



2011-2012  
School Year  
(Amended July 26, 2011)

# Code of Student Conduct

2011-2014



**JULIE M. JANSSEN, ED.D.**  
**SUPERINTENDENT**

# **THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA**

301 Fourth St. SW  
Largo, FL 33770  
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Policies 5500 – 5500.13 (Pre K - 12)

Pinellas County Schools is an equal opportunity institution for education and employment. It is the policy of the School Board of Pinellas County that each student regardless of race, color, creed or religion, sex, marital status, national origin, age, disability, or sexual orientation has the right to an opportunity for an education.

Ron Ciranna, Assistant Superintendent, Human Resources  
301 4<sup>th</sup> Street SW  
Largo, FL 33770  
(727) 588-6198

## **IMPORTANT PHONE NUMBERS:**

ADMINISTRATION BUILDING (727) 588-6000

WALTER POWNALL SERVICE CENTER (727) 541-3526

## PARENT AND STUDENT ACKNOWLEDGEMENT

This CODE has been written so students and family members know what behavior is expected and prohibited at school or at school activities. It is helpful if parents are aware of school rules so they can help support them from home. Failure to return this acknowledgement will not relieve a student or the parent(s) from the responsibility for knowledge of the contents of the *Code of Student Conduct*.

I have read:

- the Code of Student Conduct Highlights (on pages ii, iii, and iv)
- the Annual Notice About Your Rights Concerning Student Records including releasing information to military recruiters and institutes of higher education. (page v; Directory Information Opt-Out form on following page)
- the Annual Notice of School Board Policy Required By The Protection Of Pupil Rights Amendment (page vi and vii)
- the Notification of Availability of the No Child Left Behind (NCLB) School Public Accountability Report 2010 – 2011 (page vii)
- Florida Statute allowing blood donation by 17 year olds (page vii)
- Social Security notification (page viii)
- Compulsory Attendance and Driving Privilege (page ix)

I will review the *Code of Student Conduct*.

Additionally, it is acceptable to display my child's good work.

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Parent/Guardian's Signature

Date

---

Student's Signature

Date

---

(PRINT) Student's Name and Grade

**PLEASE DETACH AND HAVE YOUR CHILD  
RETURN THIS PAGE TO SCHOOL  
AFTER SIGNING THE ACKNOWLEDGEMENT**



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**Pinellas County Schools  
Code of Student Conduct Highlights  
2011-12**

*Highlights for 2011-12 include:*

- **Failure to comply with the dress code will be handled similarly to other disciplinary infractions. Non-compliance may result in consequences including but not limited to detention, in-school suspension and loss of eligibility to participate in extracurricular activities. (page 6)**
- **Pursuant to F.S. 1006.07, wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the learning environment will have specific consequences. In addition to these consequences, the violation shall be corrected before the student is allowed back in the regular school environment.(page 6)**
- **A student may possess a cellular telephone, electronic communication device (ECD), and other electronic devices in school, on school property, at school-related functions, provided these items are powered off and concealed from view while school is in session. (page 16)**
- **Violations of the cell phone or electronic communication device policy may result in disciplinary action and/or confiscation of the cellular telephone, ECD, or electronic device. If the cellular telephone, ECD, or electronic device is confiscated, it will be released/returned to a parent unless an alternative arrangement is agreed to by the principal (or designee). (page 16)**
- **The School staff is not responsible for preventing theft, loss, damage, or vandalism to cellular telephones, ECDs, or other electronic devices brought onto its property, including any electronic devices confiscated due to inappropriate use. (page 17)**
- **A Directory Information Opt-Out form is provided for a parent to use regarding the release of directory information including the release of information to military recruiters and institutes of higher education (page following page v)**
- **We want to remind you that all family members and visitors accessing district schools or facilities during the traditional instructional day will be required to present a photo ID or officially authorized state photo identification card on each visit. This identification process is to ensure the safety of all students. We appreciate your cooperation in honoring this request. (page 2)**
- **Absent prior permission from the parent, no student shall be permitted to leave school prior to dismissal at the request of or in the company of anyone other than an authorized school employee; a law enforcement officer; child protective investigator, or other official acting in the exercise of his/her lawful authority; or the parents of the student.**

Prior parental permission must be evidenced on the Student Clinic Card and Release Form or on a separate written instrument signed by the parent. (page 3)

- In order for a stepparent who is not the legal guardian of the child to have information about a student or sign forms related to the student there must be, on file, written permission from the parent or legal guardian. This permission must be updated annually. (page 3)
- A school representative will ordinarily, when reasonably available, be present, in the absence of a parent, during suspect interrogation of students on campus by outside law enforcement concerning a non-school related offense. The law enforcement officer, parent, or student may direct that the school representative not be present. The school representative shall not be expected or required to advocate on behalf of the student, and neither the representative nor the School Board is responsible for the manner or outcome of the interrogation. The parties recognize that police interrogation is a law enforcement function. Chapter 39, F.S., prescribes different procedures in the case of child protective investigations, which shall be followed whenever applicable. (page 4-5)
- Students in honors, advanced placement or magnet courses who are expelled or reassigned to an alternative school must be aware that their curriculum will be impacted. While every attempt is made to match schedules, it is rarely possible to replicate every class. Students taking these classes must be aware that, when engaging in serious violations of the *Code of Student Conduct* they are jeopardizing their academic plan and the completion of some classes will be delayed.
- A drug or alcohol incident will lead to ten (10) days of suspension and disciplinary reassignment to an alternative school for one (1) or two (2) semesters. If this is the student's first offense and s/he was not charged with a felony offense, the student and his/her parent will be offered an opportunity to participate in the Pinellas County Schools drug/alcohol educational program. (page 18)
- "Illegal drugs" also includes any illegal or legal substances that may be used as an intoxicant, hallucinogen, mind-altering agent, or may be used for any other unsafe purpose. Examples include, but are not limited to, inhalants, over-the-counter drugs, bath salts, and spice cannabinoid (JWH-018). (page 19)
- Any student who brings, possesses or exhibits a dangerous object at school, or to any school function, or on any school-sponsored transportation, without the use or threatened use in an offensive or defensive manner, is guilty of a serious breach of conduct and that student will be suspended from school for 10 days and may be recommended for reassignment or expulsion. (page 21)
- The Pinellas County School System would like to ensure the safety of all students who ride our buses and staff who operate them. Unauthorized individuals including, but not limited to: parents, guardians, students, and siblings may not board a school bus or attempt to conference with a bus driver or authorized rider, while en route to or from school. (page 23)

**Federal guidelines require that states have a *zero tolerance* law regarding substance abuse, guns and crime.**

Florida Statute 1006.13 mandates that "each school district shall adopt a policy of **zero tolerance** for crime and substance abuse..." That law further requires that expulsion be recommended for any student at school or at a school function with a firearm or weapon, as defined in Chapter 790 or any student making a threat or false report as defined by state statute 790.162 and 790.163. In fulfilling this statutory requirement, we have incorporated the specified legal definitions into the language of the Code.

In complying with law, the Pinellas County School Board defines **zero tolerance** to mean that certain kinds of misconduct will always lead to a disciplinary consequence. For certain misconduct, administrators have discretion as to discipline and penalties and for others the school board has mandatory penalties

All of these policies have been enacted to ensure that your child is safe and has every opportunity to benefit from instruction.

## **EXPULSION**

**A student may be expelled for:**

- 1. A third incident involving illegal substance at school or at a school event (see page 18).**
- 2. Involvement in the making of a bomb threat or a bomb (see page 20).**
- 3. Possession of a gun, as defined in F.S. 790, at school, a school function, school bus or at a bus stop (see page 20).**
- 4. Possession of any knife with a blade longer than four (4) inches or a non-foldable knife regardless of length, excluding a butter knife or dull table knife (see page 21).**
- 5. Possession of other dangerous objects brought with the intent to do harm to others or for self-defense (see page 21).**
- 6. A violent act resulting in a serious injury (see page 21).**
- 7. Conviction of certain off-campus felony charges (see pages 22-23).**
- 8. Other serious offense (see page 16).**

**For Expulsion Process see page 34 - 36**





## **ANNUAL NOTICE ABOUT YOUR RIGHTS CONCERNING STUDENT RECORDS**

Dear Parent and Student:

State and federal law gives parents (and students over 18 years of age) certain rights concerning the student's school records. These rights are listed below.

1. You have a right to look at your school records. To look at your records you should give the principal a written request listing the records that you want to see. The principal must allow you to see the records within 30 days from receiving your request.
2. You have a right to request changes in your school records if you believe the records are inaccurate, misleading, or that they violate your privacy rights. If you want to change your records you should tell the principal in writing what you want changed and why you think it ought to be changed. If the principal agrees with you, your records will be changed. If the principal disagrees with you, you may request a hearing.
3. Your consent is required before others may see your school records; however the law authorizes some people to see your records without your consent. One example is a school official with a legitimate educational interest in the record. A school official includes a person employed by the School Board as an administrator, attorney, supervisor, instructor, or support staff member; adult school volunteer; and a person or company with whom the School Board has contracted to perform a special task (such as an attorney, school resource officer, auditor, medical consultant, or therapist). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. You have a right to file a complaint with the U.S. Department of Education if you believe the school has violated any of your rights with respect to school records. If you have a complaint, send it in writing to:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

Some of the information in your school records is not confidential and may be released without your consent. This information is known as "directory information."

If you do not want directory information released, you must tell the principal in writing what types of directory information you do not want released. That written notice to the principal must be received no later than September 15 of each year or within 30 days of receiving this annual notice. You may use the form on the next page to do this (Part 1).

Military recruiters and institutions of higher education are entitled under federal law to a list of names, addresses, and telephone numbers of high school students unless you object to such release. If you notify your principal in writing at any time that you do not wish your child's name, address, and telephone number released without your written consent, we will honor that request. You may use the form on the next page to do this (Part 2).

Both parents have a right to see the school records of their child unless there is a certified copy of a court order on file at the school that specifically denies the right to access to school records.

Copies of school records are available for a minimal copying charge. If you have any questions about these rights, please contact your school office.



PINELLAS COUNTY SCHOOLS  
**DIRECTORY INFORMATION OPT-OUT LETTER**  
**2011-2012 SCHOOL YEAR**

Dear Parent or Guardian:

**Part 1:** The following information in your child's school records is not confidential and may be released without your consent. This information is known as directory information. **Complete and return this form to your child's principal if you do not want directory information released concerning your child.** Please select the directory information below that you do **not** want released.

**DIRECTORY INFORMATION**

- Student's name
- Photograph (e.g., yearbook)
- Major field of study
- Grade level
- Enrollment status
- Dates of attendance
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors and awards received
- The most recent educational agency or institution attended
- Subsequent educational agency or institution attended
- Academic work used for publication or display

**Part 2:** High School only: Additionally, military recruiters and institutions of higher education are entitled under federal law to a list of names, addresses, and telephone numbers of **high school students** unless you object to such release.

- I do not want my child's information released to military recruiters
- I do not want my child's information released to institutions of higher education

**Part 3:** Please complete information below.

Print Child's Name \_\_\_\_\_ Grade \_\_\_\_\_

School \_\_\_\_\_ Birth Date \_\_\_\_\_

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

**PLEASE RETURN TO YOUR CHILD'S PRINCIPAL. REQUEST IS ONLY VALID FOR THE CURRENT SCHOOL YEAR.**



## **ANNUAL NOTICE OF SCHOOL BOARD POLICY REQUIRED BY THE PROTECTION OF PUPIL RIGHTS AMENDMENT**

The Protection of Pupil Rights Amendment (PPRA) requires the Pinellas County School District to notify you concerning the following School Board policy. The policy requires the district to obtain consent or allow you to opt your child out of participating in surveys.

### **Policy 2416 Student Survey Administration**

The purpose of this policy is to comply with the Federal law for the collection and reporting of certain information by means of student surveys. The information that will be collected relates to student attitudes and behaviors on topics such as school safety, substance use and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, these surveys also collect information on general health practices and human sexuality. Such information is collected anonymously, and no personally identifiable information is obtained from or reported on any individual student. The District cooperates with other agencies such as the Florida Department of Health in conducting these surveys.

All student surveys must be approved by the Department of Research and Accountability.

Parents will be notified of upcoming surveys that reveal information concerning one (1) or more of the following items:

- A. political affiliations or beliefs of the student or the student's parent;
- B. mental and psychological problems of the student or the student's family;
- C. sexual behavior or attitudes;
- D. illegal, anti-social, self-incriminating, or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations, or beliefs of the student or student's parent;
- H. income (other than that required by law to determine eligibility for participation in a program or before receiving financial assistance under such program).

### **Participation Voluntary**

No student shall be required to participate in such a survey if the student or the student's parent, if the student is less than eighteen (18) years of age, objects to participation.

### **Right to Inspect**

A student or the student's parent, if the student is less than eighteen (18) years of age, has the right to inspect any such survey instrument before the survey is administered or distributed to students if a request is made within a reasonable period of time. Parents also have the right to be advised of arrangements that will be made to protect student privacy.

Student survey instruments and teacher directions for administering the survey will be available at each participating school within a reasonable period of time prior to the survey administration.

## **Notification of Parents**

Parents will be notified of this policy annually at the beginning of the school year and within a reasonable period of time if any substantive change is made to this policy. Such notice shall include the specific or approximate dates during the school year when any such survey will be administered.

F.S. 1000.21(5), 1001.32(2), 1001.41, 1001.42, 1001.43, 1002.22  
20 U.S.C. 1232g

## **NOTIFICATION OF AVAILABILITY OF THE NO CHILD LEFT BEHIND (NCLB) SCHOOL PUBLIC ACCOUNTABILITY REPORT 2010-2011**

The annual school report for 2010-2011 is available at your child's school. Please contact the school if you would like to review the report or obtain a copy.

## **FLORIDA STATUTE ALLOWING BLOOD DONATION BY 17 YEAR OLD STUDENT**

Following is the Florida law which allows minors 17 years old to donate blood without parental consent. Parents who object must notify the school in writing.

**Florida Statute 743.06. Removal of disabilities of minors; donation of blood without parental consent.** – Any minor who has reached the age of 17 years may give consent to the donation, without compensation therefor, of her or his blood and to the penetration of tissue which is necessary to accomplish such donation. Such consent shall not be subject to disaffirmance because of minority, unless the parent or parents of such minor specifically object, in writing, to the donation or penetration of the skin.

## Statement on the Collection, Use or Release of Social Security Numbers of Students and/or Parents\*\*\*

**Please Read the Information below.**

The School Board of Pinellas County is authorized to collect, use or release social security numbers (SSN) of students and/or parents\*\*\* for the following purposes, which are noted as either required or authorized by law to be collected. The collection of social security numbers is either specifically authorized by law or imperative for the performance of the District's duties and responsibilities as prescribed by law [Fla. Stat. §119.071 (5) (a) 2 & 3].

