

Addendum to Policy 5.8: Code of Student Conduct
2012-2013

The Addendum to Policy 5.8: Code of Student Conduct 2012-2013 is found on the first 30 pages of this document. The revisions within the Addendum will replace the corresponding pages of Policy 5.8: Code of Student Conduct 2012-2013.

Section A

In order for teaching and learning to take place, a safe and secure school environment is essential. This policy provides specific information on the rules that all students are expected to adhere to, as well as consequences for violations of these rules. The rules apply to all activities occurring on the grounds or other sites being used for such activities and on any vehicle authorized to transport students to and from school, and other activities and various school functions. The School Board is **not** responsible for students, their conduct and activities, when attending non-school sponsored activities.

Section B

Florida law supports the active involvement of parents until the student graduates from school (F.S. 743.07, 1003.26, 1003.21). For purposes of all areas of this policy, it is expected that parents of students who have reached the age of majority (i.e., 18 years of age) will continue to perform the parental functions of a dependent student except under the following circumstances:

- (1.) The student has been emancipated in compliance with Florida laws, (F.S. 743.015) which provides the procedures for a court to remove the “disabilities of nonage” upon the filing of the appropriate papers and making the appropriate showing to the court.
- (2.) When the student has no parent and this fact is verified by the school administrator (e.g., by communications with relatives, the Homeless Education Program, or the Florida Department of Children and Families, as is appropriate).

SECTION I - ATTENDANCE

The parent of a child of compulsory school age is responsible for the child’s daily school attendance (F.S. 1003.24). School staff, parents, students, and appropriate state agencies are expected to work together to ensure that laws are obeyed including, but not limited to, referral to the state designated agency for possible court action for extended absence or truancy (F.S. 1003.27). SB Policy 5.5 outlines the rules that apply to attendance and attendance procedures. You may view this policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>. Florida law supports the active involvement of parents* until the student graduates from school (F.S. 743.07, 1003.26, 1003.21). This serves as notice to the parent, that when a student reaches the age of majority (18 years of age) the parent shall continue to perform the parental functions of a dependent student, including, but not limited to, provide reasons for absences and tardiness, permission slips for early release, field trips, other activities, as necessary, and to register or terminate (withdraw) school enrollment, until the student graduates, except as indicated in Section B above.

*When the term “parent” is used, it also refers to either or both parents, any guardian of a student, surrogate or any person in a parental relationship to a student or any person exercising supervisory authority over a student in place of a parent.

A student’s presence in class is required to maximize the attainment of instructional objectives. For students who demonstrate patterns of non-attendance, interventions may be recommended.

- Sale or attempted sale and/or transmittal of drugs, alcohol, and/or tobacco products, including authorized or unauthorized over-the-counter medications or prescription medications.
- Possessing drug paraphernalia.

Acts Against Persons (Including, But Not Limited To)

- Bullying and/or harassment.
- Cyberbullying.
- Taking part in physical acts of a sexual nature, engaging in sexual harassment, or offending others by indecent exposure.
- Using insulting, abusive, profane, racially or sexually offensive written or oral language, or making obscene remarks or gestures.
- Harassing others because of age, color, gender, gender identity, gender expression, national origin, marital status, race, religion, or sexual orientation.
- Harassing others because of a disability.
- Harassing others because of ethnicity, socio-economic background, or linguistic differences.
- Harassing others because of physical appearance or for any other reason.
- Hazing.
- Threatening, stalking, hitting, or hurting a teacher or other school personnel.
- Intentionally making a false accusation that jeopardizes the professional reputation, employment, or certification of a teacher or other member of a school staff.
- Committing a hate crime.

See definitions section.

Property Incidents (Including, But Not Limited To)

- Damaging, destroying, or vandalizing school property.
- Misusing technology.
- Starting a fire (arson).
- Committing petty theft.
- Breaking and entering/burglary.

Other Criminal Incidents (Including, But Not Limited To)

- Having and/or hiding a weapon (see definitions of weapons, see p. 37).
- Threatening or hurting a person with a weapon.
- Committing robbery.
- Forcing someone to give money, possessions, or other things of value to another or oneself (extortion).
- Endangering the lives of students and staff by failing to report a threat of violence against others.
- Making a bomb threat.
- Sexual battery.
- Kidnapping or abduction.
- Homicide.
- Committing other criminal acts.

Definitions

Hazing means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student regardless of: 1) the student's willingness to participate or; 2) that the conduct or activity was not sanctioned by the organization or; 3) that the activity was not done as a condition of membership to an organization (F.S. 1006.63).

Hate crime refers to an attack or offense against an individual or his/her property in which the individual is intentionally selected because of his/her race, color, religion, national origin, gender, gender identity, gender expression, disability, or sexual orientation. The attack or offense may range from racial remarks or graffiti on school walls to threats of physical harm, intimidation, hate mail and hate e-mail, vandalism, arson, physical assault, etc. Students who believe they have been victims of a hate crime must immediately report the act to a teacher and/or school administrator. **Broward District Schools Police conducts hate crime investigations.**

National origin pertains to, but is not limited to, an individual's or his/her ancestor's place of origin, as well as, physical, cultural, or linguistic characteristics.

"Bullying" means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted, purposeful written, verbal, nonverbal or physical behavior, including, but not limited to, any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power. Bullying may involve, but is not limited to:

1. Unwanted teasing
2. Threatening
3. Intimidating
4. Stalking
5. Cyberbullying
6. Physical violence
7. Theft
8. Sexual, religious, or racial harassment
9. Public humiliation
10. Destruction of school or personal property
11. Social exclusion, including incitement and/or coercion
12. Rumor or spreading of falsehoods

"Sexting" the use of a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another, any photograph or video of any person, which depicts nudity as defined in F.S. 847.0141(1)(a).

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

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student's educational performance, an employee's work performance, either's opportunities, or benefits;
3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or

The School Board of Broward County, Florida, prohibits any policy or procedure that results in discrimination on the basis of age, color, disability, gender, gender identity, gender expression, *national origin, marital status, race, religion, or sexual orientation.

If any **student feels that he or she has been discriminated against or harassed, there are specific procedures to report such offenses. See pp. 39-40 for further information.

***Whenever the word "student" appears, parents may become involved.*

FORMS OF DISCRIMINATION

Harassment is a form of discrimination. Harassment based on age, color, disability, ethnicity, gender, gender identity, gender expression, linguistic differences, *national origin, marital status, race, religion, or sexual orientation are violations of School Board policies, civil rights laws and statutes and should be addressed in a similar manner as detailed above.

**National origin pertains to, but is not limited to, an individual's or his/her ancestor's place of origin, as well as physical, cultural, or linguistic characteristics.*

SEXUAL HARASSMENT AND SEXUAL VIOLATIONS

Sexual harassment is a form of sex discrimination that violates the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and SB Policy 4001.1. Sexual violence is a physical act of aggression that includes a sexual act of sexual purpose. Sexual violence is also a violation of these same statutes and may also represent a criminal law violation. The school district prohibits any form of sexual harassment and sexual violence.

Sexual harassment and sexual violence are unlawful and will be grounds for disciplinary action. Students who believe they have been victims of sexual harassment or sexual violence should report the alleged act immediately to a teacher and/or school administrator. Because sexual harassment can take on many forms, the following are some examples of sexual harassment/violence.

SEXUAL HARASSMENT/SEXUAL VIOLENCE DEFINED

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or communication of a sexual nature. Sexual harassment includes, but is not limited to, the following behaviors:

- Unwelcome statements of a sexual nature.
- Unwelcome solicitation or pressure for sexual activity.
- Intentional brushing against, patting, or pinching of another's body.
- Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, unwanted physical contact, and blocking movements.
- Leering with sexual overtones, gestures, display of sexually suggestive objects, posters, or cartoons.
- Indecent exposure.

NOTE: Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA) SB Policy 4001.1, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination against any students with regard to access to programs, services, and activities on the basis of disability. If any student feels he or she has been discriminated against because of such disabilities or perception of a disability, there are specific procedures to report such offenses. See pp. 39-40 for the steps to report such offenses.

6. Clothing that exposes the upper thigh is not allowed. Shorts that are not shorter than mid-thigh, including walking shorts, Bermuda shorts, and split skirts (culottes), are allowed. *For Pre-K through 3*, shorter shorts may be worn since these are standard attire for these ages.
7. Clothing, jewelry, buttons, haircuts, or other items or markings which are, *suggestive, *revealing, or *indecent, associated with gangs or cults, encourage the use of drugs, alcohol, or violence, or support discrimination on the basis of age, color, disability, ethnicity, gender, gender identity, gender expression, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis are not allowed.
8. Head coverings including, but not limited to, caps and hats are not allowed unless they are necessary for safety in programs such as home economics, technology education, vocational education, and athletics or are worn for religious or medical reasons. Bandannas are not allowed. Hats, that do not violate #7 above, are allowed to be worn outdoors for physical education and recess as a safety precaution from sun damage.
9. Curlers and other hair grooming aids are not allowed. Personal grooming including, but not limited to, combing, brushing, and/or spraying hair, and applying cosmetics is allowed only in restrooms and/or designated areas.
10. Sunglasses may not be worn indoors unless a doctor's authorization is on file. Sunglasses are allowed to be worn outdoors for physical education and recess as a safety precaution from sun damage.
11. Any articles of clothing or jewelry that may cause injury including, but not limited to: items with spikes or sharp objects, wallet chains, and heavy link chains are not allowed.
12. Parents/guardians may request exemptions for their students from participation in the mandatory unified dress program, and shall be informed by the principal, in writing, of the following procedure in this regard:
 - a. Parents/guardians may request an application for exemption from the current school.
 - b. An application for exemption must be made annually.
 - c. The application for exemption must be completed in full and must be submitted to the school principal within the first ten (10) school days of a student's initial attendance.
 - d. The school principal (or a designated school administrator) shall communicate with the parents to discuss the unified dress policy and the nature of the request for the exemption. The purpose of this communication shall include:
 - (1) Ensuring that the parents/guardians understand the unified dress policy and its intent.
 - (2) Verifying the accuracy of the information on the application for an exemption.
 - e. The principal's response in this regard shall be transmitted to the parents/guardians in writing via the Application For Exemption form within ten (10) school days of submission.

The Principal may only deny an application if the application is received on or after the 11th school day after enrollment.

13. Violators of the uniform policy (SB Policy 5309) shall be subject to the same penalties as violators of the dress code policy. For further clarification, see the District’s Discipline Matrix that assigns specific consequences and is part of the attached school’s discipline plan. You may view the complete uniform policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

SECTION IV - TECHNOLOGY USAGE

Computers, networks, and online communications and information systems such as the Internet and e-mail are becoming more commonplace in our classrooms and media centers every year. Digital Curriculum and Resources for students provided by SBBC are becoming commonplace via the Broward Enterprise Education Portal (BEEP) and accessible via the Internet. While these systems deliver a huge number of resources to our classrooms, their ability to serve students and teachers depends on the responsible and ethical use of every device and system.

Use of the school district’s technology and/or software for any unauthorized purpose is prohibited. This includes the unauthorized use of a computer/technology, including, but not limited to, accessing or breaking into restricted accounts or networks, creating, modifying or destroying files/records without permission, copying software, entering, distributing or printing unauthorized files/records, uploading to the internet and/or sharing or distributing, offensive or inappropriate material, including video, and any other misuse or violation of the School Board of Broward County Technology-Acceptable Use Policy 5306, Section 6.

Rights	Responsibilities
Students have a right to use appropriate online communications and information systems, the Internet and networks to increase their access to information and resources.	Students have a responsibility to understand the difference between appropriate and unacceptable uses of online communications and information systems, the Internet and networks.
Students have a right to use appropriate online communications and information systems, the Internet and networks to obtain information, create intellectual products, collaborate and communicate for educational purposes.	Students have a responsibility to use online communications and information systems, the Internet and networks in a responsible, efficient, ethical, and legal manner in accordance with their educational mission.
Students have a right to use appropriate online communications and information systems, the Internet and networks without the fear that their products or their personal reputation will be violated, misrepresented, tampered with, destroyed, or stolen.	Students have a responsibility to recognize that the use of online communications and information systems, the Internet and networks is a privilege that can be withdrawn if they engage in unacceptable or illegal use of this resource.

RULE - Students are expected to use technology responsibly. SB Policy 5306 defines the appropriate use of technology throughout the District. This policy describes how computers and networks must be used to support research and instructional activities in our classrooms, labs, and media centers. It also includes the use of the digital resources provided by SBBC and made available through the Broward

Broward County Public Schools Social Media Use Guidelines

Broward County Public Schools (BCPS) realizes that part of 21st century learning is adapting to the changing methods of communication. The importance of teachers, students and parents engaging, collaborating, learning, and sharing in these digital environments is a part of 21st century learning. As such, educational standards are now requiring the use of online educational tools to demonstrate proficiency. To address related issues, BCPS has developed the following guidelines to provide direction for employees, students and the school district community when participating in online social media activities.

Social Media refers to the use of web-based and mobile technologies that enable all Broward County Public Schools' internal and external stakeholders to connect, collaborate, and form virtual communities via the computer and/or Internet. For some, social media is used mainly for social purposes, but for others, these sites and technologies are used as tools to teach and to connect with the community.

The First Amendment, in general, protects the rights of individuals to participate in social media. However, the laws and courts have ruled that schools can discipline students and staff if their speech, including online postings, disrupts school operations or constitutes a violation of federal or state laws or School Board policies. The BCPS social media guidelines allow employees to participate in online social activities. However, when participating it is important to create an atmosphere of trust and individual accountability; keeping in mind that information produced by BCPS staff and students is a reflection on the entire district and is subject to the District's School and District Technology Usage (Policy 5306), Acceptable Use Policy (AUP), Federal and State Statutes, Educator Code of Ethics and the Principles of Professional Conduct for the Education Profession in Florida, and other related applicable policies and guidelines.

By utilizing social media staff, students and parents agree to abide by these guidelines. Please read them carefully before using, posting, or commenting on any social media sites. It is important to remember that parents and guardians play a critical role in supporting and reinforcing these objectives.

General Etiquette for Social Media:

- **Be Honest/Truthful:** Always be transparent about who you are and who you represent. How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identity.
- **Maintain confidentiality:** Do not post any confidential or proprietary information in regards to yourself and/or others.

Students can reveal some information about themselves (ethnicity, political beliefs, stance on issues, interests) but should not offer any confidential information (place of residence, phone number, discretely identifiable information, common 'hang-out' locations).

- **Know You Are Always "On":** You must assume that your social media usage is visible to the world. Be sure to manage what and with whom you are sharing. Keep in mind that while we all have occasional frustrations, social media are not the best venues in which to air frustration as those comments are available to everyone.
- **Be Respectful:** Avoid remarks that are off topic or offensive. Always demonstrate respect for others' points of view, even when they're not offering the same in return. Never bully, pick fights, and do not respond to abusive comments. If you are sharing a negative experience, please try to do so in a constructive way.
- **Think Ahead:** Be smart about protecting yourself, your privacy and the privacy of others, and confidential or personal information. What you publish is widely accessible and will be around for a long time so consider the content and consequences carefully. Show good judgment as future employment and/or academic opportunities may be

adversely affected by your comments.

- The Internet is not anonymous, nor does it forget: Everything written on the Web can be easily traced back to its author. Information is backed up often and repeatedly, and posts in one forum are usually replicated in others through trackbacks and reposts or references.

- Avoid “hazardous” materials: Do not post or link to any materials that are inflammatory, defamatory, harassing or indecent.

- Your online behavior should reflect honesty, respect, and consideration.

- When bringing your own technology to work make sure that you follow the guidelines set out in the BCPS Personally Owned Device Guidelines.

Faculty and Staff Guidelines

- Personal information of the employees and other individuals associated with the services that we are delivering to our students and staff must not be shared on or disclosed through social media. When contributing online, do not post confidential student or employee information. No last names, school names, addresses or phone numbers should appear on social media sites. No student identifiable information, as defined in FERPA, can be posted on social media sites.

