

# Duval County Public Schools



## 2011 – 2012 CODE OF STUDENT CONDUCT

Ed Pratt-Dannals, Superintendent

**DUVAL COUNTY PUBLIC SCHOOLS  
JACKSONVILLE, FLORIDA**

**SCHOOL BOARD**

**The Honorable W. C. Gentry**  
Chairman, District 3

**The Honorable Betty Burney**  
Vice Chairman, District 5

**The Honorable Martha Barrett**  
District 1

**The Honorable Fred “Fel” Lee**  
District 2

**The Honorable Paula D. Wright**  
District 4

**The Honorable Becki Couch**  
District 6

**The Honorable Tommy Hazouri**  
District 7

**Ed Pratt-Dannals**  
Superintendent of Schools

**JURISDICTION OF THE SCHOOL BOARD**

Duval County Public Schools’ students are subject to the rules and regulations of the Duval County School Board. This jurisdiction of the Board is in effect during the school day and at regular school-sponsored activities, while being transported on school buses or at public expense, to and from school or other educational activities, at all times and places, including, but not limited to, school-sponsored events, field trips, athletic functions, and other activities where appropriate school personnel have jurisdiction over students.

All school regulations and prohibitions pertain to automobiles driven or parked on school property. In addition to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of the school.

## Table of Contents

Topics	Page
Jurisdiction of the School Board .....	2
Introduction and Philosophical Basis.....	4
Classifications of Violations.....	5
Special Notes .....	5
Minor Offenses – <i>Class I</i> .....	8
Disciplinary Action – Minor Offenses – Class I .....	9
Disciplinary Action – Minor Bus Code Offenses – Class I.....	9
Intermediate Offenses – <i>Class II</i> .....	10
Disciplinary Action – Intermediate Offenses – <i>Class II</i> .....	14
Disciplinary Action – Intermediate Bus Code Offenses – <i>Class II</i> .....	15
Major Offenses – <i>Class III</i> .....	16
Disciplinary Action – Major Offenses – <i>Class III</i> .....	19
Disciplinary Action – Major Bus Code Offenses – <i>Class III</i> .....	20
Zero Tolerance Offenses – <i>Class IV</i> .....	21
Disciplinary Action – Zero Tolerance Offenses – <i>Class IV</i> .....	23
Disciplinary Action – Zero Tolerance Bus Code Offenses – <i>Class IV</i> .....	23
Disciplinary Actions for Students with Disabilities.....	24
School Bus Code .....	25
Disciplinary Action – School Bus Offenses .....	26
Extracurricular Activities.....	26
Disciplinary Action – Extracurricular Activities .....	26
Formal Disciplinary Actions and Procedures .....	27
Procedures for Administration of Formal Disciplinary Action .....	30
Alternative Education Placement Procedures .....	31
Appeals Procedures .....	31
Felonies Committed by Students .....	32
School Resource Officer Services .....	32
General Code of Appearance.....	33
Disciplinary Action – General Code of Appearance .....	34
Attendance Policy.....	35
Immunization and Health Requirements for School Attendance.....	39
Zero Tolerance for School Related Crimes Board Policy 5.28.....	41
Student Use of Wireless Communication Devices Board Policy 5.38 .....	44
Guidelines for Safe and Acceptable Use of Computers and the Internet.....	44
Disciplinary Actions – Safe and Acceptable Use of Computers and the Internet .....	45
Nondiscrimination Policy .....	46
Roles of the Home, Student, School, and School Personnel.....	47
Rights and Responsibilities.....	48
Parents and Students.....	48
Attendance.....	48
Counseling.....	48
Curriculum .....	49
Free Speech/Expression .....	49
Grades .....	49
Privacy and Property Rights.....	50
Student Records.....	50
Student Government.....	51
Student Publications .....	51
Forms	
Code of Student Conduct Acknowledgement Form.....	52
(Includes Student Computer and Internet Use and Safety Parental Permission)	
Parent & Student School Bus Behavior Agreement.....	54

# 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.

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 parents/guardians 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 Multiple Pathways and Support Services at 390-2477.***



**PARENTS /GUARDIANS ARE REQUIRED TO READ, SIGN AND RETURN TO THEIR STUDENT(S)' SCHOOL(S) TWO (2) DOCUMENTS THAT APPEAR ON PAGES 53 through 54 AT THE END OF THE CODE OF STUDENT CONDUCT.**

(Additional copies are provided for parents/guardians to keep for their records.)

## CLASSIFICATIONS OF VIOLATIONS

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

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

Each classification is followed by a disciplinary procedure that is to be implemented by the principal/designee.

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 by taking appropriate in-class 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 desist 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, motor vehicles, book bags, pocketbooks, notebooks, pockets, 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 vehicles, 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 of 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: FORFEITURE OF SENIOR PRIVILEGES:** A senior student who commits a Class 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 Class III or Class IV violation.

**NOTE IX: 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 X: 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 XI: TESTING RESTRICTIONS:** During FCAT 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 FCAT calculator), will result in the student's test being invalidated.

**NOTE XII: 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 XIII: 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.

**NOTE XIV: 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.

- A. 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 of DCSB. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.

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](http://www.duvalschools.org).

**Note XV:** Principals at their discretion can allow or disallow different types of personal portable electronic devices to be used while at school. The use of such devices is done so voluntarily and is a privilege that can be 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. **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 filing out 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 the student can participate in.

## **MINOR OFFENSES - CLASS 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.

**NOTE:** Continuous/repeated disruptive behavior may constitute a Class II Offense (See 2.01).

**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.

**NOTE:** Continuous/repeated disruptive behavior may constitute a Class II Offense (See 2.01).

**1.04 Deleted 6/03** (See 2.25)

**1.05 (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 (See Disciplinary Action for Tardy Policy, page 9).

See Elementary Tardiness and Early Checkout Guidelines.

**1.06 (ZZZ) Use of Abusive, Profane, or Obscene Language or Gestures** – Must not use inappropriate language or gestures.

**1.07 (ZZZ) Nonconformity to the General Code of Appearance** (See page 33)

**1.08 Deleted**

**1.09 (ZZZ) Inappropriate Public Display of Affection**

**1.10 (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.

**1.11 (ZZZ) Moved 6/04** (See 2.26)

**1.12 (ZZZ) Unauthorized use of Personal Electronic Devices** - Use of a personal electronic device that has not been authorized by the Principal or designee, or uses of a personal electronic device during a time that is not authorized to be used. **Any student who chooses to bring a personal electronic device to school shall do so at his or her own risk.**

**1.13 (ZZZ) Inappropriate Conduct or Disruption on 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 orderly 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 – Class I**

### ***First Offense***

Disciplinary actions may include the use of in-school conferences and parental contact when warranted. Specific circumstances may warrant disciplinary action outlined under subsequent offenses.

### ***Subsequent Offenses***

Disciplinary actions may include the use of parental contact and/or any formal disciplinary action as described on pages 27 - 29.

## **Tardy Policy**

### **Consequences or Disciplinary Actions for Tardiness in a Grading Period**

For the first three (3) tardies, tardies are documented but there is no consequence other than a verbal warning by the teacher or electronic tardy tracking systems.

1<sup>st</sup> consequence – teacher/student intervention – interventions may be verbal, electronic, written, etc.  
**(4<sup>th</sup> tardy)**

- Teacher warning issued to student.
- Student notified of consequences for the next tardies

2<sup>nd</sup> consequence – teacher/parent/student intervention - interventions may be verbal, electronic, written, etc.  
**(5<sup>th</sup> tardy)**

- Teacher notifies parent and student about tardy behavior.
- Tardy contract with the student (a copy of the contract should be sent home to the parent/guardian).

3<sup>rd</sup> consequence – Administrative referral - disciplinary action.

1<sup>st</sup> administrative referral - parental contact (contact may be verbal, electronic, written, etc.).  
**(6<sup>th</sup> tardy)** Disciplinary Code 1.05 is entered into the Genesis system.

2<sup>nd</sup> administrative referral - detention (before school, after school, Saturday, cafeteria) or work assignments.  
**(7<sup>th</sup> tardy)**

3<sup>rd</sup> and subsequent administrative referral - any formal disciplinary action as outlined in the Code of Student Conduct.  
**(8<sup>th</sup> tardy)**

## **Disciplinary Actions - Minor Bus Code Offenses – Class I**

***First Bus Code Offense*** - Commission of a Class I offense on a bus may result in the use of in-school conferences and parental contact when warranted. Specific circumstances may warrant disciplinary action outlined under subsequent offenses.

***Subsequent Bus Code Offenses*** - Subsequent bus code violations may result in the suspension of bus privileges for one to three school days and/or the use of any formal disciplinary action as described on pages 27 - 29.

## **INTERMEDIATE OFFENSES - CLASS II**

**2.01 (ZZZ) Failure to Follow Directions Relating to Safety and Order in Class, School, School-Sponsored Activities or on the School Bus** – 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 Class III offense (See 3.15).

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.

**2.02 (TBC) Possession, Use, Distribution and/or Sale 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, cigarettes, cigars, pipe tobacco, and all smokeless 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.

**2.03 (ZZZ) Simple Battery Upon Students** – Intentional pushing or striking of another student against the will of the other student. (For an assault, See 2.31)

**2.04 (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.

**2.05 (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.

**2.06 (ZZZ) Vandalism** – Any intentional and deliberate action resulting in damages by any means 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).

**NOTE:** Damage to property valued at \$200 to \$1,000 constitutes a Class III Offense (See 3.07).

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.

**2.07 (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,

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).

**NOTE: The taking of property valued at \$300 or more constitutes a Class III Offense (See 3.05).**

**2.08 (ZZZ) Possession of Stolen Property** (with the knowledge that it is stolen)

**2.09 (ZZZ) Threats /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.

**NOTE: Completion of the threat, either by the victim complying with the demands, or the carrying out of threats against the victim, constitutes a Class III Offense (See 3.02).**

**2.10 (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, 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 to do so is considered to be trespassing and is subject to arrest.**

**NOTE: 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.**

**2.11 (ZZZ) Possession of Fireworks, Firecrackers, Smoke Bombs, or Flammable Materials**

**2.12 Deleted 6/05**

**2.13 Deleted 6/07 (See 2.30)**

**2.14 (ZZZ) Sexual Harassment** – Any unwelcomed sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, electronic, or physical 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/physical advances, touching, pinching, patting, sexually-oriented kidding, teasing, using language that has a double meaning and is sexually suggestive.

**There is no requirement in School Board policies that specific body parts must be touched (e.g., 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 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. In addition, severe and/or repeated inappropriate or unwelcome conduct or speech that is sexual in nature may constitute a Class III offense.**

**2.15 Deleted 6/05**

**2.16 (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 school district employee or agent including, but not limited to, any verbal, written, electronic, or physical conduct such as threats, bullying, slurs, innuendos, or harassment, which has the purpose or the effect of creating an intimidating, hostile, or offensive educational environment.

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

**2.18 (ZZZ) Simple Assault on School District Employee or Agent** – An intentional threat by word or act to do violence to the person of another, a school district employee or agent, coupled with the apparent ability to do so, and doing some act, which creates fear in that person (Formerly 2.04).

**2.19 (ZZZ) Multiple Class II Offenses** – The commission of five (5) or more Class II offenses by secondary students or three (3) or more Class II offenses by an elementary student or the third (3<sup>rd</sup>) commission of a 2.05 (fighting) offense. Students who commit multiple Class II Code of Conduct offenses must be referred to the Student Option for Success (SOS) Program.

