

SCHOOL BOARD OF DUVAL COUNTY



NOTICE REGARDING CODE OF STUDENT CONDUCT FOR SCHOOL YEAR

2014 – 2015

School _____

Grade _____

In order to conserve resources, schools will not distribute paper copies of the *Code of Student Conduct* (Code) to every student. You can locate an electronic copy of the Code online at the District website at: <https://www.duvalschools.org>. If you require a paper copy of the Code, please check the box where indicated below, sign and return this sheet, and one will be provided to your child.

This Code has been adopted to help your son/daughter gain the greatest possible benefit from his/her education. Please read and discuss the Code with your son/daughter. To request a printed copy of the Code, please sign this sheet and return it to school.

This form will be kept at the school. Training on the Code of Student Conduct will be provided to all students, teachers and administration during the first month of school.

FAILURE TO RETURN THIS ACKNOWLEDGEMENT FORM WILL NOT RELIEVE A STUDENT OR THE PARENT/ GUARDIAN OF THE RESPONSIBILITY FOR COMPLIANCE WITH THE *CODE OF STUDENT CONDUCT* OR ACCOUNTABILITY FOR LOSS OR DAMAGE TO DCPS PROPERTY.

Please check **only** if you require a printed copy of the 2014-2015 *Code of Student Conduct*. **One (1) copy per household will be provided.**

Print Student Name

Student Signature

Date

Print Parent/Guardian Name

Parent/Guardian Signature

Date

Duval County Public Schools
Elementary

Code of Student Conduct

2014-2015



Duval County School Board Members

The Honorable Cheryl Grymes – District 1
The Honorable Fred “Fel” Lee – District 2
The Honorable Ashley Smith Juarez – District 3
The Honorable Paula D. Wright – District 4
The Honorable Dr. Constance S. Hall – District 5
The Honorable Becki Couch – District 6
The Honorable Jason Fischer – District 7

Superintendent of Schools

Nikolai P. Vitti, Ed.D.

EVERY school, ***EVERY*** classroom, ***EVERY*** student, ***EVERY*** day



JURISDICTION OF THE SCHOOL BOARD

Duval County Public Schools' students are subject to the rules and regulations of the Duval County School Board. The jurisdiction of the Board is in effect during the school day; at regular school-sponsored activities; during transportation on school buses or at public expense to and from school or other educational activities; and at all times and places where appropriate school personnel have jurisdiction over students, including, but not limited to, school-sponsored events, field trips, and athletic functions. All school regulations and prohibitions pertain to automobiles driven or parked on school property. The School Board does not have jurisdiction at bus stops or on routes that students take when walking to or from school.

Jurisdictional control over the student may extend to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect on the health, safety, or welfare of the school. In addition, with respect to bullying, the jurisdiction of the Board may extend to data or computer software accessed at a nonschool-related location, activity, function, or program, or to technology or an electronic device that is not owned, leased, or used by Duval County Public Schools.

Duval County Public School employees are not responsible for supervising students who arrive on school property 30 or more minutes before school or a school-sponsored activity is scheduled to begin. Further, Duval County Public School employees are not responsible for supervising students who remain on school property 30 or more minutes after school ends, or 30 or more minutes after a school-sponsored activity ends.

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DUVAL COUNTY PUBLIC SCHOOLS

CODE OF STUDENT CONDUCT

INTRODUCTION AND PHILOSOPHICAL BASIS

Instruction should occur in an environment that is conducive to learning. Good order and discipline are essential to effective instruction and to the ability of students and school personnel to work cooperatively toward mutually recognized and accepted goals. The rules outlined in the Code are designed to ensure that this primary reason for the existence of school is achieved. Any behavior that prevents learning from taking place is unacceptable and will result in the appropriate consequence.

Duval County Public Schools is committed to maintaining a safe, secure, and respectful school environment that reflects the highest standards of our community and society. All persons, students, teachers, administrators, parents, and others on our campuses are expected to conduct themselves in a considerate and respectful manner and support a safe and respectful school environment conducive to learning and constructive, civil dialogue. Teachers, administrators, and staff must operate in a safe and secure environment and receive the respect their positions demand if they are to effectively perform their duties. Offensive language, threats, assault or any other disrespectful or intimidating conduct directed toward a teacher or other school district employee will not be tolerated. Any such conduct by any student will result in immediate removal of the student from the subject classroom or school environment and requires parental engagement and school discipline.

To assist students, parents, guardians, administrators, and school personnel in maintaining such an environment, the *Code of Student Conduct* will:

- ❖ Identify classifications of violations and describe procedures for disciplinary actions
- ❖ Identify formal disciplinary actions
- ❖ Standardize procedures for administering formal disciplinary actions
- ❖ Describe roles of the home, student, school and school personnel
- ❖ Describe rights and responsibilities of all students and parents/guardians
- ❖ Outline general code of appearance
- ❖ Describe rights of disabled students relating to discipline
- ❖ Inform parents/guardians and students of the district's Internet Safety and Acceptance Use Agreement

It is the responsibility of both student and parent/guardian to know the rules of the *Code of Student Conduct* and to support the fair and impartial administering of the rules. With age and maturity, students will be expected to assume greater responsibility for their actions. Students are responsible for accepting the consequences for actions that may violate the *Code of Student Conduct*.

It is the responsibility of school personnel to be aware of the specifics of the *Code of Student Conduct* and to apply them appropriately. It is the responsibility of the school to convey information regarding individual school policies and procedures to students and parents/guardians via a school planner or through other appropriate means.

The School Board and personnel appointed at the district level are responsible for ensuring that the *Code of Student Conduct* and the consequences for the identified violations are legal and fair. The Board is also responsible for conveying to the community and parents/guardians, that once these conditions are met, the actions taken by the local school will be supported for the good of the school system and the community as a whole.

Should you have any questions regarding the Code of Student Conduct, please contact the assistant principal at the school level or call Student Discipline Support Department at 390-2477.

CLASSIFICATIONS OF VIOLATIONS

Violations of the *Code of Student Conduct* are grouped into four classes:

❖ Minor	Level I
❖ Intermediate	Level II
❖ Major	Level III
❖ Zero Tolerance	Level IV

Each classification is followed by a disciplinary procedure that is to be implemented by the principal/designee. The document is set up to ensure that principals and school administrators are consistent with administering discipline for violations of the *Code of Student Conduct*. Consequences should be delivered based on the charts included in this document and the number of instances that particular violation has occurred as indicated from left to right within each level. **Parent/Guardian contact, either written or verbal, should be made each time a student is disciplined by an administrator.** If necessary, students involved in a fight or dispute and are assigned In School Suspension will be separated during their suspension to avoid further conflict. In this instance, one student will serve his/her consequence for the assigned number of days and the other student will serve his/her suspension after the first student is released. All reports of bullying and harassment, including those that are unsubstantiated) must be reported to the state. Substantiated cases should follow the guidelines outlined in this document and unsubstantiated cases should be reported using the SEISR codes UBL for unsubstantiated bullying and UHR for unsubstantiated harassment. In addition, all instances of physical restraint must be reported utilizing the code NVI.

It is understood that when a violation of the *Code of Student Conduct* occurs, the student's explanation shall be heard by the principal/designee before determining the classification of the violation. The principal or designee will review each case, including all documentation provided by staff and other witnesses, individually before assigning consequences. Florida Statutes 1003.31, 1003.32, 1006.07, and 1006.09 describe responsibilities of the school principal or other designated staff.

Classroom teachers will address general classroom disruptions or minor offenses by taking appropriate and documented in-class interventions and/or disciplinary actions. These include, but are not limited to, personal calls to parents/guardians, parent/teacher conferences, referral to a guidance counselor, etc. If such measures do not cease the disruption, a disciplinary referral is appropriate. (Failure to bring notebook, pencil, books, required materials and equipment to class, or failure to work in class, are not cause for disciplinary referrals).

SPECIAL NOTES

NOTE I: REPEATED VIOLATIONS: Repeated violations of the *Code of Student Conduct* in school and/or on the school bus will be considered willful disobedience and/or open defiance of authority resulting in possible suspension or expulsion from school and/or the school bus for the remainder of the school year or a specific period of time.

NOTE II: HAZING: There shall be no type of hazing during any district sponsored event, club, organization, or class within the school or off campus. Hazing shall be defined as any action or situation for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of the school which recklessly or intentionally endangers a student's mental or physical health or safety. Acts of hazing shall be addressed and will result in the appropriate consequence being administered in accordance with the *Code of Student Conduct*.

NOTE III: SEARCH AND SEIZURE: Federal and state laws grant individuals reasonable expectations of privacy and freedom from unreasonable search and seizure of property. Such guarantees are not unlimited and must be balanced by the school's responsibility to protect the health, safety and welfare of all students. Students may be subject to search of person or property if a reasonable suspicion exists that the student may have violated the *Code of Student Conduct* or state or federal law. Be advised that, upon reasonable suspicion, student lockers and other storage areas (including, but not limited to, book bags, pocketbooks, notebooks, pockets, personal electronic devices, etc.) may be searched. Additionally, school personnel are permitted to conduct administrative searches for weapons and other contraband absent reasonable suspicion. Administrative searches shall be carried out with a neutral plan for execution and in the least intrusive manner. Schools are permitted to use metal detectors to assist in this effort.

NOTE IV: PROHIBITED ITEMS: Be advised that students will be held responsible for prohibited items in their personal control, such as items located in book bags, clothing or items belonging to someone else.

NOTE V: TECHNOLOGY-BASED INFRACTIONS: Technology-based infractions may result in a suspension or limited access of network and/or Internet access. Alternative instructional materials may be provided.

NOTE VI: BUS RIDING PRIVILEGES: Bus riding is a privilege, which may be revoked. Misconduct by any student while riding a school bus represents a serious threat to the safety of all occupants on the bus as well as other motorists, pedestrians, and members of the community. Parents/guardians are urged to discuss with their children appropriate school bus conduct in order to ensure bus safety. All students who misbehave while riding the school bus will be disciplined according to the *Code of Student Conduct*.

A bus suspension is separate from a school suspension and applies only to the loss of bus riding privileges unless subject to other disciplinary actions, such as out-of-school suspension. Students are required to attend school. Bus suspension does not affect or excuse school attendance.

Suspension or revocation of school bus privileges applies to all vehicles in the Duval County Public School Transportation System. This does not apply to transportation authorized by School Administration for field trips. Students with disabilities (Exceptional Education Students other than Gifted) and students with Section 504 Plans may be suspended from the bus for up to three (3) days at one time.