- As part of Policy 5306, faculty and staff are prohibited from using student photographs on personal social media sites, and can only use them on District approved social media sites in accordance with Board policies and applicable laws.

- BCPS employees are personally responsible for the content they publish online. Be mindful that what you publish could be public indefinitely and may be subject to Florida Statutes including the Florida Public Records Law and the Educator Code of Ethics and the Principles of Professional Conduct for the Education Profession in Florida. Failure to adhere to these principles and guidelines will be subject to disciplinary action.

- It is recommended that BCPS employees include disclaimers within their personal social media sites that the views posted are their own and not those of BCPS.

- Teachers should monitor content contributed by students to school sponsored social media and must contact the Legal Department if and when First Amendment issues arise.

- Teachers should communicate with parents regarding involvement of their child in any project using online social media sites, applications and services, i.e., blogs, wikis, podcast, etc.

- Remember that school sponsored social media sites are an extension of your classroom and workplace. What is inappropriate in your classroom or workplace will be deemed inappropriate online.

- Respect the intellectual property of others, copyright laws, and fair use guidelines. Be sure not to plagiarize and be sure to give credit where it is due.

- When uploading digital pictures or avatars in school sponsored social media that represent yourself, make sure you select a school appropriate image. Also, remember not to utilize images protected by law.

- All postings on social media that are created as part of the official business of BCPS are subject to the Florida Records

Retention Schedules and must be retained for the applicable period of time.

Student Guidelines

- Be aware of what you post online. Social media venues including wikis, blogs, photo and video sharing sites are very public. What you contribute leaves a digital footprint for all to see. Do not post anything you wouldn't want friends, enemies, parents, teachers, or a future employer to see.

- Follow the school's code of conduct when writing online. It is acceptable to disagree with someone else's opinions, however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom will be inappropriate online.

- Be safe online. Never give out personal information, including, but not limited to, last names, phone numbers, addresses, exact birthdates, and pictures. Do not share your password with anyone besides your teachers and parents.
- Linking to other websites to support your thoughts and ideas is recommended when appropriate. However, be sure to read the entire article prior to linking to ensure that all information is appropriate for a school setting.
- Do your own work! Do not use other people's intellectual property without their permission. It is a violation of copyright law to copy and paste other's thoughts, images, designs, etc. When paraphrasing another's idea(s) be sure to cite your source with the URL. It is good practice to hyperlink to your sources.
- Be aware that pictures may also be protected under copyright laws. Verify that you have permission to use the image or that it is under Creative Commons' attribution.
- How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identity.
 - Blog and wiki posts should be well written. Follow writing conventions including proper grammar, capitalization, and punctuation. If you edit someone else's work be sure it is in the spirit of improving the writing.
- If you run across inappropriate material that makes you feel uncomfortable, or is not respectful, tell your teacher right away.
- Students who do not abide by these guidelines may lose their opportunity to take part in the project and/or access to future use of BCPS online tools. In addition, disciplinary or legal action may apply.

Parent Guidelines

- Parents should expect communication from teachers regarding their child's involvement in any project using online social media applications, i.e., blogs, wikis, podcast, etc.
- Parents will not attempt to destroy or harm any information online. Instead they will report objectionable material to a school administrator.
- Parents will not use classroom social media sites for any illegal activity, including violation of data privacy laws.
- Parents are highly encouraged to be aware of their child's electronic communications and participation in social media projects.
- Parent participation is encouraged to help ensure that student involvement in social media networking is appropriate and that the privacy concerns are protected.

Referenced from: socialmediaguidelines.pbworks.com/

Reference List of District Documents:

School Board Policy 5306: School and District Technology Use

TINKER Rule: Ruling states that school officials may not silence student expression just because they dislike it. They must reasonably forecast, based on evidence and not on an "undifferentiated fear or apprehension of disturbance," that the student expression would lead to either (a) a substantial disruption of the school environment, or (b) an invasion of the rights of others.

Children's Internet Protection Act (CIPA)

Children's Online Privacy Protection (COPPA)

Neighborhood Children's Internet Protection Act

School Board Policy 5.9: Anti-Bullying Policy

School Board Policy 6000.1: Pupil Progression

Student Code of Conduct (in District Discipline Matrix)

Teacher Professional Standards

Education Code of Ethics

Web publishing guidelines

National Education Technology Standards for Students and Teachers

School Board Policy 6318: Copyright

School Board Policy 4212: Intellectual Property

SECTION V - STUDENT ACTIVITIES AND ASSEMBLY

School activities give students a chance to interact in positive ways. They can learn from each other how to work together harmoniously for common goals.

Rights	Responsibilities
<p>Students have a right to take part in extracurricular activities, assemblies, and school-approved organizations without discrimination on the basis of age, color, disability, ethnicity, gender, gender identity, gender expression, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis.</p> <p>Students have a right to take part in electing officers for student government.</p> <p>Students have a right to consult with faculty advisors of school-approved clubs and groups.</p> <p>Students have a right to seek office in student government and/or school-approved clubs and groups without discrimination on the basis of age, color, disability, ethnicity, gender, gender identity, gender expression, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis.</p> <p>Students have a right to attend educational field trips or educational school-sponsored activities. However, non-educational field trips are a privilege. Students on field trips will have the same rights, as it pertains to make-up work, as students with excused absences.</p>	<p>Students have a responsibility to keep their extracurricular activities from interfering with their academic work and to know and follow the rules for the activities they choose.</p> <p>Students have a responsibility to ensure that their actions as members of school clubs and groups meet the standards that have been set by the school administration.</p> <p>Students have a responsibility to educate themselves as to the qualities needed for leadership and choose officers who have those qualities.</p> <p>Students who hold office have a responsibility to learn how to do their jobs, support the goals of the group that elected them, and to treat other members of the group fairly.</p> <p>Students who participate in field trips, social and/or extra curricular activities that are school-approved and/or sponsored by school clubs or groups, have a responsibility to follow the rules set forth in the <i>Code of Student Conduct</i>, and where applicable, by the conferences, conventions or contests they may attend. (See SB Policy 6303.) You may view the complete field trip policy and all School Board policies on the Web: http://www.broward.k12.fl.us/sbbcpolicies</p>

RULE - *Many students take part in school-related activities that are extracurricular (take place outside of school hours), social, and interscholastic (engage in competition with other schools). Students must attend half of the classes on the day of an activity in which they want to take part unless they have been excused or exempted from class by the school administration in advance. Students are expected to have prior approval from the school administration for many activities related to school-approved and school-sponsored clubs and groups. They need approval to:*

- Present a program or an assembly.
- Collect funds. Items cannot be sold for personal gain such as food, jewelry, T-shirts, etc.

SECTION VI – STUDENT FREE SPEECH AND DISTRIBUTION OF MATERIALS

The Constitution of the United States guarantees to its citizens the right to express ideas freely. A basic education should prepare students to do that in responsible ways.

Rights	Responsibilities
Students have a right to hear all sides of subjects about which people disagree.	Students have a responsibility to be informed about all sides of controversial issues.
Students have a right to give their opinions and points of view.	Students have a responsibility to listen politely to the viewpoints of others.
Students have a right to be free of censorship within a framework of mutual respect.	Students have a responsibility to use good judgment in developing student publications.
Students have a right to expect that materials listed under Section 1 below will not be allowed in the schools.	Students have a responsibility to use good judgment in selecting sources of information.

1. No printed or written materials or electronic media (hereafter “material”) may be distributed in the schools or on school grounds unless the principal or his/her designee has granted permission. A principal or designee may deny permission to distribute if the material can reasonably be interpreted as:
 - a. Obscene or pornographic;
 - b. Libelous or slanderous;
 - c. Likely to create a substantial disruption of, or material interference with, normal school activity or appropriate discipline in the operation of the school. Material will not be deemed to fall within this subsection only because students, faculty or staff may disagree with or find the contents of the material offensive;
 - d. Profane, vulgar, or lewd language;
 - e. Selling a commercial product or attempting to make a commercial profit from the sale of products. (For rules governing student/school fundraisers, refer to Section V. Student Activities and Assembly, p. 20-22)
2. If material is denied distribution, the principal or designee must state to the student the specific reasons why such material was denied distribution.
3. If the material is denied distribution under Subsection (1)(c) as likely to cause a substantial disruption or material interference, the principal or designee must state to the student the specific reasons why a disruption is likely to occur as a result of the distribution and why such disruption would be substantial.
4. Notices of student non-curricular group meetings posted on general purpose student bulletin boards do not represent the viewpoint of the School Board and/or the administration. The Board is only offering physical space to such groups and does not promote, endorse, or otherwise sponsor such materials. Students are encouraged to be sensitive to other viewpoints and beliefs when posting such notices.
5. Students may not hand out petitions or surveys during class time unless curriculum-based.

A principal or designee must either approve or reject a request from a student to distribute materials within 24 hours of the request by the student. Any request to

COLLECTION, USE AND DISCLOSURE OF SOCIAL SECURITY NUMBERS OF STUDENTS:

Pursuant to Florida Statute 119.071(5), The School Board of Broward County, Florida (SBBC) collects, uses, and/or discloses Social Security numbers (SSNs) as mandated or authorized by law and as otherwise authorized in writing by the parent or adult/emancipated student (authorized by FS 119.071(5)(a)6c). Students are not required to provide their social security number as a condition of enrollment or graduation. Social Security numbers are kept confidential and are exempt from public inspection in accordance with FS 119.071(5)(a)5. Our District collects, uses, and/or discloses the Social Security numbers of students and/or parents for the following purposes:

1. Compensation or financial assistance provided from state or federal funds and administered by the Florida Department of Education. (Authorized by FS 1009.90 et seq.)
2. Criminal history, Level 1 and Level 2 background screenings, including Youth Mentoring and Volunteer applicants. (Required by FS 119.071(5)(a)2 & 6)
3. Employment documents utilized in hiring student workers. (Required by FAC 6A-10.0341 and FS 119.071(5)(a)6)
4. Enrollment & Salary Reduction Authorization Form (Benefits Department) for employee and dependent (student) if the student is being added to the Benefits plan. (Authorized by FS 119.071(5)(a)6f)
5. Financial aid, including the Free Application for Federal Student Aid (FAFSA), Florida Pre-Paid form, grants (including Pell Grants for vocational schools), 1098T tax form (Tuition Payment Statement) for vocational students, etc. (Authorized by FS 119.071(5)(a)6b)
6. Information received from the Florida Department of Education to locate missing Florida school children. (Required by FAC 6A-6.083 and FS 119.071(5)(a)6)
7. Information sharing pursuant to the Interagency Agreement between SBBC, the Department of Juvenile Justice, Circuit 17, the Broward County Chiefs of Police Association, Inc., the Seventeenth Judicial Circuit In and For Broward County, Florida, the Florida Department of Children and Families, the State Attorney of the Seventeenth Circuit In and For Broward County, and the Sheriff of Broward County, Florida. (Authorized by FERPA 34 CFR 99.31(5))
8. Reports from the Department of Motor Vehicles of each student whose driver's license is suspended for excessive unexcused absences and reports to the Department of non-enrollment or non-attendance upon the part of a student who is required to attend some school. (Required by FS 322.091(5), 1003.27, and 119.071(5)(a)6)

9. Reports on students required to be submitted to the Florida Department of Education. (Authorized by FS 119.071(5)(a) 2&6)
10. SBBC's management information system and school district databases (Required to request by Florida Statutes 1008.386 and 119.071 (5)(a)6)
11. Selected state and national test documents, as part of the student identification and test security process. (Authorized by FS 119.071 (5)(a)6b)
12. Student registration and student identification numbers. (Required to request by FS 1008.386 and 119.071 (5)(a)6. Pursuant to 1008.386, SSNs are not required for enrollment or graduation. Required by FAC 6A-10.0381 for adult students.)
13. The collection and/or disclosure are imperative and necessary for the performance of the School District's duties and responsibilities as prescribed by law, including but not limited to child abuse reports to the Department of Children and Families (student victim and subjects of report); password identification to the School District's network, reports to federal and state agencies who conduct discrimination investigations; and information pertaining to Social Security Assistance, court orders and subpoenas, and military purposes. (Authorized by FS 119.071(5)2.a.; required by FAC 65C-29.002, FS 39.201, and FS 119.071(5)(a)6b)
14. The disclosure is made to a commercial entity for the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994, 18 USC Sec. 2721 et seq; the Fair Credit Reporting Act, 15 USC Sec. 1681 et seq.; or the Financial Services Modernization Act of 1999, 15 USC Sec. 6801 et seq., provided that the authorized commercial entity complies with the requirements of paragraph 5 in FS 119.071. (Authorized by FS 119.071(5)(a)6)
15. The disclosure 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 31 USC 5318 and FS 119.071(5)(a)6)
16. The disclosure is necessary for the receiving agency or governmental entity to perform its duties and responsibilities as prescribed by law. (Authorized by FS 119.071(5)(a)6b)
17. To determine eligibility for the school lunch program. (Required by 42 USC 1758, 7 CFR 245.6a, and FS 119.071(5)(a)6)
18. Tort claims and tort notices of claims against SBBC. (Required by FS 768.28 (6) and FS 119.071(5)(a)6)
19. Transcripts, applications, and other records sent to the school officials of educational institutions schools, colleges, and universities. (Authorized by FERPA 34 CFR 99.31 (2))
20. Written verification from employer for vocational education, student follow up. (Required by FAC 6A-10.0341).

RULE - Students have the right to personal privacy and have the responsibility of respecting the rights of others.

1. Information about another person must be treated with respect and privacy.
2. Student aides may not be in areas where they would be able to read student records and files that are private.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTICE

The Family Educational Rights and Privacy Act is a federal law that protects the accuracy and privacy of students' educational records.

The Family Educational Rights and Privacy Act (FERPA), F.S. 1002.22, F.S. 1002.221, and SB Policy 5100.1 afford parents, guardians or eligible students (students over 18 years of age or attending a postsecondary institution) certain rights with respect to the student's education records. These rights are:

- (1) *The right to inspect and review a student's education records within 30 days of the day the District receives a request for access.* Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. When the educational records contain information about more than one student, parents may review the information related only to his or her child.
- (2) *The right to request the amendment of a student's education records.* Parents or eligible students may ask the Broward County School District to amend a record that they believe is inaccurate, misleading, or in violation of the student's privacy rights. They should write the school principal, clearly identify the part of the record they want changed, and specify the reasons for the request. If the District decides not to amend the record as requested, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing within a reasonable period of time regarding the request for amendment. Additional information regarding the hearing procedures will be provided when the parent or eligible student is notified of the right to a hearing.
- (3) *The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.* FERPA permits disclosure without consent in many situations, including, to a school official¹ with a legitimate educational interest², to appropriate parties in connection with an emergency if necessary to protect the health or safety of the

¹ School official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health and medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special function that would normally be performed by SBBC personnel (such as an attorney, auditor, medical consultant or therapist); a clerical or paraprofessional staff member assisting another school official in performing his or her professional duties.

² Legitimate educational interest exists when a school official needs to review an educational record in order to fulfill his or her professional responsibility.

student or other individuals, to an agency caseworker or representative of a state or local child welfare agency, or tribal organization, when the agency is legally responsible for the care and protection of the student, and to governmental agencies. Additional requirements and conditions may apply to non-consensual disclosures. When disclosure is made in response to a court order or subpoena, the parent/guardian/majority age student will be notified, except where the law prohibits said notification.

“Directory Information” is personally identifiable information that would not generally be considered harmful or an invasion of privacy if disclosed. The School Board of Broward County designates the following as “directory information”: student’s name, residential address, telephone number, date and place of birth, major field of study, participation in school-sponsored activities and sports, height and weight of athletic team members, dates of school attendance, degrees and awards received, and the name of the most recent previous school or program attended. The School Board reserves the right to release Directory Information only to (a) colleges, universities or other institutes of higher education in which the student is enrolled, may seek enrollment or may be recruited, (b) for school publications instructional materials and other school communication tools (including, but not limited to, yearbooks, athletic programs, graduation programs, and theatrical programs), or (c) agencies that provide food, shelter or clothing to students and their families, as determined by District family counselors, District guidance counselors and District social workers.