**NOTE: Students or parents/guardians, who refuse to participate, fail to enroll, or do not complete the SOS program will be referred to the Hearing Officer for placement of the student in an Alternative Education Center. Participation should begin at first available class.**

**Students who commit a subsequent Class II offense and/or violate their contract while they are enrolled in the SOS program will be placed at an Alternative Education Center by the Hearing Officer.**

**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.**

**2.20 (ZZZ) False Information – Students must always tell the truth.** 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.**

**2.21 (ZZZ) Possession of Firearm Facsimiles** – Possession, sale, or discharge of any facsimile or toy-type replica of a firearm or other item resembling a firearm that is not included under 3.10 or 4.08.

**2.22 Deleted 6/02 (See 1.11)**

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

**2.24 (ZZZ) Unauthorized Use of Instructional Technology**

- 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 use computers without permission and must abide by the district’s Acceptable Use Policy (AUP).
- Students will not make any attempt to bypass computer or network security and control systems to gain access to non-instructional district systems, such as student information systems, business systems, grade book systems, or any unauthorized system or website.

- 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 will not use their own personal devices brought from home to access the unfiltered Internet. Students will only access the Internet through the DCPS filtered network. Students will not access the Internet with a cell phone, cellular Internet services, or open or outside private wireless networks.
- Students will not use the district equipment, network, or credentials to threaten employees, or cause a disruption to the educational program.
- 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.
- Students will not use district equipment, network, or credentials to send or post electronic messages that are abusive, obscene, sexually-oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Students will not use district equipment or networks to engage in cyberbullying or cyberstalking including, but not limited to, the posting of harassing messages on the Internet, social networking sites, or other digital technologies, which may include social cruelty, direct threats, or other language or expression unprotected by law. Cyberbullying or cyberstalking may also include breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendships.

**NOTE: Violations, which constitute any major disruption of an educational or business process, may result in a Class III or IV Offense (See 3.24 or 4.17).**

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

**2.26 (ZZZ) Use of Wireless Communication Devices** – Possession of a wireless communication device (camera telephone or cellular telephone) is not a violation of the Code of Student Conduct. However, the possession of a wireless communication device which disrupts the educational process; the unauthorized use of a wireless communication device during school hours; the use of a wireless communication device 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); and the possession or use of a cellular telephone, camera telephone, which disrupts or interferes with the safety-to-life issues would be a violation of the Code of Student Conduct.

**NOTE: If students possess a cellular telephone or camera telephone, it must be turned off and kept out-of-sight inside a pocket, book bag, purse, or similar container, and it may not be used or allowed to emit any light, ring tone or other noise.**

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 FCAT and other testing which is determined by the principal or his/her designee, students may not have any electronic or recording devices, these include but are not limited to, smart phones, personal computers, 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 FCAT calculator), will result in the student's test being invalidated.

**2.27 (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 2.27 Code of Student Conduct offense and subject to formal disciplinary action.**

**2.28 (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.

**2.29 (ZZZ) Possession, Reproduction, Use and/or Distribution of a Facsimile of a Drug, Alcohol, or Tobacco Product.** This includes substances which are not a drug, but can be used as a drug.

**2.30 (Deleted 6/10)**

**2.31 (ZZZ) Simple Assault on 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.

**2.32 (ZZZ) Possession and/or Use of Matches or Lighters**

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

**2.34 (ZZZ) Use of Cameras** – Students shall not use cameras (digital, video, cell phone cameras, etc.) to capture images or videos on school property or at a school-sponsored event, except under the following conditions:

1. A student may possess and use the camera at the direction of and with direct supervision by a classroom teacher as part of classroom activities.
2. A student may use a camera if that student receives prior permission from the school principal or designee for a specific purpose. At no time will permission be granted for non-essential purposes, or if the use will violate another individual’s privacy.
3. A student may use a camera while attending an event held on school grounds, after school hours, and open to the general public, as long as the possession and use are neither disruptive or in any way unlawful.

## **Disciplinary Actions - Intermediate Offenses – Class II**

### *First Offense*

Disciplinary actions may include the use of parental contact and/or any formal disciplinary action as described on pages 27 - 29, including, but not limited to, suspension for one (1) to three (3) days (see note below). Specific circumstances may warrant disciplinary action as outlined under subsequent offenses.

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

**NOTE: Middle and High school students must be referred to the Alternative to Truancy and Out-of-School Suspension (ATOSS) Program prior to being assigned to out-of-school suspension.**

### *Subsequent Offenses*

Disciplinary actions include the use of any formal disciplinary action deemed appropriate as described on pages 27 - 29, including, but not limited to, suspension for one (1) to five (5) days (See note below). If an alternative program is recommended, the proper documentation should immediately be delivered to the Hearing Office for review. Special circumstances may warrant a recommendation to the School Board Hearing Officer for disciplinary hearing.

**NOTE: Middle and High school students must be referred to the Alternative to Truancy and Out-of-School Suspension (ATOSS) Program prior to being assigned to out-of-school suspension.**

**Court action does not dictate or govern school disciplinary action.**

**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.**

**Students who commit multiple Class II Offenses can be placed in an alternative school program or recommended for expulsion in order to maintain an effective learning environment in the regular school.**

**A student who is recommended for an alternative school will be processed for such assignment within the suspension period.**

### *Criminal Offenses*

Students who commit criminal offenses may be referred to the appropriate law enforcement agency, in addition to action taken by the school.

Missed work shall be made up for **all** absences which includes suspension. It is the student's and/or parent's responsibility to request assignments during the suspension period. A day of make-up work shall be allowed for each day of absence, when appropriate, pursuant to the Student Progression Plan, Appendix C and D. Each student shall receive full credit for such work.

**Disciplinary actions for students with disabilities (IEP/Section 504) – Refer to page 24.**

## **Disciplinary Actions - Intermediate Bus Code Offenses – Class II**

### *First Bus Code Offense*

Commission of a Class II offense on a bus may result in the use of in-school conferences and parental contact when warranted. Specific circumstances may warrant disciplinary action outlined under subsequent offenses.

### *Subsequent Bus Code Offenses*

#### **Subsequent Class II bus code violations will result in:**

2nd report	-	Suspension of bus privileges for up to 3 days
3rd report	-	Suspension of bus privileges for up to 5 days
4th report	-	Suspension of bus privileges for up to 10 days
5th report	-	Suspension of bus privileges for up to 15 days

**NOTE:** A student may be suspended or expelled from riding the bus at any point in the discipline process.

**A student who has been suspended or expelled from the school bus that 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.**

**A student who repeatedly displays inappropriate behavior on a bus will be referred to the appropriate Chief Officer (Elementary, Middle or High School) for possible revocation of bus privileges. 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.**

## **MAJOR OFFENSES - CLASS III**

**3.00 (ALC) Alcohol** – Possession, use of alcoholic beverages, being under the influence of alcoholic beverages or admitting to using alcoholic beverages.

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

The first time a student is charged with a 3.00 or 3.01 offense he/she shall be immediately suspended out-of-school for one (1) day, not including the day the violation occurs. The following day the student, at principal's discretion, shall be placed in in-school suspension or ATOSS Program pending the parent/guardian agreeing to participate in the district's Night-time Substance Use Prevention Counseling Education Program. The in-school suspension or ATOSS assignment may not exceed ten (10) school days and shall end upon the parent/guardian agreeing to enroll in the substance abuse program and the completion of the student's in-school suspension or ATOSS assignment. Students whose parents/guardians refuse the Night-time Substance Use Prevention Counseling Education Program shall be referred to the Alternative Education Center.

Students charged with a Class 3.00, Alcohol and/or 3.01, Drugs offense that are recommended for the Night-time Substance Use Prevention Counseling Education Program may enroll and participate in the program during any suspension period.

**3.01 (DRU) Drugs** – Unauthorized possession or use of drugs, admitting to such use or possession or being under the influence of drugs, inhalants or any other substance with a potential for abuse, which might create a hazard to the user's health or the safety of another.

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

The first time a student is charged with a 3.00 or 3.01 offense he/she shall be immediately suspended out-of-school for one (1) day, not including the day the violation occurs. The following day the student, at principal's discretion, shall be placed in in-school suspension or ATOSS Program. The in-school suspension or ATOSS assignment may not exceed ten (10) school days and shall end upon both the parent/guardian agreeing to enroll in the Night-time Substance Use Prevention Counseling Education Program and the completion of the student's in-school suspension or ATOSS assignment. Students whose parents/guardians refuse the Night-time Substance Use Prevention Counseling Education Program shall be referred to the Alternative Education Center.

Students charged with a Class 3.00 Alcohol and/or 3.01 Drugs offense that are recommended for the Night-time Substance Use Prevention Counseling Education Program may enroll and participate in the program during any suspension period.

**3.02 (TRE) Threat/Intimidation** – Any premeditated or repeated threat to cause physical harm to another person with or without the use of a weapon, whether made verbally, in writing, electronically, or by conduct or action, to kill another person or do any act of violence which may cause death and creates reasonable fear or apprehension in that person that such violence is a serious expression of an intent to cause a present or future harm along with the individual having the capability to actually carry out the threat.

**3.03 (BAT) Simple Battery Upon School District Employee or Agent** – Intentionally touching or striking another person against the will of another; or intentionally causing bodily harm to 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) Criminal Mischief/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. See 2.06).

**NOTE: Damage to property valued more than \$1,000 constitutes a Class IV offense (See 4.20).**

**3.08 Deleted 6/95** (See 4.08)

**3.09 Deleted 6/11**

**3.10 (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.

**NOTE: The first time a student commits a Class 3.00, Alcohol and/or 3.01, Drug Offense the student must be referred to the Night-time Substance Use Prevention Counseling Education Program. The first time a student is charged with a 3.00 or 3.01 offense he/she shall be immediately suspended out-of-school for one (1) day, not including the day the violation occurs. The following day the student, at principal’s discretion, shall be placed in in-school suspension or ATOSS Program pending the parent/guardian agreeing to participate in the district’s Night-time Substance Use Prevention Counseling Education Program. The in-school suspension or ATOSS assignment may not exceed ten (10) school days and shall end upon the parent/guardian agreeing to enroll in the substance abuse program and the completion of the student’s in-school suspension or ATOSS assignment. Students whose parents/guardians refuse the Night-time Substance Use Prevention Counseling Education Program shall be referred to the Alternative Education Center.**

**Students charged with over-the-counter drugs, drug paraphernalia, or inhalants that are recommended for the Night-time Substance Use Prevention Counseling Education Program may enroll and participate in the program during any suspension period.**

**3.11 (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.

**3.12 (SXH) Sexual Harassment** – Unwanted and repeated verbal or physical 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 (6A-19.008(3) FAC Rule. 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. However, severe and/or repeated inappropriate conduct or speech that is sexual in nature may constitute a Class III**

**offense. 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.**

**3.13 (SXO) Sexual Offenses** – Law enforcement must be notified to investigate other 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.**

**3.14 (BAT) Battery upon Student Resulting in Bodily Harm** – Intentional striking of another student against the will of the other student which causes bodily harm that requires medical treatment. **Requires medical documentation.**

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

**3.16 (DOC) Unjustified Activation of a Fire Alarm System**

**3.18 (ZZZ) Igniting Fireworks, Firecrackers, Smoke Bombs or Flammable Materials**

**3.19 (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.

**3.20 (ZZZ) Failure to Adhere to Safety Procedures on School Bus** – Failure to adhere to expected school bus safety considerations which may or may not cause injury to persons or physical damage to property, including, but not limited to, placing head, arms, legs, or objects outside of the window or door of the bus; throwing objects, substances, or material in or out of the window or door of the bus; throwing objects at a bus; or any other act considered offensive to decency or common propriety.

**3.21 (DOC) Fighting or Battery on a School Bus**

**3.22 (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.

**3.23 (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.**

**3.24 (ZZZ) Unauthorized Use of Instructional Technology** –

- Use of another users account to bypass restrictions placed on their own account.
- Intentionally utilizing a teacher or staff member's account to access district resources that are not intended for student use.
- Knowing 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 on a system or server that is accessible by other users.