NOTE VII: COUNSELING AND/OR TREATMENT: A student may be required to obtain counseling and/or attend a recognized treatment program at parental expense and show proof of completion of such counseling or program. Such offenses may include, but are not limited to, abuse of technology, substance abuse, stalking, threats, intimidation, bullying, harassment, teen dating violence or abuse or acts motivated by hate or bias.

NOTE VIII: COMPENSATION FOR ACTS OF VANDALISM: A student who willfully damages school property, a school bus, or bus equipment shall be properly disciplined. The parent(s) or legal guardian of a minor student (or the student, if he/she is an adult) shall reimburse the owner of the bus for restitution or for replacement of any damaged school property in accordance with the true value as determined by the appropriate administrative staff. Students who damage school property, a school bus or bus equipment shall be subject to disciplinary action according to the *Code of Student Conduct*.

NOTE IX: EXPULSION: The School Board has the sole authority to expel students pursuant to Florida Statute 1006.07. The School Board may expel a student from school based on grounds specified in the *Code of Student Conduct*. “Expulsion” means the removal of the right and obligation of a student to attend a public school under conditions set by the district school board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly.

The Duval County School Board will conduct an expulsion hearing for a student found to have committed a Zero Tolerance Offense, even if the student withdraws from Duval County Public Schools after committing the offense.

NOTE X: TESTING RESTRICTIONS: During State assessments and other testing which is determined by the principal or his/her designee, students may not have any electronic or recording devices, including, but not limited to smart phones, cell phones, personal computers, electronic games or similar devices, in their pockets, at their desk or anywhere they can reach them, before, during, or after the testing session. Possession of any electronic device that reproduces, transmits, records, or calculates (except for the State approved calculator), will result in the student’s test being invalidated.

NOTE XI: BUS SAFETY: Pursuant to Florida law, each passenger on a school bus that is equipped with safety belts or restraint system shall wear a properly adjusted and fastened safety belt at all times while the bus is in operation.

NOTE XII: STUDENTS WITH DISABILITIES (IEP/SECTION 504 PLANS): Disciplinary action(s), as outlined in the *Code of Student Conduct* must comply with the Individuals with Disabilities Education Improvement Act (IDEIA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. **For detailed information regarding students with disabilities refer to the 2014-15 Discipline Guidelines for Students with Disabilities.**

NOTE XIII: ANTI-BULLYING POLICY: Pursuant to Florida Statute 1006.147, it is the policy of the Duval County School Board (DCSB) that all of its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind. Accordingly, DCSB will not tolerate bullying or harassment against any student, employee, visitor, volunteer or agent who works on school-related activities, subject to the control of school officials. This policy shall be interpreted and applied consistently with all applicable state and federal laws and employee collective bargaining agreements. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

DCSB prohibits bullying or harassment of any student or school employee, volunteer or agent:

1. During any education program or activity conducted by DCSB,
2. During any school-related or school-sponsored program or activity or on a school bus;
3. Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of DCSB. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
4. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by DCPS or a school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any non-school-related activity, function, or program.

For more information, see DCSB 10.20 Anti-Bullying Policy. Bullying or harassment reporting forms may be found on the district's website at www.duvalschools.org.

Note XV: Principals, or their designee, at their discretion can allow or disallow different types of personal portable electronic devices (whose primary use is approved methods of communication and research) to be used while at school. Personal portable devices, whose primary purpose is gaming, will not be allowed unless approved by the Principal or their designee. The use of such devices is done so voluntarily and is a privilege that can be suspended or revoked at any time. At no time may a student access unfiltered Internet through a cellular network or unauthorized Wi-Fi hotspot on their personal devices while on school grounds. **Bringing a personal portable electronic device to school puts that device at great risk of being lost, stolen or damaged; at no time will the District be liable for such loss or damage.**

Note XVI: In preparing our students for online testing and complying with State of Florida mandates, each Duval County Public School student will be assigned a computer network login that will provide the student with access to internal and external network resources including the Internet. The proper use of the Internet provides opportunities for research, learning, and web-based educational programs. **Some enrichment, online testing, and curriculum resources programs are only accessible through the Internet including some specific intervention and grade recovery programs.** A parent or guardian may make a written request by completing the **Parental Internet "Education Only" Form** available at their school to limit a student's access to "Educational Only" Internet resources. Such a request will severely limit the student's ability to perform online research, access enrichment, curriculum resources, and may limit the classes in which the student can participate in.

MINOR OFFENSES - LEVEL I

1.01 (ZZZ) Disruption in Class – Any conduct which is so disruptive as to interfere with the teacher’s ability to communicate with the students in class and/or with the ability of other students to learn.

1.02 (ZZZ) Illegal Organization – Any participation in prohibited secret clubs or societies.

1.03 (ZZZ) Disorder Outside of Class – A student must not bother other students outside of class or participate in disruptive conduct that interferes with maintaining order in areas subject to school authority or the failure to follow directions to cease such conduct.

1.04 (ZZZ) Tardiness – Reporting late to school or class (refer to individual school’s tardy procedures).

Tardiness is defined as the physical absence of a student in the classroom at the beginning of a regularly scheduled session at which he or she is scheduled to be present. A student’s tardiness shall be excused when the reason given for tardiness is acceptable to the principal or designee. Examples of acceptable reasons for tardiness are the same as the examples of acceptable reasons for excused absences.

A student has the responsibility to be in class on time. A student failing to make an effort to attend class in a timely manner shall be considered truant and subject to disciplinary action. A student’s excessive unexcused tardiness shall be considered willful disobedience, and the student shall be subject to disciplinary action.

Accumulation of tardies shall be on a nine-week grading period. Schools with electronic tardy tracking systems shall track tardies on an aggregate basis. Schools without electronic tardy tracking systems shall track tardies by period.

NOTE: Pursuant to Florida law, out-of-school suspension is not a permissible disciplinary action for this violation for students who are of compulsory attendance age. As such, action code 07 (out-of-school suspension) should not be used for this offense

1.05 (ZZZ) Use of Abusive, Profane, or Obscene Language or Gestures Towards Another Student– Must not use inappropriate language or gestures.

1.06 (ZZZ) Nonconformity to the General Code of Appearance (see Appendix for General Code of Appearance)

1.07 (ZZZ) Inappropriate Public Display of Affection

1.08 (ZZZ) Unauthorized Absence from Class or School

NOTE: Pursuant to Florida law, out-of-school suspension is not a permissible disciplinary action for this violation for students who are of compulsory attendance age. As such, action code 07 (out-of-school suspension) should not be used for this offense.

1.09 (ZZZ) Unauthorized Use of Wireless Communication Devices or Cell Phone – Possession of a wireless communication device is not a violation of the *Code of Student Conduct*. However, it is a violation of the *Code of Student Conduct* when the possession of a wireless communication device disrupts the educational process. This includes the unauthorized use of a wireless communication device during school hours and/or the unauthorized use on school buses in the absence of an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay).

NOTE: If students possess a wireless communication device, it must be turned off and kept out-of-sight inside a pocket, book bag, purse, or similar container, unless authorized by the Principal/designee or teacher. It is the expectation that parents/ guardians should only contact students through the school office during school hours.

Violations of this policy will result in confiscation, and the device will only be released to the parent/guardian. Progressive discipline will apply for repeated violations. School Board employees or agents will not be held liable for wireless communication devices that are lost, stolen, or confiscated. Florida Statute 1006.07 (2)(e) requires school districts to notify parents/guardians that students who use wireless communication devices in the commission of a criminal act may face school disciplinary action and/or criminal penalties.

During district and state assessments, students may not have any electronic or recording devices, including but not limited to, smartphones, tablets, personal computers, tablets, cell phones, or electronic games, in their pockets, at their desk or anywhere they can reach them, before, during, or after the testing session. Possession of any electronic device that reproduces, transmits, records, or calculates (except for the State approved calculator), will result in the student's test being invalidated.

1.10 (ZZZ) Failure to Follow Instructions on the School Bus – Any conduct or disruption on the school bus including, but not limited to, the following: eating, drinking, or littering; failure to sit in assigned seat; improper boarding or departing in an disorderly manner; failure to keep aisle and step wells clear; failure to utilize required safety equipment (e.g., seatbelts); and failure to present bus permit/student ID if one has been issued and is requested.

NOTE: Pursuant to Florida law, each passenger on a school bus that is equipped with safety belts or restraint system shall wear a properly adjusted and fastened safety belt at all times while the bus is in operation.