Parents/guardians of students in any grade level (or eligible students, those over the age of 18 or attending a postsecondary institution) may opt out of (refuse to permit) the release of any or all of the above Directory Information. On the FERPA Opt Out Form provided in this Code of Student Conduct, parents/guardians or eligible students must indicate the types of Directory Information they do not want disclosed. The FERPA Opt Out Form must be submitted to the school principal annually.

The School Board of Broward County may also release student name, address, and telephone number of 11th and 12th grade students to the armed services, military recruiters, and/or postsecondary institutions. Parents/guardians of students or eligible students in 11th and 12th grade may opt out of having Directory Information provided to the armed services, military recruiters, and/or postsecondary institutions. On the No Child Left Behind (NCLB) Opt Out Form provided in this Code of Student Conduct, parents/guardians and eligible students must indicate the categories they wish not be disclosed. The NCLB Opt Out Form must be submitted to the school principal annually.

- (4) *The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is **Family Policy Compliance Office • U. S. Department of Education • 400 Maryland Avenue, S.W. • Washington, DC 20202.** If you wish to discuss and try to resolve any FERPA concerns before contacting the Family Policy Compliance Office, you may contact the SBBC Privacy Officer at 754-321-1914.*

For additional information refer to SB Policy 5100.1. This policy outlines the privacy rights of parents and students with respect to students’ educational records. You may view the complete student records policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) NOTICE

Pursuant to the Protection of Pupil Rights Amendment (PPRA) (20 USC §1232h; 34 CFR Part 98), parents, guardians, or eligible students (over the age of 18 or emancipated) have certain rights pertaining to surveys, the collection and use of information for marketing purposes, and certain physical exams. These rights are as follows:

1. The right to give prior written consent before students are required to submit to surveys concerning protected information (regarding political affiliation or beliefs; mental or psychological problems of the student or student's family, sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical appraisals of others with whom survey respondents have close family relationships; legally recognized privileged relationships, such as with lawyers, doctors, or ministers; religious practices, affiliations, or beliefs of the student or parents; or income, other than as required by law to determine program eligibility) if the survey is funded in whole or in part by a program of the U.S. Department of Education,
2. The right to opt a student out of participation in any other protected information survey, regardless of funding,
3. The right to opt a student out of any non-emergency invasive physical exam or screening required as a condition of school attendance administered by the school or its agent, and not necessary to protect the immediate health and safety of a student.
4. The right to opt a student out of non-invasive health screenings, including hearing, vision, or body mass index screenings, for any reason (F.S. 381.0056). The right to opt out does not apply to scoliosis screenings, except on grounds of religious beliefs or physician certifications pursuant to F.S. 1003.22(5).
5. The right to opt a student out of activities involving the collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others, and
6. The right to inspect, upon request and prior to administration or use (a) protected information surveys of students, (b) instruments used to collect personal information from students for any marketing, sales, or distribution purposes, and (c) instructional material used as part of the educational curriculum used in connection with activities noted above.

The District will ensure that student privacy is protected in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The District will directly notify (including, but not limited to, mail, e-mail, in-person, or by acknowledgement form) parents of their PPRA rights at least annually at the start of each school year and

after any substantive changes. The District will also directly notify parents of students who are scheduled to participate in the specific activities or surveys noted above and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys and will be provided an opportunity to opt their child out of such activities and surveys and to review any pertinent surveys.

Those who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202. If you wish to discuss and try to resolve any PPRA concerns before contacting the Family Policy Compliance Office, you may contact the SBBC Privacy Officer at 754-321-1914.

**HEALTH INSURANCE PORTABILITY AND
ACCOUNTABILITY ACT (HIPAA) NOTICE**

**THE SCHOOL BOARD OF BROWARD COUNTY'S
NOTICE OF PRIVACY PRACTICES RELATED TO
STUDENTS & FAMILY MEDICAL/MENTAL
HEALTH RECORDS PROTECTED BY HIPAA**

This notice describes how protected health information about you and/or your child may be used and disclosed and how you can get access to this information.

PLEASE REVIEW IT CAREFULLY
Effective Date of Notice: May 7, 2013

The School Board of Broward County (SBBC) Duties Under HIPAA

All medical and health records are protected by Florida Statute, FERPA or HIPAA depending on who the health care provider is who created the records and the age of the student. Medical records of a student received from health care providers who are not acting on behalf of the School District are protected by HIPAA. This HIPAA notice pertains only to the information that is protected by HIPAA.

HIPAA, a Federal law, requires entities covered by this law, including school districts in some limited situations, to maintain the privacy of all mental and physical health records. These records are referred to as "protected health information"(PHI).

**HOW THE SCHOOL DISTRICT USES AND SHARES YOUR AND YOUR CHILD'S
PROTECTED HEALTH INFORMATION**

PHI includes demographic and medical information about the past, present, or future physical or mental health of an individual. Demographic information may include your and your child's name, address, telephone number, Social Security number, and any other means of identifying you and/or your child as a specific person.

PHI is information the school district has received from outside health care providers, such as a report from your child's doctor.

Your or your child's PHI may be used or shared by the school district for purposes of medical and/or mental health treatment and/or payment for services. Health care professionals may use this information in the clinics, schools, and/or hospitals to take care of you or your child.

It is important for you to be aware that this law allows the school district to share your and your child's PHI without your consent under the following circumstances:

- With another health care provider for purposes of your or your child's treatment;
- With insurance companies, Medicaid, or local, state, or federal agencies to pay for the services provided to you or your child;
- Reporting abuse of children, adults, or disabled persons;
- Investigations related to a missing child;
- Internal investigations and audits by the school district or any grant funding body;
- Investigations and audits by the State's Inspector General, Department of Education, and Auditor General;
- Public health purposes including vital statistics, disease reporting, and regulation of health professionals;
- Medical examiner investigations;
- Research approved by the school district;
- Court orders and/or subpoenas; and,
- Judicial and administrative proceedings.

The school district may share your and/or your child's PHI at other times with your written authorization. This authorization will have an expiration date. Additionally, you may revoke the authorization in writing at any time. Certain uses and sharing of psychotherapy (counseling) notes may also require your written authorization, except when required by a subpoena or court order.

INDIVIDUAL RIGHTS

- **You have the right to request the school district to restrict the use and with whom your and/or your child's PHI may be shared.** The school district will consider any of your requests but is not required to agree to them.
- **You have the right to request confidential communications.** The school district may mail or call you with appointment reminders or regarding your responsibility to pay for services. We will make contact with you in the manner and at the address or telephone number you select. You may provide an address other than your residence where you can receive mail and where you may be contacted. You will be asked to put your contact information in writing.
- **You have the right to review and receive a copy of your PHI.** Your review of the PHI will be supervised and will be at a time and place that is convenient to you and a representative of the school district. You may be denied access as specified by law. This might occur if your child consented to care and the parent's consent was not required by law or if your child is receiving care at the direction of a court or a person appointed by the court. If access is denied, you have the right to request a review by a licensed health care professional who is not involved in the decision to deny access. The licensed health care professional will be designated by the school district.

- **You have the right to correct your and/or your child's PHI.** Your request to correct your or your child's PHI must be in writing and provide a reason to support your requested correction. If your correction is accepted, the school district will make the correction and tell you and others who need to know about the correction. The school district may deny your request, in whole or part, if it finds the PHI:
 - Was not created by the school district;
 - Does not qualify as PHI;
 - Is by law not available for your review; or,
 - Is accurate and complete.

If your request is denied, the school district will place your request for corrections with your PHI. You may also send a letter detailing the reason you disagree with the decision. The school district will respond to your letter in writing. You may also file a complaint, as described below in the section entitled Complaints.

- **You have the right to receive a list of the individuals and/or agencies with which the school district has shared your PHI within six years from the date of the request, except for those listed below.**
 - Information shared with you;
 - Information shared with individuals involved with your care;
 - Information you authorized to be shared;
 - Information shared to carry out treatment and/or payment;
 - Information shared for public health purposes;
 - Information shared for the purposes of research, other than those you authorized in writing;
 - Information shared for health professional regulatory purposes;
 - Information shared to report abuse of children, adults, or disabled persons; and
 - Information shared in response to court orders and/or subpoenas.

This notice tells you how your and your child's PHI may be used and how the school district keeps this information private and confidential. The school district has always kept this information confidential; this notice simply explains the school district's legal responsibilities, with regard to PHI.

The law requires the school district to give this Notice of Privacy Practices to you. The school district is required to do what this notice says it will do. If the school district changes how it handles your or your child's PHI records, you will be informed. The most current notice will be posted on the SBBC website, www.browardschools.com.

FOR FURTHER INFORMATION

Requests for further information about the matters covered in this notice may be directed to the SBBC Privacy Officer, Risk Management Department, who can be reached at 754-321-1914.

COMPLAINTS

If you believe your HIPAA privacy rights have been violated, you may file a complaint with the SBBC Privacy Officer at 600 S.E. 3rd Avenue, 11th Floor, Fort Lauderdale, FL 33301/ Telephone (754) 321-1914 and/or Region IV, Office for Civil Rights, U.S. Department of Health and Human Services, Atlanta Federal Center, Suite 3B70, 61 Forsyth Street, SW, Atlanta, GA 30303/ HIPAA Privacy Hotline (404) 562-7886; Fax: (404) 562-7881; TDD: (404) 331-2867. Please be advised the SBBC will not retaliate against you or your child for filing a complaint.

This Notice of Privacy Practices shall be in effect until a new Notice is approved and posted.

SECTION IX – INTERVENTION and/or CONSEQUENCES

When students do not follow the rules and expectations outlined in this *Code of Student Conduct* policy, one or more of the following actions may be taken until the problem is resolved.

Possible Interventions and/or Consequences of Misbehavior

The district will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior. The vast majority of disciplinary issues should be addressed at the classroom level by teachers. Additionally, students exhibiting serious or chronic behavior issues will be referred to the school's Collaborative Problem Solving Team (CPST) for the development of multi-tiered interventions to address targeted behavior problems. For an overview of the CSP/RtI process, see page 4 of the following link or speak to administration.

<http://www.broward.k12.fl.us/STUDENTSUPPORT/psychologicalservices/pdf/CPS%20RtI%20Manual.pdf>

In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior. Any disciplinary or prosecutorial action taken against a student who violates this policy must be based on particular circumstances of the student's misconduct.

It will not be necessary to use each consequence or to use consequences in the order listed below. However, as provided in the *Discipline Matrix*, certain rule violations do require specific consequences. The District's *Discipline Matrix* is attached and also available on the District's website at

www.browardschools.com/schools/discipline_matrix.htm.

- Guidance Counselor intervention.
- Social Worker intervention.
- Family Counselor intervention.
- Timeout for students.
- Teacher / student conference, including record review.
- Disciplinary action initiated by teacher.
- Restitution, work detail, etc.
- Before or after school detention (parent responsible for transportation).
- Saturday School (parent responsible for transportation).

Students found to be in violation of School Board Policy 6305 shall be subject to the disciplinary action identified below.

Use and/or possession of unauthorized over-the-counter medications and sale or attempted sale and/or transmittal of authorized or unauthorized over-the-counter medications is prohibited.

First Offense Procedures:

The first time occurrence for the use and/or possession of over-the-counter medications and sale or attempted sale and/or transmittal of authorized or unauthorized over-the-counter medications, shall be counted at any time while the student is enrolled in a Broward County Public School. (1) If the student has been suspended or expelled for a prior drug offense by any in-state or out-of-state public, private, charter, or research school, then the disposition of this offense shall constitute a second offense and the procedures for second offenses shall apply. (2) Upon committing the first offense, a student may be referred to the District Substance Abuse Case Manager who shall refer the student to an appropriate counseling program.

Second Offense Procedures:

(1) The student shall be suspended from the regular school program for one to two (1-2) days. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. (2) The student may be referred to the District Substance Abuse Manager.

Third and Subsequent Offense Procedures: (1) the student shall be suspended for a ten (10) days out-of-school suspension. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. (2) The student shall be referred to the District Substance Abuse Manager. (3) The incident shall be considered a FIRST OFFENSE under Section III (A or C) of SB Policy 5006.

Drug and Substance Abuse Offenses Leading to Suspension and Possible Expulsion

Each principal shall post, in a place readily seen by students, a notice stating that a student's locker or other storage area may be subject to search based upon reasonable suspicion of possession of prohibited, unauthorized or illegal materials, or substances and may also result in a search of person, possessions, locker and/or vehicle. School personnel shall report to the principal/designee the suspected unlawful use, possession, transmittal, sale or attempted sale by a student of any drugs, over-the-counter or prescription substances, except those authorized under Policy 6305 (Administration of Medication/Treatments), as, alcoholic beverage or inhalant, and shall be exempt from the civil liability when making such reports.

However, any personal property brought on school grounds may be inspected by drug-sniffing dogs for alcohol, drugs, or other prohibited substances. Personal property that may be inspected includes, but is not limited to, cars parked on school grounds, desks, backpacks, lockers, book bags, and gym bags. Reasonable suspicion of improper conduct is not required to use drug-sniffing dogs to inspect personal property. Drug-sniffing dogs will not be used to inspect students for alcohol, drugs, or other prohibited substances.

The following section addresses: (A) USE, POSSESSION, OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES, (B) USE/POSSESSION OF UNAUTHORIZED OR MOOD-ALTERING

SUBSTANCES IS PROHIBITED AND (C) SALE, ATTEMPTED SALE, OR TRANSMITTAL.

(A) USE, POSSESSION, OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES

Use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, is prohibited.

First Offense Procedures: (1) The first-time occurrence for the use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, shall be counted at any time during which the student is enrolled in a Broward County Public School. If the student has been suspended or expelled for a prior drug offense by any in-state or out-of-state public, private, charter, or research school, then the disposition of this offense shall constitute a second offense, and the procedures for second offenses shall apply. (2) The student shall be suspended from the regular school program for ten (10) days and referred to the District Substance Abuse Case Manager who shall refer the student to an appropriate counseling program. Up to seven (7) days of the suspension may be waived if the student attends and completes a counseling program authorized by the principal/designee in conjunction with the District Substance Abuse Case Manager. If the student does not complete the recommended counseling program, the remaining days of the full ten (10) day suspension shall be imposed. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.

Second Offense Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. (2) The student shall be placed in an expulsion abeyance program, and the expulsion shall be held in abeyance if the student completes a state-certified drug/alcohol rehabilitation program or a treatment program with a certified addiction professional. (3) If the student fails to complete the state certified drug/alcohol rehabilitation program, the full term of the expulsion shall be implemented. (4) The student may return to the regular school program upon successful completion of the prescribed rehabilitation program. The District Substance Abuse Case Manager shall monitor/verify that the student has completed the program.

Third and Subsequent Offense(s) Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. (2) The student shall be placed in an Expulsion Abeyance Program for a period of one calendar year, with no Workback allowed, commencing with the date of the offense and shall complete a state certified drug/alcohol rehabilitation program. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.

(B) USE/POSSESSION OF UNAUTHORIZED SUBSTANCES IS PROHIBITED

First Offense Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense. Workback is allowed. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team.

Second and Subsequent Offense Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 team. (2) The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense, with no Workback allowed. In the case of a student with a disability, the IEP/504 team should convene as soon as possible to address the student's program and to determine appropriate action. (3) The student must complete a state certified drug rehabilitation program.

(C) SALE, ATTEMPTED SALE, OR TRANSMITTAL of drugs or mood-altering substances, unauthorized substances, or other substances held out or represented to be drugs or mood-altering substances, including alcohol or alcoholic beverages* is prohibited. **Procedures for Sale, Attempted Sale, or Transmittal:** (1) Student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year, commencing with the date of the offense, with no Workback allowed. In the case of a student with a disability, expulsion would constitute a change in placement. The IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.