Multiple 2.24 violations or subsequent misuse of technology following a 2.24 violation

**3.25 (Deleted 6/10)** (See 3.28 and 3.29)

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

**3.27 (ZZZ) Simple Assault 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 2.18 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.

**3.28 (BUL) Bullying** – Systematically and chronically, inflicting physical hurt or psychological distress, on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile or offensive environment, or unreasonably interfere with the individual’s school performance or participation. (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 investigation must be completed and the required documentation placed in the student’s disciplinary folder).

**NOTE: Prohibited acts include, but are not limited to, acts of violence, bullying, cyberbullying, or threat of violence, or harassment based on actual or perceived race, color, national origin, sex, gender, disability, sexual orientation, religion or other distinguishing characteristics of a student that is directed at one or more students; substantially interferes with educational opportunities or educational programs of the targeted student(s); or adversely affects the ability of a student(s) to participate in or benefit from the schools’ educational programs or activities by placing that student(s) in reasonable fear of emotional or physical harm, or because the conduct as perceived by the student(s) is severe and pervasive.**

**3.29 (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).

**3.30 (ZZZ) Teen Dating Violence or Abuse**

**Disciplinary Action - Major Offenses – Class III**

Commission of a Class III offense will necessitate a disciplinary conference with the principal/designee and the parent/guardian.

*First Offense*

**The student will be suspended for a minimum of five (5) school days, but no more than ten (10) school days (see note below).** The principal may, at his/her discretion, refer the student for consideration of placement at an alternative school or other program provided by the school district. If an alternative program is recommended, the proper documentation should immediately be delivered to the Hearing Office for review.

**NOTE: Middle and High school students must be referred to the Alternative to Truancy and Out-of-School Suspension (ATOSS) Program prior to being assigned to out-of-school suspension.**

**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.**

**A student who is recommended for an alternative school will be processed for such assignment within the suspension period.**

**The first time a student commits a Class 3.00, Alcohol and/or 3.01, Drug Offense the student must be referred to the Night-time Substance Use Prevention Counseling Education Program.**

The first time a student is charged with a 3.00 or 3.01 offense he/she shall be immediately suspended out-of-school for one (1) day, not including the day the violation occurs. The following day the student, at principal's discretion, shall be placed in in-school suspension or ATOSS Program pending the parent/guardian agreeing to participate in the district's Night-time Substance Use Prevention Counseling Education Program. The in-school suspension or ATOSS assignment may not exceed ten (10) school days and shall end upon the parent/guardian agreeing to enroll in the substance abuse program and the completion of the student's in-school suspension or ATOSS assignment. Students whose parents/guardians refuse the Night-time Substance Use Prevention Counseling Education Program shall be referred to the Alternative Education Center.

Students charged with a Class 3.00 Alcohol and/or 3.01 Drugs offense that are recommended for the Night-time Substance Use Prevention Counseling Education Program may enroll and participate in the program during any suspension period.

### *Subsequent Offense*

The student will be suspended for ten (10) school days (see note below). The principal may, at his/her discretion, refer the student to an alternative school or other program provided by the school district. If an alternative program is recommended, the proper documentation should immediately be delivered to the Hearing Office for review. Any student who has previously attended an alternative school and is being recommended for subsequent alternative school assignment must be referred to the Hearing Officer.

**NOTE: Middle and High school students must be referred to the Alternative To Truancy and Out-of-School Suspension (ATOSS) Program prior to being assigned to out-of-school suspension.**

**A student who is recommended for an alternative school will be processed for such assignment within the suspension.**

**If a student is voluntarily withdrawn in lieu of attending an alternative school/program, he/she must remain out of the Duval County Public Schools for the remainder of the current school year and one additional year. If the student chooses to return to the Duval County Public Schools before the time has expired, he/she must complete the alternative school assignment before entering another public school in Duval County.**

Students sixteen (16) years of age and older who commit a Class III offense and have attended Grand Park Center may be recommended for expulsion.

***Criminal Offenses*** - Students who commit criminal offenses will be referred to the appropriate law enforcement agency in addition to action taken by the school.

**Disciplinary actions for students with disabilities (IEP/Section 504) – Refer to page 24.**

## **Disciplinary Actions - Major Bus Code Offenses – Class III**

### *First Bus Offense*

Commission of a Class III offense on a bus will result in the suspension of bus privileges for a minimum of twenty (20) school days.

**NOTE: A student who has been suspended or expelled from the school bus that 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.**

### *Subsequent Bus Code Offenses*

Commission of a subsequent offense on the school bus will result in the suspension of bus privileges for a minimum of forty (40) school days. If a student repeatedly displays inappropriate behavior on a bus, the student will be referred to the appropriate Chief Officer (Elementary, Middle or High School) for possible revocation of bus privileges.

## **ZERO TOLERANCE OFFENSES - CLASS 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.**

**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.**

**4.00 (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.**

**4.01 (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.**

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

**4.03 (BAT) \*\*Aggravated Battery upon a School District Employee or Agent** – Intentionally causing bodily harm resulting in disability or permanent disfigurement to a school district employee or agent.

**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 Reserved for future use**

**4.06 Reserved for future use**

**4.07 Reserved for future use**

**4.08 (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.**

**4.09 (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.

**4.10 (WPO) Use of a Prohibited Object or Substance** – Use of any prohibited object or substance (See 3.10) to strike or to threaten in a manner, which is perceived by the individual being threatened as capable of inflicting physical harm.

**4.11 (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.

**4.12 (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.

**4.13 (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.

**4.14(BAT) \*\*Aggravated Battery** – Intentionally causing great bodily harm resulting in disability or permanent disfigurement to another person.

**4.15 \*\*Reserved for future use**

**4.16 (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 1 of the Code of Student Conduct.

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

**4.18 (KID) \*\*Kidnapping/Abduction**

**4.19 (HOM) \*\*Homicide/Murder/Manslaughter**

**4.20 (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 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 additional year of attendance.**

### **Disciplinary Action** **Zero Tolerance Offenses – Class IV**

Commission of a Class IV offense will necessitate a disciplinary conference with the principal/designee and a parent/guardian. The student will be suspended for ten (10) days, and will be referred to the School Board Hearing Officer (See section on Procedures for Administration of Formal Disciplinary Action, pages 30 – 32). Should the School Board Hearing Officer recommend expulsion, that recommendation will be forwarded to the School Board for final disposition pursuant to state law.

**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.**

**If a student is voluntarily withdrawn in lieu of attending an alternative school/program, he/she must remain out of the Duval County Public Schools for remainder of the current school year and one additional year. If the student chooses to return to the Duval County Public Schools before the time has expired, he/she must complete the alternative school assignment before entering another public school in Duval County.**

Missed work shall be made up for all absences, which includes suspension. It is the student's and/or parent's responsibility to request assignments during the suspension period. A day of make-up work shall be allowed for each day of absence, when appropriate, pursuant to the Student Progression Plan, Appendix C and D. Each student shall receive full credit for such work.

Students sixteen (16) years of age and older who commit a Class IV offense and have attended Grand Park Center may be recommended for expulsion.

#### **Criminal Offenses**

Students who commit criminal offenses will be referred to the appropriate law enforcement agency in addition to action taken by the school.

**NOTE: Court action does not dictate or govern school disciplinary action.**

### **Disciplinary Action** **Zero Tolerance Bus Code Offenses – Class IV**

Commission of a Class IV Offense on a school bus will result in revocation of bus privileges for one (1) calendar year.

**A student who has been suspended or expelled from the school bus that 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.**

## **Disciplinary Actions** **For Students with Disabilities (IEP/Section 504 Plan)**

### **Disciplinary Actions:**

#### **Bus Suspension**

**A student with disabilities (IEP/Section 504 Plan) may be suspended from the bus for up to three (3) days total, for all offenses occurring within one school day.**

A student whose IEP does not include a Positive Behavior Management Plan/Behavior Support Plan may be suspended for up to three (3) days from the bus, provided an IEP meeting is scheduled within seven (7) to ten (10) days to include a Positive Behavior Management Plan/Behavior Support Plan.

A student whose Section 504 Plan does not include a Behavior Management Plan may be suspended for up to three (3) days from the bus, provided a Section 504 meeting is scheduled within seven (7) to ten (10) days to include a Behavior Management Plan.

**NOTE:** 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 suspensions.

**If transportation is identified in the IEP as a related service the days of bus suspension(s) are considered as days of out-of-school suspension IF, as a result, the student is unable to attend school and therefore is denied access to a Free Appropriate Public Education (FAPE).**

**Transportation services are not a provision of Section 504 of the Rehabilitation Act of 1973. Suspension from the bus for a student with a Section 504 Plan does not count as a day of out-of-school suspension.**

Bus suspension does not excuse a student from attending school.

**In-School Suspension - Use of in-school suspension for a student with disabilities (IEP/Section 504 Plan) should be limited to no more than three (3) days total, for all offenses occurring within one school day.**

**Out-of-School Suspension - A student with disabilities (IEP/Section 504 Plan) may be suspended from school for up to three (3) days total, for all offenses occurring within one school day.**

- A student whose IEP does NOT include a Positive Behavior Management Plan/Behavior Support Plan may be suspended for up to three (3) days, provided an IEP meeting is scheduled within seven (7) to ten (10) days to include a Positive Behavior Management Plan/Behavior Support Plan.
- A student whose Section 504 Plan does NOT include a Behavior Management Plan may be suspended for up to three (3) days, provided a Section 504 meeting is scheduled within seven (7) to ten (10) days to include a Behavior Management Plan.

#### **Class III and IV Offenses:**

**A student with disabilities (IEP/Section 504 Plan) who engages in a Class III or IV offense may be suspended from school or bus for up to three (3) days total, for all offenses occurring within one school day, pending a district Conduct Review Committee/Section 504 Team meeting.**

The purpose of the Conduct Review Committee/Section 504 Team meeting is to determine whether the offense(s) committed is a manifestation of the student's specific disability:

- If the offense(s) **is** a manifestation of the student's disability, the student shall be referred back to the school for appropriate behavioral planning
- If the offense(s) **is not** a manifestation of the student's disability, the student may be disciplined in the same manner as a student without a disability.
- In certain offenses involving illegal drugs, controlled substances, weapons and/or serious bodily injury, following a district Conduct Review Committee/Section 504 Team meeting and a referral to the Hearing Officer, the student may be placed in an interim alternative educational setting without regard to whether the behavior is determined to be a manifestation of his/her disability.

**Expulsion: - When a student with disabilities (IEP/Section 504) engages in conduct that warrants expulsion action, procedures must be followed which will assure the student is afforded all of the procedural safeguards provided in the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA'04) or Section 504 of the Rehabilitation Act of 1973, respectively.**

## ***SCHOOL BUS CODE***

### **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 of 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.

#### **Responsibilities of Transported Students**

Students who commit Class I, II, III, or IV offenses while being transported on a school bus, or any other contracted mode of transportation will be disciplined according to the Code of Student Conduct.

Generally, students being transported have the following responsibilities:

- ❖ To arrive at the bus stop ten (10) minutes prior to the scheduled pick up time
- ❖ To take responsibility for their behavior and conduct themselves in a respectful, orderly manner while waiting at the bus stop for the bus to arrive
- ❖ To enter the bus in an orderly manner and take their assigned seats as quickly as possible
- ❖ To remain seated in a forward-facing position
- ❖ To avoid making loud noises and keep voices at a low level
- ❖ When bus is equipped and in operation, students must wear seat belts at all times.

