously applied for magnet program, academy, charter school or private school.
      3. Undue hardship.

The FHSAA does not have the authority to make eligibility rulings on student transfers. The School District has a Student Athlete Eligibility for Good Cause Committee consisting of the High School Director, Middle School Director, Athletic Director from a school that is not related to the eligibility ruling as well as an administrator from a school that is unrelated to the eligibility ruling.

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:

1. reporting abuse of children, adults, or disabled persons
2. investigations related to a missing child
3. internal investigations and audits by the divisions, bureaus, and offices of the Health Department and school district
4. investigations and audits by the state's Inspector General and Auditor General and the legislature's office of Program Policy Analysis and Government Accountability
5. public health purposes including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals
6. district medical examiner investigations
7. research approved by the department
8. court orders, warrants, or subpoenas

9. 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 contact 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:

1. was not created by the Health Department or school district
2. is not protected health information
3. is by law not available for your inspection
4. 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.hhsgov/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 202-671-4200 or the toll free general information HOTLINE 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. Additional information is available at www.healthcare.gov

Hope Scholarship Program

The Hope Scholarship Program (HSP) provides the parent of a public school student who reports an incident at school the opportunity to transfer the student to a public school that has capacity within the school district, receive a scholarship to transport the student to a public school in another school district, or receive a scholarship for the student to attend a private school. For purposes of the program an incident includes battery, harassment, hazing, bullying, kidnapping, physical attack, robbery, sexual offense, assault, threat, intimidation, or fighting at school. ~~Beginning with the 2018-2019 school year, contingent~~ Contingent upon funds, scholarships are awarded on a first-come, first-served basis.

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 Positive Behavior Intervention Plan (PBIP), then the PBIP supplants the *Student Code of Conduct* and the student will be disciplined in accordance with the procedures delineated in his/her Positive Behavior Intervention Plan. All disciplinary action at the classroom, school and district level must be provided to the student and parent/guardian in the home language whenever feasible. Contact the ESOL School Liaison or District Program Facilitator for assistance with interpretation or translation services.

Petty Acts of Misconduct

Acts that are considered petty misconduct may disrupt the educational process but do not endanger the life or safety of an individual. Such acts include but are not limited to cellular telephone violation, defiance of authority, minor disruption, dress code violation, eating or drinking on the bus, forgery, horseplay, leaving campus without permission, lying or misrepresentation, profanity, and vehicle parking violation.

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.

1. **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, treatment of autism spectrum disorder by a licensed healthcare practitioner or behavior analyst certified pursuant to s.393.17, F.S., school sponsored activities 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.

a. 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.
b. 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, missing the bus, oversleeping, excessive illness without doctor verification, dismissal from school (out-of-school suspension does not count toward truancy absences), or other avoidable absences which have not been pre-arranged and approved by the Principal or designee. Three (3) unexcused 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 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.

Truancy

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)(a) and (2) and who is not exempt under Florida Statue 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 five (5) or more 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 non-attendance.

*Three (3) unexcused late to school Check-Ins and or Check-Outs prior will equate to the student receiving one (1) unexcused absence.

i. The Principal shall, unless there is clear evidence that the absences are not a pattern of non-attendance, refer the case to the school's Multi-Tiered System of Supports (MTSS) to determine if early patterns of truancy are developing.
ii. The parent/guardian shall be invited to meet with the Administration to develop a written Truancy Intervention Plan.

3. The parent/guardian shall be informed of the requirements of compulsory attendance laws, Truancy Pick-Up Program and the Department of Motor Vehicle sanctions.
4. If an initial meeting does not resolve the problem, the Multi-Tiered System of Supports (MTSS) shall implement interventions that best address the problem. The interventions may include, but need not be limited to the following:

   - a second parent/school conference
   - Truancy Intervention Plan (TIP)
   - 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
   - Truancy Monitoring Plan—a plan which documents all interventions assigned to the student/family for the purpose of improving attendance.
   - other interventions, including, but not limited to, a truancy petition pursuant to s.984.151, F.S.

   The Multi-Tiered System of Supports (MTSS) shall be diligent in facilitating intervention services and shall report the child to the Superintendent only when all reasonable efforts to resolve the non-attendance behavior are exhausted.

   - 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.
   - If the Board's final determination is that the strategies of the Multi-Tiered System of Supports (MTSS) 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 non-compliance with compulsory school attendance.

   c. If non-attendance 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 non-attendance, 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 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 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 re-enroll 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 non-compliance with the compulsory attendance requirements of F.S.1003.21 and may result in criminal prosecution under F.S.1003.27. 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 (Child in Need of Services – CINS~~)~~, if there is an active committee in operation) 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 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 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 two (2) calendar days; absences from school during the two (2) calendar days will be excused. For each occurrence of head lice and/or nits, absences beyond two (2) calendar days will be unexcused.

Department of Motor Vehicles Sanctions

H. Dept. of Motor Vehicles Sanctions: A student who is 14 years of age, but less than 18 years of age, and who has had 15 unexcused absences within a 90 calendar-day period or who has withdrawn, having being coded with a state dropout withdrawal code 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 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 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 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.

Intent to Terminate School Enrollment

I. Intent to Terminate School Enrollment: A student between the **ages of 16 and 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 the student's 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. . If a student between the ages of 16 and 18 fails to complete the "Declaration of Intent to Terminate School Enrollment" form, the exit survey and/or exit interview, then the student can be subject to truancy court proceedings.

Exceptional Student Education Program (ESE):

1. Transfer of Rights – Under the regulations for FERPA in 34 CFR 99.5(a), parent rights regarding education records are transferred to their child at age 18. If the rights accorded to the parent under IDEA are transferred to the child who reaches the age of majority, consistent with 34 CFR 300.520, the rights regarding educational records are also transferred to the child. (Parent Procedural Safeguards for Parents of students with disabilities, Part B Santa Rosa).

Elementary School Absenteeism

J. Elementary School Absenteeism: After review by the Multi-Tiered System of Supports (MTSS) at each school, the Principal has the authority to retain students who have been absent 20 or more days excused and/or unexcused.

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

Middle and High School Absenteeism

K. Middle and 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 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. Due to state guidelines that prohibit the giving of an additional local cumulative exam in courses required to take a State End-of-Course (EOC) Exam, the attendance rule does not apply to courses for which State EOC is required to earn credit for the course.
3. Any student who scores below 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

a. Excessive absences? Yes ↓ No → Actual Average

b. Pass Exam? No ↓ Yes → Actual Average

c. Principal Grants Waiver? No ↓ Yes → Actual Average

d. Student receives 59 or Actual Average, whichever is **lower**.

Make-Up Work

L. 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.

Zeroes 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 zeroes for the work assigned. Credit will not be awarded for work turned in but will be reviewed for feedback purposes only.

High 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 zeroes for the work assigned.

Tardiness

M. Tardiness: A student is considered tardy if the student is present on campus but is absent in class when the tardy bell rings provided the student is in attendance before the end of class. There are no criteria for excused or unexcused tardies. Arriving to school late is defined as "Late to School". Repeated and/or excessive incidents of tardiness may potentially result in disciplinary action for the student. *(See "Attendance" for further information.)*

Leaving School Prior to End of Day/Late-to-School

N. Late to School/ ~~Leaving School Prior to End of Day:~~: 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.*** Three (3) unexcused accumulated "late to school Check-Ins" or "early Check-Outs" will equate to the student receiving one (1) unexcused absence.

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

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" code.
- Students checking out of school prior to the end of the school's designated dismissal time will receive an "Early Check–Out" code.

- Three (3) unexcused accumulated "Late to School Check-Ins" or "Early Check-Outs" will equate to the student receiving one (1) unexcused absence.

Student Search

O. Student Search:

- 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.
- School authorities may search student lockers or other areas when there is reasonable suspicion that a prohibited or illegally possessed substance or object is contained within the area pursuant to Florida Statutes.
- 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 any time 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 County 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~~ School Board Policy 5.32 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 non-violent nature.

1. 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 is protected under IDEA or Section 504 Plan, refer to "Alternative Placement/ Expulsion with Continuing Educational Services".

A. A student who commits a Non-Violent Criminal Act should be disciplined in accordance with the procedures set forth in this *Code of Student 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. Violations of the dress code shall be addressed pursuant to the requirements of Section 1006.07, Florida Statutes.

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, yoga pants, tights, etc.), 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.

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, the Santa Rosa Speak Out button on the school websites, 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 the "How to Call a Tip to Crime Stoppers" page.

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 County District Schools *Acceptable Use Policy Agreement for Students*.