***Note: Students found to have sold, attempted to sell or transmitted alcohol or alcoholic beverages shall be eligible for Workback. See Workback section for details.**

Other Offenses (Non-Drug and Non-Substance Abuse Offenses) Leading to Suspension and Possible Expulsion

Students shall be suspended and may be recommended for expulsion when they:

- Repeatedly commit a serious breach of conduct including, but not limited to, willful disobedience and/or open defiance of authority or violations of Policy 5.9:Anti-Bullying.
- Commit assault.
- Commit battery.
- Commit or threaten to commit damage to property.
- Commit any act on campus or off campus that substantially disrupts the orderly conduct of the classroom or school activities.
- Commit grand theft.
- Possess and/or display or transmit a Class B weapon.
- Possess, display, transmit, or handle laser pens/pointers and other laser devices in a manner that could potentially harm or injure another individual.
- Make an internet/electronic transmission of a threat to do harm to person(s) on school grounds, or to school property that results in a substantial disruption (see_Definitions – Section IX) to the school climate.
- Conduct, recruit, or participate on campus in a formal or informal manner in order to foster youth gang activity. This activity may include an association or group of three (3) or more persons who are gang-related individually or collectively who engage in a pattern of youth or street gang activity and have a common name or common identifying clothing, jewelry, buttons, colors, signs, symbols, or markings with the intent to threaten and/or present a danger to public order and safety.
- Transmit or distribute any video voyeurism or sexting information or images as defined in Section II of this policy.
- Commit other criminal actions on School Board property, or during school events or activities not already set forth in Policy 5006, including, but not limited to, when the student is found by a court to have committed a delinquent act which would be a felony, if committed by an adult; the student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or the student has been found guilty of a felony.

2. If a student enrolls in an Expulsion Abeyance Program or in a program designated by the Superintendent and successfully completes the program, the expulsion shall be expunged from the student's official transcript. The District student services substance abuse/expulsion case manager will facilitate the student's re-entry into the regular school program, except where indicated otherwise in this policy. In the case of a student with a disability, return to a school placement would require action by the IEP/504 Team.
3. Refusal or failure to meet conditions specified in the Expulsion Abeyance Agreement may result in the removal of the abeyance option, and the student may be expelled from all programs and schools in the Broward County Schools until the duration of the original expulsion has lapsed. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team.
4. The appropriate expulsion code shall be entered into the student's permanent record. This record shall be forwarded to any school requesting that record for the purpose of student admission.
5. The District student services case manager shall monitor/verify that the student has completed the program.
6. All steps necessary to protect the victim, of any acts set forth in this policy, from further victimization will be taken. With infractions that require mandatory expulsion (See Section V) or involve serious repeated acts of bullying, such actions may include assignment of the student (perpetrator) to a different school from that where the offense occurred. Only the superintendent/designee may assign a student to another school after completion of the mandatory requirements for expulsion abeyance or after compliance with the bullying complaint procedures. Should the district make such a reassignment, transportation will be provided by the District. All "no contact orders" entered by a court shall be enforced. Transportation is not provided by the district when there is a court order for no contact requiring reassignment of the student to another school, unless there is transportation available at no additional cost to the District.

Workback

The Workback Program is designed to allow a student who has been recommended for expulsion to reduce the one-year period of expulsion by no more than ninety (90) school attendance days, except where otherwise indicated in this policy. Workback requirements are reviewed with the student by the District case manager and include specific responsibilities the student must comply with to be considered for Workback. However, students are **not** eligible for the Workback Program if they commit any of the following offenses:

- Arson or attempted arson.
- Sexual battery (rape) or attempted sexual battery (rape).
- Possession, use, sale, or transmittal of a firearm, **projectile device***, electric weapon or device, or flare gun.
- Homicide
- Kidnapping or abduction.
- Armed robbery or attempted armed robbery.
- Second and subsequent offenses for possession or use of an unauthorized substance.
- Third and subsequent offenses for use, or being under the influence of mood-altering substances including alcohol and alcoholic beverages.

- Sale/attempted sale/transmittal of mood-altering substances

Note: Students found to have sold, attempted to sell or transmitted alcohol or alcoholic beverages shall be eligible for Workback.

- Sale or transmittal of unauthorized substances or the sale or transmittal of the student's own prescription medication.
- Battery on a School Board of Broward County employee
- Battery on a Law Enforcement Officer.

*Elementary students, Grades K-5, (at the time of infraction) in possession of a projectile device on campus or any school-sponsored event, will be eligible for a 45-day Workback program. Students unable to meet the requirements of the 45-day Workback program will have an opportunity to complete a 90-day Workback program. Secondary students,

Grades 6-8, (at the time of infraction) in possession of a projectile device on campus or any school-sponsored event, will be eligible for a 90-day Workback program.

Upon successful completion of the Workback Program, the student shall transition back to the regular school program, except when indicated otherwise in this policy. In the case of a student with a disability, return to a school placement, is a change in placement and will require action by the IEP/504 Team.

Out-of-District Expulsions

Expulsion or dismissal of a student from any in-state or out-of-state public, private, charter, or research school will be honored by the Broward County School Board if the act committed is one that would be grounds for expulsion under this policy.

If a student who has been expelled or dismissed from another district wishes admission, he/she shall be placed in an appropriate Expulsion Abeyance Program or a program designated by the Superintendent for a period of time commensurate with the terms of the original expulsion.

Definition of Weapons

For purposes of this policy, weapons are defined in two categories, Class "A" or Class "B." An object which can be defined as a Class "A" weapon pursuant to this policy shall be conclusively determined to be a Class "A" weapon and further classifications shall not be considered.

Class A weapons include:

All weapons defined in Chapter 790, Florida Statute and:

- Firearms, (whether operable or inoperable, loaded or unloaded) including, but not limited to, hand, zip, pistol, rifle, shotgun, and starter gun.
- Projectile devices including, but not limited to BB guns, pellet (hard and soft) guns, and paintball guns.
- Explosive propellants or destructive devices (operable or inoperable).
- Dirks.
- Brass knuckles and/or metallic knuckles.
- Billy clubs.
- Tear gas.
- Electric weapon or device including, but not limited to, stun guns and taser guns.
- Slungshot - is a striking weapon consisting of weight or other hard object affixed on a flexible handle or strap.
- Chemical weapon or devices.
- Flare guns.
- Knives – All knives, including razor blades and box cutters, but excluding blunt-bladed table knives and common pocketknives. A common pocketknife is defined as a folding knife with a blade measuring not greater than three (3) inches.

Class B weapons include:

- Possession of a toy gun.
- Toys which resemble weapons, when used in a threatening manner.
- Knives - Blunt-bladed table knives and common pocketknives. A common pocketknife is defined as a folding knife with a blade measuring not greater than three (3) inches.
- Chains, including any chain not being used for the purpose for which it was normally intended that is capable of harming an individual.
- Pipe - any length of metal or other hard substance not being used for the purpose for which it was normally intended.
- Razorblades of any kind or similar instruments with a sharp cutting edge.
- Ice picks and other pointed instruments.
- Nunchakus, Chinese stars.
- Pepper spray, a mace device with the capacity to hold two (2) ounces or less of the chemical.
- Any tool or instrument when used in a threatening manner, including, but not limited to, scissors, compass, or similar items.
- Ammunition and any component thereof, including but not limited to bullets, shotgun shells, bullet casings, magazines, or clips.
- Slingshot - a hand-held and hand-powered device consisting of a frame with attached rubber strap/straps, used for shooting objects.

Other Definitions for this Policy

Assault is defined as an intentional threat by words or action to do harm to another person, coupled with an apparent ability to carry out the threat, and/or committing an act that creates a well-founded fear in such person that such violence is imminent.

Days shall be construed to be school days (as determined by the applicable school calendar) whenever mentioned in this policy.

Serious Assault is defined as an assault in which a Class A or Class B weapon is used to commit the assault.

Battery is defined as an intentional touching or striking another person without their consent or against their will or causing bodily injury to another person. In the case of "battery on a School Board employee" or "Law Enforcement Officer" there must be evidence of *an unprovoked, deliberate act* with intent to cause physical harm to the person.

Serious Battery is defined as committing battery (1) using a Class A or Class B weapon or (2) causing serious injury.

Minor Injury is defined as an injury which solely requires treatment by a professional medical personnel.

Serious Injury is defined as an injury which requires treatment by professional medical personnel.

Petty Theft is defined as taking property of another that is less than \$300.

Grand Theft is defined as taking property of another worth \$300 or more.

Mood Altering Substance is any substance that is or may be detrimental to the user or to others, including, but not limited to, alcohol or alcoholic beverages, cocaine, marijuana (less than 20 grams), hallucinogens, inhalants, narcotics (such as hydrocodone and oxycodone), stimulants (such as Ritalin, Adderall, and Ecstasy), depressants (such as Xanax and benzoids), and steroids.

Unauthorized Substances include any substances deemed to be illegal, any prescription drugs not prescribed for the student who is in possession of the medication, and any medication that is not authorized as part of Policy 6305.

Disruptive Behavior is that which causes confusion or disorder or interrupts, interferes, or impedes normal classroom or school activity.

Violent Behavior is that using physical force that causes damage or injury or violates or abuses another person or property.

Substantial Disruption is defined as an incident which results in the temporary suspension of the educational process due to a school evacuation, interference with learning activities/educational process, and/or requires the intervention of outside agencies such as the police or fire department.

Possession is the knowing, intentional, deliberate or inadvertent control of any article, object, asset, or property.

Transmittal is the transfer of an object, thing, electronic message or image, or substance from one person to another. Transmittal does not occur when the person immediately* returns the item back to the person who gave it to them or if it is immediately delivered to a teacher or school administrator. *The term "immediately" means without delay.

Parent is one or both parents, any guardian of a student, surrogate or any person in a parental relationship to a student or any person exercising supervisory authority over a student in place of a parent.

Majority Age Student is any student who is 18 years or older.

SECTION X

RIGHT TO APPEAL UNFAIR PENALTIES GRIEVANCE PROCEDURES for DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION

RIGHT TO AN APPEAL

There may be times when students feel they have been unfairly penalized. Most problems can be solved if students speak with the teacher or staff member who was involved. If students feel uncomfortable with this person, they may request a conference with the next level of authority. Students may also request the presence of a third party, such as a counselor, assistant principal, other staff person, translator, interpreter, or attorney. Parents also have the right to be included. If talking things over does not solve the problem, the following steps may be taken:

1. A written statement must be presented by the parent/student to the principal within five (5) school days after the last conference. The statement must tell what happened, when it happened, who was involved, and how the student would like the problem resolved. A copy of the statement must be filed and maintained as an educational record. The principal or the administrator with the most knowledge of the incident has 5 school days to respond in writing.
2. If the problem still has not been resolved within five (5) school days from receipt of the written response, the student may request in writing, an appointment with the Chief Service Quality Officer/designee. The letter asking for the appointment must include a copy of the first written statement and the response.

In the case of Charter Schools: If the problem still has not been resolved within five (5) school days from receipt of the written response, the charter school student may request, in writing, a meeting with the Governing Board.

Items 3-5 below do not apply to Charter School students.

3. Upon receipt of the letter, the Superintendent's designee will schedule a meeting within five (5) school days with the district student and his or her parent. This meeting will include the person(s) involved in the appeal process, the principal, the district student, the parent(s) and anyone else he or she wishes to attend. An attorney may be present to represent either the district student and/or the school. The Superintendent's designee has five (5) school days after the date of the meeting to send a written response to the district student.
4. If district students still are not satisfied, they may take the problem to the Superintendent following the above procedures.
5. The Superintendent will schedule another meeting to see how the matter can be resolved. After the date of this meeting, the Superintendent has five (5) school days to send a written response. The decision of the Superintendent shall be final for the appeal of any penalties fewer than ten (10) days. For appeals of ten (10) days, district students have the right to appeal to the School Board.
6. A student shall serve his or her suspension during the pendency of any appeals. If the student is successful in his or her appeal, the student's record shall be corrected to remove all indications of the suspension, and the absences shall be reflected as "excused," for the period in question. Refer to page 5, regarding make-up work.

GRIEVANCE PROCEDURES for DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION

REPORTING DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES

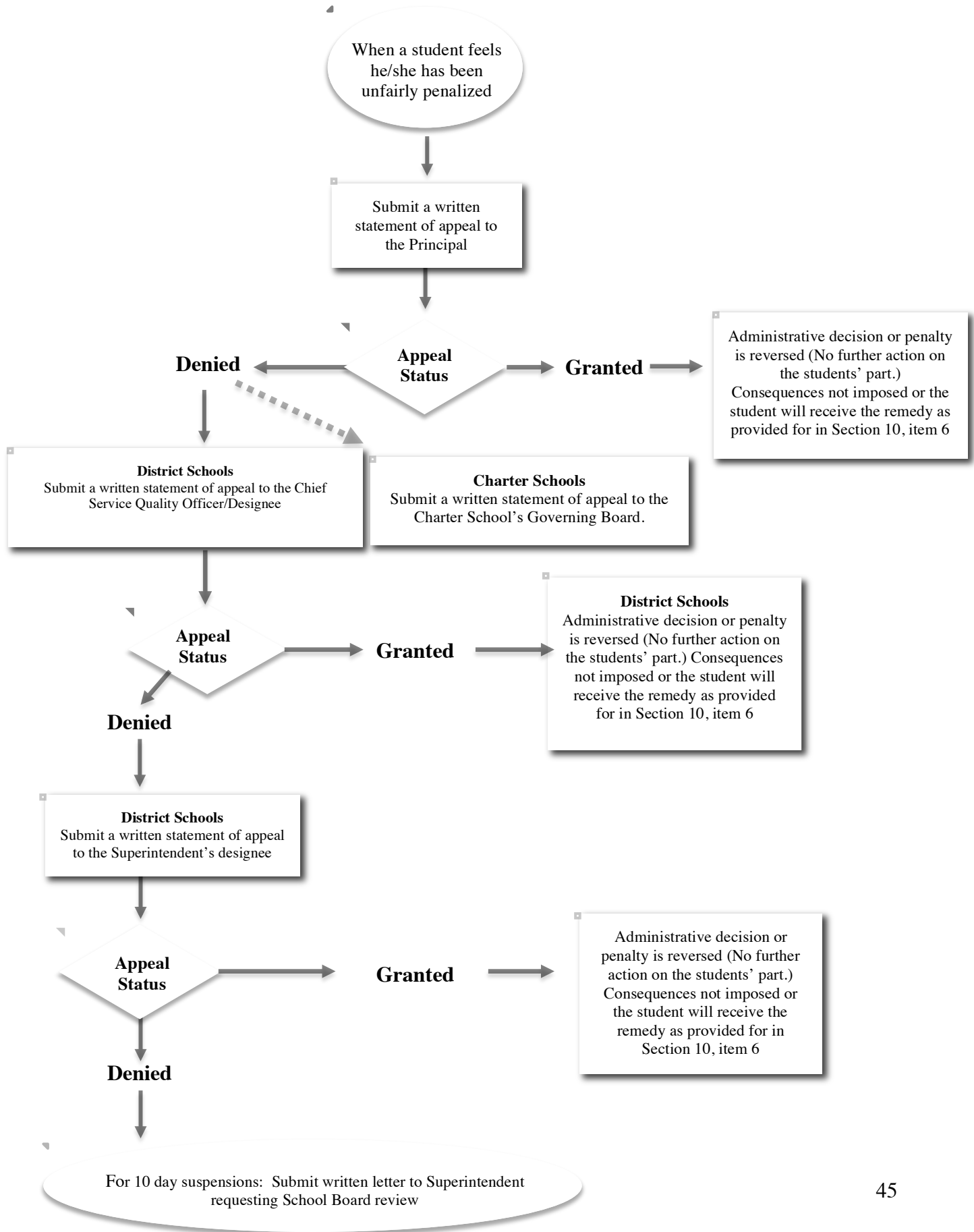
If any district school student feels that he or she has been discriminated against or harassed, he or she may contact the Executive Director of Benefits and EEO Compliance in the Department of Equal Educational Opportunities, 600 Southeast Third Avenue, 14th Floor, Fort Lauderdale, Florida 33301, Phone: 754-321-2150. Teletype Machine (TTY): 754-321-2158. Email: EEO@Browardschools.com. Complaints relating to discrimination may also be addressed to the Office for Civil Rights, 61 Forsyth Street, S.W., Suite 19T70, Atlanta, GA 30303, or the state or federal Office for Civil Rights.