**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 2.27 Code of Student Conduct offense and subject to formal disciplinary action.**

#### **Responsibilities of Parents and Guardians of Transported Students**

- ❖ To ensure the safe travel of students to and from school and home when students are not under the custody and control of the district, including to and from home and the assigned bus stop.
- ❖ To ensure that students ride only in their assigned school buses and get off only at assigned bus stops, except when alternative buses or arrangements have been made.
- ❖ To ensure students are aware of and follow the expected rules of behavior while they are at the bus stops and to provide the necessary supervision during times when the bus is not present per State Board of Education Rule 6A.301712 (a).
- ❖ To provide the necessary assistance for students to get on and off at the bus stop when the physical disability of the student renders them unable to get on and off the bus without assistance (as required by district policy or the student's individual education plan).

#### **Safety Procedures for Students Being Transported**

- ❖ Wait until the bus comes to a stop before attempting to get on or off.
- ❖ Enter or leave the bus only at the front door after it has come to a stop, except in the case of an emergency as directed by the driver.
- ❖ Keep all parts of the body and objects inside the bus windows at all times.
- ❖ Leave the bus only with the consent of the driver.
- ❖ Be silent when approaching or crossing railroad tracks.
- ❖ Throw no object, paper, or other material in or out of the bus at any time.
- ❖ Keep the aisle and step well clear at all times.
- ❖ Do not tamper with door handles, windows, and other safety equipment at any time.
- ❖ Do not use cellular phones, or electronic devices, including, but not limited to CD players, Walkman type radios, DVD players, hand-held televisions, Game boy type equipment, or other communication devices. **Exception: Field trips in which the school administration approves the use of these devices or as a planned intervention for special needs students.**
- ❖ **Do not use cellular phones except in 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).

#### **School Bus Vandalism/Criminal Mischief**

Vandalism or criminal mischief that occurs on a school bus or other contracted mode of transportation shall not be tolerated, and shall be handled according to the Code of Student Conduct (See 2.06 and 3.07). Vandalism or criminal mischief shall include, but not be limited to, cutting, scratching, writing on, puncturing, ripping, breaking, or otherwise marring, defacing, or damaging any part of the bus. It is the student's responsibility to report any existing damages and to refrain from making the damage worse. Parents/guardians shall be responsible to the owner of the bus for restitution of any damages in accordance with Florida Statute 741.124. If restitution is not received for bus damages, the student's riding privilege may be revoked.

### Large Objects on the School Bus

Oversized objects, including, but not limited to, large band instruments or cases, school projects or athletic equipment which cannot be held in the seat, are prohibited, unless prior approval is obtained from the bus driver and the school administration.

### Food and Drinks on the School Bus

Eating and/or drinking are prohibited on the bus.

## **Disciplinary Action School Bus Offenses**

Students who commit Class I, II, III, or IV offenses while being transported on a school bus or other contracted mode of transportation will be disciplined according to the Code of Student Conduct. In addition, inappropriate behavior on a school bus or other contracted mode of transportation may result in any or all of the following:

- ❖ Student conferences
- ❖ Parent/guardian conferences
- ❖ Bus suspension or revocation

If a student repeatedly displays inappropriate behavior on a bus, the student will be referred to the appropriate Chief Officer (Elementary, Middle or High School) for possible revocation of bus privileges. A student with disabilities (IEP/Section 504 Plan) must first be referred to the appropriate team for a manifestation determination and recommendation

**A student who has been suspended or expelled from the school bus that 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.**

**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.**

**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.**

## ***EXTRACURRICULAR ACTIVITIES***

Students will exhibit satisfactory conduct in order to retain eligibility to participate in extracurricular activities in the Duval County Public Schools.

### **Disciplinary Actions -Extracurricular Activities**

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

**For Out of School Suspension or ATOSS:** Students assigned to *Out of School Suspension or ATOSS* shall be excluded from participating in all extracurricular activities during the term of the disciplinary action. For the purpose of continuity suspension/ATOSS participation shall begin the day the referral is finalized and the consequences issued by the appropriate administrator.

**For Multiple Class II (2.19), Class III, or Class IV Offenses:** Students who commit a Multiple Class II (2.19), Class III, or Class IV Offense shall be excluded from participating in all extracurricular activities during the term of the disciplinary action.

Students referred to the Hearing Office 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.

**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.

❖ **Alternatives to Out-of-School Suspension Program (ATOSS)** - A program for secondary students who have been suspended from school as a consequence of inappropriate behavior. The program provides behavioral and academic help for a period of one (1) to ten (10) days to enable students to continue the learning process (both academic and behavioral) in a safe, structured, and supervised environment.

<b>Location</b>	<b>Address</b>
Peterson Academies of Technology	7450 Wilson Blvd.
Southside Middle School	2948 Knights Lane E.,
Bridge Of Northeast Florida	1824 Pearl Street
St. Paul Missionary Baptist Church	3738 Winton Drive
Boys and Girls Club	820 Seagate Ave

❖ **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 Class III or Class IV Violations by Seniors** – A senior student who commits a Class 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 Class III or Class 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** – Assignment to a session at the school on Saturday for work assignments, academic work, or guidance.
- ❖ **Saturday School** - Saturday school is designed to promote timeliness and good school attendance. Students who are elementary and middle students who are referred to Saturday school must be accompanied by a parent/guardian. Parents/guardians of high school students are not required to attend Saturday school with their child. **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 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 Class 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 that 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 3.00 (Alcohol) or 3.01 (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. **Parental consent is required for participation.**

❖ **Restorative Justice** - Restorative Justice is a philosophy and practice based on the idea of taking responsibility for actions that have hurt or harmed someone else and/or yourself. The goal of a Restorative Justice oriented discipline approach is to keep schools safe and orderly, while also helping students to learn from their mistakes and limit their time out of school due to behavior problems. Restorative Justice believes that wrong doing is best addressed through group processes that allow affected and responsible parties to identify harm, take responsibility and come up with a plan to fix the situation. Restorative Justice is currently being used in Southside Middle and Englewood High Schools. This program is recommended for certain Code of Student Conduct Offenses. **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.

**Class 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 is 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 Chief Officer (Elementary, Middle or High School) for possible revocation of bus privileges. Commission of a Class 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 (2) 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 multiple Class II, Class III, and/or Class 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 parents/guardians 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 Checklist in a face-to-face conference).
2. The Parent Checklist contained in the **Alternative Education Centers' Admissions Packet must be given to parent/guardian during the parent/guardian conference.** The checklist serves as written documentation that the parents/guardians were informed of the charges against their child, provided an opportunity to refute or show mitigation to the charges, and discusses alternative disciplines. The checklist also serves as documentation of parent's decisions regarding the student's placement at an Alternative School and informs them of the Appeal Process.

**The discipline/administrative transfer of a student to the alternative center should take place on or before the fifth (5<sup>th</sup>) 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 immediately forward the student's Alternative School admission packet to the appropriate Chief Officer (Elementary, Middle or High School) office for Class III offenses or to the Hearing Officer for 2.19 and Class 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.* **Parents/guardians who fail to enroll their child in an alternative school setting may violate compulsory school attendance requirements and are 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 Chief Officer (Elementary, Middle or High School). This is a review of documentation only and does not involve a formal hearing. The Chief Officer (Elementary, Middle or High School) review will result in a written response within two (2) working days.
4. Following the review of the principal's decision by the Chief Officer (Elementary, Middle or High School) 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** - Parents/guardians wishing to appeal a disciplinary action for a Class 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 Chief Officer (Elementary, Middle or High School). This appeal is a review of documentation and does not involve a formal hearing.

**Procedures for Appealing Placement at an Alternative Education Center** - Parents and guardians wishing to appeal the recommendation of placement of their child at an alternative education center are 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 immediately forward the student's Alternative School admission packet to the appropriate Chief Officer (Elementary, Middle or High School) office for Class III offenses or to the Hearing Office for 2.19 and Class 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 Chief Officer (Elementary, Middle or High School). This is a review of documentation only and does not involve a formal hearing. The Chief Officer (Elementary, Middle or High School) review will result in a written response within two (2) working days.
3. Following the review of the principal's decision by the Chief Officer (Elementary, Middle or High School) 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 recommendation of the principal to exercise this policy must be approved by their Chief Officer.**

### ***SCHOOL RESOURCE OFFICER SERVICES***

*The Duval County Public Schools assigns and supervises school resource officers in all middle and high schools within the district. The school resource officer program has been in existence since 1990, and was designed as a delinquency prevention/intervention based program, geared towards fostering a better understanding between law-enforcement officers and students in the district.*

### ***"Project Safe Students in Schools"***

The goal of "Project Safe Students in Schools" early intervention program is to provide a safe and secure learning environment where teachers can teach and students can learn by providing prompt, intensive, individualized and effective intervention strategies to break the cycle of unacceptable behavior and focus on reducing violence, the threat of violence and the fear of violence in schools. Parental involvement is a critical component of this program. For more information on the "Project Safe Students in Schools" early intervention program, please contact the school resource officer at your respective school or DCPS Police at (904) 858-6100.

## ***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, or has tears that are indecent (suggestive and revealing refer to exposure of private body parts and/or pictures or words with 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. If the student is unable to immediately correct the dress code violation and the parent/guardian cannot be reached, the student will be placed in in-school suspension.

## **Disciplinary Actions - General Code of Appearance (Dress Code) Violations**

**1<sup>st</sup> Offense – Phone call to the parents/guardians.**

**2<sup>nd</sup> Offense – Phone calls to the parents/guardians and initiate a general code of appearance (dress code) contract with the student (a copy of the contract should be sent home to the parent/guardian). NOTE: For violations pertaining to numbers 6 and 9 above, the student shall be ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal shall meet with the student’s parent or guardian.**

**3<sup>rd</sup> Offense – Principal/designee assigned in-school suspension/detention and phone call to parents/guardians. NOTE: For violations pertaining to numbers 6 and 9 above, the student shall receive an in-school suspension for a period not to exceed 3 days, the student is ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student’s parent or guardian and send the parent or guardian a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.**

**4<sup>th</sup> Offense – Parent/guardian conference and initiate a parent/child general code of appearance (dress code) contract. NOTE: For violations pertaining to numbers 6 and 9 above, the student shall receive an in-school suspension for a period not to exceed 3 days, the student shall be ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student’s parent or guardian and send the parent or guardian a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.**

**5<sup>th</sup> Offense – General Code of Appearance (dress code) contract violations may be defined as a Class 2.23 offense and may warrant disciplinary action as outlined under Class II offenses. NOTE: For violations pertaining to numbers 6 and 9 above, the student shall receive an in-school suspension for a period not to exceed 3 days, the student shall be ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student’s parent or guardian and send the parent or guardian a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.**

**NOTE: Out-of-school suspension is not an appropriate disciplinary action for a general code of appearance (dress code) violation.**

The alternative schools (Mattie Rutherford Alternative Center, Grand Park Career Center, Marine Science Center) will be allowed to establish higher dress standards and to take appropriate disciplinary action for dress code violations. This General Code of Appearance shall also apply to all school-sponsored activities and events, unless otherwise authorized by school administration

# *DUVAL COUNTY PUBLIC SCHOOLS*

## *ATTENDANCE POLICY*

### **DISTRICT STUDENT ATTENDANCE PROVISIONS**

**5.42\***

#### I. General Provisions

- A. School attendance shall be the direct responsibility of parents/guardians and students. All students are expected to attend school regularly, receive total instructional time, and to be on time for classes to benefit from the instructional program and to develop habits of punctuality, self-discipline, and responsibility.
- B. Open communication between parents/guardians and schools is an integral component of the educational process. Schools and parents/guardians shall work together to encourage students to attend school regularly. Regular attendance in each forty-five (45) day grading period is necessary for a student to be successful in school. Missed work shall be made up for all absences, including suspension. Make-up work shall be allowed for each day of absence, when appropriate or as determined by the principal. Each student shall receive full credit for such work.
- C. Schools shall track excused and unexcused absences and contact the home in case of unexcused absences or absences for which the reason is unknown.
- D. If a student has at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar day period, the student's primary teacher shall report the student's attendance to the principal. The principal shall, unless there is clear evidence that the absences are not a pattern of non-attendance, refer the case to the school level Attendance Intervention Team (AIT). The AIT will schedule a meeting with the parents or legal guardian and a representative of the district attendance office. If appropriate, a contract will be developed and signed by the participating parties. If the contract is violated, the case may be referred to the State Attorney's office.