Disciplinary Actions - Minor Offenses – Level I

Level 1	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence	5 th Occurrence
1.01 (ZZZ) Disruption in Class (Yelling out, out of seat, talking)	<ul style="list-style-type: none"> Teacher/ Student/ Administrator Conference 	<ul style="list-style-type: none"> Parent/Teacher Phone Conference Behavior Contract 	<ul style="list-style-type: none"> Parent/Teacher School Conference Detention Work Detail 	<ul style="list-style-type: none"> 1 day ISSP 	<ul style="list-style-type: none"> 1 to 3 days ISSP
1.02 (ZZZ) Illegal Organization	<ul style="list-style-type: none"> Teacher/Student/ Administrator Conference 	<ul style="list-style-type: none"> Parent/Teacher Phone Conference Behavior Contract 	<ul style="list-style-type: none"> Parent/Teacher School Conference Detention Work Detail 	<ul style="list-style-type: none"> 1 day ISSP 	<ul style="list-style-type: none"> 1-3 days ISSP
1.03 (ZZZ) Disorder Outside of Class	<ul style="list-style-type: none"> Teacher/Student/ Administrator Conference 	<ul style="list-style-type: none"> Parent Conference Detention 	<ul style="list-style-type: none"> Detention Work Detail 	<ul style="list-style-type: none"> 1 day ISSP 	<ul style="list-style-type: none"> 1-3 days ISSP
1.04 (ZZZ) Tardiness	<ul style="list-style-type: none"> Warning 	<ul style="list-style-type: none"> Parental Conference 	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> 1 day ISSP Referral to Truancy Officer Use of Tardy Monitoring Sheet 	<ul style="list-style-type: none"> 2-3 days ISSP Referral to Truancy Officer Use of Tardy Monitoring
1.04 (ZZZ) Use of Abusive, Profane, or Obscene Language or Gestures towards another student	<ul style="list-style-type: none"> Teacher/Student/ Administrator/ Conference 	<ul style="list-style-type: none"> Parental Conference Behavior Contract 	<ul style="list-style-type: none"> Work Detail Counseling Referral Detention 	<ul style="list-style-type: none"> 2 days ISSP 	<ul style="list-style-type: none"> 3-5 days ISSP
1.06 (ZZZ) Nonconformity to the General Code of Appearance (see appendix for general code of appearance)	<ul style="list-style-type: none"> Behavioral Contract 	<ul style="list-style-type: none"> Parent Conference Detention 	<ul style="list-style-type: none"> 1 day ISSP 	<ul style="list-style-type: none"> 2 days ISSP 	<ul style="list-style-type: none"> 3-5 days ISSP
1.07 (ZZZ) Inappropriate Public Display of Affection	<ul style="list-style-type: none"> Teacher/Student Conference 	<ul style="list-style-type: none"> Counseling Referral 	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> 1 day ISSP Guidance Intervention 	<ul style="list-style-type: none"> 2 Days ISSP Guidance Interventio
1.08 (ZZZ) Unauthorized Absence from Class	<ul style="list-style-type: none"> Teacher/Student/ Administrator Conference 	<ul style="list-style-type: none"> Parent Conference 	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> 1 day ISSP Referral to Truancy Officer Use of Tardy Monitoring Sheet 	<ul style="list-style-type: none"> 2-3 days ISSP Referral to Truancy Officer Use of Tardy Monitoring Sheet
1.09 (ZZZ) Unauthorized use of a Wireless Personal Device or Cell Phone	<ul style="list-style-type: none"> Teacher/Student Conference Confiscation and return to student 	<ul style="list-style-type: none"> Confiscation and return to student 	<ul style="list-style-type: none"> Detention Confiscation and return to Parent 	<ul style="list-style-type: none"> 1 day ISSP 	<ul style="list-style-type: none"> 2 days ISSP
1.10 (ZZZ) Failure to follow Instructions on the School Bus (ex. Eating, standing, not wearing seatbelt, etc.)	<ul style="list-style-type: none"> Administrative conference with student 	<ul style="list-style-type: none"> 1-3 day bus Suspension 	<ul style="list-style-type: none"> 3-5 day bus suspension 	<ul style="list-style-type: none"> 5-10 day bus suspension 	<ul style="list-style-type: none"> 1-3 days ISSP

INTERMEDIATE OFFENSES - Level II

2.02 (ZZZ) Failure to Follow Directions Relating to Safety and Order in Class, School, or School-Sponsored Activities – Any refusal to comply with lawful and reasonable directions of a school district employee or agent that relates to the safety of students or school personnel, or to the maintenance of order while a student is under school jurisdiction. **This offense may not be used to suspend students for tardies or multiple tardy behaviors.**

NOTE: Any conduct which significantly disrupts all or portions of campus activities, (greater than one classroom) school-sponsored events and school bus transportation may constitute a Level III offense.

2.03 (TBC) Possession and/or Use of Tobacco/Facsimile Products

NOTE: It is illegal to possess or use tobacco products if under the age of 18. Tobacco products shall include, but not be limited to, any lighted or unlighted cigarettes, cigars, pipe tobacco, pipe, bidi, clove cigarette, cigarillo, hookah, blunts, chewing tobacco, snuff, snus, orbs, strips, sticks, electronic cigars and cigarettes and any other items containing or reasonably resembling tobacco or tobacco products.

To safeguard the health and safety of school district employees and students, the use of tobacco products on any School Board property is prohibited. School Board property, as used herein, shall mean any building owned or part thereof owned or used by the School Board, and the grounds upon which such building is located.

2.04 (TBC) Distribution and or Sale of Tobacco/Facsimile Products

Tobacco products shall include, but not be limited to, any lighted or unlighted cigarettes, cigars, pipe tobacco, pipe, bidi, clove cigarette, cigarillo, hookah, blunts, chewing tobacco, snuff, snus, orbs, strips, sticks, electronic cigars and cigarettes and any other items containing or reasonably resembling tobacco or tobacco products.

To safeguard the health and safety of school district employees and students, the use of tobacco products on any School Board property is prohibited. School Board property, as used herein, shall mean any building owned or part thereof owned or used by the School Board, and the grounds upon which such building is located.

2.05 (ZZZ) Intentional Threat of a School District Employee or Agent – An intentional threat by word or act to do violence on a school district employee or agent, coupled with the apparent ability to do so, creating fear in that person.

NOTE: There are specific disciplinary actions required for violations of this offense.

A student with disabilities (IEP/Section 504 Plan) must be referred first to the Re-evaluation Review Team (RRT)/Section 504 Team for a manifestation determination and recommendation prior to referral to the Hearing Officer.

2.06 (ZZZ) Intentional Threat of a Student – An intentional threat, by word or act, to do violence to a student, coupled with the apparent ability to do so, and doing some act, which creates fear in that person.

2.07 (PHA) Intentionally Striking Another Student – Intentional pushing, touching or striking of another student against the will of the other student.

2.08 (ZZZ) Dispute – Lower-level confrontations such as, mutual pushing and shoving or altercations which stop upon verbal command and are resolved without injury or need for physical restraint (Formerly 2.18).

NOTE: Out-of-school suspension shall not be a disciplinary action for a first offense of a dispute.

2.09 (FIT) Fighting (Mutual combat, mutual altercation) – When two or more persons mutually participate in physical violence that requires physical restraint and/or results in injury.

NOTE: Self-defense is described as an action to block an attack by another person or to shield yourself from being hit by another person. Retaliating by hitting a person back is not self-defense and will be considered as fighting.

- 2.10 (FIT) Initiating a Fight** – When a student intentionally instigates or initiates a fight with another student.
- 2.11 (FIT) Fighting or Striking a student on a School Bus**
- 2.12 (ZZZ) Response to Physical Attack** – A student that responds to a physical attack by defending themselves with a combative response.
- 2.13 (ZZZ) Use of a Device to Record a Fight** – Students shall not use cameras or any other recording device (digital, video, cell phone cameras, tablets, etc.) to capture images or videos on school property, the bus, or at a school-sponsored event to record a fight or altercation.
- 2.14 (ZZZ) Premeditated Use of a Device to Record a Fight** – Student is aware that a fight, altercation, or violation will occur and intentionally uses a recording device to record the offense.
- 2.15 (ZZZ) Vandalism** – Any intentional and deliberate action resulting in damages of less than \$200 to public property, school district property, or the real estate or personal property belonging to another including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto as defined by Florida Statute 806 (Documentation of assessment of damages required). A student who willfully damages school property, a school bus, or bus equipment shall be properly disciplined. The parent(s) or legal guardian of a minor student (or the student, if he/she is an adult) shall reimburse the owner of the bus for restoration or for replacement of any damaged property in accordance with the true value as determined by the appropriate administrative staff. Students who damage school property, a school bus or bus equipment shall be subject to disciplinary action according to the *Code of Student Conduct*. **Damage to property valued at \$200 to \$1,000 constitutes a Level III Offense.**
- 2.16 (ZZZ) Stealing or Use of Counterfeit Bills** – Any intentional unlawful taking and/or carrying away of property valued at less than \$300 belonging to, or in the lawful possession or custody of another, including, but not limited to, money, credit cards, debit cards, gift cards, jewelry and personal items located in lockers, cars, book bags, clothing, or anywhere else on school property or the use of counterfeit money for procuring school items i.e., lunch, fundraisers, uniforms, etc. (Proof of purchase price required). **The taking of property valued at \$300 or more constitutes a Level III Offense.**
- 2.17 (ZZZ) Possession of Stolen Property** (with the knowledge that it is stolen)
- 2.18 (ZZZ) Teasing/Intimidation/Ridicule** – Verbal, written or printed communication that maliciously threatens injury to a person, property, or reputation of another, or other conduct that demeans or ridicules another. Multiple 2.18 offenses may rise to the level of bullying. Completion of the threat, either by the victim complying with the demands, or the carrying out of threats against the victim, constitutes a Level III Offense.
- 2.19 (TRS) Trespassing** – Willfully entering or remaining in any structure, conveyance, or school property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, and is warned by an authorized person to depart and refuses to do so. **A student who has been suspended or expelled from school or school bus and returns to any School Board property (without being authorized) or who enters a school other than their own (without permission) is considered to be trespassing and is subject to arrest.**
- 2.20 (ZZZ) Possession of Fireworks, Firecrackers, Smoke Bombs, Flammable Materials or Firearm Facsimiles**
- 2.21 (ZZZ) Verbal Sexual Harassment** – Any unwelcomed sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, or electronic contact when submitting to or rejecting the conduct affects or unreasonably interferes with the learning environment or creates an intimidating, hostile, or offensive educational environment (6A-19.008 SBE Rule). It includes, but is not limited to, sexually-oriented jokes, verbal advances, sexually-oriented kidding, teasing, using language that has a double meaning and is sexually suggestive.

NOTE: Violation of the School Board's sexual harassment policy may be grounds for in-school suspension, out-of-school suspension, expulsion, or the imposition of other disciplinary action by the school, and may also result in criminal charges by State or local units of government. Severe and/or repeated inappropriate or unwelcome conduct or speech that is sexual in nature may constitute a Level III offense.

2.22 (ZZZ) Directing Obscene, Profane, or Offensive Language or Gestures to a School District Employee or Agent – Any behavior offensive to common propriety or decency directed to a student, school district employee or agent including, but not limited to, any verbal, written, electronic, or physical conduct such as, slurs, or innuendos, - which has the purpose or the effect of creating an intimidating, hostile, or offensive educational environment.

2.23 (ZZZ) Leaving School Grounds or the Site of Any School Activity Without Permission

2.24 (ZZZ) False Information Intentionally providing false information to a school district employee or agent, including giving false student information data and concealment of information directly relating to school business. This includes, but is not limited to, failure to provide correct name, correct phone number or other pertinent data, forgery of school notes, readmit slips, tardy slips, excuse blanks, report cards, hall passes, field trip forms, scholarship warnings, notes to or from parents/guardians, or any other related materials.

NOTE: A student is responsible for ensuring that parents/guardians receive any materials sent home by the school and for ensuring that school personnel receive any materials sent to school by the parent/guardian.