1. **Student registration and student identification numbers.** [Required to request by Fla. Stat. §1008.386 and Fla. Stat. § 119.071 (5) (a) 6.1008.386 notes as an exception: "However, a student is not required to provide his or her social security number as a condition for enrollment or graduation."]
2. **Registration in an adult education program** [Required by Fla. Admin. Code 6A-10.0381, if available and/or student identifier, as required by Fla. Stat. § 119.071 (5) (a) 6.]
3. **Tracking of adult students enrolled in a postsecondary program.** [Required by Fla. Admin. Code 6A-1.0955(3) (e), and by Fla. Stat. §119.071 (5) (a) 6]
4. **Criminal history. Level 1 and level 2 background checks / Identifiers for processing fingerprints by Department of Law Enforcement/ Registration information regarding sexual predators and sexual offenders authorized by Fla. Stat. § 943.04351, if SSN is available.** [Required by Fla. Admin. Code 11 C-6.003 and Fla. Stat. § 119.071 (5) (a)2 6]
5. **Reports on students required to be submitted to Florida DOE** [Authorized by Fla. Stat. § 119.071 (5) (a) 2& 6]
6. **Tort claims and tort notices of claim against the School Board** [Required by Fla. Stat. § 768.28 (6), and Fla. Stat. § 119.071 (5) (a) 6]
7. **Use of motor vehicle information from the Department of Motor Vehicles for the District to carry out its functions and to verify the accuracy of information submitted by agent or employee to District, including to prevent fraud, in connection with insurance investigations, and to verify a commercial driver's license.** [Authorized by federal law 18 U.S.C. 2721 et seq. and Fla. Stat. §119.071(5) (a) 6]
8. **Information received from DOE to locate missing Florida School Children.** {Required by Fla. Admin. Code 6A-6.083 and Fla. Stat. §119.071 (5) (a) 6]
9. **National School Lunch Act application verification process /Eligibility for Free and Reduced Price Meals and Free Milk in Schools.** [Required of the adult, if the person has a number, by federal law 42 U.S.C. 1751 et seq. and federal regulations 7 C.F.R. 245.2 and .3 and Fla. Stat. § 119.071 (5)(a)6]
10. **Reports from Department of Motor Vehicles of each student whose driver's license is suspended for excessive unexcused absences and reports to Department of non-enrollment or non-attendance upon the part of a student who is required to attend some school.** [Required by Fla. Stat. §322.091 (5) and §1003.27 and Fla. Stat. § 119.071 (5)(a)6]
11. **Written verification from employer for vocational education, student follow up.** [Required by Fla. Admin. Code 6A-10.0341 and Fla. Stat. § 119.071 (5) (a) 6]
12. **Child abuse report to DCF, of student victim and subjects of report.** [Required by Fla. Admin. Code 65C-29.002 and Fla. Stat. § 119.071(5) (a) 6]
13. **Identification of blood donors** [Authorized by 42 U.S.C. 405 (c) (2) (D) (i)]
14. **The disclosure of the social security number is expressly required by federal or state law or a court order.** [Required by Fla. Stat. §119.071(5) (a) 6.]
15. **Collection and/ or disclosure are imperative or necessary for the performance of the District's duties and responsibilities as prescribed by law, including but not limited for password identification to the District's network.** [Authorized by Fla. Stat. § 119.071 (5) (a) 6 and required by Fla. Stat. § 119.071 (5) (a) 2]
16. **The individual expressly consents in writing to the disclosure of his or her social security number.** [Authorized by Fla. Stat. §119.071 (5) (a) 6]
17. **The disclosure of the social security number is made to prevent and combat terrorism to comply with the USA Patriot Act of 2001, Pub. L. No. 107-56, or Presidential Executive Order 13224.** [Required by Fla. Stat. § 119.071 (5) (a) 6]
18. **The disclosure of the social security number is made to a commercial entity for the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. Sec. 2721 et seq.; the Fair Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq.; or the Financial Services Modernization Act of 1999, 15 U.S.C. Sec. 6801 et seq., provided that the authorized commercial entity complies with the requirements of this paragraph 5 in Fla. Stat. § 119.071.** [Authorized by Fla. Stat. §119.071 (5)(a)6]
19. **Income for Medicaid eligibility, determine the amount of medical assistance payments, process Medicaid billing, and provide program follow-up** [Required by federal regulation 42 C.F.R. § 435.910, unless student applicant for Medicaid refuses to obtain a social security number, based on well-established religious objections]

\*\*\* Note, this statement states the reasons for collecting, using or releasing the social security numbers only of students and/or parents. Separate statements set forth the reasons for collecting, using or releasing the social security numbers of employees and volunteers.

## COMPULSORY ATTENDANCE LAW

- A. All children who have attained the age of six years or who will have attained the age of six years by February 1 of any school year, or who are older than six years of age but who have not yet attained the age of 16 years, except as hereinafter provided, are required to attend school regularly during the entire school term. (F.S.§1003.21) (1) (a))
- B. A student who attains the age of 16 years during the school year is not subject to compulsory school attendance and may withdraw from school only if the student files a formal declaration of intent to terminate school enrollment with the School Board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the child and parent. A student who attains the age of 18 years during the school year is not subject to the legal sanctions for compulsory school attendance. (F.S. §1003.21 (2) (c)) An exit interview must be conducted by school personnel to determine the reasons for the student's decision to terminate school enrollment and actions taken to keep the student in school. (F.S. §1003.21(2) (c))
- C. Students under 16 years of age may not be withdrawn from school for any reason unless expelled through Board action or covered by an exemption allowed by Florida Statute (F.S. §1002.20 (2)(b))

## ATTENDANCE REQUIREMENTS TO MAINTAIN DRIVING PRIVILEGE

Any student 14-18 years of age who has accumulated 15 unexcused absences within 90 calendar days or has been withdrawn from school with a dropout withdrawal code (W05, W13, W15, W18, W21, W22, W23), a school administrator must send **Attendance Warning Letter** to the parent(s) or guardian(s). This document advises the parent that their child is about to be reported to the Division of Motor Vehicles and offers the parents/guardians five (5) school days to challenge any errors they believe the school has made regarding their child's absences or withdrawal from school.

The school will establish procedures to schedule hardship waiver hearings for minors who have received notice from the DHSMV that their driving privilege/driver's license will be suspended. The schools must notify the district's department of Management Information Systems (MIS) which will in turn notify DHSMV within 24 hours of receiving the request. The hearing must be conducted within 30 calendar days of the request. The outcome of the hearing must be sent to DHSMV within 24 hours of the hearing.

If a waiver is granted, MIS will notify DHSMV. When the student receives notice that his/her driving privilege/license will be suspended, the student may request to be cleared by the district. Those students who actually have had their driving privilege/license suspended may submit to DHSMV written verification of 30 days of attendance without any unexcused absences. The written verification is done with form HSMV 7280.



# 5500 CODE OF STUDENT CONDUCT



The primary goal of the District is to ensure that each student achieves at the highest possible level. Education is to be provided in a manner that does not discriminate or cause harassment on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, disability, sexual orientation, or social and family background. In order for this to be accomplished every school staff member will strive to create a positive, safe environment that encourages and supports student success. Underlying causes for misbehavior will be explored, and when possible, positive redirection will occur and acceptable alternative behaviors will be taught. Such redirection may involve a collaborative effort of parents, school, and community.

It is the objective and policy of the School Board to recognize, preserve, and protect the individual rights of all students; and, at the same time, to encourage and enforce the exercise of these rights within the framework of an orderly and efficient school program. Within this framework, it is the duty of the Board, the administrative staff, and the faculty of each school to prevent and to prohibit student conduct that becomes dangerous, disruptive, or destructive, and therefore endangers the proper maintenance and function of the school program. It is expected that all disciplinary measures will be conducted in a manner that is respectful to the student and preserves that student's dignity wherever possible. Staff members model core value behaviors (Commitment to Children, Families, and the Community, Respectful and Caring Relationships, Cultural Competence, Trustworthiness, Responsibility, and Connectedness) that set an example for students who are expected to learn and practice those behaviors. It is the expectation that each student will behave in a manner that does not threaten, interfere with, or deprive other students of their right to an education and will accept responsibility for their behavior. An effective school environment must be safe and free from disruption.

The Board further recognizes that students are protected and have certain rights extended to citizens under the United States Constitution and its amendments; and that these rights cannot be abridged except in accordance with the due process of law. Therefore, in order to clarify the guidelines of student behavior in the schools and establish procedures to be followed, the Code of Student Conduct has been adopted by the Board. The Code shall be mandatory and applied in a manner that is consistent with this philosophy of discipline. Individual schools may adopt additional regulations governing actions not covered by the Code, but such additional regulations may neither substitute for nor negate any Code provisions unless approved through the Board waiver process. It is essential that all students, their parents, teachers, and administrators understand and abide by the Code of Student Conduct.

"Parent" or "Parents" is either or both parents of a student, any guardian of the student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of the parent.

Adopted 12/9/09; Revised 7/26/11

## **5500.01 - PARENTAL RESPONSIBILITIES**

School staff and parents must work together in order to maximize a student's success at school. The District commits to working with and supporting families and the District needs parents to work with and support the District.

Responsibilities of parents:

- A. Get to know the people at their child's school by going to teacher conferences and school-parent activities like PTA meetings and the School Advisory Council (SAC) meetings.
- B. The parent must complete the clinic card annually. Promptly notify your child's school of any change in your telephone numbers, including home phone, cell phone, work phone, emergency contact number, or home address.
- C. Understand and support the rules of this Code of Student Conduct and talk to their child about them.
- D. Teach their child to dress neatly and appropriately for school since it is a place to work and learn.
- E. Make sure their child arrives at school on time every day. Parents should be aware that if they live within two (2) miles of their child's school and the District has established safe walk pathways in that area, School District transportation would not be provided.
- F. Will not leave their child at school more than thirty (30) minutes before the start of the school day or pick their child up more than thirty (30) minutes after the school day unless the parent has made special arrangements with a teacher, administrator, or a before/after school care program. Supervision will not be provided beyond that time. This also includes school activities outside the regular school day such as clubs, dances, carnivals, practices, and games.
- G. Contact the school within forty-eight (48) hours after their child is absent to tell them the reason for that absence. Some schools require notes.
- H. Tell the school principal if there is a change in residence or custody of the student, even if the parent thinks the student is still in the school's attendance zone. The parent must tell the principal within five (5) days of the change. If the school discovers that the parent moved and the parent has not told them, their child could be considered to be "found out of that school's attendance zone". This could mean an immediate change of school for their child and their child could be deemed ineligible for athletics and other activities.
- I. Work with school staff members to solve any discipline or problems. The parent should let the school know if something has happened at home that could affect how their child does in school.
- J. Present a photo ID and sign in at the office before entering on campus while school is in session.
- K. Identification must be shown to the office staff when someone takes an elementary or middle school student from school during the day. Identification may be required at high schools.

When parents are divorced or separated, both parents have full rights to participate in the child's school activities and know what is happening at school unless there is a court order limiting that

access. If such an order exists then the principal must have a certified copy.

Absent prior permission from the parent, no student shall be permitted to leave school prior to dismissal at the request of or in the company of anyone other than an authorized school employee; a law enforcement officer; child protective investigator, or other official acting in the exercise of his/her lawful authority; or the parents of the student. Prior parental permission must be evidenced on the Student Clinic Card and Release Form or on a separate written instrument signed by the parent.

In the event that the school receives conflicting direction from divorced or separated parents concerning a student, the school may rely on the direction of the parent identified by the following criteria, which are listed in order of priority:

First, the parent who is designated in a parenting plan or other Florida court order as having either educational decision-making authority or sole parental responsibility over the student; or

Second, if both parents are designated as educational decision-makers with shared parental responsibility, the parent who resides at the address specified in the parenting plan or other Florida court order as the address to be used for school assignment purposes; or

Third, if no such parenting plan or order exists or no such address is specified, the parent who resides at the address used by the District for student assignment purposes; or if this address cannot be ascertained, the parent who enrolled the student.

- L. Give the school written permission if they want a stepparent who is not the legal guardian of the child to have information about the child or sign forms related to the child. Permission must be submitted to the school every year.
- M. Be prepared to pay for any damage done to School Board property by their child. If payment is not made and the amount is substantial, the principal will send the matter to the Superintendent.
- N. Pay for lost or damaged books or other teaching materials. Failure to pay may mean that no other books or materials will be given to their child, their child will not be able to participate in extra-curricular activities, or their child will be required to pay the debt through community service at the school. The principal will make those decisions.
- O. Adhere to school developed, on-site traffic plans for vehicles when bringing students to school or picking them up after school, and encourage their children if they are walkers and bicyclists to follow safety rules and use pedestrian-safety features where available.

## **5500.02 - STUDENT RIGHTS**

### **In General**

To District students, a student has a right to an education, regardless of his/her race, color, creed, religion, sex, marital status, heritage, age, disability, or sexual orientation. Some of a student's basic rights include the right to:

- A. learn
- B. disagree
- C. petition
- D. freedom of expression

- E. publish
- F. assembly
- G. privacy

A student's exercise of these rights must conform to the Code of Student Conduct. Things a student cannot do include:

- A. violate the rights of others;
- B. disrupt the classroom;
- C. disrupt the operation of the school;
- D. bring drugs, weapons, or contraband to school.

### **First Amendment Freedom of Expression**

The United States Supreme Court ruled in 1969 that public school students do not leave their constitutional right to freedom of expression at the schoolhouse gate. A student has a right to freedom of expression; however, when a student exercises that right, the student must do so in a responsible manner that does not cause a disruption of the school or a school activity. A principal may impose reasonable time, place and manner restrictions on your exercise of First Amendment freedom of expression when there is evidence of imminent disruption of the school.

### **Searches and Seizures**

A student's locker, vehicle, purse, backpack, and other personal possessions can be searched if there is a reasonable suspicion that any of them contain drugs, weapons, contraband or other items not permitted on campus. Trained sniff-screening dogs are allowed in the schools to prevent drugs and weapons at school. The routine checks by the dogs are not considered a search by law. They are safety preventions to give students a safe and healthy school in which to learn.

### **Sororities, Fraternities & Secret Societies**

These organizations are not allowed in schools. A student cannot participate or join in any type of initiation to such organizations.

### **Investigations at School**

- A. Criminal

Law enforcement may have the lawful authority to question and arrest students on school property. If a student is a suspect in a criminal investigation by the police that may result in a student's arrest or criminal charges, an administrator will make an effort to contact the student's parent before the police begin questioning the student unless law enforcement confirms that prior notification of a parent would jeopardize public safety. If a parent cannot be located, the police may go ahead with questioning. If the student's parent is contacted, the police may allow the student's parent to be present during the student's questioning.

A school representative will ordinarily, when reasonably available, be present, in the absence of a parent, during suspect interrogation of students on campus by outside law enforcement concerning a non-school related offense. The law enforcement officer, parent, or student may direct that the school representative not be present. The school representative shall not be

expected or required to advocate on behalf of the student, and neither the representative nor the School Board is responsible for the manner or outcome of the interrogation. The parties recognize that police interrogation is a law enforcement function. Chapter 39, F.S., prescribes different procedures in the case of child protective investigations, which shall be followed whenever applicable.

B. Administrative

If a student is suspected of violating the Code of Student Conduct, school officials can question the student without first contacting the student's parent. The student does not have a right to have his/her parent present or a right to an attorney when the student is questioned.

C. Victim or Witness

If a student is a victim or a witness, the police or administrative investigators are allowed to question the student without first contacting his/her parent. If the investigation involves child abuse, the official conducting the investigation will decide who can be present during the student's interview.

D. Removal of Student from School Property

If a student is a witness, the police cannot remove the student from school property without a subpoena or first obtaining the consent of the student's parent. If the student is subject to arrest, with or without a warrant, the officer can remove the student without his/her parents' consent or the consent of school officials. The administrator will try to notify the student's parent as soon as possible unless law enforcement confirms parent notification would jeopardize public safety.

If a student needs to be taken into protective custody, the police can remove the student. Anytime a student is taken from school by a police officer, the police officer must sign a Release Order, giving the original to the school, a copy to be filed with the Region Superintendent's office, and a copy for your parents unless law enforcement confirms parent notification would jeopardize the student's safety.

Adopted 12/9/09; Revised 7/27/10

### **5500.03 - STUDENT RESPONSIBILITIES**

To be successful and to help maintain an orderly learning environment, the student should:

- A. attend school each day;
- B. arrive on time;
- C. be prepared with proper materials and supplies;
- D. keep a planner/agenda;
- E. complete all assignments including homework to the best of his/her ability and on time;
- F. dress appropriately;
- G. be tolerant of and respectful to self and others;
- H. see teachers about makeup work and complete it in a timely manner;

- I. contact the principal, assistant principal, guidance counselor, teacher, or peer tutor regarding conflicts or concerns;
- J. set goals for success;
- K. get enough sleep;
- L. set responsible working hours outside of school.