#### II. Definition

For the purpose of meeting the state requirement of recording attendance in an attendance register, students shall be counted in attendance if they are actually present at school for any part of the instructional day or are away from school on a school day and are engaged in an educational activity which constitutes a part of the school-approved instructional program for students.

#### III. Student Absences and Excuses

- A. Students returning from an absence shall be required to present a written explanatory excuse from their parent(s) or legal guardian, stating the cause for the absence. The following causes are acceptable excuses for being absent:
  - (a) Illness or injury of the student;
  - (b) Serious illness or death in the student's family;
  - (c) Inclement weather;
  - (d) Official religious holiday of a religious sect or for religious instruction (See below);
  - (e) Insurmountable conditions as determined by the school principal or other designated district or school personnel; and,
  - (f) A bus failure or irregular schedule which causes the absence or tardiness of a student who is eligible for and regularly transported by the District.
- B. Students participating in educational activities which constitute a part of the school-approved instructional program shall be deemed in attendance.
- C. A student shall be excused from attendance on a particular day or days, or for part of a day, and shall be excused from any examination, study, or work assignment for observation of a religious holiday or because the tenets of his or her religion forbid secular activity at such time. Teachers shall give each student the

opportunity to make up any examination, study, or work assignment which has been missed for religious purposes and the student shall receive full credit for such work.

D. **Absenteeism Due to Head Lice/Nits**

- a. Students will be provided up to 3 days of excused absences for **each** identified case of head lice or nits.
- b. Students will be provided an opportunity to make up all work missed during the excused absentee period.
- c. After the third recurring case of head lice during the year, a referral to the School Nursing Services is to be completed for assistance.

E. Re-admittance of Students Due to Head Lice/Nits

- a. Students sent home for treatment of head lice will be readmitted through the school office **only** when they are personally accompanied by a parent, guardian, or other responsible adult. **Students will not be permitted to ride the school bus until cleared by the school.**
- b. Trained staff will carefully examine the hair and scalp of returning students and conduct a follow-up head check within 7-10 days of the first treatment. **If head lice or nits are present, the student shall not be admitted. Nit removal after treatment is required.** If a student returns to school with lice and/or nits, the parent, guardian, or other responsible adult should be given the "Refusal to Admit Student Due to Head Lice" notice.

III. Tardy Policy

- A. 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.
- B. 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.
- C. 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.

**Consequences or Disciplinary Actions for Tardiness in a Grading Period**

For the first three (3) tardies, the tardies are documented and the consequence shall be student notice and a verbal warning by the teacher or electronic tardy tracking system.

- 1<sup>st</sup> consequence – teacher/student intervention – interventions may be verbal, electronic, written, etc.  
(4<sup>th</sup> tardy)
  - Teacher warning issued to student.
  - Student notified of consequences for the next tardies.
- 2<sup>nd</sup> consequence – teacher/parent/student intervention - interventions may be verbal, electronic, written, etc.  
(5<sup>th</sup> tardy)
  - Teacher notifies parent/guardian and student about tardy behavior.
  - Tardy contract with the student (a copy of the contract should be sent home to the parent).

- 3<sup>rd</sup> consequence – Administrative referral- disciplinary action taken.
  - 1<sup>st</sup> administrative referral - parental contact (contact may be verbal, electronic, written, etc.).  
(6<sup>th</sup> tardy) Disciplinary Code 1.05 is entered into the Genesis system.
  - 2<sup>nd</sup> administrative referral - detention (before school, after school, Saturday, cafeteria) or work  
(7<sup>th</sup> tardy) assignments.
  - 3<sup>rd</sup> and subsequent administrative referral - any formal disciplinary action as outlined in the Code  
(8<sup>th</sup> tardy) of Student Conduct.

**NOTE: Suspension out of school is not an appropriate disciplinary action for tardiness to class or to school.**

#### IV. Elementary Grades (K-5)

- A. Notwithstanding Section I. C above, during each grading period, the principal or designee shall notify parents/guardians by phone or in writing on or before the third absence of the student from school. Within each grading period, parents/guardians shall be notified in writing upon the fifth absence of the student to request their cooperation in preventing further absences. Principals may authorize a waiver of notification if school personnel have determined the student has contracted an illness, such as a communicable childhood disease, resulting in an extensive number of absences.
- B. Students who are absent shall receive a grade of zero (0) for work missed for the day(s) in which the absence(s) occur. Students shall be responsible for making up missed work for each absence. Students shall receive appropriate grades for the make-up work to replace the zero (0). The school principal shall determine the appropriate length of time for completion of assignments.
- C. Each elementary school shall develop a written incentive plan for encouraging and motivating students to attend school. Incentives may include certificates, awards, special events, or participation grades for exemplary attendance. Each elementary school shall submit its incentive plan for approval to the appropriate Chief Officer, K-5.
- D. Nonattendance for instructional activities is established by an accumulation of tardiness, early checkouts and absences for all or any part of the school day. For learning activities to be fully effective, it is reasonable to require that each student arrive to class on time and remain for the entire school day. A student who is tardy to class or who is checked out not only places his or her learning in jeopardy but also interrupts the learning of other students.
  - 1. 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 when the school tardy bell rings.
  - 2. Early checkout is defined as a parent or guardian signing out a child before the end of the school day.
  - 3. A parent/guardian shall notify the school as to the reason for the tardiness or early checkout. Justifiable reasons shall be determined by the principal.
  - 4. Schools shall establish procedures for early checkouts that ensure students are treated consistently. A student should not be released within the final forty-five minutes of the school day unless the principal/designee determines it is an emergency or an excused event.
  - 5. The School will provide written notice to parents/guardians after three tardies or three early checkouts within thirty days. Additional tardies or early checkouts will result in the following interventions:
    - a. A mandatory parent/guardian conference with the guidance counselor.
    - b. A mandatory conference with the principal.

- c. In accordance with the Code of Student Conduct, other appropriable penalties such as detention beyond the regular school schedule or appropriate counseling programs for students and parents/guardians may be administered at the school principal's or designee's discretion.
- 6. Students will not be recognized by the school for perfect attendance when they have three or more unexcused tardies or three or more unexcused early checkouts.
- 7. The accumulation of unexcused tardies or six early checkouts in any forty-five day grading period will result in the student and their parents/guardians being referred for the following interventions:
  - a. Conference with the Principal or designated staff.
  - b. Referral to the Attendance Intervention Team
  - c. At the principal's discretion, assignment to Saturday School as detailed in the Code of Student Conduct.
- 8. For the purposes of this policy, tardiness and early checkout without an acceptable excuse are seen as violation of 1003.21, F.S. (compulsory attendance).
- 9. A parent or guardian may appeal an unexcused tardy or unexcused early checkout if the parent or guardian has documented proof of a student's chronic illness as a reason for the tardiness or early checkout.

**NOTE: Pursuant to Florida law, out-of-school suspension is not a permissible disciplinary action for tardies or multiple tardy behaviors.**

V. Middle School Grades (6-8) and High School Grades (9-12)

- A. Notwithstanding Section I. C above, during each grading period, the principal or designee shall notify parents/guardians by phone or in writing on or before the third absence of the student from any class period or school day. Within each grading period, parents/guardians shall be notified in writing upon the fifth absence of the student from any class period or school day to request their cooperation in preventing further absences.
- B. Students who are absent shall receive a grade of zero (0) for work missed for the day(s) or class periods(s) in which the absence(s) occur. Students shall be responsible for making up missed work for each absence. Students shall receive 100% credit for the make-up work for all absences completed within the allotted time. The school principal shall determine the appropriate length of time for completion of assignments.
- C. Students with unexcused absences shall be held accountable through provisions of the *Code of Student Conduct*. Other appropriate penalties, such as detention beyond the regular school schedule or appropriate counseling programs for students and parents/guardians, may be administered at the school principal's or designee's discretion.
- D. Any student who misses more than eight (8) days of a course or four (4) days on a block schedule during one grading period must meet both criteria below to be eligible for a passing grade (A-D) in that course:
  - 1. The student passes the required comprehensive quarter exam or the required comprehensive project in the course. A comprehensive exam or comprehensive project will be given to all students in courses for each grading period; and
  - 2. The student has an overall passing grade in the course for the grading period.

**NOTE: Pursuant to Florida law, out-of-school suspension is not a permissible disciplinary action for tardies or multiple tardy behaviors.**

VI. Attendance at an Alternative Center

- A. Students who are enrolled in an alternative center at the end of the school year shall return to the center for the following school year unless otherwise determined by the School Board Hearing Officer.
- B. Students who are assigned to an alternative center may attend summer school provided they meet criteria for attendance.

1. Designated personnel in the centers shall notify the principal of the school where the student is regularly assigned of the student's current enrollment and attendance in the center's summer school program.
2. In no case may a student attend summer school at his/her regularly assigned school.

VII. This policy will be reviewed every June

## **Immunization and Health Requirements for School Attendance**

Florida law requires students enrolling into Florida Schools to show proof of required immunizations or proper exemptions. Those who fail to meet these requirements will be excluded from school until proper documentation is provided.

### **Who needs proof of immunizations?**

All students entering, attending, or transferring into Florida schools must have a Florida Certificate of Immunization (DH Form 680 part A) or an exemption on file at the school.

### **Can a student enroll without the proper immunizations?**

Students not presenting the required certification of immunization or exemption will be refused admittance to school and referred to their physician or the Duval County Health Department for the proper documents.

### **Besides a physician's office, where can my child receive the required immunizations?**

There are several clinics around Jacksonville that offer immunizations at no cost. Call the Duval County Health Department at 253-1000 for information.

### **Immunization requirements for pre-school, (students entering, attending, or transferring):**

- ❖ Four doses DTaP (diphtheria, pertussis, tetanus) vaccine with the last dose given on or after the fourth birthday or a fifth dose is required
- ❖ Three doses of polio vaccine with the last dose given on or after the fourth birthday or a fourth dose is required
- ❖ MMR (measles, mumps, rubella) vaccine given on or after the first birthday
- ❖ HIB (haemophilus influenzae type B) vaccination for children under five
- ❖ Hepatitis B vaccine given in three shots over a six month period
- ❖ Varicella (Chicken Pox) vaccine or documented history of the disease on DH 680 Form is required for preschool students

### **Immunization requirements for Kindergarten and Grades 1 through 6:**

- ❖ Same as preschool, except no HIB
- ❖ FOR KINDERGARTEN- If three or four doses of polio are given before the fourth birthday a fifth dose is required
- ❖ Two doses of measles, mumps, rubella (MMR)
- ❖ Varicella (Chicken Pox) vaccine or documented history of the disease on a DH 680 form is required. Two doses of Varicella are required for kindergarten through third grade. Each subsequent year, the next highest grade will be in the requirement

### **Immunization requirements for Grades 7 through 12:**

- ❖ Same as above
- ❖ Varicella (Chicken Pox) vaccine or a documented history of the disease on a DH 680 is required for 7<sup>th</sup> through 10<sup>th</sup> grade students. Each subsequent year, the next highest grade will be in the requirement
- ❖ Tetanus-diphtheria-pertussis (Tdap) vaccine is required for 7<sup>th</sup> through 9th grade

**A Tetanus-diphtheria (Td or Tdap) booster is required for grades 10<sup>th</sup> through 12<sup>th</sup>.**

### **What are acceptable exemptions?**

- ❖ Permanent Medical Exemption - issued by physician
- ❖ Temporary Medical Exemption - issued by physician or authorized designee
- ❖ Religious Exemption - issued by health department
- ❖ 30 School-Day Exemption for transfer students - issued by school

### **What is the schedule of doses for the Hepatitis B Vaccine?**

After the initial dose, the second is given one month later. The usual interval between the second and third dose is five months. If a dose is given too soon it is considered invalid and another dose will be required. Students must complete all doses or have an exemption in order to attend school.