Language Other Than English (ESOL)

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:~~

~~2. The parent shall be called and notified of the request.~~

~~3. 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.~~

~~4. 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. In the case of other interviews involving the student as a victim, all witness interviews 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.~~

~~6. 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.~~

~~7. 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.~~

Law Enforcement and DCF Investigations

Under certain circumstances, federal and/or state law enforcement agencies as well as the Florida Department of Children and Families ("DCF") may seek to interview students on school grounds in relation to an active investigation. Any law enforcement officer or DCF investigator seeking to interview students at school must first notify the principal and provide proper identification.

Federal and State Law Enforcement

In the event an officer seeks to interview a student who is a potential witness, victim, or suspect on school grounds, the principal/designee shall first notify the officer of his/her intent to contact the student's parent/legal guardian. The parent/legal guardian will be contacted unless expressly instructed in writing not to do so by the officer. If any law enforcement officer desires to question a student at school, a suitable place will be provided. The conference area will be so located as to create as little attention as possible to the matter.

The principal/designee may be present during the interview at the request or authorization of the student unless law enforcement provides the principal/designee with compelling reasons warranting his/her exclusion.

If an officer decides to remove a student from school grounds as part of a law enforcement investigation, he/she must present the principal/designee with a warrant of arrest, court order, or statement of the officer that he/she is placing the student under arrest or taking the student into custody. The officer shall sign a form affidavit provided by the District accepting custody for the student before removing him/her from the school grounds.

Florida Department of Children and Families ("DCF")

Notification of parents/guardians regarding removal or interview of a student while on school premises by personnel of the Department of Children and Families (DCF) is the responsibility of DCF. If any DCF staff person wishes to interview a student at school, a suitable place will be provided after the DCF staff person has presented appropriate identification. The principal/designee will be present only if the DCF staff person feels it will enhance the interview and the student requests or consents to the presence of the principal/designee. The District witness, when involved in DCF interviews of children, will not be involved in the investigation but will serve only as a witness to the interview. The District witness will be bound by the confidentiality provisions governing child protective investigation interviews found in Chapter 39, F.S. If the DCF staff person elects to remove a student from the school, he/she must sign an affidavit accepting custody for the student prior to doing so.

Medication Policy

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 "Student's 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. See School Board Policy - 5.622 for Administering Medical Marijuana to Qualified Students on District Property.**

Non-Discrimination

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, sexual orientation, age, marital status, disability, political or religious beliefs, national or ethnic origin of race, color, religion, gender, age, marital status, sexual orientation, pregnancy, disability, political or religious beliefs, national or ethnic origin or genetic information, 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.

Social Media

Students may be disciplined for a post on social media if:

1. There is a violation of ~~the~~ this code of conduct or ~~established by~~ school policy.
2. The social media content is directed at the school community in some way that could reasonably be understood to be threatening.
3. It could potentially cause a substantial disruption to the educational process.
4. It promotes illegal activity, such as illegal drug or alcohol use, theft, etc.
5. If the content is obscene, lewd or otherwise inappropriate in a school setting, e.g., sexually suggestive.

Students should let an administrator know about student social media use that:

6. Breaches school policy.
7. Leads to or creates substantial disruption to the educational process.
8. Results in bullying toward students or staff.
9. Threatens school violence.

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 may 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. Students are invited to stand and recite the Pledge of Allegiance to the flag of our country, but they are not required to do so. The pledge shall be rendered by students standing and placing their right hand over their heart. When the pledge is given or the national anthem is played, all civilians (including students) are invited to show respect to the flag by standing at attention, men removing headdress, except when the headdress is worn for religious purposes. A school cannot discipline a student for failing to stand and/or pledge; however, a school may issue disciplinary action if a student disrupts the Pledge.

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

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.

Campus Hours/Limits of Liability:

Each school campus shall be open, and students shall be supervised beginning 30 minutes before the beginning of the school day and continuing until 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 30 minutes before the actual beginning of the activity and continue until 30 minutes after the actual ending of the activity.

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.

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.

Evacuation/Lockdown:

Santa Rosa County District Schools utilizes four standard responses for handling students and staff in any emergency situation – evacuation, shelter in place, secure campus, 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. Shelter in place is moving people away from windows and is meant to increase physical barriers between people and outside, it is used for tornadoes or chemical releases. Secure

facility is keeping all personnel in the building with the option of limited movement or full movement, but no entry or exit is allowed. A lockdown of the school building may be used during any emergency where there is a need to keep students in place. 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) and monitor school-based communication (social media and texting) 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) DO NOT stand on roadway while awaiting bus.
1. Remain in your seat with the seatbelt buckled at all times while bus is moving.
2. Keep all body parts inside the bus at all times.
3. Do not throw any object or material on the bus or out of a bus window or door.
4. Walk ten (10) feet in front of the bus and wait for the driver's signal before crossing the road.
5. Unnecessary conversation with the driver is dangerous. Please remain quiet.
6. Absolute silence is required at all railroad crossings.
7. The driver is in full charge of bus and students. Students must obey the driver.
8. The driver will assign a seat to each student who rides the bus.
9. No eating, drinking, or using of tobacco products is allowed on the bus.
10. 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.
11. School administration.
12. Riding the bus is a privilege. Do not abuse it.
13. Students riding Santa Rosa County 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

The Principal, any member of the administrative or instructional staff, or the School Resource Officer (with probable cause) 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.

A. 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 (with probable cause) 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 students' 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.

B. 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.

C. 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.

D. 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.

E. 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 any time 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.

Amnesty

When a student knows or should have known that he/she has unknowingly brought a weapon other than firearms or ammunition on campus, bus, or bus stop, he/she must immediately notify an administrator, teacher or bus driver. The weapon will be turned over to school personnel. The student may not be disciplined by the school if he/she follows this procedure. Amnesty cannot be claimed once the school has initiated a reasonable suspicion search.

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.

Moments of Silence

Principals are required to instruct teachers to set aside 1-2 minutes of silence. Students cannot interfere with other students' participation in the moment of silence, and teachers may not suggest how a student might wish to use this daily moment.

Student Electronic Devices/Mobile Devices Possession

(including but not limited to any electronic communication device)

A student may bring a mobile device to school. The mobile device shall be in silent mode during school hours so noises from the device will not disrupt the instructional environment. Students may use their mobile device at any time during NON-INSTRUCTIONAL time unless instructed specifically not to do so by a member of the school staff. During INSTRUCTIONAL time, a student may use their mobile device as indicated by the teacher/instructor in charge. Parents who need to reach their child (or vice versa) should communicate via the front office if an emergency arises. A student may use a mobile device on a school bus as directed by the official in charge. (Bus Driver, Teacher, Coach). Failure to follow instructions from the school official in charge

may result in a discipline referral. Continued use of a mobile device after being instructed by a school official not to do so may result in disciplinary action.

Students understand and acknowledge that:

- 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, Para-link cables, etc., or to connect by Ad Hoc mode to any other district-owned device.
- 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 many mobile devices provide file storage, they must not be physically attached to district hardware for file exchange or other purposes. Files may have to be saved on the C drive of a laptop, a jump drive, an external drive, or another storage device.
- Printing from personal laptops or other mobile devices should only occur with permission from a school staff member.
- 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. For safety and security, students are strongly encouraged to secure mobile devices in a purse, book bag, etc.**

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 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.

Students 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. A child is also protected under the regulations of IDEA and/or Section 504 when a public agency is deemed to have knowledge that a child is a child with a disability. This includes a parent expressing written concern to the Local Education Agency (LEA), a parent request for evaluation, and/or a member of the LEA expressing concerns about a pattern of behavior demonstrated by the child to supervisory personnel (§ 300.534(a)(b)(1-3)). If a student with a disability has an individualized Positive Behavior Intervention Plan (PBIP), then the **PBIP supersedes the *Student Code of Conduct*** and the student will be disciplined ~~in accordance~~ consistent with the procedures delineated in his/her Positive Behavior Intervention Plan. If a disciplinary action ~~constitutes~~ will result in a change of placement, ~~a student protected under IDEA or Section 504 must have a Manifestation Determination Hearing~~. a manifestation determination must be conducted. All disciplinary matters involving a student with a disability will be handled in accordance with the IDEA and/or Section 504, as applicable. ~~Students protected under IDEA or Section 504 should not exceed 10 out-of-school suspension days within a school year (cumulative or consecutive). If a student protected under IDEA or Section 504 exceeds 10 days of out-of-school suspension the IEP or 504 team will determine the appropriate compensatory services to address the missed service and/or instructional time on an individualized basis.~~

Tobacco-Free School District Policy

Santa Rosa County District County Schools are **"Tobacco-Free"** per School Board Policy 2.90. 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 County 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. Privileges can be revoked for non-adherence to parking rules. 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 *School 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 County District school bus for disciplinary purposes by school officials. Such recordings will be subject to the same confidentially rules as other student records. As with any other "education record," a photo or video of a student is an education record, subject to specific exclusions, when the photo or video is: (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution. (20 U.S.C. 1232g(a)(4)(A); 34 CFR § 99.3 "Education Record")[1]

To request a video from your student's school, parents will need to make an open records request to the Santa Rosa County School District's Human Resource Office. Parents should be specific as to the date, time and location of the video requested as there is a cost associated with the retrieval time.