2.25 (ZZZ) Refusal to Attend or Participate in Other Previously Assigned Discipline

2.26 (ZZZ) Inappropriate Use of Instructional Technology or an Electronic Device

- Students will only use computers with permission and must abide by the district's Acceptable Use Policy (AUP).
- Students will not share logins, usernames, or passwords with anyone. **Students are responsible for any activity that occurs under their account.** Students have no expectation of privacy while utilizing the DCPS network, computers, or any device that is attached to it.
- Students will not attempt to access websites blocked by district policy, including the use of proxy services, software, or websites. **If the website is blocked, do not attempt to bypass the block by any means.**
- Students will not use the network to access material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people (hate literature). **Students shall immediately notify a teacher or administrator if inappropriate information is mistakenly accessed or found anywhere on the DCPS network including student shares.** This may protect students against a claim of intentional violation of this policy.
- Students will not post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, etc. This information may not be provided to an individual, organization, or company, including websites that solicit personal information. Promptly disclose to a teacher any messages received that are inappropriate or make you feel uncomfortable.
- The use of the DCPS network or computers is a privilege that may be restricted or removed by school based administration, automated content control systems, or the Office of Information Security.
- Students will not make any attempt to bypass a firewall, intrusion detection/prevention system or any security system designed to secure the network. Students will not use sniffing (unauthorized monitoring of network traffic/usage) or remote access technology to monitor the network or other user's activity.
- Students will not download or store unauthorized music, videos, movies, software, or games on the DCPS network.
- Students will not use technology for personal gain, profit, or any illegal conduct, such as fraud, copyright infringement, hacking, cheating, or distributing viruses or malware that result in minor disruptions.
- Students using a personal device will only access the filtered internet through the DCPS BYOD (Bring Your Own Device) Network while authenticated with their own username and password.
- Students will not possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety, or use the Internet or websites at school to encourage illegal behavior, or threaten school safety.

NOTE: Violations, which constitute any major disruption of an educational or business process, may result in a Level III or IV Offense.

2.27 (ZZZ) Gambling – Any participation in games of chance for money and/or other things of value.

2.28 (ZZZ) Failure to Adhere to Safety Considerations on School Bus – Failure to adhere to expected school bus safety considerations include, but are not limited to, failure to remain seated, spitting out of the bus window, boarding or attempting to board a school bus other than the one to which the student is assigned, boarding or departing a

school bus at a location other than assigned pick-up or drop-off bus stop without prior school administration permission, yelling out of the bus and making any gesture to others outside of the bus that may be considered offensive to decency or common propriety.

A student who boards or attempts to board a school bus other than the one to which the student is assigned or who boards or departs a school bus at a location other than assigned pick-up or drop-off bus stop without prior school administration permission is considered to be a 2.28 *Code of Student Conduct* offense and subject to formal disciplinary action.

2.29 (ZZZ) Cheating and/or Copying the Work of Others – Intentionally copying or using another’s work to receive credit or improve grades. Examples would include, but are not limited to, plagiarizing, giving or receiving answers during testing.

2.30 (ZZZ) Extortion – A student may not obtain money or property from an unwilling person by force, threat of force, or other means of coercion.

Disciplinary Actions - Intermediate Offenses – Level II				
Level 2 Infraction	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
2.01 (ZZZ) Failure to Follow Directions Relating to Safety and Order in Class, School, or School-Sponsored Activities	<ul style="list-style-type: none"> • Parent Phone Conference • Detention 	<ul style="list-style-type: none"> • Parent face-to-face Conference • 1-3 days ISSP • Behavior Contract 	<ul style="list-style-type: none"> • 3-5 Days ISSP 	<ul style="list-style-type: none"> • 5-7 days ISSP
2.02 (TBC) Possession and/or Use of Tobacco/Facsimile Products	<ul style="list-style-type: none"> • Counseling referral 	<ul style="list-style-type: none"> • 1-3 days ISSP • Parent/Student conference • Written essay on the effects of tobacco use 	<ul style="list-style-type: none"> • 3-5 days ISSP • 5-10 day loss of extracurricular privileges • SOS 	<ul style="list-style-type: none"> • 5-7 days ISSP
2.03 (TBC) Distribution and/or Sale or Purchase of Tobacco/Facsimile Products	<ul style="list-style-type: none"> • Counseling referral • 1-3 days ISSP • Parent/Student conference • Written essay on the effects of tobacco use 	<ul style="list-style-type: none"> • 3-5 days ISSP • 5-10 day loss of extracurricular privileges • SOS 	<ul style="list-style-type: none"> • 5-7 days ISSP • 5-10 day loss of extracurricular privileges SOS 	<ul style="list-style-type: none"> • 8-10 days ISSP • SOS
2.04 (ZZZ) Possession and/or Use of Matches or Lighters	<ul style="list-style-type: none"> • Parent Conference • Behavior contract • Detention 	<ul style="list-style-type: none"> • 1 day ISSP • Guidance referral 	<ul style="list-style-type: none"> • 2-3 days ISSP 	<ul style="list-style-type: none"> • 3-5 days ISSP
2.05 (ZZZ) Intentional Threat on School District Employee or Agent	<ul style="list-style-type: none"> • Mandatory 1-10 days ISSP • Parent Conference 	<ul style="list-style-type: none"> • 10 days OSS • Referral to Hearing Office 		
2.06 (ZZZ) Intentional Threat on a Student	<ul style="list-style-type: none"> • 1-2 days ISSP • Parent Conference • Behavior contract • Guidance referral • Restorative Justice 	<ul style="list-style-type: none"> • 3-5 days ISSP • Restorative Justice • SOS 	<ul style="list-style-type: none"> • 5-7 days ISSP • Restorative Justice 	<ul style="list-style-type: none"> • 10 days ISSP • Referral to Hearing Office
2.07 (PHA) Intentionally Striking Another Student	<ul style="list-style-type: none"> • 1-3 days ISSP • Behavior Contract • Parent Phone Conference • Restorative Justice 	<ul style="list-style-type: none"> • 3-5 days ISSP • Counseling Referral • Restorative Justice 	<ul style="list-style-type: none"> • 1-3 days OSS • Parent In-School Conference • SOS 	<ul style="list-style-type: none"> • 3-5 days OSS
2.08 (ZZZ) Dispute	<ul style="list-style-type: none"> • Parent Phone Conference • Restorative Justice • Behavior contract 	<ul style="list-style-type: none"> • 1-3 days ISSP Parent In-School Conference • Restorative Justice • Guidance Referral • Student “No Contact” Contract • Detention 	<ul style="list-style-type: none"> • 4-6 days ISSP • Restorative Justice 	<ul style="list-style-type: none"> • 1-3 days OSS • Referral to Hearing Office
2.09 (FIT) Fighting (Mutual combat, mutual altercation)	<ul style="list-style-type: none"> • 1-3 days ISSP (1 day mandatory minimum) • Restorative Justice • Behavior Contract 	<ul style="list-style-type: none"> • 3-5 days ISSP • Restorative Justice 	<ul style="list-style-type: none"> • 1-2 days OSS 	<ul style="list-style-type: none"> • 3-5 days OSS • Referral to Hearing Office
2.10 (FIT) Initiating a Fight	<ul style="list-style-type: none"> • 3-5 days ISSP (1 day mandatory minimum) • Restorative Justice • Behavior Contract 	<ul style="list-style-type: none"> • 6-10 days ISSP • Restorative Justice 	<ul style="list-style-type: none"> • 1-3 days OSS 	<ul style="list-style-type: none"> • 3-5 days OSS • Referral to Hearing Office
2.11(FIT) Fighting or Striking a Student on a School Bus	<ul style="list-style-type: none"> • 1-5 days ISSP and 5 day bus suspension • Restorative Justice • Behavior Contract 	<ul style="list-style-type: none"> • 10 day bus suspension • Restorative Justice 	<ul style="list-style-type: none"> • 1-2 days ISSP and 10 day bus suspension 	<ul style="list-style-type: none"> • 3-5 days ISSP and 10 day bus suspension • Referral to Hearing Office

Level 2 Infraction	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
2.12 Response to a Physical Attack	<ul style="list-style-type: none"> • Detention • Behavior Contract • Restorative Justice 	<ul style="list-style-type: none"> • Detention • Work Detail • Restorative Justice 	<ul style="list-style-type: none"> • 1-2 days ISSP • SOS 	<ul style="list-style-type: none"> • 3-5 days ISSP
2.13 (ZZZ) Use of a device to record a fight	<ul style="list-style-type: none"> • Parent Conference • Behavior contract • Detention • Confiscation of camera (returned to parent) 	<ul style="list-style-type: none"> • 1-3 days ISSP • Guidance referral • Confiscation of camera (returned to parent) 	<ul style="list-style-type: none"> • 3-5 days ISSP • Confiscation of camera (returned to parent) 	<ul style="list-style-type: none"> • 5-7 days ISSP • Confiscation of camera (returned to parent) • Referral to Hearing Office
2.14 (ZZZ) Premeditated use of a device to record a fight	<ul style="list-style-type: none"> • Parent Conference • Behavior contract • 1-3 days of ISSP (1 day mandatory minimum) • Confiscation of camera (returned to parent) 	<ul style="list-style-type: none"> • 3-5 days ISSP • Guidance referral • Confiscation of camera (returned to parent) 	<ul style="list-style-type: none"> • 5-7 days of ISSP • Confiscation of camera (returned to parent) 	<ul style="list-style-type: none"> • 1-3 days of OSS • Confiscation of camera (returned to parent)
2.15 (ZZZ) Vandalism	<ul style="list-style-type: none"> • Restorative Justice • Behavior Contract 	<ul style="list-style-type: none"> • Restorative Justice • 1-2 days ISSP 	<ul style="list-style-type: none"> • Restorative Justice • 3 days ISSP 	<ul style="list-style-type: none"> • Restorative Justice • 5 days ISSP
*2.16 (ZZZ) Stealing or Use of Counterfeit Bills	<ul style="list-style-type: none"> • Restorative Justice 	<ul style="list-style-type: none"> • Restorative Justice • 1 day ISSP 	<ul style="list-style-type: none"> • Restorative Justice • 2 days ISSP 	<ul style="list-style-type: none"> • 3 days ISSP • Restorative Justice
*2.17 (ZZZ) Possession of Stolen Property	<ul style="list-style-type: none"> • Restorative Justice • 1 day ISSP 	<ul style="list-style-type: none"> • 2 days ISSP • Parent Conference • Restorative Justice) 	<ul style="list-style-type: none"> • 3 days ISSP • Parent Conference • SOS • Restorative Justice 	<ul style="list-style-type: none"> • 1 day OSS
2.18 (ZZZ) Teasing/Intimidation / Ridicule	<ul style="list-style-type: none"> • Restorative Justice • Behavior Contract 	<ul style="list-style-type: none"> • 2 days ISSP • Guidance Referral • Parent Conference 	<ul style="list-style-type: none"> • 3 days ISSP • SOS • Restorative Justice 	<ul style="list-style-type: none"> • 5 days ISSP • Subsequent Offense Level 3 bullying
2.19 (TRS) Trespassing (unauthorized entering of school board property without the intent to cause harm)	<ul style="list-style-type: none"> • Add 1 day to Suspension (if applicable) • Behavior Contract • Detention 	<ul style="list-style-type: none"> • Add 2 days to suspension & subject to arrest • 1 days of ISSP (if not currently suspended) 	<ul style="list-style-type: none"> • 2 days ISSP 	<ul style="list-style-type: none"> • 3 days of ISSP
2.20 (ZZZ) Possession of Fireworks, Firecrackers, Smoke Bombs, Flammable Materials or Firearm Facsimiles	<ul style="list-style-type: none"> • Guidance Referral 	<ul style="list-style-type: none"> • Parent Conference • Behavior Contract • Guidance Referral 	<ul style="list-style-type: none"> • 1 day ISSP 	<ul style="list-style-type: none"> • 3 days ISSP
2.21 (ZZZ) Verbal Sexual Harassment	<ul style="list-style-type: none"> • Behavior Contract 	<ul style="list-style-type: none"> • 1 day ISSP • Parent Conference • Guidance Referral 	<ul style="list-style-type: none"> • 2 days ISSP • SOS 	<ul style="list-style-type: none"> • 3 days ISSP