### **Is a health examination required for all students?**

Initial entrants into Florida School (pre-kindergarten, kindergarten, and transfer) need to present certification of a school-entry health examination performed within one year prior to enrollment (date of entry) or submit an exemption.

### **What are the exemptions for a school-entry health exam?**

Religious exemptions (only a written request required) and 30 School-Day exemptions for transfer students are permissible.

### **Are your family's routine immunizations current?**

Infant immunizations should be completed by age 2. Adults need immunizations too.

For more information, please access the following websites:

<http://www.cdc.gov/vaccines>

<http://www.Immunizeflorida.org>

<http://www.healthykids.org/>

### **What is Meningococcal Disease?**

(Excerpts taken from Meningococcal Disease. In-short, <http://www.cdc.gov/meningitis/about/index.html> 9/11/07)

Meningococcal disease is a severe bacterial infection that can cause meningitis, bloodstream infection and other localized infections. Although the disease is not common in the United States, in those who get it, symptoms develop and progress rapidly even leading to death in 24-48 hours. Symptoms may be characterized by fever, headache, stiff neck, nausea, sore throat, mental status changes, bloodstream infection and rash.

Meningococcal disease is usually spread through direct contact with nasal or mouth discharge.

There are two meningococcal vaccines available in the United States. Both vaccines can prevent certain types of meningococcal disease. For more information on who should or should not get the vaccine, please consult your physician or health care provider. Also, please visit the following website for additional information:

<http://www.cdc.gov/vaccines/pubs/vis/default.htm>

**For answers to additional questions call the Immunization Center at 253-1420 or the School Health Office at 253-1580.**

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. This policy implements the State Board of Education's Zero Tolerance Policy as outlined in Florida Statutes, including:
  - A. Definition of Terms
  - B. Victimization of students
  - C. Felony or misdemeanor as defined by Florida Statutes, Section 775.08.
  
- II. The legislature has found that zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors and that zero tolerance policies must apply equally to all students regardless of their economic status, race or disability. The Superintendent shall annually identify the Student Code of Conduct violations that are Petty Acts of Misconduct and which offenses are a Serious Threat to School Safety. The annual list of Petty Acts of Misconduct shall include all of the acts listed in Florida Statute 1006.13. For the purposes of this policy, the following terms are defined:
  - A. Petty Acts of Misconduct - Any misdemeanor or local ordinance violation; any Class I Student Code of Conduct violation; and those Class II or Class III Student Code of Conduct violations that are not designated annually by the superintendent as Serious Threats to School Safety.
  - B. Serious Threats to School Safety - Any felony involving violence or threat of violence; any offense involving the possession of a firearm or other weapon; all Class IV Student Code of Conduct violations and those Class II and III violations designated annually by the Superintendent.
  - C. Substance Abuse - Defined in Section 984.03, Florida Statutes, as "using, without medical reason, any psychoactive or mood-altering drug, including alcohol, in such a manner as to induce impairment resulting in dysfunctional social behavior."
  
- III. The school principal shall ensure that all school personnel are properly informed as to their responsibilities regarding crime reporting, that appropriate delinquent acts and crimes are reported properly, and that actions taken in cases with special circumstances are properly taken and documented. Criteria for reporting violations shall be as follows:
  1. All Student Code of Conduct violations will be properly investigated and documented. Petty Acts of Misconduct shall be handled using disciplinary actions as provided in the Student Code of Conduct. School administrators shall determine if alternatives to arrest such as, but not limited to, restitution, teen court, behavior contract, or participation in District alternative programs are appropriate. Referrals to law enforcement personnel for Petty Acts of Misconduct shall be made by those school-based administrators designated by the school principal.
  2. Acts that pose a Serious Threat to School Safety, whether committed by a student or adult, shall be reported to a law enforcement agency. Law enforcement personnel shall utilize agency protocol to determine what action should occur.
  
- III. Every student shall have the right to review the disciplinary action imposed for Student Code of Conduct violations.
  
- IV. Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled, with or without continuing educational services, from the

student's regular school for a period of not less than one (1) full year and be referred to the criminal justice or juvenile justice system:

- A. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.
  - B. Making a threat or false report as defined in Florida Statutes, Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
  - C. Hazing as defined in 1006.135, Florida Statutes.
- III. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
  - IV. The Superintendent may consider the one (1) year expulsion requirement on a case by case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.
  - V. If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.
  - VI. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting or will receive work assignments at home, while pending disposition.
  - VII. The Duval County School Board will convene an expulsion hearing for students found to have committed a Zero Tolerance Offense, even if the student withdraws from school after committing the code of conduct offense.
  - VIII. Schools shall comply with statutory procedures regarding victimization of students, staff or volunteers contained in Section 1006.23.

<b>Code of Conduct Violations</b>		
PETTY OFFENSES*		
<b>SERIOUS OFFENSES*</b>		
<b>CLASS 2 VIOLATIONS</b>	<b>CLASS 3 VIOLATIONS</b>	<b>CLASS 4 VIOLATIONS</b>
2.01-Failure to Follow Directions Relating to Safety and Order in Class, School, School-Sponsored Activities or on the School Bus	<b>3.00-Alcohol,</b>	<b>4.00-Alcohol</b>
2.02-Possession, Use, Distribution and/or Sale of Tobacco/Facsimile Products	<b>3.01-Drugs</b>	<b>4.01-Drugs</b>
2.03-Simple Battery Upon Students	3.02-Threat /Intimidate	<b>4.02-Arson</b>
2.04-Dispute	<b>3.03-Simple Battery or Assault Upon School District Employee or Agent</b>	<b>4.03-Aggravated Battery upon a School District Employee or Agent</b>
2.05-Fighting	<b>3.04-Robbery</b>	<b>4.04- Armed Robbery</b>
2.06-Vandalism	<b>3.05-Stealing/Larceny/Theft</b>	<b>4.08-Possession of a Firearm</b>
<b>2.07-Stealing or Use of Counterfeit Bills</b>	<b>3.06-Burglary of School Structure</b>	<b>4.09-Use of a Deadly Weapon</b>
<b>2.08-Possession of Stolen Property</b>	3.07-Criminal Mischief/Vandalism	<b>4.10-Use of a Prohibited Object or Substance</b>
2.09-Threats/Intimidation/Ridicule	<b>3.09-Possession of a Weapon</b>	<b>4.11-Bomb Threats</b>
2.10-Trespassing	3.10-Possession of Prohibited Substance or Objects	<b>4.12-Explosives</b>
2.11-Possession of Fireworks, Firecrackers, Smoke Bombs, or Flammable Materials	3.11-Lewd, Indecent, or Offensive Behavior	<b>4.13-Sexual Battery/Rape</b>
2.14-Sexual Harassment	3.12-Sexual Harassment	<b>4.14-Aggravated Battery</b>
2.16-Directing Obscene, Profane, or Offensive Language or Gestures to a School District Employee or Agent	<b>3.13-Sexual Offenses</b>	<b>4.16-Aggravated Stalking</b>
2.17-Leaving School Grounds or the Site of Any School Activity Without Permission	<b>3.14-Battery Upon Student Resulting in Bodily Harm</b>	<b>4.17-Any Other Offense Which Is Reasonably Likely to Cause Great Bodily Harm or Serious Disruption of the Educational Process</b>
2.18-Simple Assault on School District Employee or Agent	<b>3.15-Inciting or Participating in Major Student Disorder</b>	<b>4.18-Kidnapping/Abduction</b>
2.19-Multiple Class II Offenses	3.16-Unjustified Activation of a Fire Alarm System	<b>4.19-Homicide/Murder/Manslaughter</b>
2.20-False Information	3.18-Igniting Fireworks, Firecrackers, Smoke Bombs or Flammable Materials	<b>4.20-Vandalism</b>
<b>2.21-Possession of Firearm Facsimiles</b>	3.19-Unjustified Activation of Bus Emergency Systems	
2.23-Refusal to Attend or Participate in Other Previously Assigned Discipline	3.20-Failure to Adhere to Safety Procedures on School Bus	
2.24-Unauthorized Use of Instructional Technology	3.21-Fighting or Battery on a School Bus	
2.25-Gambling	3.22-Defamation of Character	
2.26-Use of Wireless Communication Devices	3.23-Stalking	
2.27-Failure to Adhere to Safety Considerations on School Bus	3.24- Unauthorized Use of Instructional Technology	
2.28-Cheating and/or Copying the Work of Others	3.26-Major Dispute or Altercation	
2.29-Possession, Reproduction, Use and/or Distribution of a Facsimile of a Drug, Alcohol, or Tobacco Product	3.27-Simple Assault Upon School District Employee or Agent	
2.30-Bullying/Harassment	3.28 Bullying	
2.31-Simple Assault on a Student	3.29 Harassment	
2.32-Possession and/or Use of Matches or Lighters	3.30- Teen Dating Violence or Abuse	
2.33-Extortion		
2.34 Use of Cameras		
*PETTY OFFENSES denoted in plain print		
*SERIOUS OFFENSES denoted in bold print		

- I. Wireless communication devices may be brought to school with the following conditions as well as procedures outlined in the Code of Student Conduct applying:
  - A. Devices must be turned off during school hours.
  - B. If emergency calls to or from students are necessary they should be placed through the school office and not to or from the student's telephone.
  - C. Devices should be kept secure to prevent theft (*e.g.*, vehicles, purses, backpacks, lockers).
- II. Violation of these provisions shall result in the confiscation of the wireless communication devices and its return only to the parent or guardian.
- III. The use of the wireless communication devices at school events shall not be limited by this policy; however, the principal shall have full authority to promulgate rules that implement all provisions herein.
- IV. Any student who chooses to bring a wireless communication device to school shall do so at his or her own risk. School personnel shall not be responsible for loss or theft of the wireless communication devices.

### ***GUIDELINES FOR SAFE AND ACCEPTABLE USE OF COMPUTERS AND THE INTERNET***

In preparing our students for the 21st Century, each Duval County Public School (DCPS) student will be assigned a computer network login that will provide the student with access to the Internet. The proper use of the Internet provides opportunities for research, learning, and web-based educational programs. 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 must abide by guidelines described in this document, the Code of Student Conduct, and the District's Acceptable Use Policy.

The school's mission, goals, objectives and standards will guide the instructional use of technology resources, including computers, software and the Internet. The DCPS' goal in providing Internet connectivity is to establish direct access to appropriate materials that support curricular goals and objectives. School faculty will integrate thoughtful use of computer technology throughout the curriculum and provide guidance and instruction to students in its use. Teacher supervision of independent student computer and Internet activities is the key element in effective and safe use of these resources by students. Teachers may present web sites to students during instructional times.

DCPS acknowledges the fact that inappropriate materials exist on the Internet and will do everything it can to actively avoid them, including the use of filtering software. **The DCPS has implemented technology protection measures that filter Internet access to block visual displays that are obscene, pornographic, or harmful to minors, but this technology is not 100% effective.** Student Internet access is monitored, but not every instance of inappropriate use can be reported to the school or parent/guardian. No software can filter out all of the materials that are unacceptable in an educational setting and it should be clearly understood by all students and their parents/guardians that intentional access to such material, in any form, is strictly forbidden.