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 though our district's Virtual Instruction Program with K12, Inc. (Grades K-12) or through our partnerships with one of our other virtual providers (Grades K-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 parents should contact the 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 FSA Reading or Mathematics during the previous year's test administration will have the opportunity to take accelerated courses in Language Arts 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 Language Arts 1 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 Santa Rosa Online at 850-981-7860 no later than the end of the first week of the new school year in order to be placed in classes.

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 (1) 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:

- 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.

1. The weapons definition used by Santa Rosa County school district is more inclusive than the definition referenced in Public Law 103-382, as is Florida Statute 790.001. See "Weapons" in the alphabetized listing in this document for the definition and procedures used in reference to weapons in schools in the Santa Rosa County 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

2. Students have a right to meet in accordance with school rules and scheduled use of facilities.
1. 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. *For further information see "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, gender, sexual preference, disability, age or religion, color, religion, gender, age, marital status, sexual orientation, pregnancy, disability, political or religious beliefs, national or ethnic origin or genetic information.
2. Students have a responsibility to process the grievance using the procedure approved by the Santa Rosa County District School Board. (See Complaint/Grievance Procedure in this manual.)

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 an Individual Education Plan (IEP):
   a. According to Free and Appropriate Education (FAPE), a student with an active IEP has the right to attend until his/her 22nd birthday. The option and placement will be based on the student's diploma designation and the decision of the IEP team.
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

Elementary Students: (Including Pre-K)

Administrative judgment 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. Consequences should be imposed and measures taken to prevent future incidents should be considered and implemented.

Elementary Conduct Review Committee:
In all areas of the code where the severity of the incident warrants an out-of-school suspension for a period of 10 days and a recommendation for a Disciplinary Hearing, the following will be substituted for Elementary students: Out-of-school suspension for a period of up to 10 school days and a recommendation for a review by the Elementary Conduct Review Committee. The committee will review the incident and determine next step considerations including but not limited to: recommendation for Alternative Placement, recommendation for Expulsion, recommendation for a Threat Assessment, recommendations for supervision measures, and/or recommendation for additional services, supports/accommodations.

- Administrative judgment, 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 protected under IDEA or Section 504 should not be suspended more than ten (10) cumulative or consecutive school days within one (1) school year. A Manifestation Determination Hearing must occur at or before 10th day of out-of-school suspension.
- 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.

Adult Students
Post-secondary Adult Vocational (PSAV) students should refer to the *Locklin Tech Curriculum Guide & Student Handbook* and Adult Education students should refer to the *Santa Rosa Adult School Handbook*, for applicable policies and procedures concerning conduct. Some procedures listed in the *Code of Student Conduct* may not be appropriate for PSAV and Adult Education student education.

Students Protected by the Individuals with Disabilities Education Act (IDEA)/Exceptional Student Education (ESE)

Administrative judgement is needed in addressing consequences and disciplinary outcomes for students receiving ESE services who have cognitive impairments. In making decisions factors such as age,

developmental level, and impact of disability must be taken into consideration. Consequences should be imposed and measures taken to prevent future incidents should be considered and implemented.

Community School Latch Key Program

The Santa Rosa Community School extended day and summer camp programs are optional programs for the parents and students of Santa Rosa County. It is a privilege to attend either program and appropriate discipline and good behavior are expected and required for regular attendance. Parents should refer to the Board approved Santa Rosa Community School Extended Day/Summer school Handbook for applicable policies and procedures concerning conduct.

SESIR Incidents

The following violations are considered SESIR incidents and must be reported in ~~SMART~~ Focus as School Incidents: Alcohol (ALC), Arson (ARS), Battery (BAT), Burglary (BRK), Disruption on Campus-Major (DOC), Drug Sale/Distribution Excluding Alcohol (DRD), Drug Use/Possession Excluding Alcohol (DRU), Hazing (HAZ), Homicide (HOM), Kidnapping (KID), Physical Attack (PHA), Robbery (ROB), Larceny/Theft (STL), Sexual Offenses (SXO), Threat/Intimidation (TRE), Trespassing (TRS), Vandalism (VAN), Weapons Possession (WPO), Other Major (OMC), Bullying (BUL), Fighting (FIT), Harassment (HAR), Sexual Assault (SXA), Sexual Battery (SXB), Sexual Harassment (SXH) and Tobacco (TBC).

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. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.

1. Notification of appropriate law enforcement agency.

2. Discipline of student in accordance with the school's discipline plan up to and including alternative placement or 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).*~~

- ~~Notification of appropriate law enforcement agency.~~
- ~~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.~~
- ~~Notification of parents/guardians of out-of-school suspension in accordance with out-of-school suspension procedures.~~
- ~~A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act and can be direct or indirect, toward an individual, group, or the school itself. When deemed appropriate, the school-based Threat Assessment Team will follow the district's board approved threat assessment process as outlined in the Comprehensive State Threat Assessment Guidelines (CSTAG), see guidelines on page 77. Through this process, if a threat is deemed to be *"Very Serious Substantive,"* a Mental Health Assessment would be conducted by a School Psychologist and the student may be referred for alternative placement as recommended by the district's Mental Health Support Committee. Students making serious substantive threats will be referred to school and/or community based counseling.~~

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.

- 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 alternative placement or 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 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.

Assault (Aggravated): School Board Employee

Assault punishable by law as a felony of the second degree and alternative placement or 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 alternative placement or expulsion.

Battery (Aggravated), BAT Focus Code

~~*Battery which intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement.*~~ *(Intentional great bodily harm) A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.*

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.
   a. A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.
   b. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.
   c. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information and the criteria for "serious bodily injury".
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.

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 alternative placement or 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 no less than one (1) calendar year through alternative placement or expulsion.

B. A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.

C. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.

D. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information and the criteria for "serious bodily injury".

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.

- Notification of the victim of his/her right to press charges against the offender.
- 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.

1. A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.
2. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.
3. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for. additional information and the criteria for "serious bodily injury".

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/Threats of School Violence

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.

a. Notification of appropriate law enforcement agency.

b. 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 no less than one (1) calendar year.

c. 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. Any student who is determined to have made a threat or false report will be referred to mental health services for evaluation or treatment, when appropriate.

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/Cyberbullying

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, humiliation, emotional pain or discomfort, and sexual, religious, or racial harassment. (SB: 2.70, SB: 5.321)

Cyberbullying means bullying or harassment that is related to computers and/or occurs through the use of technology or electronic communication, including, but not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic system, or other transmission or medium such as electronic mail, text messaging, instant messaging, social media, Internet communications, or facsimile communications. Cyberbullying may include but is not limited to: Harassment, cyberstalking, creating a web page or writing on a web blog where the creator assumes the identity of another person, or knowingly impersonates another person, while posting content or sending messages, electronically sharing or distributing material and communications to one or

more than one person or posting materials on one or more electronic media that may be accessed by one or more persons.

An individual who is a victim of bullying/cyberbullying 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/cyberbullying 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/cyberbullying/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. The district retains the right to discipline students if it is determined by the school that the bullying, cyberbullying, or harassment creates, or if it is reasonably foreseeable that it could create, material and substantial interference or disruption of the operation of a school, an educational program or activity conducted at a school site or school-sponsored activity, transit on a school bus or a student's ability to feel safe and secure during these activities. (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/cyberbullying:

1. clearly tell the "bully" to stop.
2. immediately report the incident to a teacher, guidance counselor or administrator at the school. Tell your parent/guardian.
3. if the bullying/cyberbullying 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.
4. avoid being alone with the person who has attempted to bully you in the past.

To minimize the risk of being accused of bullying/cyberbullying:

1) keep your hands to yourself and never cause physical harm to another person.
2) think before you speak or use electronic devices or media for communicating. Don't make remarks that may make another person feel scared, intimidated, uncomfortable or fearful.