A student must participate in school crisis plan activities and practices such as lock-down and fire drill. (Failure to meet these requirements may lead to disciplinary action.)

If a school uses I.D. cards, students will follow school guidelines related to the card.

A student living alone or away from home is subject to the same policies as all other students.

Adopted 12/9/09; Revised 7/26/11

#### **5500.04 - DRESS CODE**

The dress and grooming of District students shall be neat and clean, promoting a positive educational environment. Apparel that disrupts educational activities and processes of the school will result in the removal of the student from the regular school environment until acceptable apparel can be secured for the student. The administration will be the final judge about whether a student's clothing is appropriate for school or whether it will create an environmental climate that is distracting to learning. Principals, faculty, and staff members will enforce the dress code. Failure to comply with the dress code will be handled similarly to other disciplinary infractions. Non-compliance may result in consequences including but not limited to detention, in-school suspension and loss of eligibility to participate in extracurricular activities.

Pursuant to F.S. 1006.07, wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the learning environment will have the following specific consequences. In addition to these consequences, the violation shall be corrected before the student is allowed back in the regular school environment:

- A. For a first offense, a student shall be given a verbal warning and the school principal (or designee) shall call the student's parent or guardian.
- B. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal (or designee) shall meet with the student's parent or guardian.
- C. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to F.S. 1003.01(5) 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 (or designee) 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.

Individual schools may have additional dress and grooming requirements, if recommended by administrators, faculty, and staff, and if approved by a majority of School Advisory Council (SAC) members. Notice of amended requirements must be provided to all parents in a timely manner through at

least one (1) written or verbal communication and published in a document, such as the school handbook or student planner.

Requirements for student dress in all schools are listed below:

- A. All shirts and blouses must cover midriff, back, sides, and all undergarments including bra straps at all times. All shirts, tops, and dresses shall have sleeves and cover the shoulders.
- B. Shorts, skirts, divided skirts, dresses and culottes are allowed. They must be mid-thigh length or longer.
- C. All trousers, pants, or shorts must totally cover undergarments, including boxer shorts.
- D. All clothing, jewelry, or tattoos shall be free of the following: profanity; violent images, wording or suggestion; sexually suggestive phrases or images; gang related symbols; alcohol, tobacco, drugs or advertisements for such products.
- E. Safe and appropriate footwear must be worn. Inappropriate footwear includes, but is not limited to, roller skates, skate shoes, and bedroom slippers.

Further Clarification/Other Requirements:

- A. Form fitting leotard/spandex type clothing (including sport bras) is not allowed unless proper outer garments cover it.
- B. See through or mesh fabric clothing may only be worn over clothing meeting requirements.
- C. Clothing must be appropriate size, with the waist of the garment worn at the student's waist.
- D. Clothing not properly buttoned, zipped, fastened, or with inappropriate holes or tears shall not be worn.
- E. Clothing and footwear traditionally designed as undergarments or sleepwear shall not be worn as outer garments.
- F. Sunglasses may not be worn inside unless a parent provides a doctor's note to the school.
- G. Bandanas or sweatbands are not allowed to be visible on school grounds during the regular school hours.
- H. Hats or other head coverings may be worn during outside P.E. activities and may not be worn during any portion of the regular school day without the expressed permission of the principal.
- I. If the school has a mandatory school uniform policy, the student must adhere to those requirements.

Adopted 12/9/09; Revised 7/26/11

## **5500.05 - STUDENT ATTENDANCE**

(Elementary School, Middle School, High School, Dual Enrollment)

### **Philosophical Basis and Purpose:**

The classroom experience is of unique value and cannot be duplicated by make-up work. The purpose of this attendance policy is to foster responsibility and reliability on the part of District students to attend all classes. Students will acknowledge greater emphasis on attendance at school because credit in their classes will be contingent upon their presence.

### **DEFINITIONS**

#### **I. COMPULSORY SCHOOL ATTENDANCE**

- A. All children who have attained the age of six years or who will have attained the age of six years by February 1 of any school year, or who are older than six years of age but who have not yet attained the age of 16 years, except as hereinafter provided, are required to attend school regularly during the entire school term. (F.S. §1003.21) (1) (a))
- B. A student who attains the age of 16 years during the school year is not subject to compulsory school attendance and may withdraw from school only if the student files a formal declaration of intent to terminate school enrollment with the School Board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the child and parent. A student who attains the age of 18 years during the school year is not subject to the legal sanctions for compulsory school attendance. (F.S. §1003.21 (2) (c)) An exit interview must be conducted by school personnel to determine the reasons for the student's decision to terminate school enrollment and actions taken to keep the student in school. (F.S. §1003.21(2) (c))
- C. Students under 16 years of age may not be withdrawn from school for any reason unless expelled through Board action or covered by an exemption allowed by Florida Statute (F.S. §1002.20 (2)(b))
- D. Compulsory school attendance requirements may be met by attendance in a home education program. A "home education program" means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of Florida law. (F.S. §1002.01(1))
- E. For students enrolled in Department of Juvenile Justice Programs, the compulsory school attendance requirement is governed by state law and regulations and includes a longer term (F.S. §§1003.01(11), 1003.52)

#### **II. ABSENCES**

##### **A. ABSENCE DEFINED**

A student who is not present in class at least one half of the class period shall be counted absent from that class. To be counted present for the school day, a student must be in attendance for at least one half of the class periods during the school day.



## B. EXCUSED ABSENCES

Students must be in school unless the absence has been permitted or excused for one of the reasons listed in paragraph V below.

## C. UNEXCUSED ABSENCES

Any absence which does not meet the criteria of an excused absence is an unexcused absence. The following are examples of unexcused absences:

1. out-of-school suspensions
2. family vacations
3. Students without a completed Certificate of Immunization indicating compliance with the current required schedule of immunizations will not be allowed to attend classes until this document is provided or a waiver is obtained. Absences due to non-compliance with immunization requirements shall be considered unexcused. However, students transferring into Pinellas County, including foster care students, or homeless students, a temporary 30-day waiver of both health examination documents and certificates of immunization will be granted. (F.S. 1003.22(1) (5) (e))

## III. TARDIES

A student is tardy when the student is not in his or her assigned seat or station when the bell rings.

### A. EXCUSED TARDY

A tardy is excused only if the student is late for one of the reasons described in section V.

### B. UNEXCUSED TARDY

A tardy is not excused unless it is caused by reasons set forth in section V. Examples of unexcused tardies include:

1. oversleeping
2. missing the school bus
3. shopping trips
4. pleasure trips
5. car problems (ex: flat tire, no gas, car won't start, student getting a parking decal)
6. heavy traffic
7. returned for forgotten items

Habitual tardiness is unacceptable and unfair to other students because instruction is interrupted every time a late student arrives. Every three (3) unexcused tardies within a grading period count as one

unexcused absence. Additionally, individual schools may develop school-based consequences for tardy students.

#### **IV. EARLY SIGN OUT**

Once students arrive on campus, they may not leave without permission from an administrator. Students who must leave school during school hours must have their parent request this release by phone or in person to the office in order to obtain pre-approval.

##### **A. EXCUSED EARLY SIGN OUT**

The same criteria used to determine an excused absence and an excused tardy will be used to determine whether an early sign out is excused

##### **B. AN UNEXCUSED EARLY SIGN OUT INCLUDES:**

The same criteria used to determine an unexcused absence and an unexcused tardy will be used to determine whether an early sign out is unexcused.

Numerous incidents of early release are unacceptable and unfair to the other students whose instruction is interrupted each time a student leaves early. Every three (3) unexcused early sign outs within a grading period will count as one unexcused absence.

#### **V. REASONS WHY AN ABSENCE, A TARDY OR AN EARLY SIGN OUT WILL BE EXCUSED**

An absence, a tardy or early sign out will be excused if caused by one of the following reasons:

- A. The student is ill or injured.
- B. There is a major illness in the student's immediate family (this means parents, brothers, sisters, grandparents, or others living in the home).
- C. There is a death in the immediate family.
- D. The student attends religious instruction or there is a religious holiday in the student's own faith.
- E. The student is required by summons, subpoena or court order to appear in court. A copy of the subpoena or court order must be given to the principal.
- F. Special event. Examples of special events include important public functions, conferences, state/national competitions, as well as exceptional cases of family need. The student must get permission from the principal at least five days prior to the absence.
- G. The student has a scheduled medical or dental appointment.
- H. Students having, or suspected of having, a communicable disease or infestation which can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard (F.S. 1003.22). Examples of communicable diseases and infestations include, but are not limited to, fleas, head lice, ringworm, impetigo and scabies. Students are allowed a maximum of five excused days for each infestation of head lice. Students on field trips and students who attend alternative to suspension programs are not considered absent.

**VI. MAKE-UP WORK.** (This does not apply to specific homework provided under F.S. § 1003.01 to certain suspended students.)

**A. EXCUSED ABSENCES:**

Make-up work for credit and grade is allowed for all excused absences. It is the student's responsibility to get the missed work. The number of days allowed to make up the work shall be the same as the number of days the student was absent.

**B. UNEXCUSED ABSENCES: (EXCEPT OUT OF SCHOOL SUSPENSIONS)**

Make-up work for credit and grade is allowed. It is the student's responsibility to get the missed work. The number of days allowed to make up the work shall be the same as the number of days the student was absent. Work made up after an unexcused absence in elementary or middle school may be dropped a letter grade and must be dropped a letter grade in high school.

**C. SUSPENSIONS:**

Make-up work for credit and grade is allowed. It is the student's responsibility to get the missed work. Work is due on the day of return from the suspension. Work made up after an unexcused absence in elementary or middle school may be dropped a letter grade and must be dropped a letter grade in high school.

**VII. RESPONSIBILITY OF PARENTS AND STUDENTS TO ATTEND SCHOOL**

**Parents and students must do the following in connection with school attendance:**

- A. Ensure the attendance of a child of compulsory school attendance age, as required by law. (F.S. 1003.24)
- B. Notify school personnel of their child's absence prior to the end of the school day of the absence, if possible and provide written notification within 48 hours of the child's return to school. Otherwise, the absence will be unexcused.
- C. If requested, provide documentation of illness from a physician or public health unit within 48 hours. The maximum number of days that a student may be absent without acceptable documentation justifying the absence is 5.
- D. Notify the school of any change of address, phone numbers and emergency contact numbers;
- E. Obtain application from currently assigned school if a student is eligible for homebound instruction.
- F. Notify school personnel if the family is moving out of town or out of the school's attendance boundary.
- G. Be aware of school district calendar and coordinate trips, vacations and personal business to support attendance on school days.
- H. Notify the school and request a copy of the Hospital/Homebound referral packet if a student is expected to miss at least 15 consecutive school days due to illness, medical condition, or

social/emotional reasons, or may miss excessive days intermittently throughout the school year for the same reasons.

## **VIII. RESPONSIBILITY OF SCHOOL DISTRICT REGARDING STUDENT ATTENDANCE**

### **A. PATTERNS OF NON-ATTENDANCE**

Non-attendance for instructional activities is established by tardiness, early-release, or absences from school.

1. Each principal must make the necessary provisions to ensure that all school attendance reports are accurate and timely and must provide the necessary training opportunities for staff to accurately report attendance (F.S.1003.23 (1)). Principals are required to maintain an attendance record which shows the absence or attendance of each child enrolled for each school day of the year. (F.S.1003.23 (2))
2. When a student accumulates five (5) absences during a grading period, other than out-of-school suspensions, whether excused or unexcused, school personnel shall make a good faith effort to contact the parent by telephone to discuss the reasons for the absences and shall document such contact.
3. A letter shall be sent to the parent or guardian and a referral will be made to the school's Child Study Team for a student who has had 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,.
4. If the parent or guardian of a child who has been identified as exhibiting a pattern of non-attendance enrolls the child in a home education program, the Superintendent shall refer the parent to a home education review committee composed of the district contact person for home education and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least three years and have indicated a willingness to serve on the committee.
5. If a child subject to compulsory school attendance will not comply with attempts to enforce school attendance, the Superintendent may file a truancy petition pursuant to the procedures set forth in Section §984.12, Florida Statutes. The superintendent may also refer the case to the case staffing committee which may file a child-in-need-of-services petition. The superintendent may also take such steps as are necessary to bring criminal prosecution against the parent. (F.S. §1003.26)
6. Students 14-18 years of age who have 15 unexcused absences within 90 calendar days and have a driver's license will have their driver's license suspended by the Division of Highway Safety and Motor Vehicles or will not be issued a license if they apply for one.

### **High School Grading and Attendance:**

Guidelines for high school grading and attendance can be found in Pinellas County School Board Policy 5440 Credit Defined and Policy 5420.03 Final Exam Requirement.

F.S. 1002.01, 1002.20, 1003.01, 1003.21, 1003.22, 1003.23, 1003.24, 1003.26, 1003.52

Adopted 12/09/2009; Revised 9/14/2010

## **5500.06 - HIGH SCHOOL ATTENDANCE**

### **HOW LONG MAY A STUDENT ATTEND HIGH SCHOOL**

Generally speaking, a student may attend high school until they graduate. There are some exceptions to this general rule.

- Q. How many semesters may a student be enrolled in high school?
- A. A student may not be enrolled in a regular high school for more than ten (10) semesters, unless the principal approves the student's enrollment beyond ten (10) semesters.
- Q. How will my principal decide if a student can enroll for more than ten (10) semesters?
- A. The principal will look at the reason that student wants to continue his/her high school education and also will consider the progress s/he has made and his/her commitment to his/her education. Based upon those factors, the principal will tell the student whether s/he can enroll in the regular high school beyond ten (10) semesters.
- Q. In what grade does the ten (10) semesters begin?
- A. The District starts counting the semesters when a student first enrolls in the ninth grade in any public or private school.
- Q. Is there an age limit on enrollment in high school?
- A. A student may not enroll in regular high school if they cannot earn the number of required credits to graduate by their 20th birthday, unless the principal approves the student's enrollment. The principal will consider the same factors used to decide if a student could enroll beyond ten (10) semesters.
- Q. If the principal decides a student cannot enroll, can s/he appeal?
- A. If the principal decides that a student cannot enroll because they have more than ten (10) semesters or they will be twenty (20) years old before they can graduate, the student can appeal that decision to the Region Superintendent's office.

The decision of the Region Superintendent's office is final. To appeal the decision of the principal, the student should follow the grievance procedure contained in Policy 5500.13.

- Q. What if a student is not allowed to enroll?
- A. The student may enroll in any adult program and earn his/her high school diploma.
- Q. May a student drop out of school?
- A. After a student's 16th birthday they may drop out of school. To be able to do so, the student must deliver a written statement to the school stating that s/he intends to drop out. That statement must also say that the student understands that s/he is likely to earn less money in the future by dropping out of school. The student and his/her parents must sign the statement and

when the student delivers it to the school, the school will send a copy of it back to the student's parents.

Q. What happens if a student does not deliver that written statement to the school?

A. The student will be required to attend school until their 18th birthday.

Q. What about students with disabilities?

A. If a student has a disability, the student may enroll in school until s/he graduates with a regular diploma; satisfy the requirements for a special diploma, or until the end of the school year when the student has his/her 22nd birthday.

## **5500.07 – DISCIPLINE**

### **MISCONDUCT THAT MAY RESULT IN DISCIPLINE (INCLUDING SUSPENSION, REASSIGNMENT OR EXPULSION):**

#### **In General**

A student is expected to behave at school, school activities, and the school bus stop. A student may be disciplined if they do anything at school, a school activity, or the bus stop (or attempt to do anything) that violates a school rule or may:

- A. hurt, harass or threaten others;
- B. damage property;
- C. disrupt class or school;
- D. violate a criminal law.

In addition, students may be subject to discipline for violation of the Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

#### **Specific Acts**

Listed below are some acts that fall within these four (4) types of misconduct. These acts are not the only acts that may result in discipline (including suspension, reassignment or expulsion). They are only examples. Other acts that are not listed below may result in discipline (including suspension, reassignment or expulsion) if a student should have known that the act might hurt, harass, or threaten others, damage property, disrupt class or school, or violate a criminal law.