DCPS makes no guarantee that the functions or the services provided by or through the District's network will be error-free or without defect. The District will not be responsible for any damage suffered, including but not limited to, loss of data or interruptions of service. Students are responsible for making a back up copy of crucial files. The District is not responsible for the accuracy or quality of the information obtained through or stored on the network. The District will not be responsible for financial obligations arising through the unauthorized use of the network as the result of intentional misuse.

Students that demonstrate the inability to properly use technology resources may have those resources restricted or removed. This may have a detrimental effect on the student's ability to access online curriculum resources including grade recovery and intervention program.

If a student feels there is a problem or feels uncomfortable with the information someone is transmitting to them, the student should tell his/her teacher or school site administrator. Students shall immediately notify a teacher or administrator if inappropriate information is mistakenly accessed or found anywhere on the DCPS network including student shares.

Students and other users access a computer with unique network accounts or ID and passwords. **ID and passwords must never be shared. 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.**

### ***Plagiarism and Copyright Infringement***

- Students will not plagiarize works that they find on the Internet. Plagiarism is adopting the ideas or writings of others and presenting them as if your own. Credit should always be given to the person who created the words or idea.
- Students must respect the rights of copyright owners. Copyright infringement occurs when the student inappropriately reproduces a work that is protected by a copyright. If students have questions about possible copyright infringement, they should ask a teacher or school's media specialist.
- Unless it is otherwise stated, assume that all materials on the Internet, including web sites and graphics, are copyrighted, and that existing **copyright guidelines**, such as those involving photocopying, electronic copying, multimedia, and fair use, apply. Students using computers and the Internet should be aware of what is and is not allowed as it pertains to software, multimedia productions, and web publishing.

### ***Netiquette Rules***

Users must abide by network etiquette rules. These rules include, but are not limited to, the following:

- Be polite – rudeness is never acceptable.
- Understand that when you post something on the Internet, it is there forever and you no longer have control of who sees it or what they do with it.

Do use the Internet to help with schoolwork. The Internet is a source of great volumes of information. It's like having the world's largest library at your fingertips!

- Do not provide any personal information (such as name, address/telephone number, social security number).
- Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.
- Do not use the network in such a way that you would disrupt the use of the network by other users.
- All communications and information accessible via the network should be assumed to be private property.
- Do use the Internet to learn more about colleges and universities. Many colleges let you take a "virtual tour" of the campus, or submit applications for admission or financial aid applications on line.

## **Disciplinary Action**

### ***USE OF COMPUTERS AND THE INTERNET***

Possible consequences for violations of the DCPS use of computers and Internet policies include, but are not limited to:

- Suspension or limited access of the Internet.
- Suspension of DCPS network privileges.
- Suspension of computer access.
- Disciplinary actions as outlined in the Code of Student Conduct.
- School suspension and/or expulsion. Appropriate legal action, civil and/or criminal.

## NONDISCRIMINATION POLICY

The Duval County School Board **prohibits discrimination** in educational programs/activities and employment, and strives affirmatively to provide equal opportunity for all as required by:

- ***Title VI of the Civil Rights Act of 1964*** – prohibits discrimination on the basis of race, color, religion, or national origin.
- ***Title VII of the Civil Rights Act of 1964, as amended (1991)*** – prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin. The Act also provides additional remedies, including damages for emotional distress.
- ***Title IX of the Education Amendments of 1972*** – prohibits discrimination on the basis of sex.
- ***Age Discrimination in Employment Act of 1967 (ADEA)***, as amended – prohibits discrimination on the basis of age with respect to individuals who are at least forty (40) years of age.
- ***The Lilly Ledbetter Fair Pay Act of 2009*** – Amends the Civil Rights Act of 1964 changing the 180 day statute of limitations for filing an equal-pay lawsuit for pay discrimination.
- ***Section 504 of the Rehabilitation Act of 1973*** – prohibits discrimination against the disabled.
- ***Americans with Disabilities Act of 1990 (ADA)*** – prohibits discrimination against individuals with disabilities in employment, public service, public accommodations, and telecommunications.
- ***Florida Civil Rights Act of 1992*** – Secures for all individuals within the State freedom from discrimination because of race, color, religion, sex, national origin, age, disability or marital status.
- ***Florida Educational Equity Act*** (Section 1000.05, F.S.) – prohibits discrimination against students or employees on the basis of race, sex, national origin, marital status, or disability.

For information regarding procedures for filing a complaint of discrimination or harassment please contact:

Office of Equity and Inclusion  
Duval County Public Schools  
1701 Prudential Drive  
Jacksonville, Florida 32207  
904.390.2181

## ***ROLE OF THE HOME, STUDENT, SCHOOL, AND SCHOOL PERSONNEL***

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

### **Parents/Guardians**

- ❖ Ensure the daily attendance of their child(ren) and promptly report and explain any absence or tardiness from school
- ❖ Provide their child(ren) with the resources needed to complete class work
- ❖ Assist their child(ren) in being healthy, neat, and clean
- ❖ Bring to the attention of the school authorities any problem or condition which affects their child(ren) or other children of the school
- ❖ Discuss report card and work assignments with their child(ren)
- ❖ Ensure that the school has current home, work, and emergency telephone numbers
- ❖ Ensure that **current** emergency health care information regarding their child(ren) is on file with the school, including the name and telephone number of their child(ren)'s doctor and a hospital preference
- ❖ Provide information that is current and accurate

### **Students**

- ❖ Attend all classes daily and be punctual
- ❖ Come to class with appropriate working materials
- ❖ Respect all individuals and their property
- ❖ Refrain from profane or inflammatory statements
- ❖ Conduct themselves in a safe and responsible manner
- ❖ Present a clean and neat appearance
- ❖ Take responsibility for their own work
- ❖ Seek changes in an orderly and recognized manner
- ❖ Abide by the rules and regulations of the school and of each classroom teacher

### **Schools**

- ❖ Encourage the use of good guidance procedures
- ❖ Maintain an atmosphere conducive to good behavior
- ❖ Exhibit an attitude of respect for students
- ❖ Plan a flexible curriculum to meet the needs of all students
- ❖ Promote effective discipline based upon fair and impartial treatment of all students
- ❖ Develop a good working relationship among staff and with students
- ❖ Encourage the school staff, parents/guardians, and students to use the services of community agencies
- ❖ Promote regular parental communication with the school
- ❖ Encourage parent participation in affairs of the school
- ❖ Seek to involve students in the development of policy
- ❖ Endeavor to involve the entire community in the improvement of the quality of life

### **School Personnel**

- ❖ Attend school regularly and be punctual
- ❖ Perform their duties with appropriate materials
- ❖ Respect other individuals and their property
- ❖ Refrain from profane or inflammatory statements
- ❖ Conduct themselves in a reasonable and responsible manner
- ❖ Present a clean and neat appearance
- ❖ Adhere to the rules and regulations established by the school
- ❖ Pursue improvements in an orderly and recognized manner Utilize a variety of informal disciplinary and guidance methods, in addition to formal disciplinary action

## ***RIGHTS AND RESPONSIBILITIES***

### **Parent/Guardian Rights and Responsibilities**

It is the intent of the Duval County School Board, as expressed in the **Parent/Guardian Rights and Responsibilities** section of this document, that parents/guardians must ensure that their child understands his/her individual rights and responsibilities to school district employees and fellow students as they work together toward a common goal of learning. It is the parents'/guardians' responsibility to ensure that their child maintains regular communication between home and school. When either parents/guardians or school employees deem it necessary to meet regarding concerns about the student's education or a disciplinary matter, the student, parent/guardian has a right to be represented by an attorney of his/her choice throughout the process.

### **Student Rights and Responsibilities**

It is the intent of the Duval County School Board, as expressed in the **Student Rights and Responsibilities** section of this document, which students understand that individual rights involve associated responsibilities, and the individual rights must be viewed in relationship to the health, safety, and welfare of the majority of students within each school. The principal has administrative and instructional leadership responsibility under the supervision of the Superintendent, in accordance with the rules and regulations of the School Board, for planning, management, and operation of the school to which he/she is assigned. The faculty and staff shall assist in the orderly operation of the school and assure the rights of students.

### **Student Rights and Responsibilities – Attendance**

Philosophical Basis - School administrators have an obligation under state law to enforce compulsory school attendance laws. Regular attendance by students will facilitate the development of the skills and knowledge necessary to function in a democratic society (See Duval County Public School Attendance Policy page 35).

#### **Student Rights**

- ❖ To be informed of School Board policies and individual school rules regarding absenteeism and tardiness
- ❖ To appeal a decision pertaining to an absence
- ❖ To make up class work within a reasonable length of time as determined by a principal

#### **Student Responsibilities**

- ❖ To take advantage of educational opportunities by attending all classes daily, and being on time
- ❖ To provide the school with an adequate explanation and appropriate documentation, indicating the reason for the absence
- ❖ To request make-up assignments from teachers upon return to school, and to complete this work within a reasonable length of time as determined by the principal

**NOTE: FLORIDA LAW REQUIRES THE DENIAL/SUSPENSION OF DRIVING PRIVILEGES FOR STUDENTS WHO HAVE ACCUMULATED FIFTEEN (15) UNEXCUSED ABSENCES IN A PERIOD OF NINETY (90) CALENDAR DAYS OR WHO HAVE DROPPED OUT OF SCHOOL.**

### **Student Rights and Responsibilities – Counseling**

Philosophical Basis - Personal concerns of students can seriously limit their educational development. Schools have the responsibility to provide a counseling program and to make relevant and objective information available to students.

#### **Student Rights**

- ❖ To be informed as to the nature of the guidance services available in his/her school
- ❖ To have access to individual and group counseling
- ❖ To request a change of counselor

## **Student Responsibilities**

- ❖ To use guidance services for his/her own educational and personal improvement
- ❖ To schedule appointments in advance, unless the problem or concern is one of an emergency
- ❖ To work cooperatively with all school personnel

### **Student Rights and Responsibilities – Curriculum**

Philosophical Basis - The degree of curriculum involvement is a function of age, grade, maturity, and sophistication on one hand, and the level and complexities of courses on the other.

Student opinion regarding curriculum offerings is extremely important and deserves careful analysis and consideration.

## **Student Rights**

- ❖ To have equal educational opportunity with regard to academic programs and extracurricular activities
- ❖ To receive district curriculum course descriptions that will facilitate informed choices
- ❖ To receive instruction in courses of study under competent instructors in an atmosphere free from bias and prejudice
- ❖ To participate in appropriate academic programs in elementary, middle, and high school

## **Student Responsibilities**

- ❖ To request participation in academic programs and extracurricular activities that are commensurate with ability
- ❖ To seek assistance in course selection from informed persons in the school
- ❖ To cooperate with the instructor and contribute to an atmosphere free from bias and prejudice
- ❖ To cooperate fully and exert every effort to achieve mastery of the appropriate academic standards.

### **Student Rights and Responsibilities – Free Speech/Expression**

Philosophical Basis - Citizens in our democracy are guaranteed self-expression under the First and Fourteenth Amendments of the United States Constitution. Therefore, in a democratic society, one of the basic purposes of education is to prepare students for responsible self-expression.