3) immediately apologize if you accidentally say or do something that has made another person feel oppressed or uncomfortable.
4) report all incidents of bullying/cyberbullying you have witnessed to appropriate school personnel.
5) 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/cyberbullying can receive serious consequences***:***

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

Cheating/Plagiarism

Violations of dishonesty, defrauding, swindling, obtaining by deception, deliberate perversion of the truth. The practice of taking someone else's work or ideas and passing them off as one's own; with or without an electronic device.

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.

2. Notification of appropriate law enforcement agency.
3. 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).
1. 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.*~~
Major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation. Disruptive behavior that poses a serious threat to the learning environment, health, safety,

or welfare of others. Examples of major disruptions include bomb threats, inciting a riot, or initiating a false fire alarm.

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.

2. First offense: A verbal warning and parent notification. The school Principal or designee shall call the parent/guardian ~~and send written notification~~.
3. 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.
4. 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".

*Drugs: Distribution, Purported**

The distribution of any controlled (F.S. 893) or unlawful substance (including "spice" and other synthetic substances); distribution of an inhalant or any substance represented as drugs (such as designer drugs, caffeine pills, herbs, foods); or negotiation for the sale 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".

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~~.

Disciplinary action of 10 days of out-of-school suspension which may include a 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 as determined by the school officials. If a student is not recommended for a Disciplinary Hearing, he/she must participate in the substance abuse diversion program. See #3 under Drug Possession/Under the Influence offense.

A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.

Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.

c. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information.

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.

*****A student has committed a Drug offense if they are found to be in possession of a substance purported to be a controlled or unlawful substance and distributes the purported substance.

4. 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 no less than one (1) calendar year through alternative placement or expulsion.

Drugs: Possession/Under the Influence

Possession or Under the Influence of an Illegal, or Unlawful Substance, Prescription Drug without a Prescription or Substance Not Used in Accordance with Manufacturer's Instructions.

a. Notification of the appropriate law enforcement agency with a recommendation for restorative justice if allowed.
b. Out-of-school suspension of the student for a period of ten (10) days.

1. A Manifestation Determination Hearing must be conducted by the IEP or Section 504 team for students who are: 1) protected under IDEA and are in possession of or under the influence of drugs, or 2) protected under Section 504 who are in the possession of drugs. The Manifestation Determination Hearing should be completed by the 10th cumulative day of out-of-school suspension in the academic year.

2. Students covered by Section 504 do not receive the protections of Section 504 when the student is under the influence of drugs or alcohol. In these situations, the student is subject to disciplinary procedures consistent with the Student Code of Conduct for general education students and a Manifestation Determination Hearing is not required.

4. On a student's first possession violation or when determined to be under the influence of an illegal substance, the school Principal may offer the student an opportunity to participate in a substance abuse diversion education program in lieu of alternative placement. The school Principal shall meet with the parent and student to discuss this opportunity. If the parent and/or guardian agree that their student will complete this program, the student will serve the remainder of the ten (10) day suspension and be enrolled into the program. The Grade Level Director must be provided proof that the student successfully completed the program within the allocated period of time. Refusal to participate in the diversion program or failure to successfully complete the diversion program will result in the student's appearance before the district Disciplinary Hearing committee regarding the possible removal of the student from the regular school program for up to one (1) calendar year through alternative placement.
5. Students will not qualify for the diversion program if they are in possession of an amount of drugs that would be considered not for personal use by law enforcement.
6. 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 no less than one (1) calendar year through alternative placement or expulsion.
   a. For students protected under IDEA or Section 504 who have already reached ten cumulative days of out-of-school suspension due to a previous drug offense or other offenses a Manifestation Determination Hearing must be conducted by the IEP or Section 504 team immediately.
   b. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.
   c. Students covered by Section 504 do not receive the protections of Section 504 when the student is under the influence **of** drugs or alcohol. In these situations, the student is subject to disciplinary procedures consistent with the Student Code of Conduct for general education students and a Manifestation Determination Hearing is not required.
   d. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information.

5. If the student is charged with a Felony due to drug possession, the school administrator can request the student be indefinitely suspended from school or have his or her suspension 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. See Felony or Felony Act procedures on page # .

Drug Paraphernalia

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

2. Notification of appropriate law enforcement agency.
1. Out-of-school suspension for a period of five (5) to ten (10) days for a first offense.

2. Out-of-school suspension for a period of ten (10) days for each subsequent offense.
3. Notification of parents/guardians of out-of-school suspension in accordance with out-of-school suspension procedures.

Electronic Devices/Mobile Devices Possession and/or use

(includes any electronic communication device)

A student may be in possession of an electronic device or mobile device as indicated in the general policies on Page 38 under Student Electronic/Mobile Device Possession.

The possession and/or use of tape players, compact disc players, radios, televisions, remote controls, electronic games, laser pens, or any other electronic device designed solely for playing music and/or gaming including but not limited to tapes, game cartridges, mp3 players, mp4 players or discs used in the operation of the devices are prohibited.

Failure to follow the rules regarding the possession and use of an electronic device or a mobile 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.

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. 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 up to 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.
3. Notification of law enforcement as necessary.
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 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

a. Discipline student in accordance with the school's discipline plan.

b. In the case of Energy/ Stimulant Drinks containing alcohol refer to the section "Alcoholic Beverages".
c. Confiscate the drink.
d. 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 more 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
      1. Administrative designee(s) will be notified by Content Filter Administrator.
      2. Administrative designee notifies the teacher and the parents.
      3. Conference with the Administrative designee, student and possibly parents.
      4. Administrative design documents incident.
   (b) 2nd offense
      1. Administrator, teacher, and parents notified.
      2. Student's privileges are restricted to instructor-directed sites and district web application.
      3. Disciplinary action up to and including suspension.
   (c) 3rd offense
      1. Notification of Administrator, teacher and parents.
      2. 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 (if student has prescription for medication) 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.)

1. Discipline student in accordance with the school's discipline plan.
2. In the case of "Possession of Purported substances": Out-of-school suspension for a period of ten (10) days for a first offense.
3. Confiscate the medication.
4. Notification of parents/guardians of the discipline and of the responsibility to retrieve the item from school officials.
5. 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 alternative placement or expulsion.
6. 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.
7. 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 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 school officials.
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. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR. These incidents should be coded as Aggressive Acts (AGG) or altercation.

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, color, religion, gender, age, marital status, sexual orientation, pregnancy, disability, political or religious beliefs, national or ethnic origin or genetic information, 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, color, religion, gender, age, marital status, sexual orientation, pregnancy,

disability, political or religious beliefs, national or ethnic origin or genetic information, or social and family background, 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, (850-983-5150)~~, Labor Relations and Compliance, (850 983-5150 ext. 1020), 6032 Highway 90, Milton, Florida 32570. Contact for 504: Director of ~~Exceptional Student Education~~ Student Services,(850-983-5150), 6032 Highway 90 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 60 days from the occurrence to report.
2. Complaints may be presented to the local school Principal or Site Administrator.
3. The school Principal or Site Administrator is responsible for reporting any complaints of sexual harassment to the Assistant Superintendent of Curriculum and Instruction or their designee within five (5) days of the complaint being filed.
4. 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. 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. Procedures and timelines regarding investigation and appeals are outlined in School Board Policy 2.70.

5. Violation of the School Board's Sexual Harassment Policy by a student is grounds for disciplinary action of out-of-school suspension up to 10 days and may include a recommendation for a disciplinary hearing for alternative placement or 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 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, coercing, or forcing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements. 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.

- Notification of the appropriate law enforcement agency.
- 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.
- Notification of parents/guardians in accordance with appropriate procedures.
- Referral of victims and perpetrators of hazing to a certified school counselor.

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.

- Notification of the appropriate law enforcement agency.
- 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.
- 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.

- Notification of the appropriate law enforcement agency.
- 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 no less than one (1) calendar year through alternative placement or expulsion.
- 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.

Persistent Misconduct

Students who have recurring cases of refusal to obey school personnel or to comply with school rules and regulations. Schools requesting a disciplinary hearing regarding the removal of the student from the regular school program through alternative placement must have required Behavior MTSS documentation including a Behavior Progress Monitoring Plan, a signed behavior contract, and a referral for mental health services.

- Notification of appropriate law enforcement agency (if the offense leading to persistent misconduct requires law enforcement notification).
- 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.
- Notification of the parents/guardians in accordance with appropriate procedures.

Physical Attack

An actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.

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.

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, sharing of inappropriate or offensive images, including pornographic material 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. 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 up to 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.
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 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.

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

(Lewdness, indecent exposure) Other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner.

~~"Sexual contact without force or thrust of force when both parties are capable of giving consent. It may also include but not be limited to exposing an individual to lewd, sexual behavior or action, or sharing pornographic material."~~

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 alternative placement or 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~~ $750.