REPORTING SECTION 504 DISCRIMINATION

The steps below have been developed to comply with the law for resolution of individual complaints under Section 504/ADA. Persons aggrieved by district school actions are not required by law to exhaust the District's grievance procedures before filing a complaint at the federal or state level.

The following steps should be followed if resolution on Section 504/ADA issues through informal discussion with appropriate district school personnel is not achieved. All meetings, discussions, etc., should be documented. Appropriate district school personnel could include teachers, the Section 504 liaison, counselors, school administrator, etc.

1. If informal discussions do not resolve the issue, the district school student/parent/guardian may obtain a Grievance Filing Form from the principal. The completed form should be submitted to the district school principal within 15 school days.



Authority: Florida Statute 1001.41

Law Implemented: Florida Statutes 1006.07, 1006.08, 1006.09, 1006.13, 1002.22 and 1002.221

Rule Adopted 04/19/11 and rule modified 03/20/2012

Addendum Adopted 5/7/13

Policy 5.8: Code of Student Conduct 2012-2013

Section A

In order for teaching and learning to take place, a safe and secure school environment is essential. This policy provides specific information on the rules that all students are expected to adhere to, as well as consequences for violations of these rules. The rules apply to all activities occurring on the grounds or other sites being used for such activities and on any vehicle authorized to transport students to and from school, and other activities and various school functions. The School Board is **not** responsible for students, their conduct and activities, when attending non-school sponsored activities.

Section B

Florida law supports the active involvement of parents until the student graduates from school (F.S. 743.07, 1003.26, 1003.21). For purposes of all areas of this policy, it is expected that parents of students who have reached the age of majority (i.e., 18 years of age) will continue to perform the parental functions of a dependent student except under the following circumstances:

- (1.) The student has been emancipated in compliance with Florida laws, (F.S. 743.015) which provides the procedures for a court to remove the "disabilities of nonage" upon the filing of the appropriate papers and making the appropriate showing to the court.
- (2.) When the student has no parent and this fact is verified by the school administrator (e.g., by communications with relatives, the Homeless Education Program, or the Florida Department of Children and Families, as is appropriate).

SECTION I - ATTENDANCE

The parent of a child of compulsory school age is responsible for the child's daily school attendance (F.S. 1003.24). School staff, parents, students, and appropriate state agencies are expected to work together to ensure that laws are obeyed including, but not limited to, referral to the state designated agency for possible court action for extended absence or truancy (F.S. 1003.27). SB Policy 5.5 outlines the rules that apply to attendance and attendance procedures. You may view this policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>. Florida law supports the active involvement of parents* until the student graduates from school (F.S. 743.07, 1003.26, 1003.21). This serves as notice to the parent, that when a student reaches the age of majority (18 years of age) the parent shall continue to perform the parental functions of a dependent student, including, but not limited to, provide reasons for absences and tardiness, permission slips for early release, field trips, other activities, as necessary, and to register or terminate (withdraw) school enrollment, until the student graduates, except as indicated in Section B above.

A student's presence in class is required to maximize the attainment of instructional objectives. For students who demonstrate patterns of non-attendance, interventions may be recommended.

Rights	Responsibilities
<p>Students have a right to know how the District defines and handles excused absences, unexcused absences, and tardiness. The District's <i>Discipline Matrix</i> that assigns specific consequences for misbehavior is part of the school's discipline plan. The <i>Discipline Matrix</i>, attached hereto as Appendix A, is hereby made part of this Code of Student Conduct. The Discipline Matrix sets forth the guidelines for assessing consequences for violations of School Board policies. School principals have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the Matrix if he or she determines in his or her sole discretion that there are mitigating or aggravating circumstances.</p> <p>Students have a right to make-up work they missed during an excused absence or suspension.</p> <p>Students who are married, are parents, or are expectant mothers have a right to remain in the regular school program or to attend a special program designed to meet their needs.</p> <p>Students have a right to be protected from exposure to communicable diseases and infestations when in school.</p>	<p>Students have a responsibility to attend all classes.</p> <p>Students have a responsibility to be on time for school and all classes.</p> <p>Students have a responsibility to ask their parents to notify the school when they are absent.</p> <p>Students have a responsibility to ask teachers for, and to complete, make-up assignments.</p> <p>Students have a responsibility to get medical advice and/or counseling about how to adjust their schooling for marriage, pregnancy, and parenthood.</p> <p>Students having or suspected of having a communicable disease are not allowed to attend school. In order to return to school, parents must obtain a doctor's note stating that the student is no longer contagious. Chickenpox is the only infectious disease that does not require a doctor's note.</p>

RULE - The School Board of Broward County, Florida stresses the importance that all students attend school regularly and remain in school until they graduate from high school. However, "a child who attains the age of 16 years [or age specified by state statute, whichever is older] during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the child files a formal declaration of intent to terminate school enrollment with the District's School Board. The declaration must acknowledge that terminating school enrollment is likely to reduce earning potential and must be signed by the child and the child's parent. The school district must notify the child's parent of receipt of the child's declaration of intent to terminate school enrollment" (F.S. 1003.21). *Declaration of Intent Forms* are available at each school's administration office. Also be aware that students who drop out of school are not eligible to receive a driver's license or driver's permit or will have their license or permit revoked (pp. 4).

NON-ATTENDANCE AND EARLY SIGNS OF TRUANCY

IT IS IMPORTANT TO BE IN SCHOOL EVERY DAY. If your child is not in school, he or she MAY BE showing early signs of truancy through a pattern of non-attendance (SB Policy 5.5).

WHAT IS A PATTERN OF NON-ATTENDANCE?

A student *may* be establishing a pattern of non-attendance when:

- 1) He or she has an accumulation of tardiness, early sign outs, and/or absences (excused and unexcused) that exceed 5 days in one marking period or 10 days in 2 marking periods; or
- 2) He or she is absent and unexcused 5 days in 30 calendar days or 10 days in 90 calendar days (F.S. 1003.26 (b)).

However, a student *does* establish a pattern of non-attendance when he or she has an accumulation of 15 unexcused absences within 90 calendar days, with or without a parent's knowledge (habitual truant) (F.S. 1003.01 (8)).

Parents and students may verify absences at any time at school or at home by contacting the school or by accessing electronic attendance records through Virtual Counselor.

If after an accumulation of absences as noted above, the principal and/or his designee determines that the reasons for time out of school are invalid, the principal/designee shall refer the student to Collaborative Problem Solving Team to determine if early patterns of truancy are developing and provide appropriate interventions (F.S. 1003.26 (1) (b)), and/or the State Attorney's Office will be notified due to non-compliance with compulsory school attendance laws. However, if the principal and/or his designee determine that the reasons for the absences are valid and there are no early signs of truancy, the parent must provide a note (to be kept on file at the school) that provides the reasons for those absences. No further action will be taken.

ABSENCE REPORTS

Absences may be reported by telephone or written note. The report must come from a parent and give the date(s) of the absence(s) and the reason for the absence(s). Parents MUST report these absences within two (2) days, although school principals MAY make exceptions in cases of need. School staff members have a legal right to ask for a written medical excuse.

For High School Only, absences for shared-time students must be reported to both schools.

For Elementary Only, the Broward Truancy Intervention Program (BTIP) is a joint partnership program of the Broward State Attorney's Office and the School Board of Broward County. The program is designed to prevent excessive absences through parent notification and accountability, school interventions, and daily monitoring of attendance. Parents are expected to communicate with school personnel regarding absences. Parents who do not comply are referred to the State Attorney's Office for failure to comply with Florida Statute 1003.27 which provides that a parent commits a misdemeanor of the second degree, punishable as provided by law, if the parent refuses

or fails to have a child attend school regularly or refuses to participate in meetings concerning the child's truancy.

EXCUSED ABSENCES

Students must be in school. However, when it is necessary to be out of school, absences may be excused for one of the reasons listed below. (Students on field trips, in internal in-school suspension, or attending alternative-to-suspension programs are not considered absent.) **For reasons 1-5, parents must report the absence the day before, the day of, or within 2 school days following the absence, or the absence will be considered unexcused.** Any absence is unexcused until the school receives a telephone call or a note to excuse the absence. **A reason for the absence must be provided and absences can only be excused for one of the eight School Board allowed reasons for absences.** Some situations will require written documentation from a private physician or public health unit. Excused absences include:

1. Illness. Students who expect to miss at least 15 consecutive school days due to illness, a medical condition, or for social/emotional reasons, or who would miss excessive days intermittently throughout the school year for the same reasons and could benefit from instruction, should obtain a copy of the Hospital/Homebound referral packet from the Hospital/Homebound contact person at their school.
2. Illness of an immediate family member.
3. Death in the family.
4. Religious holidays of the student's specific faith.
5. Required court appearance or subpoena by a law enforcement agency.
6. Special event. Examples of special events include important public functions, conferences, state/national competitions, as well as exceptional cases of family need. Students must get permission from the principal/designee at least 5 days in advance.
7. Scheduled doctor or dentist appointments.
8. Students having or suspected of having a communicable disease or infestation that 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 (5) days excused absence for each infestation of head lice.

UNEXCUSED ABSENCES

It is the responsibility of the school principal to ensure that parents are contacted after each unexcused absence and to ensure that there are specific, appropriate consequences/interventions as a result of each unexcused absence. Parents may receive letters to inform them of their student's unexcused absences. These letters are generated from official attendance records.

1. Absences are excused only for the reasons previously listed. If absences are not excused, as defined in the previous section, the absences are considered unexcused. This does not apply to suspensions.
2. Students without a completed Certificate of Immunization indicating compliance with the current required schedule of immunizations will not be allowed to attend classes until the certificate is provided or a waiver is obtained. Students who receive the first shot in a series of immunizations but who are late obtaining subsequent shots will be given 3 days grace period after which they will be excluded from school and the resulting absences will be considered unexcused.
3. *For Secondary Only*, students 14-18 years of age who drop out of school or who have 15 unexcused absences within 90 calendar days and have a driver's license or driver's permit will have their driving privileges suspended by the Division of Highway Safety and Motor Vehicles or will not be issued a license or permit if they apply for one. Additional information about procedures and waivers is available from school administration or guidance offices.

SUSPENSIONS

1. Students who have been assigned an out-of-school suspension and choose not to participate at the alternative-to-suspension site will be considered suspended.
2. Students who have been assigned an out-of-school suspension and do not attend all of the assigned days in the alternative-to-suspension site, those days that they do not attend will be considered suspended.

MAKE-UP WORK

1. Make-up work for credit and grade is allowed for all excused absences.
2. Students have two (2) class days to make-up the work for each class day of an excused absence, **not including the day of return**. However, previously assigned work is due the day of return. These deadlines may be extended by the principal for extenuating circumstances.
3. **Middle School Students:** Make-up work for credit and grade is allowed for all absences due to the statutory promotion requirements to high school and the impact on course recovery.
4. *For Secondary Only*, when class work is not completed for a marking period due to excused absences, a grade of "I" may be given. Students must complete the work prior to the end of the next marking period and may earn a grade to replace the "I". In extenuating circumstances, the principal has the authority to extend the deadline. But in most cases, when these deadlines are not met, the "I" changes to an "F" and may cause a semester course failure. If and when the class is repeated and students earn a grade, the "I" or the "F" will not be counted in computing grade point averages.
5. *For Secondary Only*, when a semester exam is not completed, a grade of "I" is given. If students are absent on an exam day, the exam must be made up in order for credit to be given. For each semester exam day students are absent, they will have two (2)

days to make-up the exam, not including the day of return. These deadlines may be extended by the principal for extenuating circumstances.

6. **Suspensions:** Make-up work for credit and grade is allowed. It is the student's responsibility to get the missed work. All work is due on the day of return from the suspension. Student is NOT allowed to participate in any school activities during the suspension period. Students who are assigned in-school suspension are expected to be in school. These students must complete assignments and turn in work daily.

For students who are not offered the option to attend an alternative to-suspension site, specific homework assignments will be provided (F.S. 1003.01). These absences will be considered suspensions.

TARDINESS

Tardiness is disruptive to the learning environment and can have a negative impact on student achievement. Tardiness may also count toward establishing a pattern of non-attendance that may indicate early signs of truancy (pp. 2). A pattern of non-attendance may be established by an accumulation of tardiness, absences (excused and unexcused), and early sign outs that exceed five (5) days in a marking period or ten (10) days in two (2) marking periods.

1. A tardy is excused for the same reasons that an absence is excused. Excused absences/tardiness include: illness, illness of an immediate family member, death in the family, religious holidays of the student's faith, required court appearance or subpoena by a law enforcement agency, special event, scheduled doctor or dentist appointments, or communicable disease. In extenuating circumstances, principals and/or their designee may also excuse a tardy for reasons other than those stated if documentation is provided. Parents must follow the same process to excuse a tardy as they do to excuse an absence.
2. Tardiness is defined as a student not being in the classroom when classes are scheduled to begin. A student who has an excused tardy (note or telephone call) should report directly to class after first checking in at the designated check-in area of the school.
3. Excessive tardiness will be addressed on a case-by-case basis to determine if there is a pattern of non-attendance.
4. Tardiness to any class without documentation may be considered unexcused.

EARLY SIGN OUTS

When students are signed out early on an ongoing basis, their academic performance may be negatively impacted. The school system strongly encourages parents to ensure their student is in school for the full school day every day. Signing out early may count toward establishing a pattern of non-attendance that may indicate early signs of truancy (p. 4). A pattern of non-attendance may be established by an accumulation of tardiness, absences (excused and unexcused), and early sign outs that exceeds five (5) days in a marking period or ten (10) days in two (2) marking periods.

1. All schools will establish procedures for early release that ensure that all students are treated consistently.
2. Students shall not be released within the final 30 minutes of the school day unless the principal/designee determines that it is an emergency or the student has a medical/dental appointment that cannot be reasonably scheduled at another time.
3. Excessive early sign outs will be addressed on a case-by-case basis to determine if there is a pattern of non-attendance.

SECTION II – RESPECT FOR PERSONS AND PROPERTY

Character education is woven into the policies and procedures of Broward County Public Schools. Responsibility, Citizenship, Kindness, Respect, Honesty, Self-Control, Tolerance, and Cooperation are the foundation of this Code of Student Conduct.

Rights	Responsibilities
Students have the right to be treated with respect and honesty.	Students have the responsibility to demonstrate the character education traits.
Students have the right to privacy.	Students have the responsibility to treat others with respect and honesty.
Students have the right to a safe and orderly school.	Students have the responsibility to respect the rights of others.
	Students have the responsibility to treat school property and the property of others with respect and to act in a way that does not interfere with the rights of others and is not harmful to the health and safety of others.
	Students have the responsibility to provide information on any potential dangerous situations to a staff member or through one of the anonymous tip lines provided by the school system (see the browardschools.com website).

RULE - It is important for students to know their rights and responsibilities, which include obeying teachers and all other school employees, obeying each individual rule as defined by the school, and obeying bus drivers. Students are expected to honor their responsibilities and behave in ways that respect the rights of all. Consequences for unacceptable behaviors are found in the *Discipline Matrix* - see Appendix A.