Level 2 Infraction	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
2.22 (ZZZ) Directing Obscene, Profane, or Offensive Language or Gestures to a School District Employee or Agent	<ul style="list-style-type: none"> Behavior Contract 	<ul style="list-style-type: none"> 1-3 days ISSP Parent Conference Guidance Referral 	<ul style="list-style-type: none"> 5 days ISSP SOS 	<ul style="list-style-type: none"> 3 days OSS
2.23 (ZZZ) Leaving School Grounds or the Site of Any School Activity Without Permission	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> 2 days ISSP Behavior Contract Guidance referral 	<ul style="list-style-type: none"> 3 days ISSP SOS 	<ul style="list-style-type: none"> 4 days ISSP
2.24 (ZZZ) False Information	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> Parent Conference Guidance Referral 	<ul style="list-style-type: none"> 1-2 days ISSP 	<ul style="list-style-type: none"> 3-5 day OSS
2.25 (ZZZ) Refusal to Attend or Participate in Other Previously Assigned Discipline	<ul style="list-style-type: none"> Reassign Discipline 	<ul style="list-style-type: none"> 1 day ISSP 	<ul style="list-style-type: none"> 1-3 days ISSP SOS 	<ul style="list-style-type: none"> 5 days ISSP
2.26 (ZZZ) Unauthorized Use of Instructional Technology	<ul style="list-style-type: none"> Behavior Contract 	<ul style="list-style-type: none"> Suspension of Usage (30 days) Detention Parent Conference 	<ul style="list-style-type: none"> Suspension of Usage (60 days) 1-3 days ISSP Parent Conference SOS 	<ul style="list-style-type: none"> Suspension of Usage (Permanent) 3-5 days ISSP Parent Conference
2.27 (ZZZ) Gambling	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> Parent Conference Behavioral Contract 1 day ISSP 	<ul style="list-style-type: none"> Parent Conference 2 days ISSP SOS 	<ul style="list-style-type: none"> Parent Conference 3 days ISSP
2.28 (ZZZ) Failure to Adhere to Safety Considerations on School Bus	<ul style="list-style-type: none"> Detention 	<ul style="list-style-type: none"> 3 days bus Suspension 	<ul style="list-style-type: none"> 5 days bus suspension 	<ul style="list-style-type: none"> 10 days bus suspension
2.29 (ZZZ) Cheating and/or Copying the Work of Others	<ul style="list-style-type: none"> Restorative Justice 	<ul style="list-style-type: none"> Restorative Justice Detention 	<ul style="list-style-type: none"> Restorative Justice 1 day ISSP 	<ul style="list-style-type: none"> Restorative Justice 2-3 days ISSP
2.30 (ZZZ) Extortion	<ul style="list-style-type: none"> 1 day ISSP Parent Conference Behavior contract 	<ul style="list-style-type: none"> 3 days ISSP Guidance referral 	<ul style="list-style-type: none"> 5 days OSS 	<ul style="list-style-type: none"> 1-3 days OSS Referral to hearing office

* Offenses marked with an asterisk will require immediate police notification and possible arrest, as determined by law enforcement.

MAJOR OFFENSES - Level III

3.01 (ALC) Alcohol Possession, purchase, or use of alcoholic beverages. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.

NOTE: It is illegal to possess or use alcoholic beverages if under the age of 21.

3.02 (DRU) Drugs The use or possession of any drug, narcotic, controlled substance, or any substance when used for hallucinogenic purposes. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.

NOTE: The possession or use of illicit drugs is illegal and harmful.

3.03 (PHA) Striking a School District Employee or Agent – Intentionally touching or striking another person against the will of another; or throwing of an object at a school district employee or agent.

3.04 (ROB) Robbery (using force to take something from another) – The taking or attempted taking of anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear.

3.05 (STL) Stealing/Larceny/Theft – Any intentional unlawful taking, carrying, riding away, or concealing the property of another valued at \$300 or more belonging to, or in the lawful possession or custody of another, without threat of violence or bodily harm. This offense also includes the theft of credit cards, debit cards, checks, school keys, and motor vehicles (Proof of purchase price required).

3.06 (BRK) Burglary of School Structure – Entering, or remaining in a dwelling, structure or conveyance without justification with the intent to commit an offense therein, unless the premises are at the time open to the public or the individual is licensed or invited to enter or remain as defined in Florida Statute 810.02.

3.07 (ZZZ) Vandalism – Any intentional and deliberate action resulting in damages of \$200 to \$1,000 to school district property, public property or the real or personal property of another not limited to the placement of graffiti thereon or other acts of vandalism thereto as defined in Florida Statute 806.13. (Documentation of assessment of damages required).

NOTE: Damage to property valued more than \$1,000 constitutes a Level IV offense.

3.08 (ZZZ) Possession of Prohibited Substance or Objects – Possession of any blade not considered to be a weapon (includes common pocketknife, plastic knife, or blunt-bladed table knife), martial arts weapons, bullets, syringes, BB guns, paint guns, air strike guns, over-the-counter drugs, drug paraphernalia, inhalants or devices including, but not limited to, mace or pepper spray (2 oz. or less), or any other object that may puncture, wound, or otherwise injure another person.

3.09 (ZZZ) Lewd, Indecent, or Offensive Behavior – Any behavior offensive to common propriety or decency, including, but not limited to, “mooning,” sexting, offensive touching, indecent exposure, possession, distribution, or display of obscene or “hate” material, possession/display of electronic images or text, or similar behavior.

3.10 (SXH) Physical Sexual Harassment – Unwanted physical behavior or repeated verbal behavior with sexual connotations by a student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation or unreasonably interfere with the individual’s school performance or participation (Rule 6A-19.008(3) FAC. An incident when one person demands a sexual favor from another under the threat of physical harm or adverse consequence).

There is no requirement in School Board policies that specific body parts must be touched (i.e., sexual organs), or that sexual harassment, in any form, must be shown to have occurred repeatedly, over a long period of time, and/or be severe.

NOTE: Violation of the School Board’s sexual harassment policy relating to a student is grounds for in-school suspension, out-of-school suspension, expulsion, or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed.

Conduct outside of school, including threats, intimidation, harassment, or discrimination, where the incident (conduct) is well known or of public concern, which has a detrimental effect on the health, safety and welfare of the school, and which causes a substantial disruption of, or interferes with, the educational process at school may also constitute a violation of the *Code of Student Conduct*.

3.11 (SXO) Sexual Offenses – Law enforcement must be notified to investigate any sexual contact, including intercourse, without force or threat of force, or subjecting an individual to lewd, sexual gestures, sexual activities, or exposing private body parts in a lewd manner. **Law enforcement must be notified to investigate and a report must be provided for this offense from the police department.**

3.12 (BAT) Striking of a Student, School District Employee or Agent Resulting in Bodily Harm – Intentional striking of another student or school district employee or agent against the will of that person which causes bodily harm.

3.13 (DOC) Inciting or Participating in Major Student Disorder – Disruption of all or significant portion of campus activities, school-sponsored events, or school bus transportation that poses a serious threat to the learning environment, health, safety, or welfare of others.

3.14 (DOC) Unjustified Activation of a Fire Alarm System

3.15 (DOC) Unjustified Activation of Bus Emergency Systems – Any unjustified activation of bus emergency doors, emergency windows, or other systems unless directed by the bus operator/attendant, or other authorized school district employee or agent in an emergency or in the case of an evacuation drill.

3.16 (ZZZ) Defamation of Character – A knowingly false communication, either oral or written, that is harmful or injurious to a school board employee or agent's reputation and/or exposes that person to contempt, scorn or ridicule and jeopardizes the school board employee or agent's employment with the District.

3.17 (ZZZ) Stalking – Engaging in a pattern of behavior or activity that involves willful, malicious, and repeated following, harassing, or cyberstalking of another as defined under Florida Statute 784.048 (2).

NOTE: The above-referenced code infraction shall be applicable in accordance with the jurisdiction of the School Board as defined on page 1 of the *Code of Student Conduct*.

3.18 (ZZZ) Unauthorized Use of Instructional Technology

- * Use of another user's account to bypass restrictions placed on his or her account.
- * Intentionally utilizing a teacher or staff member's account to access district resources that are not intended for student use.
- * Knowingly making unauthorized changes to grades, test scores, or student data on internal or externally hosted systems.
- * Production and/or distribution of pornography or making pornography available to users.

Multiple 2.26 violations or subsequent misuse of technology following a 2.26 violation

3.19 (OMC) Major Dispute or Altercation – The willful act of participating in a disruption involving physical contact, with multiple participants in a major dispute or altercation. This may include gang-related activity as defined in Chapter 874, FL Statutes.