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 student is considered tardy if the student is present on campus but is absent in class when the tardy bell rings 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 $750.00 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/Intimidation

~~*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).*~~

An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.

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. A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act and can be direct or indirect, toward an individual, group, or the school itself. When deemed appropriate, the school-based Threat Assessment Team will follow the district's board approved threat assessment process as outlined in the Comprehensive State Threat Assessment Guidelines (CSTAG), see guidelines on page 77. Through this process, if a threat is deemed to be *"Very Serious Substantive,"* a Mental Health Assessment would be conducted by a School Psychologist and the student may be referred for alternative placement as recommended by the district's Mental Health Support Committee. Students making serious substantive threats will be referred to school and/or community-based counseling.

Tobacco and/or Nicotine Products: Possession/Smoking

A student smoking, using smokeless tobacco, using electronic cigarettes or any vaporization instrument, in possession of tobacco and/or nicotine products, distributing or selling of tobacco and/or nicotine 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 ~~18~~ 21 who possesses tobacco and/or nicotine products ***on or off*** *school property is in violation of law and subject to a fine (or 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 for a third offense.
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 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.

Tobacco Products: Facsimile

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

- Discipline according to the school's discipline plan up to and including out-of-school suspension.
- 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

A pattern of non-attendance as established by 5 unexcused absences in 30 calendar days or 10 unexcused absences in 90 calendar days.

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.
4. Provide MTSS interventions.

Unauthorized Electronic Access

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

1. Discipline of an out-of-school suspension period up to 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 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/Mobile 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).

A. Notification of appropriate law enforcement agency if necessary.

B. Required for removal of unauthorized images/audio/video from device and/or web/internet site(s).

C. 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.

D. 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.

E. 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.
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.
2. 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): Use and /or Display~~

~~*The use and/or displaying 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/Replica or Facsimile): Use and/or Display**~~

1. ~~Notification of appropriate law enforcement agency.~~
2. ~~Notification of grade level Director.~~
3. ~~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 with the recommendation for expulsion for the remainder of the present school year and one (1) additional year.~~
   - ~~**a.** A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.~~
   - ~~**b.** Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.~~
   - ~~c. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information.~~
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 expulsion. Any student who is determined to have brought a firearm or weapon will be referred to mental health services.~~

Weapons (Firearms): Possession

The possession of a firearm (loaded or unloaded, operable or inoperable,) including but not limited to a pistol, rifle, shot gun, zip gun, starter gun, explosive propellant, or destructive device. For the purpose of this section, "Firearm" means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm, silencer; any destructive device, or any machine gun.

(Firearms): Possession

1. Notification of appropriate law enforcement agency.
2. Notification of grade level Director.
3. 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.
   a. A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.
   b. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.

c. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information.

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 expulsion. Any student who is determined to have brought a firearm or weapon will be referred to mental health services.

Weapons (Firearms): Possession of Replica Firearm or Facsimile/Imitation/Toy Firearm (IMI Focus code)

The possession of a firearm replica or facsimile/imitation/toy ~~a~~ firearm which looks like ~~to~~ a pistol, rifle, shot gun, machine gun, zip gun, BB/pellet gun, compressed air devices, ~~or~~ destructive device or other similar weapon. A firearm replica or facsimile/imitation/toy firearm does not need to be operable or capable of functioning like a "Firearm" as defined in this Code of Student Conduct. The intent of this section is to prevent students from bringing objects to school that look like a "Firearm". ~~For the purpose of this section, "Firearm" means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device or any machine gun.~~

(Firearms): Possession – Replica or Facsimile

A. Notification of appropriate law enforcement agency.
B. Notification of grade level Director.
~~C. 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 alternative placement or expulsion.~~
Out-of-school suspension of the student for ten (10) days which may also include a recommendation for a Disciplinary Hearing regarding the removal of the student from the regular school program for a period of No Less Than one (1) calendar year through alternative placement or expulsion as determined by the school officials.

a. A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team for students protected under IDEA or Section 504.
b. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.
c. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information.

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. Any student who is determined to have brought a firearm or weapon will be referred to mental health services.

Dangerous Object not a Weapon~~s~~ (Other) (WWT Focus code)

Common Pocket Knives/Box Cutters/Razor Blades/Self Defense Chemical Spray

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, 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, box cutter or razor blade, or self defense chemical spray which is NOT displayed or coupled with threat, intimidation, and/or reasonable suspicion for use is subject to the following disciplinary action:

1. Notification of appropriate law enforcement agency.
2. Notification of grade level Director.
3. Discipline up to and including out-of-school suspension for up to ten (10) days.
4. Parent/guardian will be notified in accordance with appropriate procedures.
5. 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 alternative placement or expulsion.
   - **c.** A Manifestation Determination Hearing must be conducted immediately by the IEP or Section 504 team immediately for students protected under IDEA or Section 504.
   - **d.** Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided by the student's school as determined by the IEP or Section 504 team.
   - c. See subsection *"Alternative Placement/Expulsion with Continuing Educational Services"* for additional information.
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 alternative placement or expulsion. Any student who is determined to have brought a firearm or weapon will be referred to mental health services.

Discipline Alternatives - Student Conduct Procedures

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.
- **Positive Behavioral Intervention Plans:** A Positive Behavioral Intervention Plan (PBIP) 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 PBIP 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 PBIP, a Functional Behavior Assessment (FBA) must be completed, and assessment information used to develop the PBIP. The Positive Behavior Intervention Plan (PBIP) must be noted on the current IEP. 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 Section 504 Plan must have a Manifestation Determination Hearing. Manifestation Hearing members will consist of Local Education Agency (LEA) representative, ESE teacher, General Education teacher, Administrator, parent, and student. Students protected under IDEA or Section 504 may not be suspended more than 10 days without compensatory services provided as determined by the IEP or Section 504 team.
- **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/ Intervention Program:** If, in the opinion of school officials, a student would benefit from counseling or participating in an Intervention Program provided by a school psychologist, social worker, guidance counselor, school- sponsored program, or an outside agency, a student may be required to obtain counseling or participate in a school district recognized program at parental expense. A student shall be required to show proof of completion/ participation as part of disciplinary procedures, partial criteria for "Early Termination of an Alternative Placement", or requirement for continued enrollment. Offenses for which school officials may employ this alternative may include but are not limited to bullying, threats, intimidation, stalking, harassment, teen dating violence or abuse or acts motivated by hate or bias.
- **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. . All disciplinary action at the classroom, school and district level must be provided to the student and parent/guardian in the home language whenever feasible. Contact the ESOL School Liaison or District Program Facilitator for assistance with interpretation or translation services.

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. **Morning Detention** may consist of a period of time before the start of the school day spent in academic study and isolation from social interaction and/or work assignments related to the upkeep and maintenance of school facilities. The amount of time assigned for morning detention on any one day shall not exceed 30 minutes prior to the start of the school day.
2. **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.
3. **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.
4. **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.

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 Individualized Education Plan or Section 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 protected under IDEA or Section 504 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, a Manifestation Determination Hearing, must be conducted by the IEP or Section 504 team. After the manifestation determination the IEP or Section 504 team will review the student's current IEP/504 to initiate behavioral interventions, a Functional

Behavior Assessment, a Positive 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 suspension 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 24 hours with the reasons for the suspension, the dates involved, and any conditions to the student's parent or guardian.
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

- **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 protected under IDEA or Section 504 who has an active IEP or Section 504 Plan, constitutes a change in educational placement. The following procedures shall be followed:
    1. 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 Coordinator of Behavior Intervention and Supports and request a Manifestation Determination meeting be scheduled with the school based IEP or Section 504 team. The meeting shall be held to make a manifestation determination and if determined by the IEP Team a Functional Behavior Assessment (FBA) and/or Positive Behavioral Intervention Plan (PBIP) may be developed. Additionally, the Coordinator of Behavior Intervention and Supports will schedule an IEP or Section 504 team meeting following the Manifestation Determination meeting as appropriate to further address student needs and supports. . All disciplinary

action at the classroom, school and district level must be provided to the student and parent/guardian in the home language whenever feasible. Contact the ESOL School Liaison or District Program Facilitator for assistance with interpretation or translation services.