Expected Behaviors

- Treat others with respect and honesty.
- Prepare for class by bringing paper, pencil, pen, books, and other needed supplies.
- Complete all class work and homework.
- Use class time properly.

- Take home and return necessary forms.
- Follow rules and regulations, including those for field trips.
- Take care of and return all textbooks, library books, or other school-owned materials loaned to them.
- Act responsibly on campus, on buses, on field trips, and at all school-sponsored events, regardless of location.
- Wear properly fitted safety-rated helmets when riding a bicycle. Law enforcement officers may issue traffic citations and assess fines to riders under age 16 who do not comply (F.S. 316.2065).
- Secondary students must wear identification (ID) badges, if the school has the infrastructure and/or funding in place to require ID badges and the school's handbook specifies the rules and consequences for ID badges.

Unacceptable Behaviors Leading to Disciplinary Action

ATTENDANCE INCIDENTS

- Leaving class or school without permission.
- Not attending school (truancy).
- Being tardy excessively.
- Skipping class.
- Out of assigned area.

RULE VIOLATION INCIDENTS (INCLUDING, BUT NOT LIMITED TO)

- Violating the dress code.
- Taking, possessing, displaying, distributing, and/or transmitting pictures using a camera telephone during the school day. Note: Use of a camera telephone may result in additional consequences (beyond confiscation) if used to take pictures that are pornographic or obscene or to break rules or laws.
- Littering.

Disruptive Incidents (including but not limited to)

- Disturbing the class or school by: being disrespectful or rude, refusing to obey any staff member, failing to follow classroom rules, running in the halls, throwing objects, possessing or igniting fireworks or firearms, fighting, gambling, or bringing distracting items to school. Examples of distracting items include, but are not limited to: skateboards, scooters, in-line skates/roller blades/heelies (sneakers with wheels), toys, playing cards, games, cigarette lighters, radios, audio recorders, or laser pointers/pens and other laser devices.
- Sole possession of a wireless communication device is not a violation of the *Code of Student Conduct*. However, the possession of a wireless communication device which disrupts the educational process; the use of a wireless communication device during school hours, except as indicated below; the use of a wireless communication device on school buses in the absence of an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay); and the possession or use of a cellular telephone (other than text messaging that does not disrupt the bus

driver), would be a violation of the Code of Student Conduct, subjecting violators to progressive discipline.

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

- Students will not be subject to disciplinary action for the use of their cell phones or other personal technology used to report a potentially dangerous situation.
- Sole possession of personal technology is not a violation of the *Code of Student Conduct*. Personal technology, should be turned off and kept out-of-sight during all instructional and class time activities. No cell phone or other personal technology may be used **for communication purposes** except under the direction of a teacher or administrator for instructional purposes. Using personal technology during all non-instructional or non-class time activities or during class time at the direction of a teacher will not be subject to discipline under this policy. Time before or after school, passing time between classes, or during lunch is not considered instructional time for secondary students. For elementary students, instructional time is defined as time from the beginning bell until the end of the school day bell: non- instructional time is time prior to the first bell or the bell at the end of the school day. When personal technology is used headphones, earbuds or other accessories must be used, so that others cannot hear it. Violations of this policy will result in confiscation, and the device will only be released to the parent. Progressive discipline will apply for repeated violations.
- Using scooters and inline skates/rollerblades/heelies in the school building.
- Behaving inappropriately on field trips.
- Possessing pornographic/obscene material or drug paraphernalia at school.
- Misrepresenting oneself by cheating, copying, plagiarizing, counterfeiting, using false identification, or making false reports by posing as a parent to excuse absences or tardiness, sign a report card, etc.
- Unauthorized possession or use of school/county documents or forms.
- Abusing another student or staff member including, but not limited to, verbal abuse, actual or threatened physical harm, extortion, destruction of personal property, intentionally making a false accusation, or **intentionally** providing misinformation.
- Conducting, recruiting, or participating in youth gang activities on campus.
- Using gang-related or cult-related gestures, language, and/or signs.
- Unauthorized presence on school property.
- **For Secondary Students Only**, parking a motorized vehicle on school grounds without an official permit or in unauthorized areas.
- Endangering the lives of students and staff by setting off unfounded fire alarms.
- Gambling

Substance Abuse/Drug Incidents (Including, But Not Limited To)

- Possessing or using drugs, alcohol, and/or tobacco products, including unauthorized over-the-counter medications or unauthorized prescription medications.

- Sale or attempted sale and/or transmittal of drugs, alcohol, and/or tobacco products, including authorized or unauthorized over-the-counter medications or prescription medications.
- Possessing drug paraphernalia.

Acts Against Persons (Including, But Not Limited To)

- Bullying and/or harassment.
- Cyberbullying.
- Taking part in physical acts of a sexual nature, engaging in sexual harassment, or offending others by indecent exposure.
- Using insulting, abusive, profane, racially or sexually offensive written or oral language, or making obscene remarks or gestures.
- Harassing others because of age, color, gender, national origin, marital status, race, religion, or sexual orientation.
- Harassing others because of a disability.
- Harassing others because of ethnicity, socio-economic background, or linguistic differences.
- Harassing others because of physical appearance or for any other reason.
- Hazing.
- Threatening, stalking, hitting, or hurting a teacher or other school personnel.
- Intentionally making a false accusation that jeopardizes the professional reputation, employment, or certification of a teacher or other member of a school staff.
- Committing a hate crime.

See definitions section.

Property Incidents (Including, But Not Limited To)

- Damaging, destroying, or vandalizing school property.
- Misusing technology.
- Starting a fire (arson).
- Committing petty theft.
- Breaking and entering/burglary.

Other Criminal Incidents (Including, But Not Limited To)

- Having and/or hiding a weapon (see definitions of weapons, see p. 37).
- Threatening or hurting a person with a weapon.
- Committing robbery.
- Forcing someone to give money, possessions, or other things of value to another or oneself (extortion).
- Endangering the lives of students and staff by failing to report a threat of violence against others.
- Making a bomb threat.
- Sexual battery.
- Kidnapping or abduction.
- Homicide.
- Committing other criminal acts.

Definitions

Hazing means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student regardless of: 1) the student's willingness to participate or; 2) that the conduct or activity was not sanctioned by the organization or; 3) that the activity was not done as a condition of membership to an organization (F.S. 1006.63).

Hate crime refers to an attack or offense against an individual or his/her property in which the individual is intentionally selected because of his/her race, color, religion, national origin, gender, disability, or sexual orientation. The attack or offense may range from racial remarks or graffiti on school walls to threats of physical harm, intimidation, hate mail and hate e-mail, vandalism, arson, physical assault, etc. Students who believe they have been victims of a hate crime must immediately report the act to a teacher and/or school administrator. **The District's Special Investigative Unit conducts hate crime investigations.**

National origin pertains to, but is not limited to, an individual's or his/her ancestor's place of origin, as well as, physical, cultural, or linguistic characteristics.

"Bullying" means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted, purposeful written, verbal, nonverbal or physical behavior, including, but not limited to, any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power. Bullying may involve, but is not limited to:

1. Unwanted teasing
2. Threatening
3. Intimidating
4. Stalking
5. Cyberbullying
6. Physical violence
7. Theft
8. Sexual, religious, or racial harassment
9. Public humiliation
10. Destruction of school or personal property
11. Social exclusion, including incitement and/or coercion
12. Rumor or spreading of falsehoods

"Sexting" the use of a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another, any photograph or video of any person, which depicts nudity as defined in F.S. 847.0141(1)(a).

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

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student's educational performance, an employee's work performance, either's opportunities, or benefits;
3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or

4. Has the effect of substantially disrupting the orderly operation of a school.

“Cyberstalking” as defined in F.S. 784.048(d) means to engage 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 or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

“Cyberbullying” is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, e-mail, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, sexting, instant messaging, or video voyeurism.

Note: Per F.S. 810.145, voyeurism, which may be utilized in cyberbullying, in and of itself, is a criminal offense.

“Bullying,” “Cyberbullying,” and/or *“Harassment”* also encompasses:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying, harassment, or discrimination.
2. Retaliation also includes reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith.
3. Perpetuation of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
 - a. Incitement or coercion;
 - b. 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; or
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination.

“Bullying,” “Cyberbullying,” “Harassment,” and *“Discrimination”* 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, socioeconomic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, 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, District employee, consultant, contractor, agent, parent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored activities or events, on school buses, and at training facilities or training programs sponsored by the District.

Disciplinary sanctions may be imposed when the alleged bullying, cyberbullying, harassment or discrimination takes place off campus provided that a nexus exists between the off campus conduct and conduct at a school or during a school sponsored event. This is determined on a case-by-case basis after reviewing the facts and

circumstances unique to each situation. If a sufficient nexus exists, appropriate discipline shall be issued in accordance with this policy and as provided for in current law.

“Nothing in this section shall be construed to abridge the rights of students or school board employees that are protected by the First Amendment” to the state or federal constitutions. (1006.147)(10).

Note: Suspected acts of persistent bullying encompassing “Discrimination” relating to any “Protected Category” by any student, Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored activities or events, on school buses, and at training facilities or training programs sponsored by the District (refer to the School Board of Broward County (SBBC) Policy 4001.1, Nondiscrimination Policy Statement) shall be reported to the school based administration, but the complaint shall also be filed with, and investigated by, the EEO/Title IX Coordinator (754) 321-2150.

School Bus Behavior

Misconduct by any student while riding a school bus represents a serious threat to the safety of all occupants of the bus as well as other motorists, pedestrians, and members of the community. All rules that apply to the school grounds and school activities also apply to the school bus. Parents are responsible for their student’s behavior on the way to and from school and at the bus stop. While the District does not assume any liability for incidents that occur at a bus stop or en route to and from school, a student, parent, or witness may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the principal/designee deems appropriate, which may include the use of the School Resource Officer. The principal/designee shall use all District Reporting Systems to log all reports and interventions.

Unacceptable Behaviors on a School Bus Leading to *Disciplinary Action

Level One Violations

- Eating or drinking on the bus.
- Failing to sit in the seat assigned by the bus operator.

Level One Consequences

First Offense	Verbal or written reprimand from the school principal or designee.
Second Offense	Parent Conference.
Third Offense	3-day suspension from school bus transportation.
Repeated Offenses	Repeated Level One unacceptable behaviors will be considered willful disobedience and/or open defiance of authority, resulting in suspension from the bus for the remainder of the school year and/or suspension and/or possible expulsion from school.

Level Two Violations

- Disrupting, distracting, or disobeying a bus operator.
- Failing to utilize required safety equipment on the bus.

- Getting out of the seat while the bus is in motion.
- Loud talking, inappropriate remarks, or spitting out of the bus window at other students, pedestrians, or motorists.

Level Two Consequences

First Offense	Verbal or written reprimand from the school principal or designee.
Second Offense	1-day to 10-days suspension from school bus transportation.
Repeated Offenses	Repeated Level Two unacceptable behaviors will be considered willful disobedience and/or open defiance of authority, resulting in suspension from the bus for the remainder of the school year and/or suspension and/or possible expulsion from school.

Level Three Violations

- Placing head, arms, or legs outside the window of the bus.
- Opening a school bus emergency door and/or exiting the bus when the bus is stopped, unless directed by the school bus operator in an emergency or during an evacuation drill.
- Threats against the bus operator, bus attendant, or passengers on the bus.
- Use of profanity.
- Fighting on the bus.
- Smoking on the bus.
- Opening a school bus emergency exit door while the bus is in motion.
- Throwing objects out of the window of the bus, which may or may not cause injury to persons or physical damage.
- Throwing objects at a bus after leaving the bus, which may or may not cause injury to persons or physical damage.
- Vandalism of seats or other bus equipment.
- Boarding or attempting to board a bus route other than the student's assigned bus route or attempting to leave the school bus at other than the student's assigned bus stop without permission of the school principal or designee.

Level Three Consequences

First Offense	1-day to 10-days suspension from school bus transportation and/or school.
Second Offense	10-days suspension from school bus transportation and/or school.
Third Offense	Repeated Level Three unacceptable behaviors will be considered willful disobedience and/or open defiance of authority, resulting in suspension from the bus for the remainder of the school year and/or suspension and/or possible expulsion from school.

*For IDEA-eligible ESE students, suspension and expulsions shall follow applicable laws, School Board policies, and provisions of the Individual Education Plan (IEP). Likewise, for students determined to be disabled under Section 504 of the Rehabilitation Act of 1973, suspension, expulsion, and other disciplinary measures shall follow applicable laws, School Board policies, and provisions of the Section 504 Accommodation Plan.

The principal or designee may review individual cases before assigning consequences.

Discrimination and/or Harassment

The School Board of Broward County, Florida, prohibits any policy or procedure that results in discrimination on the basis of age, color, disability, gender, *national origin, marital status, race, religion, or sexual orientation.

If any **student feels that he or she has been discriminated against or harassed, there are specific procedures to report such offenses. See pp. 39-40 for further information.

***Whenever the word "student" appears, parents may become involved.*

FORMS OF DISCRIMINATION

Harassment is a form of discrimination. Harassment based on age, color, disability, ethnicity, gender, linguistic differences, *national origin, marital status, race, religion, or sexual orientation are violations of School Board policies, civil rights laws and statutes and should be addressed in a similar manner as detailed above.

**National origin pertains to, but is not limited to, an individual's or his/her ancestor's place of origin, as well as physical, cultural, or linguistic characteristics.*

SEXUAL HARASSMENT AND SEXUAL VIOLATIONS

Sexual harassment is a form of sex discrimination that violates the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and SB Policy 4001.1. Sexual violence is a physical act of aggression that includes a sexual act of sexual purpose. Sexual violence is also a violation of these same statutes and may also represent a criminal law violation. The school district prohibits any form of sexual harassment and sexual violence.

Sexual harassment and sexual violence are unlawful and will be grounds for disciplinary action. Students who believe they have been victims of sexual harassment or sexual violence should report the alleged act immediately to a teacher and/or school administrator. Because sexual harassment can take on many forms, the following are some examples of sexual harassment/violence.

SEXUAL HARASSMENT/SEXUAL VIOLENCE DEFINED

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or communication of a sexual nature. Sexual harassment includes, but is not limited to, the following behaviors:

- Unwelcome statements of a sexual nature.
- Unwelcome solicitation or pressure for sexual activity.
- Intentional brushing against, patting, or pinching of another's body.
- Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, unwanted physical contact, and blocking movements.
- Leering with sexual overtones, gestures, display of sexually suggestive objects, posters, or cartoons.
- Indecent exposure.

NOTE: Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA) SB Policy 4001.1, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination against any students with regard to access to programs, services, and activities on the basis of disability. If any student feels he or she has been discriminated against because of such disabilities or perception of a disability, there are specific procedures to report such offenses. See pp. 39-40 for the steps to report such offenses.

SECTION III - DRESS CODE

Appropriate dress and grooming can help to create a positive learning environment. Other attire may be allowed for special school activities with approval of the school administration. Possible consequences for violating the dress code are found in the Discipline Matrix. **Changes in clothing trends will not override the dress code policy.**

Rights	Responsibilities
Students have a right to wear stylish clothes of their choice as long as those clothes are appropriate for school, are not dangerous to health and safety, and do not create a substantial and material disruption of the school.	Students have a responsibility to dress neatly and appropriately, to be clean and well groomed.

RULE - All students are expected to honor their responsibilities and dress in a way that respects the rights of others.