Some, but not all, of the acts that may result in discipline are:

- A. cheating (teacher shall also record a "zero" for each act of cheating);
- B. falsifying or altering records (for example, computer records or attendance notes);

- C. improper use of computers or electronic devices;
- D. threatening to hurt someone;
- E. hitting someone;
- F. using physical force against someone;
- G. stealing;
- H. fighting;
- I. extortion;
- J. blackmail;
- K. repeated misconduct;
- L. arson;
- M. vandalism;
- N. interference with school personnel;
- O. interference with the movement of another student;
- P. bullying;
- Q. gambling;
- R. trespassing;
- S. defiance;
- T. verbal abuse of another;
- U. profanity;
- V. failure to give correct name;
- W. participation in disruptive demonstration;
- X. leaving school grounds without permission;
- Y. sexual activity at school, at a school activity, or on a school bus;
- Z. sexual or other harassment;
- AA. making a false alarm (this includes pulling a fire alarm);
- BB. possession of common objects that could hurt someone (such as; self-defense chemical spray, pocketknives with a blade of four inches or shorter);

- CC. possession of toy or replica gun or knife;
  - DD. possession of drug paraphernalia;
  - EE. possession of tobacco;
  - FF. possession of hazardous material;
  - GG. the use of cellular telephones, electronic communication devices and other electronic devices (See following section CELLULAR TELEPHONES, ELECTRONIC COMMUNICATION DEVICES, AND OTHER ELECTRONIC DEVICES);
  - HH. violation of a school rule; e.g. dress code violation
- II. Other serious misconduct which will lead to disciplinary consequences include but are not limited to the following: cyberstalking, sexting, gang participation or display of gang-like behavior, disseminating or posting to the internet any recordings of fighting or acts of bullying, assault, or battery, whether staged or real.

### **CELLULAR TELEPHONES, ELECTRONIC COMMUNICATION DEVICES, AND OTHER ELECTRONIC DEVICES**

Parents are advised that the best way to get in touch with their child during the school day is by calling the child's school office.

Students may possess a cellular telephone, electronic communication device (ECD), or other electronic device, such as, but not limited to, the following: personal digital assistant (PDA) , portable media player (PMP), iPod, iPad, Kindle, mp3 player, and other devices designed to receive and send an electronic signal, so long as they do so in strict compliance with this policy. Any student who fails to abide by the terms of this policy forfeits any right or privilege to possess any electronic device described in this policy.

Violations of this policy may result in disciplinary action and/or confiscation of the cellular telephone, ECD, or electronic device. If the cellular telephone, ECD, or electronic device is confiscated, it will be released/returned to a parent unless an alternative arrangement is agreed to by the principal (or designee).

A student may possess a cellular telephone, electronic communication device (ECD), and other electronic devices in school, on school property, at school-related functions, provided these items are powered off and concealed from view while school is in session.

Students may not use cellular telephones, other ECDs, or other electronic devices on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school.

When directed by the administrator or sponsor, cellular telephones, ECDs, and other electronic devices shall be powered off, and concealed from view during school activities occurring outside the student day.

Cellular telephones, ECDs, and other electronic devices are to be powered off, and concealed from view on district buses, except as authorized by the driver.

The requirement that cellular telephones, ECDs, and other electronic devices must be powered off, and concealed from view will not apply when the student obtains prior approval from a school administrator.

The use of cellular telephones, ECDs, and other electronic devices in locker rooms, classrooms, bathrooms, and/or swimming pools is prohibited.



The student who brings a cellular telephone, ECD, or other electronic device to school does so at his/her own risk. The student who possesses a cellular telephone, ECD, or other electronic device is responsible for its care. The School staff is not responsible for preventing theft, loss, damage, or vandalism to cellular telephones, ECDs, or other electronic devices brought onto its property, including any electronic devices confiscated due to inappropriate use.

Adopted 12/9/09; Revised 6/29/10, 7/27/10, 7/26/11

## **5500.08 - MISCONDUCT THAT REQUIRES SPECIFIC CONSEQUENCES**

### **In General**

There are some things that result in a specific consequence if a student is found to have done them. These include acts involving:

- A. use of tobacco products;
- B. illegal drugs, alcoholic beverages, and harmful substances;
- C. bombs and bomb threats;
- D. chemical and biological attacks or threats;
- E. guns, weapons, and dangerous objects;
- F. violent acts resulting in serious injury;
- G. felony charges and convictions.

An administrator shall report an incident of student misconduct to law enforcement (School Resource Officer, Pinellas County Schools Police, or outside law enforcement) if the administrator reasonably believes that the conduct poses a threat to the safety of students, staff, volunteers, or other persons, or a threat of harm to Board property.

Certain acts are considered a serious threat to schools safety and must be reported to law enforcement. These acts include, but are not limited to, the following:

- Possession or use of a bomb and making of a bomb threat;
- Chemical and biological attacks or threats;
- Possession or use of a gun, weapon, or firearm.

Petty acts of misconduct need not be reported to law enforcement. Petty acts of misconduct are those that an administrator reasonably believes do not pose a threat to the safety of students, staff, volunteers, or other persons, or a threat of harm to Board property.

### **Tobacco and Nicotine**

Use of tobacco and nicotine products on school grounds is a violation of the Code of Student Conduct.

#### **A. Illegal Use of Tobacco**

Smoking by minors within 1,000 feet of a school is illegal. Also, if a student is caught smoking inside a school building s/he will receive a written citation from the School Resource Officer. The first time a student receives a citation the court may fine the student up to \$100. For any

additional citations, the court may fine a student up to \$500.

**B. Violation of Code of Student Conduct**

In addition to possible fines, if a student is caught using any form of tobacco or nicotine product at school, at any school-sponsored activity, at a bus stop, or on the bus, the student will be suspended for three (3) days. The first time a student is caught, s/he can avoid the suspension by completing a smoking treatment program approved by the principal.

For purposes of this policy, "use of tobacco and nicotine products" shall mean all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco or nicotine. Such use shall not include use of smoking cessation products such as nicotine patches or nicotine gum for their intended purposes. If a student is found with a lit cigarette, pipe, or cigar the student will be considered to be using tobacco.

**Illegal Drugs, Alcoholic Beverages, Harmful, and Other Substances**

**A. Elementary School Students**

If a student is an elementary student when s/he violates this policy for the first or second time, the principal will suspend the student for ten (10) days and, if appropriate, may recommend reassignment to an alternative program. Before a student may return to his/her regular school, the student's parent must have a conference with the principal or someone designated by the principal. If the student's parent agrees that s/he will complete an approved drug or alcohol educational program, the student's suspension will be reduced to five (5) days. The program specialist must provide proof that the student successfully completed the educational program within the allocated period of time. If the student violates this policy a third time while in elementary school, then s/he will be suspended for ten (10) days and may be recommended for expulsion.

**B. Middle School and High School Students**

If a student is in middle or high school when s/he violates this policy s/he will be suspended for ten (10) days and reassigned to an alternative program, for one (1) or two (2) semesters. If this is the student's first offense and s/he was not charged with a felony offense, the student and his/her parent will be offered an opportunity to participate in the Pinellas County Schools drug/alcohol educational program. If the student's parent agrees that s/he will complete this program, the student's suspension will be reduced to five (5) days. The program specialist must provide proof that the student successfully completed the program within the allocated period of time. Failure to successfully complete the program will result in the student's immediate assignment to an alternative school program. If the student is caught a third time while s/he is still a student in the District, the student will be suspended for ten (10) days and may be recommended for expulsion.

**C. Policy**

A student may not possess illegal drugs (including prescription drugs that are not the student's own) or alcoholic beverages use them or are under the influence of them:

1. on school property,

2. on a school bus or at a bus stop,
3. at any school activity,
4. before a student arrives on school grounds,
5. before a student arrives at any school activity, or
6. on any field trip.

D. Purchase, Sale and Distribution

A student may not sell, purchase, or distribute illegal drugs or alcoholic beverages. Additionally, a student may not be involved in negotiating the sale or purchase of illegal drugs or alcoholic beverages at school, at a school activity, or on a school bus, even if the sale/purchase does not actually take place.

E. Definition of Illegal Drugs

"Illegal drugs" include any drug that is illegal under Florida law such as marijuana, cocaine, and heroin as well as prescription drugs for which a student does not have a valid prescription.

"Illegal drugs" also includes any illegal or legal substances that may be used as an intoxicant, hallucinogen, mind-altering agent, or may be used for any other unsafe purpose. Examples include, but are not limited to, inhalants, over-the-counter drugs, bath salts, and spice cannabinoid (JWH-018).

"Illegal drugs" also include any prescription drug that is not used as prescribed or that is in the possession of someone whose name is not on the prescription. This means that a student may not give his/her prescription medication to anyone else.

F. Possession Based upon Knowledge

If a student arrives at school or a school activity in a car that contains illegal drugs or alcoholic beverages, and the principal believes there is evidence that s/he knew about the illegal drugs or alcoholic beverages, then the student will be considered as being in possession of the illegal drugs or alcoholic beverages.

Likewise, if a student is at a school function and are in a specific area or room where there are illegal drugs or alcoholic beverages, then s/he may be considered in possession of the illegal drugs or alcoholic beverages if the principal believes the evidence shows that the student knew about the illegal drugs or alcoholic beverages and chose to remain in the area or room. If student is in his/her own hotel room and become aware that another student in the room has an illegal substance, s/he is expected to alert a school staff chaperone immediately to request a room change.

G. Guilty of Unlawful Sale or Possession

If a student has been found guilty or delinquent for the unlawful sale or possession of any controlled substance as defined in F.S. Chapter 893, the student may be suspended for ten (10) days and recommended for expulsion.

#### H. Fake Drugs

If a student is caught in possession of or caught distributing a substance that is represented to be an illegal drug, s/he will be suspended for ten (10) days. The student may ask to have the ten (10) day suspension reduced to five (5) days by participating in a work back program which would include the completion of an approved drug or alcohol assessment.

#### I. Attempted Suicide

If a student attempts suicide with or without illegal drugs, it will be treated as a mental health issue. A mental health assessment will be conducted before deciding what to do.

### **Waiver Of The Discipline Or Expulsion**

Any student who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under F.S. Chapter 893 may be entitled to a waiver of the discipline or expulsion under the following conditions:

- A. If the student divulges information leading to the arrest and conviction of the person who supplied such controlled substance to him/her, or if the student voluntarily discloses his/her unlawful possession of such controlled substance prior to his/her arrest. Any information divulged which leads to such arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging such information.
- B. If the student commits himself/herself, or is referred by the court in lieu of sentence, to a State-licensed residential drug abuse program and successfully completes the program.

A student may be disciplined or expelled for unlawful possession or use of any substance controlled under F.S. Chapter 893 upon the third violation of this provision.

### **Bombs And Bomb Threats**

If a student is involved in the making of a bomb, plans for a bomb or a fake bomb, for use at school or at a school activity or while the student is at school or a school activity, s/he will be suspended for ten (10) days, recommended for expulsion, and reported to law enforcement for prosecution. The same actions will be taken if a student makes a bomb threat by any means that causes a disruption.

### **Chemical And Biological Attack Or Threats**

If a student is involved in the making of a chemical or biological attack or threat against the school, a school function, or anybody at school or a school function, s/he will be suspended for ten (10) days, recommended for expulsion, and reported to law enforcement for prosecution to the fullest extent of the law. This applies whether or not the attack or threat is real or fake.

### **Guns, Weapons, And Dangerous Objects**

#### **Guns:**

Any student who brings a gun to school, to any school function, or on any school-sponsored transportation, or any student who possesses or exhibits a gun at school, at any school function, or on any school-sponsored transportation, shall be suspended for ten (10) days and recommended for expulsion for not less than one (1) full year. Guns shall mean firearms as defined by F.S. 790 and include any objects (whether operable or inoperable), including starter guns, which will fire a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. Guns also include any weapons which are designed to or may readily be converted to such purpose.

**Weapons:**

Any student who brings a weapon to school, to any school function, or on any school-sponsored transportation, or any student who possesses or exhibits a weapon at school, at any school function, or on any school-sponsored transportation, shall be suspended for ten (10) days and recommended for expulsion. Weapons as defined by F.S. 790 are any objects such as, but not limited to, the following: dirks, metallic knuckles, slingshots, billies, tear gas guns, chemical weapons or devices, knives or other deadly weapons, other than common pocketknives (blade of four (4) inches or less which are considered a dangerous object), plastic knives, or blunt bladed table knives.

Guns and weapons are not allowed in a vehicle on school property, at a school bus stop, or at a school activity. If a student is a secondary student who arrives at school or a school activity in a car that contains a gun or weapon, and the principal believes there is evidence that the student knew about the gun or weapon, then s/he will be considered to be in possession of the gun or weapon.

If a student is an elementary or secondary student at a school function and are in a specific area or room where there is a gun or weapon, then s/he may be considered to be in possession of the gun or weapon if the principal believes the evidence shows that s/he knew about the gun or weapon and chose to remain in the area or room. If a student is in his/her own hotel room and become aware that another student in the room has a gun or weapon, s/he is expected to alert a school staff chaperone immediately to request a room change.

The principal may give a student written permission to possess a gun or weapon while on campus or at a school function when the gun or weapon is part of the curriculum of the school. An example of this is when a gun or rifle may be part of JROTC drill and firing ranges.

**Dangerous Objects:**

Dangerous objects include, but are not limited to, common pocketknives with a blade of four (4) inches or less, ice picks, razor blades, box cutters, air guns, bb guns, pellet guns, or spring guns of any sort (whether operable or inoperable).

Any student who brings a dangerous object to school, to any school function, or on any school-sponsored transportation, or any student who possesses or exhibits a dangerous object at school, at any school function, or on any school sponsored transportation, with use or threatened use in an offensive or defensive manner, will be suspended for ten (10) days and recommended for expulsion.

Any student who brings, possesses or exhibits a dangerous object at school, or to any school function, or on any school-sponsored transportation, without the use or threatened use in an offensive or defensive manner, is guilty of a serious breach of conduct and that student will be suspended from school for ten (10) days and may be recommended for reassignment or expulsion.

**Violent Acts Resulting In Serious Injury**

If a student violently attacks another person or acts as a decoy in a physical attack at school, a school function, on the bus or at a bus stop and that person is seriously injured, the student will be suspended from school for ten (10) days and recommended for expulsion. If the attack by the student was unprovoked, even if there was no serious injury, the student will be suspended from school and may be reassigned or recommended for expulsion.

If a student violently attacks another person somewhere else other than school, s/he may be removed from the general education program and administratively assigned to another program when there is evidence that the student's presence on campus may be disruptive.

## **Felony Charges And Convictions For Off-Campus Conduct**

### **A. Notice of Felony Charges and Hearing**

If a student commits a crime off campus and a prosecuting attorney formally charges the student with a felony or with a delinquent act that would be a felony if s/he were an adult, s/he may be suspended for ten (10) days by the principal. Before suspending the student, the principal will call him/her in with his/her parent to discuss the charges against the student. This discussion will be a "hearing" that will take place after the principal notifies the student's parent in writing by certified mail that the principal has received notice that s/he has been charged by the prosecuting attorney. That written notice will tell the student's parent of the specific charges against the student and advise them that they have a right to the "hearing."

### **B. Hearing Procedures**

The "hearing" must take place within five (5) school days but no sooner than two (2) school days from the postmark date or the delivery date of the certified notice to the student's parent. At the "hearing" the principal will listen to witnesses called by the principal and the student also may present witnesses. The student may speak on his/her own behalf but s/he does not have to do so. If the student does not speak on his/her own behalf, s/he cannot be threatened with punishment or later be punished for not speaking.