2. 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.
3. 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.
4. Schools can recommend placement in an alternative education setting for up to forty-five (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:
   - 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, and/or
   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 Workforce Education, the Assistant Superintendent of Curriculum and Instruction, the Director of Continuous Improvement, 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:
   - appear with counsel;
   - confront and cross-examine;
   - be heard by an impartial tribunal;
   - receive a CD of the proceedings;
   - 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~~
8. A student who has been alternately placed must meet the State of Florida "Regular school attendance" definition. "Regular school attendance" as defined in s. 1003.01(13) F.S., is attendance in one of the following: a public school; a parochial, religious or denominational school; a private school; or a home education or private tutoring program, provided the program meets state requirements.

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 protected under IDEA or Section 504 constitutes a change in educational placement, not an exclusion from educational services. A free appropriate public education (FAPE) must be available to all students protected under IDEA or Section 504 residing in the state between the ages of 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.
8. A student who has been expelled must meet the State of Florida "Regular school attendance" definition. "Regular school attendance" as defined in s. 1003.01(13) F.S., is attendance in one of the following: a public school; a parochial, religious or denominational school; a private school; or a home education or private tutoring program, provided the program meets state requirements.

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. The Principal at the student's zoned school may delay the enrollment in order to ensure the student re-enters the school at the beginning of a grading period or semester. The student is required to remain enrolled in their current educational choice until they are able to re-enroll at their zoned school in order to avoid truancy issues.
10. Students who have chosen an on-line option as an educational choice must remain in the on-line courses and will not be eligible to return to their zoned school until those courses have been completed.
11. 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.

Students Arrested and/or Charged with a Felony or Felony Act; Adjudication Withheld/Conviction of a Felony

A. Definitions: For purposes of this section, the terms "felony" and "felony act" have the same meaning. They are defined to mean a felony under Florida law or a delinquent act which would be a felony if committed by an adult.

B. Application: Any student who is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property may be suspended from school if that incident is shown, in an administrative hearing, to have an adverse impact on the educational program, discipline, or welfare of the school in which the student is enrolled.

C. Procedures:

1. Felony Charges (For Incidents on Property Other than School Property)

C. Notification of Felony Charge and Suspension Hearing: Upon receiving proper notice that a student has been formally charged with a felony, the principal shall immediately notice the eligible student or the student's parents/guardians of the specific charges against the student and of the student's right to a hearing if the principal believes that that the student should be suspended because maintaining the student's attendance at school would have an adverse impact on the educational program, discipline, or welfare at the student's school. The notice provided to the eligible student or the student's parents/guardians must stipulate the date for the hearing and shall also advise the eligible student or student's parents/guardians of the conditions under which a waiver of suspension may be granted.

The suspension hearing shall be held not less than two (2) school days nor more than five (5) school days from postmarked date, or delivery, of the written notice. The student may be temporarily suspended until the suspension hearing process is complete.

D. **Suspension Hearing.** The purpose of the suspension hearing is to determine (1) whether the felony act is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled and (2) whether the student should be suspended pending court determination of the student's innocence or the dismissal of the charge is made by a court of competent jurisdiction. The suspension hearing will be conducted by the principal or designee. The student may also attend along with the student's parents/guardians, the student's representative or legal counsel, and any witnesses requested by the student, the student's parent/guardians, or the principal. At the suspension hearing, the student may speak in the student's own defense, may present any evidence indicating the student's eligibility for waiver of disciplinary action, and may be questioned on their testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.

In conducting the hearing, the principal or designee shall not be bound by rules of evidence or any other courtroom procedure, and no transcript of testimony shall be required.

E. **Outcome of Suspension Hearing.** Following the suspension hearing, and within five (5) school days, the principal shall provide the eligible student or the student's parents/guardians with a written decision as to whether or not suspension will be made. In arriving at this decision, the principal must consider the conditions prescribed by subsections (2) and (3) of Section 1006.09, Florida Statutes, under which a waiver of suspension may be granted. The principal may also decide to grant a waiver if the principal determines such action to be in the best interests of the school and the student. Provided, however, that any suspension pending adjudication of guilt shall be made only upon a finding, based upon conclusive evidence, that a felony charge has been formally filed against the student by a proper prosecuting attorney. The principal also has authority to modify the decision to either grant or deny a waiver, at any time prior to adjudication of the student's guilt by a court, provided that any such modification adverse to the student] shall be made only following a hearing conducted in accordance with Rule 6A-1.0956, Florida Administrative Code.

If the student is suspended as a result of the suspension proceeding, the student may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time, which may exceed ten (10) days, as determined by the Superintendent. The suspension shall not affect the delivery of educational services, and the student shall be immediately enrolled in a daytime alternative education program, or an evening alternative education program, where appropriate. If a court determines that the student did commit the felony or delinquent act which would have been a felony if committed by an adult, the School Board may elect to proceed with expulsion in accordance with the Code of Conduct and Florida law.

2. **Adjudication Withheld/Conviction of a Felony (For Felony Acts Committed On School Property)**: Upon recommendation of the Superintendent, the School Board may take disciplinary against or expel a student who is found to have committed an offense on school property at any time if: (1) the student is found to have committed a delinquent act which would be a felony if committed by an adult; (2) the student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or (3) the student has been found guilty of a felony. Any student recommended for disciplinary action or expulsion will be afforded all rights to a hearing as set forth in this Code of Conduct.
3. **Students with Disabilities.** A student with a disability under the Individuals with Disabilities Education Act ("IDEA") or Section 504 of the Rehabilitation Act of 1973 ("Section 504") shall be

afforded all protections available under Florida and federal law in the event the student is recommended for a disciplinary change in placement, including a suspension or expulsion.

4. Extra-Curricular Activities:

a. 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 educational program, discipline, or welfare at the student's school.

b. Any student who has been **charged** with a felony act (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.

- 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.
- 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.

Continuance of Free and Appropriate Public Education (FAPE)

A. Disciplinary Actions for Deferred Students

N. Students on deferment status will follow the Santa Rosa County School District Student Code of Conduct for Students K-12

1) SRC transition programs have the responsibility to make sure that all students attending, including those receiving special education and related services, are familiar with the discipline code and that their families also have the opportunity to know and understand the code; Parents of students with disabilities should be given the opportunity to discuss the discipline code when it is a concern for their student and to be partners in finding effective ways of assisting in maintaining the code and its intent.
2) The home school will process discipline referrals in the District's ~~SMART~~ FOCUS system, record the offense and consequence, as well as notify the High School Director of serious breach of conduct/offenses that may involve considerations for alternative educational settings, and direct involvement of the IEP Team, to determine if the action(s) were a direct correlation and/or Manifestation of the student's disability. This would be determined in a Manifestation Determination meeting, as opposed to District Disciplinary Committee.
3) If there is immediate action required, due to the nature of the student's offense, the school-based administrator and transition program staff may take safety precautions as deemed necessary. In the event of imminent threat *(threats to the safety of others, access to or possession of weapons on campus, etc.),* the transition program staff should immediately notify the administration and SRO of the hosting school so that they can perform a threat assessment since it is their responsibility to ensure the safety of staff and students on campus.

O. If the deferred student has reoccurring behavioral issues the following actions must be taken:

- It is the responsibility of the IEP team to review the discipline code and determine what specialized help and instruction the student may need to understand the code and consistently demonstrate the appropriate classroom, school behaviors, and workforce behaviors conducive to learning.

- The team should identify and address the difficulties that may occur and may be related to the student's disability, and establish plans that will reduce the chance that such infractions will occur.
- The team should plan to provide adaptations and supports for those behaviors that require additional strategies as well as address those behaviors that may remain unchanged due to the complexity of the disability.

P. Review of Deferment for Persistent Misconduct

a. IEP Team will convene to review behaviors, incidents, response to interventions, and disciplinary actions.
b. Review goals and objectives as well as progress in the selected post-secondary programs.
c. IEP Team will review the data regarding progress towards goals and determine the success of the program, determine if additional agencies/supports are required to support post-secondary goals, and/or if student should continue FAPE.
d. All decisions regarding the continuation of services through the deferment status or the termination of FAPE **MUST** be documented in Prior Written Notice.

Q. Alternative Placement/Expulsion with Continuing Educational Services Considerations for Students with Disabilities (Active IEP); the following procedures shall be followed:

a. If the building administrator determines that a student with a disability has engaged in a behavior that warrants alternative placement or expulsion, he/she shall contact the Director of Exceptional Education and request an Individual Education Plan (IEP) meeting to 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 Positive Behavioral Plan (PBIP) 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 shall be conducted and an appropriate alternative implemented.
c. If the misconduct is not a manifestation of the student's disability, then an IEP Meeting will be conducted to request the IEP Team to review behaviors, persistent misconduct, and determine if a consideration for removal from the 18-22 Transition Program and/or suspension of participation for a designated period of time, as determined by the participants of the IEP Team is required.