1. Footwear must be worn at all times. For grades K-12, bedroom slippers are not allowed. Additionally, elementary students may not wear backless, sling-backs, or open-toed footwear. Socks may not be worn with backless shoes as a substitute back for backless shoes. Parents should ensure that the footwear their students wear to school does not impede their safety.
2. Special clothing, including footwear, may be required for safety reasons in certain programs or activities such as physical education, home economics, career/technical education, and science.
3. Revealing clothing or clothing that exposes the torso is not allowed. Examples include, but are not limited to: tank tops or spaghetti straps without overblouses (long shirts) or jackets; see-through garments; mini-skirts or mini-dresses; halters; backless dresses; jackets, shirts, or blouses tied at the midriff; and bare midriff outfits.
4. Clothing which is not worn appropriately, is not properly fastened, or has tears that are *indecent will not be permitted. All trousers, including oversized or low-hanging trousers, must be worn and secured at waist level.
*Indecent, suggestive, and revealing refer to exposure of private body parts and/or pictures or words with a sexual connotation.
5. Garments including, but not limited to, pajamas, boxer shorts, bloomers, and bustiers, which were traditionally designed as undergarments, sleepwear, or beachwear, may not be worn as outer garments. Other clothing not allowed are: leggings without overblouses (long shirts) that reach mid-thigh, tights, bodysuits, or hosiery, including those with lace trim, and bicycle racing attire unless they are worn underneath dresses, skirts, or shorts of appropriate length. Appropriate T-shirts may be worn as outer garments.

6. Clothing that exposes the upper thigh is not allowed. Shorts that are not shorter than mid-thigh, including walking shorts, Bermuda shorts, and split skirts (culottes), are allowed. *For Pre-K through 3*, shorter shorts may be worn since these are standard attire for these ages.
7. Clothing, jewelry, buttons, haircuts, or other items or markings which are, *suggestive, *revealing, or *indecent, associated with gangs or cults, encourage the use of drugs, alcohol, or violence, or support discrimination on the basis of age, color, disability, ethnicity, gender, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis are not allowed.
8. Head coverings including, but not limited to, caps and hats are not allowed unless they are necessary for safety in programs such as home economics, technology education, vocational education, and athletics or are worn for religious or medical reasons. Bandannas are not allowed. Hats, that do not violate #7 above, are allowed to be worn outdoors for physical education and recess as a safety precaution from sun damage.
9. Curlers and other hair grooming aids are not allowed. Personal grooming including, but not limited to, combing, brushing, and/or spraying hair, and applying cosmetics is allowed only in restrooms and/or designated areas.
10. Sunglasses may not be worn indoors unless a doctor's authorization is on file. Sunglasses are allowed to be worn outdoors for physical education and recess as a safety precaution from sun damage.
11. Any articles of clothing or jewelry that may cause injury including, but not limited to: items with spikes or sharp objects, wallet chains, and heavy link chains are not allowed.
12. Parents/guardians may request exemptions for their students from participation in the mandatory unified dress program, and shall be informed by the principal, in writing, of the following procedure in this regard:
 - a. Parents/guardians may request an application for exemption from the current school.
 - b. An application for exemption must be made annually.
 - c. The application for exemption must be completed in full and must be submitted to the school principal within the first ten (10) school days of a student's initial attendance.
 - d. The school principal (or a designated school administrator) shall communicate with the parents to discuss the unified dress policy and the nature of the request for the exemption. The purpose of this communication shall include:
 - (1) Ensuring that the parents/guardians understand the unified dress policy and its intent.
 - (2) Verifying the accuracy of the information on the application for an exemption.
 - e. The principal's response in this regard shall be transmitted to the parents/guardians in writing via the Application For Exemption form within ten (10) school days of submission.

The Principal may only deny an application if the application is received on or after the 11th school day after enrollment.

13. Violators of the uniform policy (SB Policy 5309) shall be subject to the same penalties as violators of the dress code policy. For further clarification, see the District's Discipline Matrix that assigns specific consequences and is part of the attached school's discipline plan. You may view the complete uniform policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

We Love Broward's Dress Code!

SECTION IV - TECHNOLOGY USAGE

Computers, networks, and online communications and information systems such as the Internet and e-mail are becoming more commonplace in our classrooms and media centers every year. Digital Curriculum and Resources for students provided by SBBC are becoming commonplace via the Broward Enterprise Education Portal (BEEP) and accessible via the Internet. While these systems deliver a huge number of resources to our classrooms, their ability to serve students and teachers depends on the responsible and ethical use of every device and system.

Use of the school district's technology and/or software for any unauthorized purpose is prohibited. This includes the unauthorized use of a computer/technology, including, but not limited to, accessing or breaking into restricted accounts or networks, creating, modifying or destroying files/records without permission, copying software, entering, distributing or printing unauthorized files/records, uploading to the internet and/or sharing or distributing, offensive or inappropriate material, including video, and any other misuse or violation of the School Board of Broward County Technology-Acceptable Use Policy 5306, Section 6.

Rights	Responsibilities
Students have a right to use appropriate online communications and information systems, the Internet and networks to increase their access to information and resources.	Students have a responsibility to understand the difference between appropriate and unacceptable uses of online communications and information systems, the Internet and networks.
Students have a right to use appropriate online communications and information systems, the Internet and networks to obtain information, create intellectual products, collaborate and communicate for educational purposes.	Students have a responsibility to use online communications and information systems, the Internet and networks in a responsible, efficient, ethical, and legal manner in accordance with their educational mission.
Students have a right to use appropriate online communications and information systems, the Internet and networks without the fear that their products or their personal reputation will be violated, misrepresented, tampered with, destroyed, or stolen.	Students have a responsibility to recognize that the use of online communications and information systems, the Internet and networks is a privilege that can be withdrawn if they engage in unacceptable or illegal use of this resource.

RULE - Students are expected to use technology responsibly.

SB Policy 5306 defines the appropriate use of technology throughout the District. This policy describes how computers and networks must be used to support research and

instructional activities in our classrooms, labs, and media centers. It also includes the use of the digital resources provided by SBBC and made available through the Broward Education Enterprise Portal (BEEP) for students. First, it promotes the use of technology as a powerful educational tool that is increasingly becoming a common part of every student's day. Second, it provides those students who use these computers, and the networks to which they are connected, to act in accordance with prescribed rules and behavioral codes detailed in the policy. Several major provisions are noted below. The full text of SB Policy 5306 is available upon request from each school's media center and on the School Board web site. You may view the complete technology policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

Major Policy Provisions:

- Use of computers, networks, the Internet and online communication and information systems must be related to students' educational activities.
- Students must recognize that computers, networks, and equipment used to support online learning are shared devices and agree to use them in ways which will maintain their continued operability for all users.
- No illegal activity may be conducted using the District's computers, networks, or online communication and information systems.
- Students must not access or distribute offensive, obscene, inflammatory, or pornographic materials, or participate in "sexting" (see p. for the definition).
- Students shall not intentionally spread, or attempt to spread computer viruses, vandalize data, infiltrate systems, or degrade/disrupt computer and/or network performance.
- All users of computers, networks, and online communications and information systems shall adhere to laws regarding copyright.

FCAT Administration Policy

- It is unlawful for anyone knowingly and willfully to violate test security rules adopted by the State Board of Education for mandatory tests, such as FCAT, and knowingly and willfully fail to follow test administration directions specified in the test administration manuals (F.S. 1008.24).
- The FCAT Administration Manual states:
"During FCAT testing, possession of any electronic device that reproduces, transmits, calculates, or records is cause for invalidation. "Possession" is defined as "within arm's reach," even if the electronic device is not visible. For example, students [shall] not have cellular phones in their pockets, clipped to their belts, at their desks, or anywhere they can be easily accessed during testing."
- Schools will direct students on the appropriate storage of electronic devices during testing.
- It is strongly advised that you do not bring a cell phone or any other prohibited electronic device to any testing environment, including but not limited to Advanced Placement exams, PSAT or International Baccalaureate. If your electronic device makes any noise, or you are seen using it at any time – including breaks- you may be dismissed immediately, your scores may be canceled, and the device may be confiscated.

Illegally using school district technology and/or software to alter information is a felony. Misusing school district technology and/or software to transmit insulting, profane, racially or sexually offensive written language, or to make obscene remarks or gestures is unacceptable behavior that will lead to disciplinary action. Using technology including, but not limited to, computers, networks, online telecommunication systems, cellular telephones, and camera telephones to bully, extort, or libel another student or staff member is a violation of the **Code of Student Conduct** and will result in disciplinary action.

SECTION V - STUDENT ACTIVITIES AND ASSEMBLY

School activities give students a chance to interact in positive ways. They can learn from each other how to work together harmoniously for common goals.

Rights	Responsibilities
<p>Students have a right to take part in extracurricular activities, assemblies, and school-approved organizations without discrimination on the basis of age, color, disability, ethnicity, gender, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis.</p> <p>Students have a right to take part in electing officers for student government.</p> <p>Students have a right to consult with faculty advisors of school-approved clubs and groups.</p> <p>Students have a right to seek office in student government and/or school-approved clubs and groups without discrimination on the basis of age, color, disability, ethnicity, gender, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis.</p> <p>Students have a right to attend educational field trips or educational school-sponsored activities. However, non-educational field trips are a privilege. Students on field trips will have the same rights, as it pertains to make-up work, as students with excused absences.</p>	<p>Students have a responsibility to keep their extracurricular activities from interfering with their academic work and to know and follow the rules for the activities they choose.</p> <p>Students have a responsibility to ensure that their actions as members of school clubs and groups meet the standards that have been set by the school administration.</p> <p>Students have a responsibility to educate themselves as to the qualities needed for leadership and choose officers who have those qualities.</p> <p>Students who hold office have a responsibility to learn how to do their jobs, support the goals of the group that elected them, and to treat other members of the group fairly.</p> <p>Students who participate in field trips, social and/or extra curricular activities that are school-approved and/or sponsored by school clubs or groups, have a responsibility to follow the rules set forth in the <i>Code of Student Conduct</i>, and where applicable, by the conferences, conventions or contests they may attend. (See SB Policy 6303.) You may view the complete field trip policy and all School Board policies on the Web: http://www.broward.k12.fl.us/sbbcpolicies</p>

RULE - *Many students take part in school-related activities that are extracurricular (take place outside of school hours), social, and interscholastic (engage in competition with other schools). Students must attend half of the classes on the day of an activity in which they want to take part unless they have been excused or exempted from class by the school administration in advance. Students are expected to have prior approval from the school administration for many activities related to school-approved and school-sponsored clubs and groups. They need approval to:*

- Present a program or an assembly.
- Collect funds. Items cannot be sold for personal gain such as food, jewelry, T-shirts, etc.

- Have a fundraising project on or off school grounds. Fundraising drives among students initiated by outside organizations such as the Salvation Army, United Way, Girl Scouts, etc., are not permitted in the schools.
- Hold a demonstration.

FIELD TRIPS

Under special conditions, students may be denied participation in educational or non-educational field trips and educational school-sponsored activities (See SB Policy 6303).

INTERSCHOLASTIC EXTRA CURRICULAR ACTIVITIES

RULE- Students must maintain satisfactory conduct in school and in the community to participate in interscholastic, extra curricular activities (See SB Policy 6201). This policy outlines the requirements to participate in these activities. You may view the complete student eligibility policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbpolicies>.

MIDDLE SCHOOL ELIGIBILITY (Based on each 9-week marking period)

To participate in interscholastic extracurricular athletics, middle school students must meet the following requirements:

1. Students must have been regularly promoted and must maintain a quarterly grade point average of 2.0 or above on a 4.0 scale. Middle school students must pass 5 of 6, or 4 of 5 classes, depending on the schedule.
2. Middle school students may receive no more than one unsatisfactory “U” in conduct.
3. Failure to meet requirements makes the student/athlete ineligible for contests for the entire next nine weeks. This will take effect as of report card issue date.
4. Requirements are subject to the principal’s appeal based on extreme circumstances. A copy of the principal’s appeal must be filed with the County Athletic Department.

HIGH SCHOOL ELIGIBILITY (Based on an 18-week semester regardless of class scheduling format, i.e., block and rotator)

To participate in interscholastic extracurricular athletics, high school students must meet the following requirements:

1. Students shall be progressing satisfactorily toward graduation as provided for in the District’s approved pupil progression plan.
2. Students must have been regularly promoted from the 8th grade and must maintain a cumulative grade point average of 2.0 or above on a 4.0 scale or its equivalent in the courses required for high school graduation. The cumulative grade point average and courses for graduation include all attempted credits in high school.
3. Student participation will be disallowed if the student is convicted of, or found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld.
4. Since representing a school either as an elected school officer or in extracurricular activities is both an honor and a privilege, only students meeting requirements established by their club, school, instructional services, and/or the Board shall be eligible to serve as representatives of their school.

SECTION VI – STUDENT FREE SPEECH AND DISTRIBUTION OF MATERIALS

The Constitution of the United States guarantees to its citizens the right to express ideas freely. A basic education should prepare students to do that in responsible ways.

Rights	Responsibilities
Students have a right to hear all sides of subjects about which people disagree.	Students have a responsibility to be informed about all sides of controversial issues.
Students have a right to give their opinions and points of view.	Students have a responsibility to listen politely to the viewpoints of others.
Students have a right to be free of censorship within a framework of mutual respect.	Students have a responsibility to use good judgment in developing student publications.
Students have a right to expect that materials listed under Section 1 below will not be allowed in the schools.	Students have a responsibility to use good judgment in selecting sources of information.

1. No printed or written materials or electronic or electro-magnetic media (hereafter “material”) may be distributed in the schools or on school grounds unless the principal or his/her designee has granted permission. A principal or designee may deny permission to distribute if the material can reasonably be interpreted as:
 - a. Obscene or pornographic;
 - b. Libelous or slanderous;
 - c. Likely to create a substantial disruption of, or material interference with, normal school activity or appropriate discipline in the operation of the school. Material will not be deemed to fall within this subsection only because students, faculty or staff may disagree with or find the contents of the material offensive;
 - d. Profane, vulgar, or lewd language;
 - e. Selling a commercial product or attempting to make a commercial profit from the sale of products. (For rules governing student/school fundraisers, refer to Section V. Student Activities and Assembly, p. 20-22)
2. If material is denied distribution, the principal or designee must state to the student the specific reasons why such material was denied distribution.
3. If the material is denied distribution under Subsection (1)(c) as likely to cause a substantial disruption or material interference, the principal or designee must state to the student the specific reasons why a disruption is likely to occur as a result of the distribution and why such disruption would be substantial.
4. Notices of student non-curricular group meetings posted on general purpose student bulletin boards do not represent the viewpoint of the School Board and/or the administration. The Board is only offering physical space to such groups and does not promote, endorse, or otherwise sponsor such materials. Students are encouraged to be sensitive to other viewpoints and beliefs when posting such notices.
5. Students may not hand out petitions or surveys during class time unless curriculum-based.
6. A principal or designee must either approve or reject a request from a student to distribute materials within 24 hours of the request by the student. Any request to

distribute materials not acted upon within 24 hours by the principal or designee is deemed approved.

- a. For approved materials, the principal or designee may assign reasonable restrictions with regard to time, place, and manner of distribution.
 - b. For approved materials, the publication shall contain this phrase: "THE OPINIONS AND/OR ACTIVITIES ARE NOT ENDORSED OR SPONSORED BY THE SCHOOL BOARD."
7. Any student aggrieved by a decision made under this section has the right to appeal such decision as specified in Section X of this policy on p. 43-45.

SECTION VII – SCHOOL SPONSORED PUBLICATIONS

School sponsored publications are important components of school – based instructional programs. All school publications shall be consistent with the educational curriculum and the cultural values of the school community and appropriate for the school setting. In this regard, considerable latitude shall be provided to individual school leadership to plan and develop school publications.

The contents of all school publications must meet the district’s journalism standards, which prohibit obscenity, profanity, libelous or slanderous material, vulgar or lewd language, or material that may cause substantial disruption of normal school activities. All school sponsored publications must include the following statement: *The opinions expressed in this publication are not necessarily those of [insert name of school] or Broward County Public Schools.*

Approval for publication shall be based on:

1. Consistency with the educational curriculum of the School Board;
2. Reasonable school community standards and cultural values; and
3. The overall purpose of the publication in relation to the academic curriculum and school setting.