3.20 (TRE) Repeated Threats Upon School District Employee or Agent – Repeated intentional threats by word or acts to do violence to the person of another, coupled with an apparent ability to do so; and after having been disciplined in accordance with 2.05 of the Code for a first violation, doing a second (or repeated) act(s) which create(s) a well-founded fear in such other person that such violence is imminent, when the person committing the offense knows or has reason to know the identity or position or employment of the victim.

3.21 (BUL) Bullying/Cyberbullying – Systematically and chronically, inflicting physical hurt or psychological distress on one or more students or employees, often characterized by an imbalance of power and is unwanted, purposeful and repeated through written, verbal, nonverbal, physical behavior, electronic communication or the use of technology, by a student or adult that is severe or pervasive enough to create an intimidating, hostile or offensive environment and substantially interferes with the individual's school performance or participation.

Note: Cyberbullying includes, but is not limited to, electronic mail, Internet communications, instant messages, facsimile, texting, social media, creating webpages and weblogs, assuming the identity of another person, distribution by electronic means or posting of materials on an electronic medium that may be accessed by one or more persons which creates any of the conditions enumerated in the definition of bullying.

- 3.22 (SXA) Sexual Assault** - An incident that includes a threat of rape, fondling, indecent liberties, child molestation, or sodomy. Both male and female students can be victims of sexual assault. The threats must include all of the following elements; 1. Intent; 2. Fear; and 3. Capability. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).
- 3.23 (TRS) Trespassing** –A student who enters school board property or attends a school function when suspended or who enters a school other than their own with the intent to incite disruption (also subject to arrest)
- 3.24 (ZZZ) Teen Dating Violence or Abuse** - Pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past dating relationship to exert power and control over another when one or both of the partners is a teenager. This may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, and harassment through a third party, and may be physical, mental, or both.
- 3.25 (HAR) Harassment** – Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. (As defined by the School Environmental Safety Incident Report (SESIR) codes and definitions. Requires compliance with the district’s Anti-Bullying Policy as well as compliance with the district’s Anti-Bullying Procedures. The required bullying and harassment investigation must be completed and the required documentation placed in the student’s disciplinary folder).

Disciplinary Action - Major Offenses – Level III

Level 3 Infraction	1st Occurrence	2nd Occurrence
3.01 (ALC) Possession, purchase, or use of alcoholic beverages	• SOS and/or 3 days OSS	• 5 days OSS
*3.02 (DRU) Use or possession of drugs or controlled substances	• SOS and/or 3 days OSS	• 5 days OSS
3.03 (PHA) Striking a School District Employee or Agent	• 1-2 days OSS	• 3-5 days OSS
*3.04 (ROB) Robbery	• 1-2 days OSS	• 3-5 days OSS
*3.05 (STL) Stealing/Larceny/Theft	• 1-2 days OSS	• 3-5 days OSS
*3.06 (BRK) Burglary of School Structure	• 1-2 days OSS	• 3-5 days OSS
*3.07 (ZZZ) Vandalism	• 1-2 days OSS	• 3-5 days OSS
3.08 (ZZZ) Possession of Prohibited Substance or Objects	• 1-2 days OSS	• 3-5 days OSS
*3.09 (ZZZ) Lewd, Indecent, or Offensive Behavior	• 1-2 days OSS	• 3-5 days OSS
*3.10 (SXH) Physical Sexual Harassment	• 1-2 days OSS	• 3-5 days OSS
*3.11 (SXO) Sexual Offenses	• 1-2 days OSS	• 3-5 days OSS
*3.12 (BAT) Striking of a Student, School District Employee or Agent Resulting in Bodily Harm	• 1-2 days OSS	• 3-5 days OSS
*3.13 (DOC) Inciting Or Participating in Major Student Disorder	• 1-2 days OSS	• 3-5 days OSS
3.14 (DOC) Unjustified Activation of a Fire Alarm	• 1 day of OSS	• 3 days OSS
3.15 (DOC) Unjustified Activation of Bus Emergency Systems	• 1 day OSS	• 3 days OSS
3.16 (ZZZ) Defamation of Character	• 3 days OSS	• 5 days OSS
*3.17 (ZZZ) Stalking	• 3 days OSS	• 5 days OSS
3.18 (ZZZ) Unauthorized Use of Instructional Technology	• 3 days OSS	• 5 days OSS
*3.19 (OMC) Major Dispute or Altercation	• 3 days OSS	• 5 days OSS
*3.20 (TRE) Repeated Threats Upon School District Employee or Agent	• 5 days OSS	• 10 days OSS
3.21 (BUL) Bullying/Cyberbullying	• 3 days OSS	• 5 days OSS
*3.22 (SXA) Sexual Assault	• 5 days OSS	• 10 days OSS
3.23 (TRS) Trespassing (unauthorized entering of school board property with the intent to cause harm)	• 5 days OSS	• 10 days OSS
3.24 (ZZZ) Teen Dating Violence or Abuse	• 5 days OSS	• 10 days OSS and Principal may refer the student to an alternative school
3.25 (HAR) Harassment	• 5 days OSS	• 10 days OSS and Principal may refer the student to an alternative school

* Offenses marked with an asterisk will require immediate police notification and possible arrest, as determined by law enforcement.

ZERO TOLERANCE OFFENSES - Level IV

The Duval County School Board has adopted a zero tolerance policy with respect to the following offenses. Students who commit these offenses shall receive the most severe consequences, including possible expulsion. See Duval County School Board Policy 5.28, Zero Tolerance for School Related Crimes.

NOTE: The highlighted () offenses are defined under Florida Statute 1006.13 and carry the recommendation of expulsion for a period not to exceed the remainder of the school year and one (1) additional year of attendance. All Level IV offenses may lead to the recommendation for expulsion.**

The Duval County School Board will conduct an expulsion hearing for a student found to have committed a Zero Tolerance Offense, even if the student withdraws from Duval County Public Schools after committing the offense.

4.01 (ALC) Alcohol – Any possession of an alcoholic beverage with the intent to sell, give away, or otherwise distribute to another person.

NOTE: It is illegal to possess or use alcoholic beverages if under the age of 21.

4.02 (DRD) Drugs – Any possession of a drug with the intent to sell, or give away, or otherwise distribute to another person including any substance alleged to be a drug, regardless of its content.

NOTE: The possession or use of illicit drugs is illegal and harmful.

4.03 (ARS) Arson – Any willful and malicious burning of any part of a dwelling, structure, building or conveyance, whether occupied or not, or its contents.

4.04 (ROB) **Armed Robbery – The taking of money or other property from the person or custody of another by use of a weapon, or in the course of the taking, putting another in fear of the use of a weapon, force, or violence.

4.05 (WPO) **Possession of a Firearm – Possession, discharge, use, or sale of any firearm or destructive device on school property, school-sponsored transportation, or during a school-sponsored activity. A firearm is 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 such a weapon; any firearm muffler or firearm silencer, any destructive device, or any machine gun. A “destructive device” means any bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing an explosive, incendiary, or poison gas and includes any frangible (breakable) container filled with an explosive, incendiary, explosive gas, or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage.

NOTE: Under the Gun-Free School Act, any student (regardless of age) who is determined to have brought a firearm, as defined in 18 U.S.C. 921, to school, any school function, or on any school-sponsored transportation will be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than one (1) full year. (The expulsion requirement is subject to modification, on a case-by-case basis, as allowed by law.) A student who is determined to have brought a firearm to school will be referred for criminal prosecution.

The Duval County School Board will conduct an expulsion hearing for a student (regardless of age) found to have committed a Zero Tolerance Offense, even if the student withdraws from the Duval County Public School after committing the offense.

4.06 (WPO) **Use of a Deadly Weapon – Possession of any deadly weapon, other than a firearm, which is used in a threatening manner and is perceived by the individual being threatened as capable of inflicting physical harm.

NOTE: The possession of a firearm, knife, other type of weapon, or any item that can be used as a weapon by any student while the student is on school property or in attendance at a school function, is grounds for disciplinary action and may also result in criminal prosecution.

The Duval County School Board will conduct an expulsion hearing for a student found to have committed a Zero Tolerance Offense, even if the student withdraws from the Duval County Public School after committing the offense.

4.07 (WPO) Use of a Prohibited Object or Substance – Use of any prohibited object or substance to strike or to threaten in a manner, which is perceived by the individual being threatened as capable of inflicting physical harm.

4.08 (DOC) Bomb Threats – Reporting to school district employees or agents, police, or fire officials the presence of a bomb on or near school property without a reasonable belief that a bomb is actually present.

4.09 (WPO) **Explosives – Preparing, possession, or igniting on School Board property, explosives likely to cause serious bodily injury or property damage.

NOTE: Under the Gun-Free School Act, any student (regardless of age) who is determined to have brought an explosive, as defined in 18 U.S.C. 921, to school, any school function, or on any school-sponsored transportation will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year. (The expulsion requirement is subject to modification, on a case-by-case basis, as allowed by law.) A student who is determined to have brought a firearm to school will be referred for criminal prosecution.

The Duval County School Board will conduct an expulsion hearing for a student found to have committed a Zero Tolerance Offense, even if the student withdraws from Duval County Public Schools after committing the offense.

4.10 (SXB) **Sexual Battery/Rape – Any sexual act directed against another person with force, violence, and/or against the person's will, including, but not limited to, sexual battery, attempted rape or rape.

4.11 (BAT) **Aggravated Battery – Intentionally causing great bodily harm, disability or permanent disfigurement to another person.

4.12 (TRE) Aggravated Stalking – Engaging in a pattern of behavior or activity that involves willful, malicious, and repeated following, harassing, or cyber stalking of another and making a credible threat with the intent to place that person in reasonable fear of death or bodily injury of the person, or the person's child, sibling, spouse, parent, or dependent, as defined in Florida Statute 784.048(3).

NOTE: The above-referenced code infraction shall be applicable in accordance with the jurisdiction of the School Board as defined on page 2 of the *Code of Student Conduct*.

4.13 (OMC) Any Other Offense Which Is Reasonably Likely to Cause Great Bodily Harm or Serious Disruption of the Educational Process

4.14 (KID) **Kidnapping/Abduction

4.15 (HOM) **Homicide/Murder/Manslaughter

4.16 (VAN) Vandalism – The intentional destruction, damage, or defacement of public or private property over \$1000.00 without consent of the owner or the person having custody or control of it. (Documentation of assessment of damages required).