~~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 (3) 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 Florida Department of Education website at ~~https://santarosacountyesedepartment.weebly.com/state-restraintsecured-seclusion.html~~

https://santarosacountyesedepartment.weebly.com/state-restraint.html

Restraint ~~and Secured Seclusion~~

Procedures: Based on student with an active IEP or Section 504 Plan

Teacher and Administration Responsibility

1. 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 Prevention Intervention (CPI) will initiate ~~secured seclusion and/or~~ restraint.
2. 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.
3. Once the ~~secured seclusion/~~restraint incident has ended, the supervising teacher will notify the school administration if he/she is not already present at the incident.
4. 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 (2) 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/acknowledgement must be obtained and the signed form returned to the school.
5. If the signed ***Written Notice*** is not returned, the administrator will send a second copy through certified mail and/or by a school social worker for signature. All attempts will be documented on the form.
6. If the administrator was not present at the incident involving ~~Secured Seclusion and/or~~ Restraint he/she may request the teacher or staff member to complete the electronic version of the incident template

form in order to gain the necessary information to complete the mandatory state report. If the administrator was present and has sufficient information to complete the mandatory state report he/she may choose not to request the incident form be completed. 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 be found on:**~~
~~https://santarosacountyesedepartment.weebly.com/state-restraintsecured-seclusion.html~~
https://santarosacountyesedepartment.weebly.com/state-restraint.html

7. If applicable, within three (3) calendar days of the incident, the supervising school administrator will review the incident template form for accuracy and completeness. Information will then be transferred to the state's ~~Secured Seclusion and~~ Restraint Reporting Site at: http://web01.fldoe.org/RestraintSeclusionIncident/Default.aspx. The supervising school administrator will review and print the state report. The report will be mailed to the parent of the student within three (3) calendar days of the incident.
8. Parent will sign and return the State ***Incident Report*** form. All signed incident reports will be placed within the cumulative file on the left side of the ESE or Section 504 folder.
9. If the signed ***Incident Report*** form 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 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 includes 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, genetic information 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 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.
3. 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.

Comprehensive School Threat Assessment Guidelines

Pursuant to s. 1006.07(7), Florida Statutes (F.S.), the Santa Rosa County School District is required to follow the Florida Department of Education standardized, statewide behavioral threat assessment instrument, which is the **Comprehensive School Threat Assessment Guidelines (CSTAG)**. The CSTAG, or threat assessment process is a problem-solving approach to violence prevention that involves assessment and intervention with students who have threatened violence. It is a fact-based process that emphasizes identification, evaluation, intervention and follow-up in order to prevent serious threats of harm or actual acts of violence from occurring.

Threats

A threat is a communication of intent to harm someone that may be spoken, written, gestured or expressed in some other form, such as via text messaging, email or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) or whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning or preparing to commit a violent act. Not all types of misbehavior that may warrant discipline or even criminal consequences are threats. It is limited to instances where there is a threat to harm someone else. If there is doubt, the communication or behavior should be treated as a threat and a threat assessment should be conducted. Any threat is also subject to disciplinary action according to the Code of Student Conduct. Parents/Guardians of students involved in a threat either as the person making the threat or are the target of the threat will be notified by the school.

Threat Levels

Transient threats: Threats where there is not a sustained intent to harm. The critical question is whether the person intends to carry out the threat, or whether the threat was made in the heat of the moment as an expression of anger, frustration or humor without intent to harm. Transient threats can be resolved with an apology, retraction or explanation by the person who made the threat.

Substantive threats: Threats where the intent to harm is present, or not clear, and require protective

action. The question is whether there is an express intent to physically injure someone beyond the immediate situation and there is at least some risk that the person will carry out the threat. If there is doubt or if the threat cannot clearly be categorized as transient, threats should be treated as substantive.

Serious substantive threats are threats to hit, fight or beat up another person.

Very serious substantive threats are threats to kill, rape or cause serious injury with a weapon.

Threats that are deemed to be Very Serious Substantive will require:

1) Safety Evaluation by a Licensed Mental Health Professional
2) Parent interview
3) A referral for school and/or services with a community-based mental health agency
4) SRO/law enforcement investigation for evidence of planning, preparation and criminal activity
5) Student Success and Safety Plan
6) Possible disciplinary action according to the Code of Student Conduct

A threat assessment is not an emergency or crisis response. If there is an indication that violence is imminent, such as when a person is at school with a gun, a crisis response *is* indicated. School staff must take immediate action by calling 911 and following local crisis or emergency response plans.

The Santa Rosa County School District threat assessment protocol can be found on the district's website under the Student Services Department at https://srcstuserv.wixsite.com/sssite/threat-assessments.

Suicide Prevention Protocol and Risk Assessment

The school-based threat assessment team plays a vital role in suicide prevention, intervention, and follow-up intervention. **All stakeholders have a role in reporting suicidal concerns for students: students, teachers, paraprofessionals, bus drivers, administrators, parents, etc.**

If a student concern or threat to harm self/suicidal ideation is brought to the attention of the school administrator or member of the school-based threat assessment team, the school team will follow the Suicide Prevention Protocol established in our district. Everyone has a role in suicide prevention. A comprehensive approach to suicide prevention involves students, school personnel, parents, and community agencies. Collaboration and communication are key to promoting positive mental health in the school setting. Parents/Guardians of students who have had a Suicide Risk Assessment completed will be notified by the school.

Baker Act Protocol

If a student concern or threat to harm self/suicidal ideation is determined to be imminent, or high risk, based on a Suicide Risk Assessment, the school will follow the Baker Act Protocol which could involve a School Resource Officer or law enforcement, a licensed Trauma Informed Counselor, the Mobile Response Team of Santa Rosa County and/or 9-1-1. Anytime this protocol is initiated, the parent/guardian will be notified.

The Santa Rosa County School District Suicide Prevention Protocol and Baker Act Protocol can be found on the district's website under the Student Services Department at https://srcstuserv.wixsite.com/sssite/suicide-prevention-protocol.

Student Success and Safety Plans

Students who have Substantive Threat Assessments, Moderate or High Suicide Risk Assessments and/or

Baker Acts initiated at the school will require a Student Success and Safety Plan. This plan will help to establish a circle of care among the family and school and could also involve community health providers or other community agencies. The goal of this plan is to provide interventions which can help set the student up for success while establishing appropriate safeguards that allow for monitoring of student safety.

Juvenile Civil Citation Program

A. This program is a diversion program in lieu of formal criminal trial through the Department of Juvenile Justice. The program provides immediate consequences for a juvenile's action and diminishes the time between the offense and the punishment. Without this connection, a youth is more likely to continue the negative behavior.

1. A juvenile may be eligible for this program if:
   a. The juvenile is between the ages of 11 and 17;
      b. The act committed is considered a non-serious delinquent act as defined in this order;
      c. The juvenile has no previous misdemeanor or felony convictions (confirmed by contacting the DJJ Intake Screener).
   2. When an officer encounters a juvenile, who has committed a delinquent act that under Section 985.301 Florida Statues, qualifies the juvenile to participate in the Juvenile Civil Citation Program, the officer will proceed as follows:
      a. The officer will explain the Civil Citation Program to the juvenile who has committed a delinquent act and request the juvenile consent to participate in the program. The officer should consider the following to determine if the Civil Citation Program is appropriate for the juvenile:
         1) The severity of the offense and any mitigating or aggravating circumstances;
         2) The juvenile's attitude concerning the officer, the delinquent act, and the Civil Citation Program;
         3) The attitude of the juvenile's parent or guardian concerning the officer, the delinquent act, and the Civil Citation Program;
         4) The mental and/or physical ability of the juvenile;
         5) Is the youth a threat to society?
         6) Whether the delinquent act involves restitution. (These cases do not qualify for the Civil Citation Program and must be referred for prosecution.)
      b. The law enforcement officer has discretion to determine if a citation will be issued in situations where a single infraction results in multiple civil citation eligible offenses (i.e. stacking). When approval of the victim is required, the law enforcement officer will document the approval of the issuance of the civil citation in the offense report.
      c. Offenses approved for the Civil Citation Program per the memorandum of understanding signed with DJJ and at the request of the Juvenile State Attorney.
         1) Affray;
         2) Alcoholic beverage possession by a minor;
         3) Alcoholic beverage selling, giving or serving to a minor;
         4) Assault;

5) Battery (with victim approval);
6) Criminal mischief ($200 - $1000 damage) if no restitution involved;
7) Disturbing school function and religious assemblies;
8) False fire alarm (with victim approval);
9) False report;
10) Loitering or prowling;
11) Petit Theft (with the approval of the victim and only when no restitution is required);
12) Possession of marijuana (Less than 20 grams);
13) Possession of narcotic equipment (drug paraphernalia);
14) Resisting without violence;
15) Resisting a merchant (with victim approval);
16) Trespass – property other than structure/conveyances;
17) Trespass – structure or conveyance; and
18) Disorderly Conduct.