The "hearing" will not be conducted like a court proceeding. There will be no "rules of evidence" nor will there be a court reporter to provide a transcript of the "hearing." After the "hearing" the principal will let the student and his/her parent know, in writing, if the student is being suspended for ten (10) days. The decision to suspend the student cannot occur without conclusive evidence that the prosecuting attorney has formally filed a felony charge against the student. The principal must also determine that the student's presence at school, after being formally charged for the incident, will have an adverse impact on the school.

### **C. Types of Charges That May Justify Suspension**

The types of charges that may justify suspension under this provision are:

1. any felony involving violence,
2. rape or sexual battery,
3. lewd and lascivious act on a student under sixteen (16) years of age,
4. concealed weapon,
5. armed robbery,
6. sale of illegal drugs,
7. possession of a bomb,
8. any felony involving the use of a firearm,
9. battery on school system employee or official, or

10. aggravated battery.
11. There may be other charges that will justify suspension under this provision, if the principal determines that the student's presence at school after being charged will have an adverse impact on the school.

D. Extension of Ten (10) Day Suspension

If the principal suspends a student for ten (10) days, the Superintendent may extend the student's suspension until the outcome of the criminal charges that have been filed against the student. During the student's suspension, pending the outcome of the criminal charges, s/he will be assigned to an alternative educational program.

E. Expulsion upon Finding of Guilt

If the court determines that a student is guilty, the Board may expel the student. During the student's expulsion, s/he may still attend the alternative program to which s/he has been assigned.

Adopted 12/9/09; Revised 7/27/10, 7/26/11

## **5500.09 - CONDUCT ON SCHOOL BUSES**

### **In General**

By riding a school bus the student consents to his/her being videotaped and audio recorded while s/he is riding the bus.

Parents are responsible for their child's behavior at the bus stop prior to the arrival of the bus in the morning and after the departure of the bus at the end of the day. However, if a student is at the bus stop and violates the school rules, the school can still discipline the student for his/her behavior. Students are to be on time and stand off the roadway.

The District seeks to ensure the safety of all students who ride District buses and staff who operate them. Unauthorized individuals including, but not limited to: parents, students, and siblings may not board a school bus or attempt to conference with a bus driver or authorized rider, while en route to or from school. Any concerns related to transportation should be communicated to the school or the transportation department.

Individuals who do not adhere to this expectation may face criminal prosecution for trespassing, in addition to other charges which may be brought pursuant to local and State law.

If a student causes any damage to the bus or another vehicle, the student's parent shall be responsible to pay for the damage.

A student can be disciplined for doing anything at the bus stop that s/he can be disciplined for if they did that same thing at school.

If a student must cross a roadway to board a bus, s/he must wait for the bus to come to a stop and then walk in front of the bus in order to board.

### **Things a Student Cannot Bring on a Bus:**

- A. glass containers of any kind
- B. sharp objects
- C. balls
- D. bats
- E. roller skates
- F. skateboards
- G. cutting instruments of any kind
- H. any large or bulky item that interferes with proper seating of students (examples: large musical instruments or athletic equipment)
- I. any animal
- J. batons, drum sticks, tennis rackets (unless in proper carrying case)
- K. or any other item prohibited elsewhere in the Code of Student Conduct

### **Rules While on the Bus**

The bus driver is in charge and the student must obey the driver at all times. The student must tell the bus driver his/her correct name when asked. The bus driver and school will keep a seating chart. The student can be disciplined if s/he does not follow all District and school rules and the following special rules:

- A. sit in the student's assigned seat and use the seat belt if available
- B. stay seated at all times while the bus is in motion
- C. do not put any part of a student's body outside the bus windows
- D. do not distract the driver with loud conversation or noises
- E. do not eat or drink on the bus
- F. maintain absolute silence at all times when the overhead dome lights are on for railroad crossings
- G. do not throw any items on the bus or out of the bus windows
- H. do not mark, cut or damage bus seats or the bus itself
- I. do not display signs from the bus
- J. do not use obscene language or gestures



## **Discipline if a Student Does Not Follow the Rules**

The School Board believes that the student and his/her fellow students, as well as the bus driver, should be able to ride safely on school buses. Therefore if a student misbehaves, s/he may be removed from the bus.

If a student commits minor infractions, the school bus driver has the authority to address his/her behavior.

If a student causes repeated problems on the bus by doing something the bus driver considers a more serious rule violation, the bus driver will report the student to the school office. The bus driver will give the school a written referral about what the student did.

School administrators can take any of the following disciplinary steps against a student for misbehaving at a bus stop or on a bus, and will notify the student's parents, on an approved form, when they take any of these steps:

- A. Warn the student that his/her behavior is not allowed and if repeated, may result in further discipline as well as suspension of his/her bus riding privilege.
- B. Discipline the student the same as if s/he had misbehaved at school (detention, ABC room, Saturday school, suspension, expulsion, etc).
- C. Suspend the student from riding the bus. The student can be suspended for up to ten (10) days at a time.
- D. Expel the student from riding a school bus if previous discipline has not worked or if s/he commits a serious offense. The process by which a student is expelled from riding the bus is the same as the process for being expelled from school. The principal makes a recommendation to the Superintendent, who then recommends it to the Board. If fewer than thirty (30) school days remain in the semester when the Board considers the issue then the expulsion will include the remainder of the current semester as well as the designated semesters of expulsion.

Even if a student transfers to a new school, s/he will be held responsible for any previous incidents of bus misconduct from your previous school.

### **E. Appeal of Bus Suspension**

A student's parent may appeal a bus suspension by calling the school principal or assistant principal. The parent must come to the school and have a conference with a school administrator and a representative from the transportation department as part of the appeal. The student may be permitted to ride a bus pending the outcome of his/her bus suspension appeal as long as s/he behaves. If expulsion has been recommended, a student cannot ride a bus until the Board rules on his/her expulsion.

If a student engages in violent or very unsafe behavior while riding the bus, the school shall additionally suspend his/her bus riding privileges until the school can hold a conference with the student's parent. The school will then determine whether to take additional disciplinary steps, including bus expulsion, and whether to impose further rules for the student's return to bus riding.

## **5500.10 - DISCIPLINARY ACTION**

The use of corporal punishment is prohibited. However, school personnel may use reasonable force to maintain a safe and orderly learning environment. Any use of reasonable force shall be in accordance with School Board policy and State Board of Education rule. The prohibition against the use of corporal punishment also extends to parents or guardians on school grounds. The following types of discipline may be used, as well as those found in the school discipline plan at each school.

### **Detention**

A student can receive a detention either before school or after school. The school will give the student's parent twenty-four (24) hours notice before s/he serves the detention. For elementary and middle school students, the administrator must contact the student's parent and have a conversation with the student's parent before the student serves the detention. For high school students, the administrator must make an effort to contact the student's parent by telephone. If the administrator is unable to contact the student's parent by telephone, the student will still be required to serve the detention. The administrator must document that an attempt to contact the student's parent was made. The student's parent is responsible for the student's transportation when s/he has detention.

### **In-School Suspension**

A student can be assigned and sent to designated rooms or programs (examples: IC, ABC) in his/her school during the school day. A student will receive full credit for class work completed while in the assigned room or program and his/her absence will be a Code 6.

### **Student Work Assignments**

If the student's parent and a school administrator agree, the administrator can assign the student to a work detail at the school for up to ten (10) hours for each offense. The principal will decide who will supervise the student's work.

### **Saturday School**

A student can be sent to Saturday School if an administrator has contacted the student's parent and had a conversation with them at least twenty-four (24) hours in advance.

### **Removal from Class**

A teacher may require that a student be removed from class if it has been documented that his/her behavior has seriously disrupted the teaching or learning in the classroom. If a student is removed from a class the principal may place the student in another appropriate classroom, in-school suspension, an alternative education program, or the principal may recommend the student for suspension or expulsion.

A student cannot be returned to that teacher's classroom unless the teacher consents or a school-based placement review committee has determined that doing so is the best or only available alternative. A decision on whether to return a student to the classroom must be made by the teacher or the committee within (5) days of the removal.

### **Parent Shadows Student**

With reasonable notice, and if the principal and the parent agree, the parent will attend classes with a student for a day or specific period of time.

## **Out-of-School Suspension**

A student can be suspended from school for up to ten (10) days at a time. If a student is suspended s/he cannot be on school grounds or attend any school activities. The administrator may consider the following before deciding to suspend a student:

- A. has the student been sent to the administrator at least once before?
- B. has the student's parent been told that his/her behavior is a problem and that s/he may be suspended?
- C. has the student been referred to his/her guidance counselor?
- D. has the student been given a work assignment before?
- E. has the student been referred to an outside agency for assistance?

There are circumstances under which the administration will suspend a student on the first offense.

## **Transfer**

A student may be transferred to another school, including an alternative school (such as Pinellas Secondary, TELESCHOOL, adult school, etc.). The principal must recommend the student's transfer in writing to the Region Superintendent for the student's area and provide the student's parent with a copy of the recommendation. The student's parent may appeal a transfer by submitting their appeal in writing to the principal within two (2) school days of being notified of the transfer recommendation. If the recommendation of transfer is upheld by the principal then the parent may appeal in writing to the Region Superintendent within two (2) school days of receiving the principal's decision. The Region Superintendent will review the situation and decide whether the student will be transferred. The student or parent cannot appeal the Region Superintendent's decision.

## **Disciplinary Reassignment**

If the principal determines that a student has done something wrong that requires removal from the regular school program, s/he will be suspended for ten (10) school days and then sent to an alternative school.

- Q. How long does a student have to attend the alternative program?
  - A. For one (1), two (2), or three (3) semesters. If a student does not behave or does not do his/her work at the alternative school, s/he may have to stay there even longer. Students may be offered the opportunity to enter into an early workback agreement if there are extenuating circumstances.
- Q. What if a student gets reassigned a second time?
  - A. If the student is a general education student, s/he will be reassigned for one (1), two (2), or three (3) semesters. Most second reassignments will be to TELESCHOOL. If a student is an ESE student s/he may be returned to an appropriate alternative school.
- Q. Can a student go back and visit his/her regular school or other schools while s/he is reassigned to an alternative school?
  - A. No. A student cannot go back to his/her school, or visit any other school, or be on any property leased or owned by the Board. A student cannot attend any school activity

(sports events, graduation, performances, banquets, etc.), even as a spectator without permission from the Region Superintendent

Q. What if a student is reassigned to attend an alternative school for the last semester of his/her senior year?

A. If a student is reassigned to attend an alternative school during the last semester of school before s/he graduates, the following rule applies:

The student's parent may appeal to a District Review Committee to ask for permission to participate in the student's regular school's graduation ceremony. The Committee will consider the following factors:

1. the nature of the offense
2. the student's discipline history
3. the student's performance, attendance, and discipline record in the alternative program
4. other factors it considers to be mitigating or aggravating

Q. When will the District Review Committee meet?

A. No later than ten (10) days before the last day of school.

Q. Who sits on the District Review Committee?

A. The District Review Committee shall consist of the Region Superintendents and the President of the County Council of PTAs or a designee. A Region Superintendent shall not vote on an appeal involving a school from their area. The PTA representative shall also not hear an appeal from a school with which they are associated.

Q. Can a student appeal the decision of the District Review Committee to anyone?

A. No.

Q. What if a student is reassigned after the District Review Committee has met?

A. Then the principal will decide whether the student can attend graduation and end of the school year activities considering the same factors considered by the District Review Committee. The student cannot appeal the principal's decision.

Q. Can a student appeal his/her reassignment to an alternative school?

A. No, a student can only appeal the ten (10) days of suspension. If the suspension is removed, the reassignment will not occur.

Q. How does a student appeal a suspension linked to a reassignment?

A. Within two (2) school days of being suspended, the student or his/her parent writes a letter to the principal explaining why the student thinks s/he should not be suspended. The student's

parents may prefer to have the appeal with the principal by telephone. The principal will write to the student's parents within two (2) school days to tell them whether the student's suspension is being upheld.

If the principal upholds a student's suspension, s/he or his/her parents may write a letter to the Region Superintendent appealing the suspension within two (2) school days of receiving the principal's decision. The Region Superintendent will review the facts of the case and determine whether the student was given due process. The Region Superintendent will not reinvestigate the incident. The student cannot appeal the Region Superintendent's decision.

- Q. What does a student do about class work during the ten (10) day suspension before s/he begins to attend the alternative school?
- A. Your withdrawal grade will be established at the time of reassignment from the regular school. The alternative school staff will assign all work after that time.
- Q. What if a student is reassigned at the end of the semester during high school—how does that affect his/her classes?
- A. If a student's suspension begins fifteen (15) days or less before the end of the semester, then the regular school staff will supply the student's regular class work, and they will also supply review and testing material and arrange for the student to take his/her exams. In addition, if there are less than thirty (30) school days left in a semester then the period of reassignment will include the remainder of the current semester in addition to the designated semesters of reassignment.

### **Expulsion**

An expulsion means that a student cannot attend any District school except as allowed by the Board. If a student is serving an expulsion during the last semester of his/her senior year, s/he is not allowed to participate in his/her home school graduation ceremony. If a student commits an offense that is considered exceedingly serious, (a student causes critical human injury, extensive property damage, or excessive school disruption) the Board may decide not to allow the student to attend any school, including TELESCHOOL. In this instance referrals to community resources will be made.

- Q. Can a student go back and visit his/her regular school or other schools while s/he is expelled?
- A. No. A student cannot go back to his/her school, or visit any other school, or be on any property leased or owned by the Board. A student cannot attend any school activity (sports events, graduation, performances, banquets, etc.).
- Q. May a student attend other schools or programs that are not run by the District during the expulsion?
- A. Yes, a student can attend local Juvenile Services Programs, PACE, Urban League, or other such programs, but acceptance is entirely up to that program's staff. Other public schools and most private schools will not allow a student to enroll during the expulsion period.

## 5500.11 - DISCIPLINE FOR STUDENTS WITH DISABILITIES

Students with disabilities are expected to comply with the Code of Student Conduct and school rules just like any other student. If a student violates the Code of Student Conduct or school rules, s/he is generally subject to discipline just like any other student. However, there are some special rules dealing with suspensions and expulsions. Common questions regarding suspensions and expulsions of students with disabilities are answered below.

- Q. How are in-school suspensions handled?
- A. If a student with a disability receives an in-school suspension, the student's Individual Educational Plan (IEP) will continue to be in force. An in-school suspension is not considered a change in placement.
- Q. Can a student with a disability receive an out-of-school suspension (defined as a removal from all schools without IEP services)?
- A. Yes, however, a student with a disability may not be suspended out of school without IEP services **for more than ten (10) cumulative days in a school year** because students with disabilities are entitled to IEP services after the 10<sup>th</sup> day of removal without services.
- Q. Can a principal use other forms of in-school discipline on a student with a disability?
- A. A principal may use any other form of in-school discipline when dealing with a student with a disability who has violated the Code of Student Conduct or a school rule. These can include detentions, in-school suspension, tobacco education, or Saturday school. The student must be provided with his/her IEP services in those settings.
- Q. What happens when a student with a disability reaches five (5) days of out-of-school suspension, or displays a pattern of behavior that impedes their learning or the learning of others?
- A. School personnel who are familiar with the student and his/her IEP will meet with the parents as the IEP team and try to find out why the student is misbehaving. The team will also determine if the student's disability is causing the misconduct and whether there needs to be any changes to the IEP.
- Q. Can a student with a disability receive a disciplinary reassignment to an alternative school?
- A. A student with a disability may be reassigned to an alternative school because of the student's misconduct so long as the student's IEP can be implemented at the alternative school. Before reassignment to the alternative school, a team consisting of the parents and school personnel familiar with the student must meet and develop the Functional Behavioral Assessment/Problem Solving Worksheet and the plan on how to deal with the student's misconduct. The team must also determine if the student's disability is causing the misconduct. Such a reassignment to an alternative program may or may not be a change in placement. If it is a change in placement, then all of the procedural safeguards for students with disabilities will be followed as required under the Individuals with Disabilities Education Act (IDEA), the Federal law providing for the education of students with disabilities.