## **Student Rights**

- ❖ To form and express viewpoints through speaking and writing in a manner which is not harassing, obscene, slanderous, or libelous
- ❖ To affirm their identity with the American ideal (e.g., pledging allegiance to the flag)
- ❖ To refrain from activity which violates the precepts of his/her religion
- ❖ To assemble peaceably on school grounds or in school buildings (such assembly shall be consistent with all applicable federal, state, and local guidelines)

## **Student Responsibilities**

- ❖ To respect the rights of other individuals and to express disagreement in a manner which does not infringe upon the rights of others and does not interfere with the orderly educational process
- ❖ To act in a manner which preserves the dignity of patriotic observances
- ❖ To respect the religious beliefs of others
- ❖ To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school

### **Student Rights and Responsibilities – Grades**

Philosophical Basis - An academic grade should reflect the teacher's most objective assessment of the student's academic achievement. Academic grades should not be used as a means of maintaining order in a classroom, nor should student behavior be included in calculating academic grades.

## **Student Rights**

- ❖ To receive a teacher's grading criteria at the beginning of each year or semester course
- ❖ To receive reasonable notification of failure or potential failure at any time during the grading period when it is apparent that unsatisfactory work is being performed

## **Student Responsibility**

- ❖ To become informed of grading criteria
- ❖ To maintain standards of academic performance commensurate with ability, and to make every effort to improve performance upon receipt of notification of unsatisfactory progress

### **Student Rights and Responsibilities – Privacy and Property Rights**

Philosophical Basis - Federal and state laws provide persons with reasonable expectation of privacy, in addition to 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.

**Privacy on computers and the Internet is not guaranteed.** In accordance with the Electronic and Communications Privacy Act of 1986 (18 USS Section 2510), all students are hereby notified that there are no facilities provided by Duval County Public Schools (DCPS) that allow the sending or receiving of private or confidential electronic communications. All electronic communications will be determined to be readily accessible to the general public. The DCPS system reserves the right to monitor all traffic on the network and review all files stored on or transmitted through its computer systems. This is done to preserve the integrity of the network and to ensure that the DCPS's computers continue to function properly for all users

**No personal information, such as name, address and phone number should be shared via the Internet.** When using any computer network to communicate with others, students should think carefully about what they say and how they say it. When on the Internet, a student should keep the following in mind:

- ❖ He/she cannot see the other person
- ❖ He/she cannot tell how old the other person is or what sex they are
- ❖ A person can tell the student anything; therefore, a student cannot always be sure that what the person is telling him/her is true

If a student feels there is a problem, or feels uncomfortable with the information someone is transmitting to him/her, the student should tell his/her teacher, school site administrator or technology representative immediately.

## **Student Rights**

- ❖ To maintain privacy of personal possessions, unless appropriate school personnel have reasonable cause to believe a student possesses any object or material which is prohibited by law or School Board policy
- ❖ To attend school in an educational environment in which personal property, including electronic property, is respected

## **Student Responsibilities**

- ❖ To attend school and other School Board activities without bringing materials or objects prohibited by law or School Board policy, or other items that will detract from the educational process
- ❖ To respect the property rights of the public-at-large, as well as those of individuals, and to refrain from destruction or modification of, or damage to, such property

### **Student Rights and Responsibilities – Student Records**

Philosophical Basis - A well-developed student record file contains information needed for making appropriate educational decisions for the student. Student records are to be treated confidentially and should only contain information that is relevant, accurate, and appropriate.

## **Student Rights**

- ❖ To inspect, review, and challenge the information contained in records directly relating to the student
- ❖ To be protected by legal provisions which prohibit the release of personally identifiable information (without the consent of the parent/guardian or eligible student) to other than legally authorized persons (Eligible students are those eighteen (18) years of age or over and/or those attending a post-secondary institution).

## **Student Responsibilities**

- ❖ To inform the school of any information that may be useful in making appropriate educational decisions
- ❖ To authorize release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the student \*

**NOTE: Release of record of students seventeen (17) years of age or younger who attend an elementary or secondary school requires the signature of the parent/guardian.**

### **Student Rights and Responsibilities – Student Government**

Philosophical Basis - Effective student governments are the forum for training and involvement of student in the democratic process. Members of the school community share the responsibility for shaping governments into positive instruments for student involvement.

## **Student Rights**

- ❖ To form and operate a student government within the respective schools under the direction of a faculty advisor
- ❖ To have access to policies of the School Board and the individual school
- ❖ To seek office in student government, or any school organization, regardless of race, sex, color, creed, or political beliefs
- ❖ To attend, as a student government officer and representatives, official student government meetings upon approval of such meetings by the school principal

## **Student Responsibilities**

- ❖ To elect student government officers and representatives who are responsive to the needs of the school and who will work constructively toward the resolution of such needs
- ❖ To become knowledgeable of School Board and individual school policies governing the actions of students
- ❖ To conduct election campaigns in a positive, mature manner, with all due respect provided to his/her opponents
- ❖ To attend regularly scheduled meetings, if an elected student representative, and to exhibit appropriate conduct at all times

### **Student Rights and Responsibilities – Student Publications**

Philosophical Basis - Education is the process of inquiring and learning, as well as acquiring and imparting knowledge and exchanging ideas. One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects consistent with the basic educational goals of the school. As part of the educational curriculum, and under the supervision of school staff members, official student publications, such as the school newspaper, should offer the opportunity for students to share a variety of viewpoints as part of the learning process. School principals have final editorial control over the style and content of all student publications.

## **Student Rights**

- ❖ To participate in the development and distribution of publications as part of the educational process

## **Student Responsibilities**

- ❖ To refrain from publishing libelous and obscene materials, or materials inconsistent with the school's basic educational goals
- ❖ To seek full information on the topics about which they write
- ❖ To observe normally accepted rules for responsible journalism under guidance of the faculty advisor

**CODE OF STUDENT CONDUCT ACKNOWLEDGEMENT FORM**  
**Duval County Public Schools**

Student's Name \_\_\_\_\_ Grade \_\_\_\_\_

Teacher's Name (please print) \_\_\_\_\_

**The purpose of the *Code of Student Conduct* is to help your son/daughter gain the greatest possible benefit from his/her education.**

I was given a copy of the *Code of Student Conduct* at school today. I know that the *Code of Student Conduct* contains a list of rules for students' behavior at school. I understand that it is my responsibility to learn what those rules are, and to know what will happen if I break a rule. I will take my copy of the *Code of Student Conduct* home to share it with my parent(s)/guardian(s).

In preparing our students for the 21st Century each Duval County Public School (DCPS) student will be assigned a computer network login that will provide the student with access to the Internet. Unless a parent/guardian has signed the "Internet Opt-Out" form, each student will be given access to the DCPS network and Internet. I have read and reviewed the Guidelines for Safe and Acceptable Use of the Computers and the Internet. Please stress to your child the importance of using only his or her account password, and of keeping it a secret from other students. Your child is responsible for all activity that happens in his/her account. We also reserve the right to access and review any files or other electronic information stored on district network servers. With this permission, you and your child waive copyright on any material posted on the district network and website. Our district currently uses an Internet filtering and monitoring system, but be aware, however, that there is inappropriate and controversial material on the Internet that your child might still access.

When a student is assigned DCPS property such as textbooks, band equipment, athletic equipment, or computer equipment, they are required to exercise reasonable care to protect against its loss or damage. In the event DCPS property is lost or damaged while in the care of a student, the student's parent/guardian will be financially responsible for reimbursing DCPS the reasonable cost of repair or replacement of the item.

Duval County Public Schools publish a variety of information about our schools and district on a portion of the Internet known as the World Wide Web. From time to time we may wish to include your child's work (stories, poems, reports) and/or photo on our web site, bulletin boards, newsletters, fliers or other forms of communication. No last names are used under elementary student work. Last names may be used under secondary student work. No names will be placed under photos. Student photos will only be used generically. No identifying marks or physical characteristics, clothing, or other articles bearing a student's name or any other means by which a student can be identified will be photographed. No other personal information about the student, such as e-mail address, phone number, or home address will be published on the Web, bulletin boards, newsletters, fliers or other forms of communication. Schools also videotape and will occasionally use portions of video for educational purposes.

**\*Please initial one:**

\_\_\_\_\_ I consent to my child's work, photo, video or name being used in any digital communication form as described above.

\_\_\_\_\_ I do not give consent to my child's work, photo, or name being used in any digital communication form as described above.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**Note: Failure to return this acknowledgement form will not relieve a student or the parent/guardian of the student from responsibility for knowledge or non-compliance of the contents of the Code of Student Conduct, Bus Behavior Agreement, and Internet Use Policy.**

**Parent's Copy**

**CODE OF STUDENT CONDUCT ACKNOWLEDGEMENT FORM**  
**Duval County Public Schools**

Student's Name \_\_\_\_\_ Grade \_\_\_\_\_

Teacher's Name (please print) \_\_\_\_\_

**The purpose of the *Code of Student Conduct* is to help your son/daughter gain the greatest possible benefit from his/her education.**

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When a student is assigned DCPS property such as textbooks, band equipment, athletic equipment, or computer equipment, they are required to exercise reasonable care to protect against its loss or damage. In the event DCPS property is lost or damaged while in the care of a student, the student's parent/guardian will be financially responsible for reimbursing DCPS the reasonable cost of repair or replacement of the item.

Duval County Public Schools publish a variety of information about our schools and district on a portion of the Internet known as the World Wide Web. From time to time we may wish to include your child's work (stories, poems, reports) and/or photo on our web site, bulletin boards, newsletters, fliers or other forms of communication. No last names are used under elementary student work. Last names may be used under secondary student work. No names will be placed under photos. Student photos will only be used generically. No identifying marks or physical characteristics, clothing, or other articles bearing a student's name or any other means by which a student can be identified will be photographed. No other personal information about the student, such as e-mail address, phone number, or home address will be published on the Web, bulletin boards, newsletters, fliers or other forms of communication. Schools also videotape and will occasionally use portions of video for educational purposes.

**\*Please initial one:**

\_\_\_\_\_ I consent to my child's work, photo, video or name being used in any digital communication form as described above.

\_\_\_\_\_ I do not give consent to my child's work, photo, or name being used in any digital communication form as described above.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**Note: Failure to return this acknowledgement form will not relieve a student or the parent/guardian of the student from responsibility for knowledge or non-compliance of the contents of the *Code of Student Conduct*, *Bus Behavior Agreement*, and *Internet Use Policy*.**

***School's Copy***  
***(Please return the signed copy to the school).***

## Parent and Student School Bus Behavior Agreement

I understand that School Bus Transportation is a privilege that can be revoked. I know that the *Code of Student Conduct* contains a list of rules for students' behavior on the school bus. I understand that I must learn what those rules are, and to know what will happen if I break a rule. I understand and agree to abide by the *Code of Student Conduct* as it applies to school bus privileges. I understand that violation of the *Code of Student Conduct* may result in suspension or revocation of school bus privileges.

- Action Taken for Class I Offense(s)
  - o First Offense: Conference and or Parent/Guardian Contact.
  - o Subsequent Offense: 1-3 school days suspension from bus.
- Action Taken for Class II Offense(s)
  - o First Offense: Conference and or Parent/Guardian Contact
  - o Subsequent Offenses: Subsequent bus code violations may result in suspensions for up to 15 days.
- Action Taken for Class III Offense(s)
  - o First Offense: Commission of a Class III offense on a bus will result in the suspension of bus privileges for a minimum of twenty (20) school days.
  - o Subsequent Offense: Commission of a subsequent offense on the school bus will result in the suspension of bus privileges for a minimum of forty (40) school days.
- Action Taken for Class IV Offense(s)
  - o Commission of a Class IV Offense on a school bus will result in revocation of bus privileges for one calendar year.

**Note:** A student may be suspended or expelled from riding the bus at any point in the discipline process. A student who has been suspended or expelled from the school bus that 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 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent /Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE:** Failure to return this acknowledgement form will not relieve a student or the parent/guardian of the student from responsibility for knowledge or non-compliance of the contents of the Code of Student Conduct, Bus Behavior Agreement, and Internet Use Policy.

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