3. If the juvenile consents to participate in the program, the officer will complete the Juvenile Civil Citation.
    a. The citation will be completed utilizing the "Mobile Forms' computer application. Blank citation forms will be available at each district office in the event the officer is unable to complete the citation on the computer.
4. The citation will contain the following information:
    a. Data and offense number;
    b. Juvenile's name, address, race, DOB;
    c. Parent's or guardian's name, phone number, and a work number;
    d. School name;
    e. The criminal offense that was committed and statute number;
    f. Statement of Probable Cause;
    g. Juvenile's, parent or guardian's signature; and
    h. Officer's signature and date.
5. The juvenile, as well as the parent or guardian, must understand that by signing the form, the juvenile is:
    a. Admitting guilt for the purpose of this program:
    b. Waiving the right to a speedy trial;
    c. Affirming that he/she has never been convicted with any misdemeanor or felony offense;
    d. Agreeing to contact the Teen Court Coordinator within seven (7) working days from the date the citation was issued; and
    e. Failure to contact the coordinator will result in the case being referred to the State Attorney for prosecution.
6. Guidelines for Civil Citation Community Service hours will be assigned by Teen Court in conjunction with the Juvenile Civil Citation Program Coordinator.

7. Any juvenile issued a civil citation must be released to a parent or guardian. Then releasing a juvenile to a parent or guardian, the issuing officer will provide a copy of the civil citation to the parent or guardian who signed the civil citation agreeing to the terms of the program.
8. If the juvenile's parent or guardian cannot be reached or refuses to take custody of the juvenile, the juvenile is disqualified from participation in the program and criminal prosecution will be pursued.
9. The Civil Citation Program will be operated by DJJ as an alternative to arrest.

II. Required Reports:

1. An offense report is required any time a civil citation is issued. The offense report will detail the circumstances which led to the issuance of the civil citation as well as any other related information.
2. Completed civil citations will be forwarded via agency courier to the Juvenile Civil Citation Coordinator at the Milton office of the DJJ. A copy of the completed and approved offense report will be attached to the citation.

III. Definitions:

DJJ – Department of Juvenile Justice

JUVENILE JUSTICE CIVIL CITATION – is an alternative program to an arrest, authorized under Section 985.12, Florida Statues, for children who commit non-serious delinquent acts whose purpose is to ensure swift and appropriate consequences to the offender. No more than 50 community service hours may be administered and the juvenile must participate in appropriate intervention services to identify the needs of the juvenile.

NON-SERIOUS DELINQUENT ACT – An act that involves violation of a county ordinance or violation of criminal first or second-degree misdemeanor which does not involve domestic violence. Examples of these violations are: battery, assault, affray, petit theft, trespassing,

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

MINOR I. DOE, et al.;

Plaintiffs,

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

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

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. In construing 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 "non-participatory 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 third party (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 its 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., an 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 XXstudents. 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 non-participatory capacity. School Officials shall not lecture, proselytize, pray, or preach at student, religious-c1ub 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' 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 1st 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

Redacted

PLAINTIFF MINOR II. DOE

Redacted

DEFENDANT SCHOOL BOARD FOR SANTA ROSA COUNTY, FLORIDA

by Diane Scott
School Board Chairperson

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

by Tim Wyrosdick

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

by Bryan Stephen Shell

SANTA ROSA COUNTY SCHOOL BOARD
SUPERINTENDENT
JUL 5 2011
APPROVED-IN SESSION

Approved as to Form:

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Hotline Numbers for Students and Parents

Abuse/Neglect Reporting Line	1-800-96-ABUSE
Adult Education	850-983-5710
AIDS Counseling & Information Hot Line	1-800-FLA-AIDS
Alcoholics Anonymous	800-839-1686
Anti-Tobacco: Florida Quit Line	1-877-U-CAN-NOW
Big Brothers/Big Sisters Mentoring Program	850-433-KIDS
Early Learning Coalition of Santa Rosa County	850-983-5317
Child Support	1-877-769-0251
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 of Santa Rosa County (Information & Referral to Community Resources)	850-595-5905
Food Stamps/SNAP - Apply online https://www.myflfamilies.com/service-programs/access	1-866-762-2237
Gamblers Anonymous	1-855-222-5542
Health Departments – Gulf Breeze Milton Jay	934-4074 983-5200 675-4211
Health Source (Baptist Health)	850-434-4080
Healthy Start (Information & Referral for Pregnancy)	1-850-245-4465
Help Line/Crisis Line	1-800-273-8255
Help Line – Crisis Line for Lakeview Counseling	850-432-1222
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 – Pensacola District Santa Rosa County Sheriff's Office Gulf Breeze Police Department Milton Police Department	 850-484-5000 850-983-1100 850-934-4050 850-983-5420
Legal Services	432-3999
Libraries - Gulf Breeze Branch, Jay Branch, Milton Branch, Navarre Branch & Pace Branch	850-981-7323
Medicaid Services	1-866-762-2237
Mental Health & Counseling - Lakeview Center Helpline Mental Health Options – Lakeview Center	850-623-6363 850-469-3500
Missing Children	1-800-THE-LOST
National Teen Dating Help Line (www.loveisrespect.org)	1-866-331-9474
Pensacola State College (Milton)	850-484-4400
RAP Line – to report sales of alcohol & tobacco to minors (CDAC Counseling)	1-888-994-9944
Rape Crisis Line	1-850-433-RAPE

Run Away Teens Florida Network	1-800-RUNAWAY
Santa Rosa County Community Clinic	850-981-9433
Santa Rosa County District Schools	850-983-5150
Social Security	1-800-772-1213
Suicide Prevention Hot Line (National Suicide Prevention Lifeline)	1-800-784-2433
Veterans Affairs Information Service	1-800-827-1000
Victims Advocate	850-983-4461 850-623-1112

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...

437-STOP

Crime Stoppers

SANTA ROSA COUNTY

.....EARN A REWARD!

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.

SANTA ROSA COUNTY SCHOOL BOARD
2022-23 CALENDAR

PRE–PLANNING ..... **August 2–9, 2022**
POST–PLANNING ..... **May 30–31, 2023**
STUDENTS BEGIN ..... **August 10, 2022**
STUDENTS LAST DAY ..... **May 26, 2023**

9 Weeks
Aug. 10 – Oct. 6 (41 days)
Oct. 10 – Dec. 16 (44 days)
Jan. 4 – Mar. 10 (46 days)
Mar. 21 – May 26 (48 days)

Report Cards
October 21
January 13
March 31
May 26 (Elementary)
June 9 (Middle/High)

Mid-Term Reports
September 9
November 10
February 17
April 28

APPROVED-IN SESSION

APR - 7 2022

SANTA ROSA SCHOOL BOARD
SUPERINTENDENT

Early Release & Holidays

September 5	Labor Day
October 7	Planning Day (No school for students/workday for teachers)
November 11	Veterans Day
November 21-25	Fall Break/Thanksgiving
December 14-15	Semester Exams – Early Release for Middle/High Schools
December 16	Early Release for all students – Semester Exams Middle/High Schools
Dec. 19 – Jan. 2	Winter/Christmas Break
January 3	Planning Day (No school for students/workday for teachers)
January 16	Martin L. King Jr. Birthday
February 20	President's Day
March 13-17	Spring Break
March 20	Planning Day (No school for students/workday for teachers)
April 7	Good Friday
May 24-25	Semester Exams–Early Release for Middle/High Schools
May 26	Early Release, Last day of school for all students–Semester Exams Middle/High Schools
May 29	Memorial Day

HIGH SCHOOL GRADUATION DATES

May 18 – Blended Academy	5:00 P.M.
May 18 – Locklin Tech.	7:00 P.M.
May 22 – Santa Rosa High/Adult	7:30 P.M.
May 23 – Milton High	7:00 P.M.
May 25 – Jay High	5:00 P.M.
May 25 – Central	7:00 P.M.
May 27 – Pace High	11:00 A.M.
May 27 – Navarre High	2:30 P.M.
May 27 – Gulf Breeze High	6:00 P.M.

Semester Exams
1st Semester
December 14, 15, 16
2nd Semester
May 24, 25, 26

Senior Final Exams
May 17, 18, 19

Storm Days (If Needed)
2nd Semester: March 20, May 30

School Board Revised 04/07/22