- Q. May a student with a disability be expelled?
- A. Yes, so long as the IEP services are provided. Because students with disabilities are entitled to receive the educational services provided for in their IEP during any expulsion, they must receive a disciplinary reassignment to an alternative school or other placement where their IEP can be implemented, rather than receiving a true expulsion without any services.
- Q. May a student with a disability be suspended from the bus?
- A. Students with disabilities may be suspended from the bus according to the rules listed below. During the suspension from the bus, it is the student's responsibility to obtain transportation to school. If the student is unable to obtain transportation during the suspension from the bus, the bus suspension days will be considered out-of-school suspension days. Principals may use other forms of discipline instead of suspension from the bus.
- Q. What happens when a student with a disability reaches five (5) bus suspension days during the year?
- A. The team consisting of the parents and educators familiar with the student will meet and develop a plan to correct the misbehavior on the bus. That plan will be known as the Bus Intervention Plan. The team may develop a Functional Behavioral Assessment/Problem Solving Worksheet and will also consider any changes needed in the IEP.
- Q. What happens when a student with a disability reaches ten (10) bus suspension days during the year?
- A. The team will meet to review the Bus Intervention Plan and develop or review the Functional Behavioral Assessment/Problem Solving Worksheet. The team will also determine whether the misconduct on the bus is caused by the student's disability and whether any changes are needed in the IEP.
- Q. What if transportation is a related service identified in the IEP?
- A. If transportation is a related service identified in the student's IEP, and expulsion from the bus is recommended, then transportation alternatives will be provided for the student.
- Q. What about misconduct involving drugs and weapons?
- A. School personnel can place a student with a disability in an interim alternative educational setting, such as an alternative school, forty-five (45) calendar days if the student violates certain school rules regarding drugs or weapons, regardless of whether the misconduct was caused by the student's disability. The student will continue to receive the IEP services during this time.

Adopted 12/9/09; Revised 7/26/11

## **5500.12 - SUSPENSION/EXPULSION**

### **HOW A STUDENT MAY BE SUSPENDED OR EXPELLED FROM SCHOOL**

#### **In General**

A student has a right to attend school and have an opportunity to learn. A student can lose that right to attend school if s/he violates the Code of Student Conduct or a school rule. A student loses the right to attend school by being suspended or expelled. During the period of suspension or expulsion, a student may not enter upon District property or attend any District or school sponsored activity or event without the permission of an administrator.

#### **Suspension**

Q. Who can suspend a student?

A. The principal or someone designated by the principal (such as an assistant principal) can suspend a student.

Q. How long can a student be suspended?

A. A student can be suspended from school for one (1) school day or up to ten (10) school days.

Q. What happens before a suspension?

A. The principal or assistant principal becomes aware that a student has broken a rule in the Code of Student Conduct or a school rule. S/He will investigate by talking to students, teachers, or others who may know something about what happened. Even if the student is one (1) of the students who broke the rule, the principal or assistant principal may talk to the student as part of the investigation. After talking to people who were involved or witnesses, the principal or assistant principal will determine who s/he thinks broke a rule.

Q. What if the principal or assistant principal determines that a student broke a rule?

A. As soon as possible the principal or assistant principal will talk to the student. The administrator will tell the student that s/he has broken a rule in the Code of Student Conduct or a school rule. The student also will be given something in writing, like a discipline referral, that tells the student the same thing. A student will then be told why the administrator thinks that s/he has broken the rule. After this happens, the student should know what s/he is accused of doing and what evidence there is that supports the accusations.

Q. What happens next?

A. The student will now have an opportunity to tell the principal or assistant principal his/her side of the story. The student can ask that they talk to someone s/he thinks may know something about what happened. The student can give the principal or assistant principal a written statement to read. After listening to the student and reading anything that s/he has given them, the principal or assistant principal may talk to the people s/he told them about and anybody else that they need to contact.

After that, the principal or assistant principal will decide if the student has broken a rule in the Code of Student Conduct or a school rule. If s/he decides that the student has broken a rule, they will then decide if the student should be suspended from school and how long the student will be suspended. The student will be told about this decision.



Q. Will the student's parents know?

A. The principal or assistant principal will try to telephone the student's parents and let them know about the suspension. If they cannot reach the student's parents by telephone, then they will write down how many times they tried and what happened. The student's parents will be mailed a letter titled Written Notice of Suspension within twenty-four (24) hours of the decision. The student will be given a copy of that letter. If the student or his/her parents claim that s/he did not receive the letter, it will not change the suspension. The student will be given another copy of the letter if s/he requests one.

Q. How can a student appeal a suspension?

A. If the student's parents want to appeal the suspension, they should notify the principal in writing before the student's suspension is over. When the principal receives the notice from the student's parents that they wish to appeal, s/he will offer to arrange a conference with the student's parents. The student's parents may prefer to discuss their appeal with the principal by telephone. If the student's parents do not notify the principal in writing before the end of the student's suspension that they want to appeal, the suspension is final.

Q. What happens at the conference?

A. The student's parents (and the student if s/he is present) will discuss with the principal what has occurred. The principal will go over the incident that led to the suspension and review the evidence supporting the suspension. The principal also will review the process that was followed leading up to the decision to suspend the student. This will include a review of how the student was told about the accusations and the evidence against the student and how the student was allowed an opportunity to tell his/her side of the story.

If the student or his/her parents believe that the school did not follow all of the requirements for suspending the student, the student must tell the principal exactly what was not done that the student believes should have been done. For example, if the assistant principal did not give the student something in writing that told the student what s/he was accused of doing, the student must tell the principal that at this conference or the student cannot later complain about not being advised in writing of the accusations against the student.

If the principal agrees with the student's parents that one (1) or more requirements for suspending the student were overlooked, the principal can then comply with those requirements at the conference or can start the suspension process from the beginning and go through it again.

If there are witnesses who had not been interviewed prior to the suspension, whom the student thinks may have information about the incident, then the student should inform the principal of the names of those witnesses at this conference. The principal may decide to interview those witnesses before making his/her final decision or the principal may believe that s/he has enough information already to make a final decision.

Q. When will the principal decide the appeal?

A. The principal will provide the student and his/her parents a written decision within five (5) school days of the conference.

- Q. Is the student suspended during the appeal?
- A. The student will continue to serve the suspension until a final decision is made after all appeals.
- Q. What if the suspension was not appropriate?
- A. Any record of the suspension will be taken out of the student's records and the student will be given the opportunity to make up all schoolwork that s/he missed, without penalty.
- Q. Can the student appeal the principal's decision?
- A. The student may appeal the principal's decision to the Region Superintendent or a person designated by the Region Superintendent. To appeal to the Region Superintendent the student must notify him/her in writing within five (5) school days of the date of the principal's final decision.
- Q. What will be reviewed on this appeal?
- A. This appeal only concerns whether or not the proper procedures were followed in making the final decision to suspend the student. There will be no further investigation or interviews with witnesses about the incident, although the facts of the case will be reviewed.

If the proper procedures were not followed, then the suspension will be sent back to the principal to follow the proper procedures and decide on whether or not to suspend the student. If, after following the proper procedures, the principal decides that the student should not be suspended, any record of the suspension will be taken out of the student's records and s/he will be given the opportunity to make up all schoolwork that s/he missed, without penalty.

## **Expulsion**

- Q. Who can expel a student?
- A. Only the Board can expel a student based upon a recommendation by the Superintendent. The Superintendent will make a recommendation for expulsion only after receiving a recommendation from the principal. The principal will make such a recommendation for expulsion only after having suspended the student for ten (10) school days. The principal's recommendation will contain a detailed explanation of the incident and the student's record of attendance, academics, and discipline.
- Q. Will a student's parents be notified?
- A. The student and his/her parents will be notified in writing if the Superintendent recommends that the Board expel a student. The allegations against the student will be explained. The student will also be told that s/he can request a hearing.
- Q. What if the student's parents want to request a hearing?
- A. The parents should submit a written request for a hearing to the Office of General Counsel. After the parents request a hearing, the Superintendent will assign the student to an appropriate school program other than his/her regular school.

- Q. What if the student's parents do not request a hearing?
- A. If the parents do not ask for a hearing, the charges are considered to be true. The student and his/her parents may come to the Board meeting to talk about the length of the expulsion.
- Q. Who conducts the hearing?
- A. A local attorney who is a volunteer will preside over the hearing. The attorney is an impartial hearing officer who is not an employee of the School District.
- Q. When will the hearing take place?
- A. The Superintendent's attorney will schedule the hearing and notify the student and his/her parents in writing of the date, time, and place of the hearing. The student will receive this notification at least two (2) weeks before the hearing takes place.
- Q. Can a student have an attorney at the hearing?
- A. The student is entitled to have an attorney or other representative provide him/her with legal representation. Any fees for such representation will be the student's parents' responsibility.
- Q. What happens at the hearing?
- A. The Superintendent's attorney will present witnesses and documents to support the allegations to the impartial hearing officer. The parents or attorney will have an opportunity to cross-examine the witnesses and to present witnesses and evidence on the student's behalf.
- Q. Will there be a record of the hearing?
- A. The Board will provide a certified court reporter for the hearing. The court reporter will take down everything that is said at the hearing. If the student's parent wants a full or partial transcript of the hearing, they can pay the court reporter to provide one for them. The court reporter may require payment in advance.
- Q. What happens after the hearing?
- A. The impartial hearing officer will make a decision based upon the evidence presented at the hearing. S/He will decide what the facts are and make a recommendation in writing to the Board. A copy of that recommendation will be provided to the student, his/her parents, and the Superintendent's attorney.
- Q. Who makes the final decision?
- A. The Board will make the final decision on whether or not the student should be expelled and if so, for how long. The student, his/her parents, and their attorney will have an opportunity to appear before the Board in private to discuss the recommendation of the impartial hearing officer. The parents may request to meet in public to discuss the recommendation with the Board.

Q. How long can the Board expel a student?

A. A student can be expelled for the remainder of the current school year and one (1) additional school year. Usually the length of the expulsion is specified in the number of semesters. If there are fewer than thirty (30) school days left in the current semester when the student's suspension begins, the student's will stay out the rest of that semester plus the designated semesters of expulsion. A student who is serving an expulsion during last semester of his/her senior year may not participate in the graduation ceremony.

Q. Can a student appeal the Board's decision to expel?

A. A student can appeal the Board's decision to the District Court of Appeal in Tampa. The student must do so within thirty (30) days of the date of the Board's order expelling the student.

### **5500.13 - GRIEVANCE PROCEDURES**

#### **HOW CAN A STUDENT SOLVE PROBLEMS OTHER THAN SUSPENSIONS OR EXPULSIONS (GRIEVANCE PROCEDURE)**

##### **In General**

If parents or students have a problem with a teacher or an administrator, or disagrees with their decision on some matter other than suspensions or expulsions, they are encouraged to attempt to solve the problem or disagreement directly with the teacher or administrator. Decisions involving suspensions or expulsions are governed by the discipline procedures in the Code of Student Conduct. This policy does not apply to complaints of discrimination or harassment on the basis of the student's age, sex, race, color, national origin, ethnicity, religion, disability, sexual orientation, marital status, or other characteristics protected by federal or state law or Board policy. Such complaints are governed by Policy 5517.

##### **What a Student Needs to Do**

Q. What should the student do first when a problem arises?

A. The student should first talk courteously to the teacher or administrator to attempt to solve the problem. This should be done outside of regular class time.

Q. What if the student is not satisfied after talking to the teacher or administrator?

A. If the student does not believe the problem has been solved after talking with the teacher or assistant principal, the student should describe the problem in writing and give it to the principal within three (3) school days of when the problem occurred. Complaints related to discrimination or harassment must be submitted within sixty (60) days of the problem occurring.

Q. What will the principal do?

A. The principal will investigate the student's problem and give the student a written decision on how s/he will resolve the problem. That written decision will be provided to the student within five (5) school days from the day the student gave the written description of the problem to the principal.

Q. Can the student appeal the principal's decision?

A. If a student is not satisfied with the way that the principal has resolved the problem, the student may request in writing that the Region Associate Superintendent's office or his/her designee, review the decision of the principal and make a final decision in the matter. The Region Associate Superintendent's office will give the student the final decision within five (5) school days from the date that the office received the student's written request to review the matter. There is no appeal from the final decision of the Region Associate Superintendent's office.

Q. What if the student's problem was originally with the principal?

A. If the student's problem originally was with the principal and the student does not believe the problem was solved after talking with the principal; the student should describe the problem in writing and give it to the Region Associate Superintendent's office within three (3) school days of when the problem occurred. Complaints related to discrimination or harassment must be submitted within sixty (60) days of the problem occurring. The matter will be reviewed by the Region Associate Superintendent's office and they will provide the student with a final written decision within five (5) school days from the date that the student gave them the written description of the problem. There is no appeal from the final decision of the Region Associate Superintendent's office.

F.S. 1001.41, 1001.42, 1001.43, 1006.07(2), 1006.13

Adopted 12/9/09; Revised 3/15/11

1. **Policy 5517.01 Policy Against Bullying and Harassment**
2. **Policy 5517.03 Teen Dating Violence and Abuse**
3. **Policy 3213.01 Communications with Students via Electronic Media**
4. **Policy 9701 Non-school Related Publications**
5. **Associate of Arts Transfer Information: Student Bill of Rights**
6. **Policy 5210 Late Entries**
7. **Policy 5722 Student Publications**
8. **Policy 5735 Principal's Multicultural Advisory Committee**

## **5517.01 - POLICY AGAINST BULLYING AND HARASSMENT**

### **Statement Prohibiting Bullying and Harassment**

It is the policy of the School Board that all of its students, employees, and volunteers learn and work in an environment that is safe, secure, and free from harassment and bullying of any kind. The Board will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited. This policy shall be interpreted and applied consistently with all applicable State and Federal laws and the Board's collective bargaining agreements. Conduct that constitutes bullying, harassment, or discrimination, as defined herein and in F.S. 1006.147, is prohibited.

### **Definition of Bullying and Definition of Harassment**

**"Bullying"** means systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees and may involve but is not limited to:

- A. teasing
- B. social exclusion
- C. threat
- D. intimidation
- E. stalking, including cyberstalking as defined herein
- F. physical violence
- G. theft
- H. sexual, religious, or racial harassment
- I. public humiliation
- J. destruction of property

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

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

**"Bullying"** and **"harassment"** also encompasses:

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

**"Cyberstalking"** which is defined as engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. (see F.S. 784.048(1)(d))

In addition, "bullying", "cyberstalking", and "harassment" (hereinafter referred to as "bullying", as defined under *Definition of Bullying and Definition of Harassment* above, for the purpose of this policy) also encompass, but are not limited to, unwanted harm towards a student or employee in regard to their real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background, or being viewed as different in its education programs or admissions to education programs and, therefore, prohibits bullying of any student or employee by any Board member, Board employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, at a school bus stop, and at training facilities or training programs sponsored by the District. For acts of harassment against Federally identified protected categories, and acts of harassment, including sexual harassment, which do not meet the definition of bullying, refer to Board Policy 1362, Policy 3362, Policy 4362, and Policy 5517.

### **Description of the Type of Behavior Expected from Each Student and Employee**

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

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, including obeying and responding to those who hold lawful authority, as well as for District and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate harassment or bullying.

The Board upholds that bullying of any student or employee is prohibited:

- A. during any education program or activity conducted by a District school;

- B. during any school-related or school-sponsored program or activity;
- C. on a school bus or at a school bus stop; or
- D. through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the District school system.

Student rights shall be as outlined in this policy and in the Code of Student Conduct. To positively reinforce good conduct, self-discipline, good citizenship, and academic success, the Superintendent shall continue and, as needed, expand the District's student recognition programs and publicly congratulate students exhibiting exemplary qualities in these areas.