**These offenses carry the recommendation of expulsion for a period not to exceed the remainder of the school year and one (1) additional year of attendance.

Disciplinary Action Zero Tolerance Offenses –Level IV	
Level 4 Infraction	1st Occurrence
4.01 (ALC) Alcohol – Any possession of an alcoholic beverage with the intent to sell, give away, or otherwise distribute to another person.	•10 days OSS & referred to hearing office (possible expulsion)
*4.02 (DRD) Drugs Any possession of a drug with the intent to sell, or give away, or otherwise distribute to another person including any substance alleged to be a drug, regardless of its content.	•10 days OSS & referred to hearing office (possible expulsion)
*4.03 (ARS) Arson Any willful and malicious burning of any part of a dwelling, structure, building or conveyance, whether occupied or not, or its contents.	•10 days OSS & referred to hearing office (possible expulsion)
*4.04 (ROB) *Armed Robbery The taking of money or other property from the person or custody of another by use of a weapon, or in the course of the taking, putting another in fear of the use of a weapon, force, or violence.	•10 days OSS & referred to hearing office (possible expulsion)
*4.05 (WPO) **Possession of a Firearm	•10 days OSS & referred to hearing office (possible expulsion)
*4.06 (WPO) **Use of a Deadly Weapon	•10 days OSS & referred to hearing office (possible expulsion)
*4.07 (WPO) Use of a Prohibited Object or Substance	•10 days OSS & referred to hearing office (possible expulsion)
*4.08 (DOC) Bomb Threats	•10 days OSS & referred to hearing office (possible expulsion)
*4.09 (WPO) **Explosives	•10 days OSS & referred to hearing office (possible expulsion)
*4.10 (SXB) **Sexual Battery/Rape	•10 days OSS & referred to hearing office (possible expulsion)
*4.11 (BAT) **Aggravated Battery	•10 days OSS & referred to hearing office (possible expulsion)
*4.12 (TRE) Aggravated Stalking	•10 days OSS & referred to hearing office (possible expulsion)
*4.13 (OMC) Any Other Offense Which Is Reasonably Likely to Cause Great Bodily Harm or Serious Disruption of the Educational Process	•10 days OSS & referred to hearing office (possible expulsion)
*4.14 (KID) **Kidnapping/Abduction	•10 days OSS & referred to hearing office (possible expulsion)
*4.15 (HOM) **Homicide/Murder/Manslaughter	•10 days OSS & referred to hearing office (possible expulsion)
*4.16 (VAN) Vandalism	•10 days OSS & referred to hearing office (possible expulsion)

* Offenses marked with an asterisk will require immediate police notification and possible arrest, as determined by law enforcement.

EXTRACURRICULAR ACTIVITIES

Students will exhibit satisfactory conduct in order to retain eligibility to participate in extracurricular activities in the Duval County Public Schools. Students attending an Alternative School cannot participate in extracurricular activities.

Disciplinary Actions - Extracurricular Activities

For In-school Suspension: Students may participate in extracurricular activities during in-school suspension.

For Out of School Suspension: Students assigned to *Out of School Suspension* shall be excluded from participating in all extracurricular activities from the date of the offense until completion of the disciplinary action. For the purpose of continuity, suspension shall begin the day the referral is finalized and the consequences issued by the appropriate administrator.

For Level III, or Level IV Offenses: Students who commit a Level III, or Level IV Offense shall be excluded from participating in all extracurricular activities from the date of the offense until completion of the disciplinary action.

Students referred to the Hearing Office or SOS Program are not eligible to participate in athletic or extracurricular events until completion of the hearing and the completion of any consequences issued by the hearing office from the date of the offense until completion of the disciplinary action.

Alcohol and/Drug Offenses: In addition to the actions listed above, a student who commits an Alcohol and/or Drug offense must be referred to the Night-time Substance Use Prevention Counseling Education Program and shall not participate in any extracurricular activities during the term of the disciplinary action.

FORMAL DISCIPLINARY ACTIONS AND PROCEDURES

Definitions Relating to Formal Disciplinary Actions

The following are examples of formal disciplinary actions that may or may not be used in each school. Students and parents/guardians who desire to have further information about the disciplinary actions used in specific schools should contact officials at that school.

- ❖ **Alternative Education Centers** – The district has two (2) Alternative Education Centers - Grand Park and Mattie V. Rutherford. These centers provide a structured educational environment for the student who makes inappropriate choices in the regular school setting. These schools are committed to guiding students toward academic excellence by assisting the student in modifying inappropriate behaviors, and instilling positive student interaction; that allow them to interact positively in the regular school setting and the community.
- ❖ **Alternative Schools and Programs** – Schools and programs developed by the School Board for placement of students who have violated the *Code of Student Conduct* may be offered these voluntary programs, in special circumstances in lieu of other disciplinary actions. Such schools and programs include, but are not limited to, the Alternative Education Centers, the Night-time Substance Use Prevention Counseling Education Program (night-time program) and the Students Option for Success Program (night-time program).
- ❖ **Before/After School Detention** – Assignment to a designated area on campus at the beginning or end of the regular school day for a specified period of time.
- ❖ **Behavioral Contracts** – A contract entered into between a teacher or administrator and a student and his/her parent/guardian in which all parties agree to certain actions in an attempt to modify a student’s behavior. The contract shall also contain consequences for breaking the agreement.
- ❖ **Cafeteria Suspension** – Denial of the privilege of eating meals in the cafeteria with other students for a specified period of time and assignment to another area in the school for meals.
- ❖ **Class Suspension** – Denial of the privilege of attending an individual class for a specified period of time and assignment to another area in the school for the time that class meets.

❖ **Commission of Level III or Level IV Violations by Seniors** – A senior student who commits a Level III or IV violation, described in the *Code of Student Conduct*, shall forfeit the right to participate in graduation exercises and other senior-related activities until the student has successfully completed all assigned consequences and disciplinary actions. School Board Policies and Procedures regarding assignment to alternative centers shall apply to students who commit a Level III or Level IV violation.

❖ **Expulsion** – Removal of the right and obligation of a student to attend a public school under conditions set by the School Board for a period of time not to exceed the remainder of the school year and one (1) additional year of attendance.

The School Board may expel a student from school based on grounds specified in the *Code of Student Conduct*. “Expulsion” means the removal of the right and obligation of a student to attend a public school under conditions set by the district school board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly. The School Board has the sole authority to expel students pursuant to Florida Statute 1006.07.

The Duval County School Board will conduct an expulsion hearing for a student found to have committed a Zero Tolerance Offense, even if the student withdraws from Duval County Public Schools after committing the offense.

❖ **In-School Suspension** – Assignment to a designated area within the school when a student is removed from the regular school program for a specified period of time.

❖ **Network/Internet Suspension** – Certain technology-based infractions may result in a suspension of network and/or Internet access. Alternative instructional materials may be provided.

❖ **Saturday Detention/School** – Assignment to a session at the school on Saturday for work assignments, academic work, or guidance.

❖ **School Board Hearing Officer** – Designee of the Superintendent who holds a disciplinary hearing with the parent/guardian in the event that resolution is not achieved at the school level.

❖ **School Board Hearing** – Hearing by the School Board with the parent/guardian and School Board staff where staff and parent/guardian are given the opportunity to speak before the Board (Available for Level IV Offenses only).

❖ **School Bus Suspension or Revocation** – Denial of the privilege of riding a school bus based on misconduct occurring while the student is being transported at public expense. Bus code violations may result in the suspension of bus privileges. A student may be suspended or expelled from riding the bus at any point in the discipline process. A bus suspension is separate from a school suspension and applies only to the loss of bus riding privileges unless subject to other disciplinary actions, such as out-of-school suspension. Students are required to attend school. Bus suspension does not affect or excuse school attendance.

NOTE: A student who has been suspended or expelled from the school bus who boards, rides, or attempts to ride a school bus, without being authorized to do so, is considered to be trespassing and is subject to arrest.

❖ **Student Option for Success (SOS) Program** – An evening counseling program developed to assist elementary, middle and high school students who are experiencing disciplinary problems in the regular school settings. **Participation must begin on first available class. Parental participation is required.**

❖ **Night-time Substance Use Prevention Counseling Education Program** – The Night-time Substance Use Prevention Counseling Education Program is an alternative program available to students who have committed a 3.01 (Alcohol) or 3.02 (Drugs) violation against the *Code of Student Conduct*. **Parental participation is required.**

❖ **Suspension** – Removal of students from their regular school program for a period **not to exceed ten (10) days.** Pursuant to Florida Statute 1006.09, no student who is required by law to attend shall be suspended for unexcused tardiness, absence or truancy. Therefore, suspension is not an appropriate disciplinary action for Code violation 1.05 and 1.10, as it relates to students who fall within the mandatory state attendance requirements.

NOTE: A student who has been suspended or expelled from school and returns to any School Board property without being authorized to do so is considered to be trespassing and is subject to arrest.

❖ **Disciplinary Work Assignments** – Supervised activities related to the upkeep and maintenance of school facilities.

❖**Teen Court** - Teen Court is based on the philosophy that a youthful law violator is less likely to continue to offend when a peer jury decides the punishment. Teen Court attempts to interrupt developing patterns of criminal behavior by promoting feelings of self-esteem and healthy attitudes toward authority. The program places a high priority on educating teens about citizenship and accepting responsibility for their actions. In some cases, juvenile participants are given stern consequences for those actions. This program is recommended for certain *Code of Student Conduct* offenses and is offered at secondary schools. **Parental consent is required for participation.**

PROCEDURES FOR ADMINISTRATION OF FORMAL DISCIPLINARY ACTION

When a formal disciplinary action is required, the principal/designee will make every reasonable effort to contact the parent/guardian immediately. If telephone contact cannot be made, written notice will be sent home with the student, or placed in the U.S. Mail within twenty-four (24) hours.

It is the responsibility of the student to notify and/or deliver to his/her parent/guardian all written communications from the school. Failure to do so may result in further disciplinary action.

When disciplinary action reaches the level of denial of educational participation, the following procedural steps shall be adhered to in order to protect the rights of the student.

Suspension

The student shall be given notice of the charges against him/her and shall be given the opportunity to present his/her explanation of the situation before any action is taken.