### **Consequences for a Student or Employee who Commits an Act of Bullying or Harassment**

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and appropriate remedial action for an employee found to have committed an act of bullying or harassment may be disciplined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate. (See State Board of Education Rule F.A.C. 6B-1.006, The Principles of Professional Conduct of the Education Profession in Florida.) Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

### **Consequences for a Student or Employee who is Found to have Wrongfully and Intentionally Accused Another of an Act of Bullying or Harassment**

Consequences and appropriate remedial action for a student found to have wrongfully and intentionally accused another as a means of bullying or harassment range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct. Consequences and appropriate remedial action for an employee found to have wrongfully and intentionally accused another as a means of bullying or harassment may be disciplined in accordance with District policies, procedures, and agreements. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials. Accusations made in good faith, even though subsequently determined to be false, shall not be subject to discipline, consequences, or remedial action as called for by this section.

### **Reporting an Act of Bullying or Harassment, Including Provisions for Anonymous Reporting**

At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy. All school-based employees are required to report alleged violations of this policy to the principal or the principal's designee. Other employees are required to report alleged violations of this policy to their supervisor. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in-person to the principal or principal's designee.



The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying may be filed either in-person or anonymously and how this report will be acted upon. The victim of bullying, anyone who witnessed the bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying. An employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate official and who makes this report in compliance with the procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

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

### **Investigation of Whether a Reported Act of Bullying or Harassment is Within the Scope of the District School System and, if not, Referral of such an Act to the Appropriate Jurisdiction**

A principal or designee will assign a designee(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.

The trained designee(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District and will act according to the following protocols:

- A. If it is within the scope of the District, further investigation will commence in accordance with *Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation* below.
- B. If it is outside scope of the District, and reasonably suspected to be a criminal act, refer to appropriate law enforcement, and inform parents/legal guardians of all students involved.
- C. If it is outside scope of the District, and determined not a criminal act, inform parents/legal guardians of all students involved.

### **Prompt Investigation of a Report of Bullying or Harassment and the Persons Responsible for the Investigation**

The investigation of a reported act of bullying or harassment is deemed to be a site-related activity and begins with a report of such an act.

At each school or site in the District, the procedures for investigating bullying and/or harassment include:

- A. The principal/site administrator or designee selects a designee(s), employed by the School District, trained in investigative procedures to initiate the investigation. The designee(s) may not be the accused perpetrator (harasser or bully) or victim.
- B. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- C. The investigator shall collect and evaluate the facts including, but not limited to:
  1. description of incident including nature of the behavior; context in which the alleged incident occurred, etc.;
  2. how often the conduct occurred;

3. whether there were past incidents or past continuing patterns of behavior;
  4. the relationship between the parties involved;
  5. the characteristics of parties involved (i.e., grade, age, etc.);
  6. the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to bullying or harassment;
  7. the number of alleged bullies/harassers;
  8. the age(s) of the alleged bullies/harassers;
  9. where the bullying and/or harassment occurred; and
  10. whether the conduct adversely affected the student victim's education or educational environment or the employee victim's work environment.
- D. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances and includes:
1. recommended remedial steps necessary to stop the bullying and/or harassing behavior;
  2. a written final report to the principal/site administrator.

Where the victim is a student, according to the severity of the infraction, the principal or designee shall promptly notify the parent/legal guardian of the victim via telephone or personal conference of any actions being taken to protect the victim. The frequency of notification will depend on the severity of the bullying incident.

Where the victim is not a student, the principal's or designee's report will be made to the employee victim's supervisor and the same process described above will be followed if the alleged bullying or harassment was not alleged to occur at a school, but another District site.

The initial filing of incidents and completion of the investigative procedural steps shall be completed within ten (10) school days.

**Determination of Disciplinary Sanctions or Consequences and Due Processes for a Person who Commits an Act of Bullying Under this Policy**

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the District.

Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, reassignment, or expulsion as outlined in the Student Code of Conduct.

Consequences and appropriate interventions for a school/District employee found to have committed an act of bullying will be instituted in accordance with Board policy. Additionally, egregious acts of bullying by certified educators may result in a sanction against an educator's State issued certificate (Rule F.A.C. 6B-1.006).

Consequences and appropriate intervention for a visitor or volunteer, found to have committed an act of bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

These same actions will apply to persons, whether they be students, school employees, or visitors/volunteers/independent contractors, who are found to have made wrongful and intentional accusations of another as a means of bullying.

If a complaint of bullying or harassment is made by the alleged victim during or after the commencement of an investigation into employee or student misconduct, it shall not be a defense to the allegations of employee or student misconduct but may be considered as a mitigating factor under Board policy, if appropriate.

**Providing Immediate Notification to the Parents/Legal Guardians of a Student Victim of Bullying or Harassment and the Parents/Legal Guardians of the Student Perpetrator of an Act of Bullying or Harassment as well as Notification to all Local Agencies Where Criminal Charges may be Pursued Against the Perpetrator**

The principal, or designee, shall by telephone and in writing by first-class mail, report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the student victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states: "A student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

Once the investigation has been completed, appropriate local law enforcement agencies will be notified by telephone and/or in writing to determine whether to pursue criminal charges.

**Referral of Victims and Perpetrators of Bullying or Harassment for Counseling**

The Superintendent shall establish a procedure to refer victims and perpetrators of bullying or harassment for counseling, including a protocol for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure shall include:

- A. a process by which the teacher or parent/legal guardian may request informal consultation with school staff (specialty staff, e.g., school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern (the involved students' parents or legal guardian may be included);
- B. a referral process to provide professional assistance or services that includes:
  - 1. a process by which school personnel or parent/legal guardian may refer a student to the school intervention team (or equivalent school-based team with a problem-solving focus) for consideration of appropriate services; (Parent or legal guardian involvement is required at this point.)
  - 2. if a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions; (Parent or legal guardian involvement is required at this point.)

3. referral of school personnel to the Employee Assistance Program;
- C. a school-based component to address intervention and assistance as determined appropriate by the intervention team that includes:
1. counseling and support to address the needs of the victims of bullying or harassment;
  2. interventions to address the behavior of the students who bully and harass others (e.g., empathy training, anger management);
  3. intervention which includes assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

### **Providing Instruction to Students, Parents/Legal Guardians, Teachers, School Administrators, Counseling Staff, and School Volunteers on Identifying, Preventing, and Responding to Bullying or Harassment**

The Board seeks to ensure that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses other non-teaching staff (such as bus drivers, custodians, cafeteria workers, and/or school librarians), parents/legal guardians, and students.

Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as how to effectively identify and respond to bullying in schools.

### **Training**

The School District will conduct training for students, parents, teachers, regional/District staff, school administrators, student support staff, counseling staff, bus drivers, School Resource Officers/Deputies, and school volunteers on identifying, preventing, and responding to bullying. At the beginning of each school year, the school principal/designee and/or appropriate regional/District administrator shall provide notice of this policy, as well as the process for reporting incidents, investigation, and appeal to students, school staff, parents, or other persons responsible for the welfare of a student through appropriate references in the Student Code of Conduct, the school website, and/or through other reasonable means.

### **Regularly Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim**

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

### **Incident Reporting Requirements**

The procedure for including incidents of bullying in the school's report of data concerning school safety and discipline data is required under F.S. 1006.09(6). The report must include each incident of bullying and the resulting consequences, including discipline, interventions, and referrals. In a separate section, the

report must include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding said incident.

The School District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment in its codes.

Discipline, referral data, investigations, interventions, and actions of discipline shall be recorded on the specified data system as with other infractions from the Code of Student Conduct.

### **Publication of the Policy, Including Publication in the Code of Student Conduct and in All Employee Handbooks**

At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy. The Superintendent shall also make all contractors contracting with the District aware of this policy. This information shall be published in the Code of Student Conduct and all employee handbooks.

Each school principal shall develop an annual process for discussing the School District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

F.S. 110.1221, 1001.32(2), 1001.41, 1001.42, 1001.43, 1002.20, 1006.13

F.S. 1006.147

Florida Department of Education Model Policy (June 2008)

### **5517.03 - TEEN DATING VIOLENCE AND ABUSE**

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

(2) Teen Dating Violence and Abuse Defined: "Teen dating violence and abuse" is a pattern of emotional, verbal, sexual, or physical violence and/or abuse by one person in a current or past relationship of a romantic nature to exert power and control over another when one or both of the partners is a teenager. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. To be subject to this Policy, teen dating violence and abuse committed by one student against another must occur on school property, during a school-sponsored activity, or during school-sponsored transportation.

(3) Reporting Acts of Teen Dating Violence and Abuse

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

(b) Any Board employee who receives a report of an act of teen dating violence and abuse, who directly observes an act of teen dating violence and abuse perpetrated by one student against another, or who has a good faith reason to believe that a student is a victim of teen dating

violence and abuse shall report such report, observations, or suspicions to the Principal or designee.

- (c) Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of teen dating violence and abuse perpetrated by one student against another as described above in paragraph (1), or who has a good faith reason to believe that a student is a victim of teen dating violence and abuse is encouraged to report the matter to the Principal or designee. These reports can be made in person or anonymously, in writing or online.
- (d) The principal of each middle and high school in the district shall establish and prominently publicize to students, staff, volunteers, and parents, how a report of dating violence and abuse may be filed either in person or anonymously and how this report will be acted upon. Formal disciplinary action may not be based solely on an anonymous report.

#### (4) Investigating Reports of Teen Dating Violence and Abuse

- (a) Upon receiving a report of alleged teen dating violence and abuse, the Principal or designee shall conduct an investigation of the allegation promptly and the completion of the investigative procedural steps shall be completed within 10 school days.. As part of the investigation, the Principal or designee shall contact the parent(s) the day the investigation begins of the alleged victim and/or the parent(s) of the alleged perpetrator, if they are under the age of eighteen, to inform them of the report.
- (b) The investigation of the report should include interviews of the alleged victim, the alleged perpetrator of the teen dating violence and abusive behavior, and any other person who may have witnessed the alleged act or who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation. Each individual will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- (c) The Board reserves the right to investigate a report of teen dating violence and abuse regardless of whether the student who is allegedly the victim of the teen dating violence and abuse wants to pursue the matter. If an investigation is pursued against the alleged victim's wishes, the Principal or designee will notify the victim and refer the victim to appropriate services for safety planning.

#### (5) Consequences

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

- (c) Further, the Department of Children and Families shall be notified if the student who is found to have perpetrated the act of teen dating violence and abuse is eighteen years of age or older and the student who was the victim of the act of teen dating violence and abuse is a minor.
- (d) If the Principal or designee believes a crime has been committed, law enforcement will be immediately notified.
- (e) In those cases where teen dating violence and abuse is not substantiated, the Principal or designee may consider whether the alleged conduct nevertheless warrants disciplinary action in accordance with the Student Code of Conduct or other Board policies.

(6) Support and Reasonable Accommodations

- (a) If requested during or after the investigation, the Principal shall make reasonable accommodations for the student who is allegedly experiencing teen dating violence and abuse including, but not limited to the following:
  1. “Stay Away Contract,” that is, a contract with the alleged perpetrator to stay away from the victim, including electronic contact, while on school grounds, on school transportation, and during school sponsored programs and events;
  2. Class schedule changes;
  3. Protection that will enable safe egress/regress from school, as well as movement within the school; and
  4. Referrals for outside support or counseling.
- (b) Students should provide the Principal with a copy of an order of protection that has been issued by the court. The Principal shall then contact the student whose behavior is to be regulated by that order of protection and initiate a Stay Away Contract that is consistent with the terms of that order and provides penalties for known violations of the contract. Further, the Principal shall notify law enforcement immediately if a restraining order has been violated.
- (c) Pinellas County Schools Police and/or the School Resource Officer shall respond immediately to a report of a violation of a criminal or civil restraining order.

(7) Other Violations of the Teen Dating Violence and Abuse Policy: The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

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

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

(9) Education and Training

- (a) Training shall include a procedure for providing professional development to teachers, staff and school administrators in the area of proper identification, investigation, and intervention of teen dating violence and abuse incidents that fall within the scope of the school. It is important to change the social climate of the school and the social norms with regards to teen dating violence and abuse. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses, and other non-teaching staff (such as bus drivers, custodians, cafeteria workers, and/or school librarians).
- (b) The District shall provide instruction to students in comprehensive health education including a teen dating violence and abuse component consistent with state statute and rules of the State Board of Education.
- (c) The comprehensive health components listed in Sec. 1003.42, F.S., include a health education curriculum for students in grades 7 through 12 in the area of teen dating violence and abuse. This instruction shall include, but is not limited to, the definition of teen dating violence and abuse, the warning signs of teen dating violence and abuse, the characteristics of healthy relationships, measures to prevent and stop teen dating violence and abuse, and community resources available to victims and perpetrators of teen dating violence and abuse. The curriculum chosen must also have an emphasis on prevention-based education.

F.S. 1003.42, 1006.148

Adopted 6/14/2011

### **3213.01 – COMMUNICATIONS WITH STUDENTS VIA ELECTRONIC MEDIA**

(1) The School Board encourages positive and professional communication between staff and students by means which best protect the interests of all concerned. Communications via personal electronic media such as Facebook, Twitter, cell phone messaging, and other personal electronic means regarding school matters have the potential to create both public records and education records, or to contain personally identifiable student information. The School Board is ultimately responsible for the maintenance and proper disposal of such records and for the protection of such confidential information, and is dependent upon its employees to meet this responsibility.

(2) The School Board has provided staff with the means to communicate electronically with students concerning school matters. These means currently include PCS Portal, Moodle, and district email (Outlook), and are sufficient for the purposes intended. For staff to communicate on school matters with students by personal electronic means when sufficient School Board means are available exposes the School Board to a possible violation of its legal obligations. Such communication could cause the appearance of inappropriate association with students. Accordingly, staff shall utilize School Board resources in all electronic communications with students regarding school matters provided, however,



private electronic media, such as a cellphone, may be used when District resources are not available, when such use is in the best interest of all concerned.

(3) Staff communications with students via private electronic media concerning non-school-related matters are governed in part by, and may lead to discipline under, Board Policies 1140, 3140, and 4140.

Effective Date: August 15, 2011

Adopted 6/14/2011

## **9701 - DISTRIBUTION OF MATERIALS AND LITERATURE TO STUDENTS**

The following policy applies to publications other than student and non-academic publications: non-school related literature from organizations or individuals must be approved by the Superintendent and such publications shall be made accessible only as provided in the following procedures.

When an organization or individual wishes to make publications accessible through the public schools, such publications must be submitted to the Superintendent for approval and shall be made accessible only as provided herein. Grounds for denial of such approval to distribute non-school related publications shall include, but not be limited to, violation of School Board policy (i.e., advertising), obscenity and gross profanity and vulgarity which are incompatible with the normal activity associated with a public education institution as well as other forms of unprotected expression.

- A. Following the Superintendent's or designee's approval, the Region Superintendent will issue a letter authorizing the organization or individual to approach school principals in order to request permission to distribute non-school related publications in the school.
- B. The school principal shall make the decision of whether the publication should be distributed in the school. Grounds for the principal to deny such permission to distribute non-school related publications shall include, but not be limited to, handling and dissemination concerns, staff availability, and conflicts with established individual school events calendars.
- C. Following the principal's approval, copies of the publication should be delivered to the school by the organization or individual and left with the principal for dissemination.
- D. Copies should then be placed in an accessible area and a simple announcement of their availability made to the students.

F.S. 1001.32(2), 1001.41, 1001.42, 1001.43

### **Associate of Arts Transfer Information: STUDENT BILL OF RIGHTS**

- A. Florida Community College Associate in Arts graduates are guaranteed the following rights under the Statewide Articulation Agreement (State Board of Education Rule 6A-10.024):
  1. Admission to one of the state universities, except to limited access programs.
  2. Acceptance of at least 60 credit hours by the state universities toward the baccalaureate degree.
  3. Adherence to university requirements and policies based on the catalog in effect at the time the student first entered a community college, provided the student maintains continuous enrollment.