When a suspension is necessary, the principal/designee will make every reasonable effort to contact the parent/guardian immediately. Written notice shall be sent to the parent/guardian via **U. S. mail within twenty-four (24) hours**, regarding the reason disciplinary action was taken. Generally, a notice and a conference should precede the student's suspension from school. However, if the immediate suspension of the student is justified because the student's presence endangers others, school property, or would seriously disrupt the orderly academic process, the mailed notice will follow as soon thereafter as is practical. The parent/guardian may request a conference with the principal/designee regarding the suspension.

Level IV Offenses

The principal is initially responsible for determining that an offense has been committed. In investigating such incidents, the student will be given, in writing, the pending charges and an opportunity to admit or refute those charges. It should be noted that any statement the student makes might be used, with other documentation, to prove whether the student is guilty of the offense, (s) charged.

The principal will review the above documentation with the parent/guardian. If, at the disciplinary conference, the principal concludes that extenuating circumstances exist, the student will be eligible for admission back into school following the determination of appropriate disciplinary action to be taken.

In the absence of extenuating circumstances, the principal may, at his/her discretion, recommend an alternative school or other programs provided by the school district. Should the parent/guardian be offered this opportunity and declines it, the principal shall recommend expulsion and immediately send all of the documentation of the incident to the School Board Hearing Officer.

At this time, the School Board Hearing Officer, acting as the Superintendent's designee, shall review the facts pertaining to the offense and shall request a conference with the parent/guardian and the suspended student within the suspension period.

Bus Revocation - Bus riding is a privilege, which may be revoked. If a student repeatedly displays inappropriate behavior on a bus, the student may be referred to the appropriate Region Superintendent for possible revocation of bus privileges. Commission of a Level IV Offense on a school bus will result in revocation of bus privileges.

Expulsion – Removal of the right and obligation of a student to attend a public school under conditions set by the School Board for a period of time not to exceed the remainder of the school year and one (1) additional year of attendance.

The School Board may expel a student from school based on grounds specified in the *Code of Student Conduct*. Expulsion means the removal of the right and obligation of a student to attend a public school under conditions set by the district school board, and for a period of time not to exceed the remainder of the term or school year and an additional year of attendance.

Expulsions may be imposed with or without continuing educational services and shall be reported accordingly. The School Board has the sole authority to expel students pursuant to Florida Statute 1006.07.

ALTERNATIVE EDUCATION PLACEMENT PROCEDURES

All alternative education center packets must be forwarded to the Hearing Office for review by the second (2nd) day of the suspension. No student should remain suspended for more than five (5) days without a due process hearing or administrative placement at an alternative school. Refer to procedures regarding students with disabilities and Section 504 students involved with Level III, and/or Level IV offenses.

Placement Of Students At Alternative Schools - Florida Statute, Section 1003.53 (5) states that “the school principal or his or her designee shall, **prior** to placement in a dropout prevention and academic intervention program or the provision of an academic service, provide written notice of placement or services by certified mail, return receipt requested, to the student's parent/guardian. The parent/guardian of the student shall sign an acknowledgment of the notice of placement for service and return the signed acknowledgment to the principal within three (3) days after receipt of the notice. The parent/guardian of a student assigned to such a dropout prevention and academic intervention program shall be notified in writing and entitled to an administrative review of any action by school personnel relating to such placement pursuant to the provisions of Florida Statute 120.

1. **Within twenty-four (24) hours of suspending a student for the purpose of transferring to an alternative education center, the principal shall send the parent/guardian a certified letter, return receipt requested, informing the parent/guardian of the placement. This notice shall include the suggested date for a parent/guardian conference, as well as the automatic date of placement in the event the parent/guardian fails to respond to the notice. The Notice of Pupil Placement at an Alternative School must be sent via certified mail, return receipt requested, whether the parent/guardian is contacted by phone or not (or receives a copy of the charges and Parent Conference Checklist in a face-to-face conference).**
2. **The *Parent Conference Checklist* contained in the **Alternative Education Centers’ Admissions Packet must be given to parent/guardian during the parent/guardian conference.** The *Parent Conference Checklist* serves as written documentation that the parent/guardian was informed of the charges against their child, provided an opportunity to refute or show mitigation to the charges, and discuss alternative disciplines. The *Parent Conference Checklist* also serves as documentation of parent/guardian’s decision regarding the student’s placement at an alternative school and informs the parent/guardian of the Appeal Process.**

The discipline/administrative transfer of a student to the alternative center should take place on or before the fifth (5th) day of suspension. However, if the parent/guardian indicates on the *Parent Conference Checklist* or in writing that they would like a review of the principal’s decision, the school shall, within 24 hours, forward the student’s Alternative School admission packet to the appropriate Region Superintendent for Level III offenses or to the Hearing Officer and Level IV offenses. *The review/appeal process does not postpone the pending disciplinary action unless a written agreement can be established between the parent/guardian and the principal that the child should remain suspended until resolution of the appeal.* **Parent/guardian who fails to enroll their child in an alternative school setting may violate compulsory school attendance requirements and is subject to criminal prosecution under Florida Statutes, Section 1003.27 (2). No student should remain suspended for more than five (5) days without a due process hearing or administrative placement at an alternative school.**

3. **If a satisfactory resolution between the parent/guardian and school administrator cannot be obtained, the parent/guardian may request a review by the Region Superintendent. This is a review of documentation only and does not involve a formal hearing. The Region Superintendent review will result in a written response within two (2) working days.**
4. **Following the review of the principal’s decision by the Region Superintendent or his/her designee, upon request; a parent/guardian may have an administrative review. The Hearing Officer will have this responsibility. The Hearing Officer will issue a final order upon the completion of the administrative review.**

Appeals Procedures

Procedures for Appealing Disciplinary Actions – A parent/guardian wishing to appeal a disciplinary action for a Level I, II, or III offense may appeal to the principal/designee within three (3) days. If a satisfactory resolution cannot be obtained, the parent/guardian may appeal to the appropriate Region Superintendent. This appeal is a review of documentation and does not involve a formal hearing.

Procedures for Appealing Placement at an Alternative Education Center – A parent and guardian wishing to appeal the recommendation of placement of their child at an Alternative Education Center is entitled to an administrative review of any action by school personnel relating to such placement pursuant to the provisions of Florida Statute Chapter 120.

1. The discipline/administrative transfer of a student to the alternative center should take place on or before the fifth (5th) day of suspension. **However, if the parent/guardian indicates on the *Parent Conference Checklist* that they would like a review of the principal's decision, the school shall, within 24 hours, forward the student's Alternative School admission packet to the appropriate Region Superintendent for Level III offenses or to the Hearing Office for Level IV offenses.**

The review/appeal process does not postpone the pending disciplinary action unless a written agreement can be established between the parent/guardian and the principal that the child should remain suspended until resolution of the appeal. No student should remain suspended for more than five (5) days without a due process hearing or administrative placement.

2. If a satisfactory resolution between the parent/guardian and school administrator cannot be obtained, the parent/guardian may request a review by the Region Superintendent. This is a review of documentation only and does not involve a formal hearing. The Region Superintendent review will result in a written response within two (2) working days.
3. Following the review of the principal's decision by the Region Superintendent or his/her designee, upon request; a parent/guardian may have an administrative review. The Hearing Officer will have this responsibility. The Hearing Officer will issue a final order upon the completion of the administrative review.

FELONIES COMMITTED BY STUDENTS

Following appropriate due process procedures, a student charged with a felony or delinquent act that would be a felony if committed by an adult, whether it occurred on or off the school property, may be assigned to an alternative program or receive alternative educational services. Such assignment may be made upon determination that the student is eligible according to federal and state program criteria, and:

- ❖ The nature of the offense is such that the student poses a threat to safety of other students or personnel at school.
- ❖—The student's safety is at risk by remaining in school with other students.
- ❖—The principal shall initiate this process in writing through their Region Superintendent.

The recommendation of the principal to exercise this policy must be approved by their Region Superintendent.

GENERAL CODE OF APPEARANCE

Administrators and teachers of the Duval County Public Schools shall enforce dress and grooming guidelines that promote the successful operation of the schools. The site administration shall be the final judge as to neatness and cleanliness of wearing apparel and whether or not such apparel is appropriate, disruptive, distracting, or in violation of health and safety rules.

Each student has the responsibility to dress appropriately and have respect for self, others and the school environment. Wearing apparel, jewelry (such as body piercing (s), ornaments), hair, and general appearance shall not disrupt the classroom atmosphere, shall not be unusually provocative, and/or shall not violate health and safety rules of the school. These guidelines for dress and grooming are provided to assist parents/guardians and shall apply to all students in the Duval County Public Schools. Student dress and grooming shall be neat and clean, and follow the general guidelines below.

1. Elementary school students are not allowed to wear shoes without closed heels or back straps.
2. Shoes must be worn. However, bedroom shoes or slippers shall not be worn.
3. Halter-tops, tank tops, backless tops, tops with thin or no straps, or tops that show midriff or expose the body are prohibited.
4. See-through or mesh garments shall not be worn without appropriate undergarments.
5. Form-fitting or overly tight clothing shall not be worn without appropriate outer garments.
6. Properly hemmed outer garments such as shorts, divided skirts, and dresses may be worn, provided they are not disruptive or distracting, as determined by the school administration. Garments including, but not limited to, such items as boxer shorts, traditionally designed as undergarments, may not be worn as outer garments.
7. Clothing and accessories shall not be worn if they display profanity, violence, lewd and obscene messages, sexually suggestive phrases, or advertisements, phrases or symbols of alcohol, tobacco, or drugs or other symbols phrases or advertisements that would be offensive to common propriety or decency.
8. Head coverings, including, but not limited to, caps, hats, bandannas, hair curlers, and/or sunglasses, shall not be worn on school property, unless required by a physician or authorized by school personnel.
9. Students are prohibited from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment. The waistband of shorts, slacks, skirts, and similar garments shall not be worn below the hips. ***Clothing which is not worn appropriately, is not properly fastened, is suggestive, or has tears that reveal or expose body parts, has printing with words or pictures that have a sexual connotation will not be permitted.*** All trousers, including oversized or low-hanging trousers, must be worn and secured at waist level. Underwear, midriff and back may not be exposed. If belts, suspenders, and straps are worn, they shall be worn in place and fastened.
10. Any articles of clothing or jewelry that may cause injury to oneself or to other students are not allowed.

All students must adhere to these minimal guidelines for acceptable apparel and appearance. A school may implement a school uniform requirement through the shared decision-making process, with input from the School Advisory Council. In order to maximize instructional time, students will be given an opportunity to immediately correct dress code violations.