4. Transfer of equivalent courses under the Statewide Course Number System.
  5. Acceptance by the state universities of credit earned in accelerated programs (e.g. CLEP, AP, PEP, Dual Enrollment, Early Admission and International Baccalaureate).
  6. No additional General Education Core requirements.
  7. Advance knowledge of selection criteria for limited access programs.
  8. Equal opportunity with native university students to enter limited access programs.
- B. Should any guarantee be denied, students have the right of appeal. Each state university and community college shall make available established appeal procedures through the respective articulation officers.
- C. Limited Access is the designation given to programs that require additional admission requirements which are more selective than general admission requirements. These may include the following: increased total GPA and test scores; additional courses and pre-requisites; and auditions and portfolios.
- D. Information regarding Community College Associate in Arts Transfer Guarantees and Admission Appeals is available in every high school guidance office.

## **5210 - LATE ENTRIES**

### **High School:**

A student entering high school within two (2) weeks after the regular opening date who has not been in attendance in another school system shall receive a zero (0) in all classes for each day missed prior to the end of the second week. Two-thirds (2/3s) of such reduction may be removed by proper application and achievement by the student during the remainder of the grading period.

A student entering high school after the second week and who has not been in attendance elsewhere will receive an "I" (incomplete) in all subjects for the first grading period. Two-thirds (2/3s) of the reduction caused by late entry may be removed by proper application and achievement by the student prior to the end of the second grading period.

A student unable to enter high school at the regular opening date for reason of illness or of the illness or death of a member of his/her immediate family shall be given, with the help of his/her teachers, an opportunity to make up all work missed during such a period.

### **Middle School:**

A student enrolled in the District who enters middle school after the regular opening date of the first grading period must make up all work missed by the end of that grading period. A zero will be recorded for all work not made up by the student within said time period. Students not already enrolled in the District who enter middle school after the regular opening date will not be required to makeup missed work.

## **5722 - SCHOOL-SPONSORED PUBLICATIONS**

This is the procedure by which the First Amendment rights of students are protected. For purposes of this policy, publication shall mean publication by written, audio/ video, or electronic means.

The principal shall be familiar with the First Amendment law as it impacts on student publications and other forms of expression on the campus. The principal shall seek advice from the General Counsel whenever there is a question concerning the application of the First Amendment law to a situation on campus.

The principal has the right to review any student publication or part thereof, or other form of written expression, prior to its publication or distribution on campus. It is the responsibility of the student editor or the student who intends to distribute such expression to bring the material to the principal if, in the good faith opinion of the student, such material is controversial, of great interest to school officials, or is likely to cause disruption to the educational system. A student who refuses to allow the principal to review material(s) described in this policy after the principal has requested to review such material(s) shall be deemed to have committed an act of defiance in violation of the Code of Student Conduct, and be subject to appropriate discipline thereunder.

The principal has the right to approve all surveys -- written and oral -- before they are conducted in the school.

The principal may deny the right of publication or distribution under the following conditions:

- A. Publications by students not produced through credit classes (journalism, yearbook, literary magazine, etc.) shall be considered non-academic publications and must be submitted to the principal for approval before distribution on campus. Grounds for denial of such permission to distribute non-academic publications shall include, but not be limited to, violation of School Board policy; handling and dissemination concerns; staff availability; conflicts with established school events calendars; obscenity and gross profanity and vulgarity which are incompatible with the normal activity associated with a public educational institution, as well as other forms of unprotected expression.
- B. The student publication falls within a category of unprotected expression, in which case reference should be made to *Guidelines for Student Publications* below.

The principal shall give a written explanation of the reasons for denial of the right to publish or distribute the material to the Regional Superintendent and will furnish the student and the teacher advisor with a copy of such statement, within two (2) days of submission of the material for review.

The principal's statement shall indicate whether the advice of the General Counsel to the principal (see *Responsibilities of School Officials*) was to proceed or not to proceed with the prior restraint of the material in question; although said advice shall not dictate a principal's course of action.

An aggrieved student may, within two (2) school days, appeal the decision of the principal to a publications appeal committee by delivering a short, written notice of appeal of the decision to the principal who rendered the decision. The principal shall, within twenty-four (24) hours of receipt of the notice of appeal, notify the Regional Superintendent of the appeal. The Regional Superintendent shall convene the publications appeal committee described herein, and the committee shall elect a chairman by simple majority vote of the members. This committee shall consist of the Regional Superintendent, the SAC committee chairman (or designee who is a parent member of SAC), a student editor (other than the aggrieved) or designee, a faculty advisor, or designee, and a principal (other than the principal whose denial of publication is being appealed) appointed by the Regional Superintendent. The General Counsel will be an advisory member of the publications appeal committee but will not be entitled to vote. The Regional Superintendent will select the principal who will sit on the committee. The publications appeal committee will review the evidence, the principal's written decision and issue a written decision within ten (10) school days of the receipt of the appeal by the Regional Superintendent.

The student or the principal may, within two (2) school days, appeal an adverse decision of the committee to the Superintendent, who must render a decision in writing within four (4) school days.

The student or the principal may appeal an adverse decision of the Superintendent to the Board, which shall render its opinion at its next regularly scheduled Board meeting after the appeal is placed on the Board agenda. Action of the Board shall be final agency action from which the student may seek judicial review.

The publication appeal committee is charged with the responsibility of proposing necessary or desirable changes to District procedures for student publications and has jurisdiction to consider all relevant petitions to it made by any student, group of students, or student publication, and shall grant whatever relief is necessary to preserve the First Amendment rights of the students, faculty, and administration. An aggrieved party may always exercise the right of appeal from an adverse decision of the publications appeal committee as provided herein.

## **GUIDELINES FOR STUDENT PUBLICATIONS**

### **A. Preamble**

Student publications provide a forum to freely and vigorously inquire, question and exchange ideas. It is undeniable that students are protected in their exercise of freedom of expression by the First Amendment of the Constitution of the United States: "Congress shall make no law...abridging the freedom of speech, or of the press..." It is the responsibility of school officials to ensure the maximum of freedom of expression in student publications.

### **B. RESPONSIBILITIES OF SCHOOL OFFICIALS**

School officials are expected to:

1. communicate in writing to the advisor and student editors any guidelines which may affect student publications; these guidelines should be consistent with the law and the Constitution;
2. be aware of the most current court rulings as they relate to free expression;
3. consult with the General Counsel when an editor, advisor, or principal are in disagreement over the legality of content; final decision regarding content should be based solely upon its legality;
4. support the first amendment rights as set forth herein of students and the efforts of publications advisors to guarantee those rights in their daily work with publications;
5. communicate to other members of the school community the rights of student journalists to question, inquire, and express themselves through the student publications;
6. refrain from terminating, transferring, or removing a person(s) from advisorship for failure to exercise control over editorial content;
7. refrain from imposing academic disciplinary action upon students based solely on the student's exercise of constitutionally protected expression;
8. set up a prompt and adequate due process procedure to deal with any possible conflicts over publication of material.

### **C. RESPONSIBILITY OF THE ADVISOR**

Publications advisors are expected to:

1. serve primarily as teachers whose chief responsibility is to guide students to an understanding of the nature and functions and the ethics of a free press and of student publications; advisors are not censors;
2. encourage the student staff to produce an intelligible publication that presents a complete and unbiased report that reflects accurate reporting based upon verified facts; the facts upon which any editorial opinion is based, should be accurate and verified;
3. function as a liaison between school officials and students to ensure full communication of administrative guidelines to student editors and the First Amendment rights of students to school officials;
4. ensure that guidelines for the staffing and operation of school publications are developed with current publications staff and furnished to administrators.

### **D. RESPONSIBILITIES OF STUDENT JOURNALISTS**

Student journalists are expected to:

1. rewrite material, as required by faculty advisors, to improve sentence structure, grammar, spelling, and punctuation;
2. check and verify the accuracy of all facts and quotations;
3. provide space in the same issue of the newspaper, when feasible, for rebuttal comments and opinions when news articles, editorials, or letters to the editor concerning controversial issues;
4. determine the content of the student publication within the limits of the law and the Constitution;
5. consult with legal resources -- local and national -- in any case in which the legality of content is questioned.

### **E. UNPROTECTED EXPRESSION**

There are at least three (3) classifications of speech which are prohibited by law or not protected by the First Amendment. These types of materials may subject the person(s) responsible to legal and official school action.

1. The first classification is material which is "obscene as to minors." Obscene as to minors is defined as:
  - a. the average person, applying contemporary community standards, would find that the publication, taken as a whole, appeals to a minor's prurient interest in sex; and
  - b. the publication depicts or describes, in a patently offensive way, sexual conduct such as ultimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
  - c. the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.
  - d. "Minor" means any person under the age of eighteen (18).

2. The second classification is libel, material which is defined as a false and unprivileged statement about a specific individual, which injures the individual's reputation in the community. If the allegedly libeled individual is a "public figure" or "public official," as defined below, then school officials must show that the false statement was published "with actual malice," (i.e., that the student journalist knew that the statement was false, or that the statement was published with reckless disregard for the truth—without trying to verify the truthfulness of the statement).
  - a. A public official is a person who holds an elected or appointed public office.
  - b. A public figure is a person who either seeks the public's attention or is well known because of their achievements.
  - c. School employees are to be considered public officials or public figures in articles concerning their school related activities.
  - d. When an allegedly libelous statement concerns a private individual, school officials must show that the false statement was published willfully or negligently (i.e., the student journalist has failed to exercise the care that a reasonably prudent person would exercise).
  - e. Under the "fair comment rule" a student is free to express an opinion on matters of public interest.
3. The third classification is material which will cause "a material and substantial disruption of school activities."
  - a. Disruption is defined as student rioting; unlawful seizures of property; widespread shouting or boisterous conduct; or substantial student participation in a school boycott, sit-in, stand-in, walkout, or other related form of activity. Material that stimulates heated discussion or debate does not constitute the type of disruption prohibited.
  - b. In order for a school publication to be considered disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial, material disruption to normal school activity would occur if the material were distributed. Mere undifferentiated fear or apprehension of disturbance is not enough; school administrators must be able to affirmatively show substantial facts which reasonably support a forecast of likely disruption.
  - c. In determining whether a student publication is disruptive, consideration must be given to the context of the distribution as well as the context of the material. In this regard, consideration ought to be given to past experience in the school with similar material, past experience in the school dealing with and supervising the students in the subject school, current events influencing student attitudes and behavior, and whether or not there have been any instances of actual or threatened disruption prior to or contemporaneously with the dissemination of the student publication in question.
  - d. School officials must act to protect the safety of advocates of unpopular viewpoints.
4. The fourth classification is speech which advocates the use or advertises the availability of any substance or material which may reasonably be believed to:
  - a. constitute a direct and substantial danger to the health of students;

- b. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them;
  - c. incite violence, advocate the use of force, or urge the violation of law or school regulations.
5. The fifth classification is speech which is lewd or vulgar.
  6. The sixth classification is speech which poses a grave and unique threat of harm to the school community, including threats of mass violence or mass destruction.

The Superintendent or designee shall have the authority whether or not to allow commercial advertising in any student publication, consistent with Policy [9700](#).

F.S. 847.07, 1001.32(2), 1001.41, 1001.42, 1001.43  
 Fla. Const. Art. I, Sec. 4  
 U.S. Cont. Amend. I

Adopted 12/9/09; Revised 6/29/10

### **5735 - PRINCIPAL'S MULTICULTURAL ADVISORY COMMITTEE**

Students have the right to attend a school where all ethnic and cultural heritages are welcome and respected. To ensure this environment each secondary school will create a **Principal's Multicultural Advisory Committee**.

#### **Membership**

This committee should be balanced by gender and grade level, and represent a cross-section of the racial, religious, ethnic, and cultural backgrounds of the students at the school. The committee must be composed of at least ten (10) students and three (3) adult members.

#### **Responsibilities of the Principal's Multicultural Committee**

Responsibilities of the principal's multicultural committee will include:

- A. act as an advisory group to the principal;
- B. engage in a facilitated dialogue about diversity centered concerns and make recommendations to the principal;
- C. promote multicultural activities and programs school-wide;
- D. learn and implement conflict resolution and mediation skills;
- E. provide service to school and community;
- F. improve school climate.

Each elementary school will create a multicultural committee composed of a balance of students by gender and grade level and representing a cross-section of the racial, religious, and cultural backgrounds of the students at the school. Members of this committee will learn about different cultures, participate in multicultural activities and programs, and will initiate at least one (1) school-wide multicultural activity per year.

F.S. 1001.32(2), 1001.41, 1001.42, 1001.43









## **Discipline Codes**

01 – Alcohol – SESIR	19S – Campus Crime- SESIR
02 – Strike/Student	20 – Missed Saturday School
03 – Strike/Adult	21 - Excessive Tardies
03S – Battery – SESIR	22 – Not Cooperating
04 – Drugs	23 – In an Unauthorized Location
05 – Fighting/Minor	24 – PE Misconduct
05S – Fighting/Major – SESIR	25 – Forgery – Non Criminal
06 – Leaving Campus without permission	26 – Arson – SESIR
07 – Defiance/insubordination	27 – Burglary – SESIR
08 – Profane or Obscene Language	28 – Homicide – SESIR
09 – Repeated Misconduct	29 – Kidnapping – SESIR
10 – Skipping Class	30 – Motor Vehicle Theft – SESIR
11 – Tobacco – SESIR	31 – Robbery – SESIR
12 – Stealing/Theft <\$300	32 – Sexual Battery – SESIR
12S – Stealing/Theft – SESIR	33 – Sexual Harassment – SESIR
13 – Dangerous Implement	34 – Sexual/Lewd Behavior – SESIR
1S3 – Weapons – SESIR	35 – Threat/Intimidation – SESIR
14 – Bus Misconduct	36 – Trespassing - SESIR
15 – Cheating	37 – Electronic Devices
16 – Disruption/class or campus	38 – Bullying/Harassment - SESIR
17 – Vandalism <\$1K	39 – Dress Code
17S – Vandalism \$1K – SESIR	
18 – Missed Detention	
19 – Other/Unclassified Offenses	

## **IMPORTANT INFORMATION ABOUT SCHOOL CLOSINGS IN AN EMERGENCY**

Residents in Florida know the dangers of inclement weather especially during the hurricane season. While very infrequent, there may be times when our schools may have to close to protect our students and be reopened as emergency shelters for the community. The superintendent in consultation with her staff and the Pinellas County Emergency Operations office makes decisions regarding the closing of public schools. Pinellas County Schools works closely with our local television and radio media outlets to inform the public when school closings occur. In addition, the district maintains its own public information telephone number that provides information on a daily basis regarding the status of schools being in session. The district website, [www.pcsb.org](http://www.pcsb.org), also provides updated information and a link to Emergency Shelter Information.

A recorded message will be provided each day regarding any changes in school openings or closings. The recording will be updated as additional information becomes available.

The following media outlets will also provide up-to-date information to the public in the event a school closing occurs or if the student day must be shortened due to emergency conditions:

WFLA-Ch. 8  
BAY NEWS-Ch. 9  
WTSP-Ch. 10  
WTVT-Ch. 13  
WPDS-Ch. 14 (Pinellas County Schools)  
WFTS-Ch. 28  
WUSF 89.7 radio  
WFLA 970 radio

Should schools close during the day when students are already in attendance, information will be provided through the district's automated phone notification system and our local media outlets. The district emergency information telephone line (727-588-6424) will provide additional details regarding specific times for release of students or their transfer to another site if necessary during an emergency evacuation.

## **CAMPUS CRIME STOPPERS**

**Call 1-800-873-8477 or**

**Text TIP144 plus the tip info to C R I M E S (274637) or  
online at [www.crimestoppersofpinellas.org](http://www.crimestoppersofpinellas.org)**

**Call toll free and remain anonymous**