The principal or designee(s) shall retain final authority to approve the design and content of all school publications prior to publication or posting. Any advertisements in school-sponsored publications must adhere to School Board policy 6300-Advertising. Publications include, but are not limited to, items such as school newspapers, yearbooks, student newspapers, and publications put out by the PTA, Booster Clubs, and the like.

SECTION VIII - PRIVACY OF STUDENT RECORDS

Rights	Responsibilities
<p>Students have the right to expect that schools will keep student records safe, secure, and private. Students who are eighteen (18) years or older have the right to see their own school records.</p> <p>Students have a right to expect that others will respect personal belongings.</p>	<p>Students have a responsibility to learn how the information in their school records is gathered, how it is used, and what it means.</p>

Collection, Use and Disclosure of Social Security Numbers of Students:

Social Security numbers of students are requested as required by Fla. Stat. § 1008.386 for reporting to DOE, for the student's permanent record, for assessment matching, for processing of student scholarships as necessary [42 U.S.C. § 1758, 7 C.F.R. 245.6 (a) et seq.]; and as otherwise authorized in writing by the parent or adult student. Students are not required to provide their social security number as a condition of enrollment or graduation. Social security numbers are kept confidential and are exempt from public inspection in accordance with Florida Statutes.

RULE - Students have the right to personal privacy and have the responsibility of respecting the rights of others.

1. Information about another person must be treated with respect and privacy.
2. Student aides may not be in areas where they would be able to read student records and files that are private.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTICE

The Family Educational Rights and Privacy Act is a federal law that protects the accuracy and privacy of students' educational records.

The Family Educational Rights and Privacy Act (FERPA), F.S. 1002.22, and SB Policy 5100.1 afford parents, guardians or eligible students (students over 18 years of age or attending a postsecondary institution) certain rights with respect to the student's education records. These rights are:

- (1) *The right to inspect and review a student's education records within 30 days of the day the District receives a request for access.* Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. When the educational records contain information about more than one student, parents may review the information related only to his or her child.
- (2) *The right to request the amendment of a student's education records.* Parents or eligible students may ask the Broward County School District to amend a record that they believe is inaccurate, misleading, or in violation of the student's privacy rights. They should write the school principal, clearly identify the part of the record they want changed, and specify the reasons for the request. If the District decides not to amend the record as requested, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing within 45 calendar days regarding the request for amendment. Additional information regarding the hearing procedures will be provided when the parent or eligible student is notified of the right to a hearing.
- (3) *The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.* FERPA permits disclosure without consent in many situations, including, to a school official¹ with a legitimate educational interest², pursuant to a court order or a subpoena, and if disclosure is made in response to a court order or subpoena,

¹ School official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health and medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special function that would normally be performed by SBBC personnel (such as an attorney, auditor, medical consultant or therapist); a clerical or paraprofessional staff member assisting another school official in performing his or her professional duties.

² Legitimate educational interest exists when a school official needs to review an educational record in order to fulfill his or her professional responsibility.

you will be notified, except where the law prohibits said notification. In addition, FERPA permits several other types of nonconsensual disclosures, including to appropriate parties in connection with an emergency if necessary to protect the health or safety of the student or other individuals, and governmental agencies.

“Directory Information” is personally identifiable information that would not generally be considered harmful or an invasion of privacy if disclosed. The School Board of Broward County designates the following as “directory information”: student’s name, residential address, telephone number, date and place of birth, major field of study, participation in school-sponsored activities and sports, height and weight of athletic team members, dates of school attendance, degrees and awards received, and the name of the most recent previous school or program attended. The School Board reserves the right to release Directory Information to (a) colleges, universities or other educational institutions in which the student is enrolled, may seek enrollment or may be recruited, or (b) for school publications and other school communication tools (including, but not limited to, yearbooks, athletic programs, graduation programs, and theatrical programs).

Parents/guardians of students in any grade level (or students age 18 or students attending postsecondary institutions) may opt out of (refuse to permit) the release of any or all of the above Directory Information. On the FERPA Opt Out Form provided in this Code of Student Conduct, parents/guardians or eligible student must indicate the types of Directory Information they do not want disclosed. The FERPA Opt Out Form must be submitted to the school principal annually.

The School Board of Broward County may also release student name, address, and telephone number of 11th and 12th grade students to the armed services, military recruiters, and/or postsecondary institutions. Parents/guardians of students or eligible students in 11th and 12th grade may opt out of having Directory Information provided to the armed services, military recruiters, and/or postsecondary institutions. On the No Child Left Behind (NCLB) Opt Out Form provided in this Code of Student Conduct, parents/guardians must indicate the categories they wish not be disclosed. The NCLB Opt Out Form must be submitted to the school principal annually.

- (4) *The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is **Family Policy Compliance Office • U. S. Department of Education • 400 Maryland Avenue, S.W. • Washington, DC 20202**. If you wish to discuss and try to resolve any FERPA concerns before contacting the Family Policy Compliance Office, you may contact the SBBC Privacy Officer at 754-321-1914.*

For additional information refer to SB Policy 5100.1. This policy outlines the privacy rights of parents and students with respect to students’ educational records. You may view the complete student records policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

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**HEALTH INSURANCE PORTABILITY AND
ACCOUNTABILITY ACT (HIPAA) NOTICE**

**THE SCHOOL BOARD OF BROWARD COUNTY'S
NOTICE OF PRIVACY PRACTICES RELATED TO
STUDENTS & FAMILY MEDICAL/MENTAL
HEALTH RECORDS PROTECTED BY HIPAA**

This notice describes how protected health information about you and/or your child may be used and disclosed and how you can get access to this information.

PLEASE REVIEW IT CAREFULLY

Effective Date of Notice: March 20, 2012

The School Board of Broward County (SBBC) Duties Under HIPAA

All medical and health records are protected by Florida Statute, FERPA or HIPAA depending on who the health care provider is who created the records and the age of the student. Medical records of a student received from health care providers who are not acting on behalf of the School District are protected by HIPAA. This HIPAA notice pertains only to the information that is protected by HIPAA.

HIPAA, a Federal law, requires entities covered by this law, including school districts in some limited situations, to maintain the privacy of all mental and physical health records. These records are referred to as "protected health information"(PHI).

**HOW THE SCHOOL DISTRICT USES AND SHARES YOUR AND YOUR CHILD'S
PROTECTED HEALTH INFORMATION**

PHI includes demographic and medical information about the past, present, or future physical or mental health of an individual. Demographic information may include your and your child's name, address, telephone number, social security number, and any other means of identifying you and/or your child as a specific person.

PHI is information the school district has received from outside health care providers, such as a report from your child's doctor.

Your or your child's PHI may be used or shared by the school district for purposes of medical and/or mental health treatment and/or payment for services. Health care professionals may use this information in the clinics, schools, and/or hospitals to take care of you or your child.

It is important for you to be aware that this law allows the school district to share your and your child's PHI without your consent under the following circumstances:

- With another health care provider for purposes of your or your child's treatment;
- With insurance companies, Medicaid, or local, state, or federal agencies to pay for the services provided to you or your child;
- Reporting abuse of children, adults, or disabled persons;
- Investigations related to a missing child;
- Internal investigations and audits by the school district or any grant funding body;
- Investigations and audits by the State's Inspector General, Department of Education, and Auditor General;
- Public health purposes including vital statistics, disease reporting, and regulation of health professionals;
- Medical examiner investigations;
- Research approved by the school district;
- Court orders and/or subpoenas; and,
- Judicial and administrative proceedings.

The school district may share your and/or your child's PHI at other times with your written authorization. This authorization will have an expiration date: additionally, you may revoke the authorization in writing at any time. Certain uses and sharing of psychotherapy (counseling) notes may also require your written authorization, except when required by a subpoena or court order.

INDIVIDUAL RIGHTS

- **You have the right to request the school district to restrict the use and with whom you and/or your child's PHI may be shared.** The school district will consider any of your requests but is not required to agree to them.
- **You have the right to request confidential communications.** The school district may mail or call you with appointment reminders or regarding your responsibility to pay for services. We will make contact with you in the manner and at the address or telephone number you select. You may provide an address other than your residence where you can receive mail and where you may be contacted. You will be asked to put your contact information in writing.
- **You have the right to review and receive a copy of your PHI.** Your review of the PHI will be supervised and will be at a time and place that is convenient to you and a representative of the school district. You may be denied access as specified by law. This might occur if your child consented to care and the parent's consent was not required by law or if your child is receiving care at the direction of a court or a person appointed by the court. If access is denied, you have the right to request a review by a licensed health care professional who is not involved in the decision to deny access. The licensed health care professional will be designated by the school district.

- **You have the right to correct your PHI.** Your request to correct your or your child's PHI must be in writing and provide a reason to support your requested correction. If your correction is accepted, the school district will make the correction and tell you and others who need to know about the correction. The school district may deny your request, in whole or part, if it finds the PHI:
 - Was not created by the school district;
 - Does not qualify as PHI;
 - Is by law not available for your review; or,
 - Is accurate and complete.

If your request is denied, the school district will place your request for corrections with your PHI. You may also send a letter detailing the reason you disagree with the decision. The school district will respond to your letter in writing. You may also file a complaint, as described below in the section entitled Complaints.

- **You have the right to receive a list of the individuals and/or agencies with which the school district has shared your PHI within six years from the date of the request, except for those listed below.**
 - Information shared with you;
 - Information shared with individuals involved with your care;
 - Information you authorized to be shared;
 - Information shared to carry out treatment and/or payment;
 - Information shared for public health purposes;
 - Information shared for the purposes of research, other than those you authorized in writing;
 - Information shared for health professional regulatory purposes;
 - Information shared to report abuse of children, adults, or disabled persons;
 - Information shared in response to court orders and/or subpoenas; and
 - Information shared prior to April 14, 2003.

This notice tells you how your and your child's PHI may be used and how the school district keeps this information private and confidential. The school district has always kept this information confidential; this notice simply explains the school district's legal responsibilities, with regard to PHI.

The law requires the school district to give this Notice of Privacy Practices to you. The school district is required to do what this notice says it will do. If the school district changes how it handles your or your child's PHI records, you will be informed. The most current notice will be posted on the SBBC website, www.browardschools.com.

FOR FURTHER INFORMATION

Requests for further information about the matters covered in this notice may be directed to the SBBC Privacy Officer, Risk Management Department, who can be reached at 754-321-1914.

COMPLAINTS

If you believe your HIPAA privacy rights have been violated, you may file a complaint with the SBBC Privacy Officer at 600 S.E. 3rd Avenue, 11th Floor, Fort Lauderdale, FL 33301/ Telephone (754)321-1914 and/or Region IV, Office for Civil Rights, U.S. Department of Health and Human Services, Atlanta Federal Center, Suite 3B70, 61 Forsyth Street, SW, Atlanta, GA 30303/ HIPAA Privacy Hotline (404) 562-7886; Fax: (404) 562-7881; TDD: (404) 331-2867. Please be advised the SBBC will not retaliate against you or your child for filing a complaint.

This Notice of Privacy Practices shall be in effect until a new Notice is approved and posted.

SECTION IX – INTERVENTION and/or CONSEQUENCES

When students do not follow the rules and expectations outlined in this *Code of Student Conduct* policy, one or more of the following actions may be taken until the problem is resolved.

Possible Interventions and/or Consequences of Misbehavior

The district will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior. The vast majority of disciplinary issues should be addressed at the classroom level by teachers. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior. Any disciplinary or prosecutorial action taken against a student who violates this policy must be based on particular circumstances of the student's misconduct.

It will not be necessary to use each consequence or to use consequences in the order listed below. However, as provided in the *Discipline Matrix*, certain rule violations do require specific consequences. The District's *Discipline Matrix* is attached and also available on the District's website at www.browardschools.com/schools/discipline_matrix.htm.

- Guidance Counselor intervention.
- Social Worker intervention.
- Family Counselor intervention.
- Timeout for students.
- Teacher/student conference, including record review.
- Disciplinary action initiated by teacher.
- Restitution, work detail, etc.
- Before or after school detention (parent responsible for transportation).
- Saturday School (parent responsible for transportation).

- Referral to administrator.
- School/parent contact.
- School/parent conference.
- Conflict mediation.
- Alternative probationary contract.
- Confiscation.
- Principal involvement.
- Guidance/administration referral to school Social Worker.
- Removal from class by teacher.
- Suspension from the bus. Students must attend school and the parent(s) must provide transportation.
- **For Secondary Only**, warning, notification, or towing for motor vehicle violations:
 - a. First offense: Warning
 - b. Second offense: Parent notification
 - c. Third offense: Tow vehicle
- Administrative referral to student services, outside agencies, counseling programs, alternative education programs, and/or placement in other special programs, such as a state-licensed drug rehabilitation program.
- Out-of-school suspension from classes and all school activities in accordance with SB Policy 5006. This policy outlines the violations and the procedures for out-of-school suspension and expulsion. You may view the complete suspension/expulsion policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.
- Recommendation for expulsion in accordance with SB Policy 5006.
- Referral to Special Investigative Unit/police.
- Full restitution by parent(s) for damage done by student in accordance with SB Policy 2303. This policy presents the School Board's position on financial responsibility for children's acts. You may view this complete policy and all School board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

Notice of a suspension shall be sent within twenty-four (24) hours by certified mail or hand-delivered to the parent/guardian or to the student, if the student is age 18 or older or has been emancipated per Florida Statute, Section 743.015 or whose parent is unknown as per Policy 5.5: Attendance.

*For IDEA-eligible ESE students, suspension and expulsions shall follow applicable laws, School Board policies, and provisions of the Individual Education Plan (IEP). Likewise, for students determined to be disabled under Section 504 of the Rehabilitation Act of 1973, suspension, expulsion, and other disciplinary measures shall follow applicable laws, School Board policies, and provisions of the Section 504 Accommodation Plan.

**Consequences of Serious Misbehavior Leading to Suspension and/or
Expulsion
(Sections II-V of SB Policy 5006: Discipline Policy: Suspensions and/or
Expulsion)**

The Code also includes provisions for action that MUST be taken if there are serious problems involving weapons, drugs (including alcohol), mood-altering substances, steroids, and criminal acts. Specific action, outlined in SB Policy 5006, will be taken as a result of these violations. However, if the principal determines that the student uses an instrument or object in self-defense, the student will not be suspended or expelled. Self-defense is an attempt to “ward off” an attack or stop the process of confrontation. It is not self-defense when an object is used in retaliation or when the student uses an object to become an aggressor. SB Policy 5006 outlines all the violations that result in out-of-school suspension and expulsion and/or the consequences. You may view the complete suspension/expulsion policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.

All violations under SB Policy 5006 will involve the following steps:

- Principal involvement.
- Immediate parent contact
- Suspension from school grounds, all classes, and all school activities.
- Referral to Special Investigative Unit and police, as specified in Policy 5006, Section VI.

OUT-OF-SCHOOL SUSPENSION

When, by the *school’s administration*, a student is removed from school and school-related activities on or off school grounds.

EXPULSION

When, by action of the *School Board*, a student is removed from school and school-related activities on or off school grounds.

**Medications: Use, Possession, Sale, and/or Transmittal
Leading to Suspension and Possible Expulsion**

School Board Policy 6305 (Administration of Medications/Treatments), provides the guidelines for the administration of medication and/or treatment for students receiving prescription and over-the-counter (OTC) medication.

A new Authorization for Medication/Treatment Form must be completed and signed by the healthcare provider and parent for any new medication(s), changes in dosage, or changes in current medication(s).

As per Policy 6305, students with special health conditions, e.g., asthma, diabetes and hypersensitivity, regardless of grade, may carry medication on self, only if approved by their physician and noted on the Medication/Treatment Authorization form.

All other medications, including over-the-counter, must be transported by the parents/guardians. Therefore students are prohibited from possessing any medication while on school grounds except as indicated above.

Students found to be in violation of School Board Policy 6305 shall be subject to the disciplinary action identified below.

Use and/or possession of unauthorized over-the-counter medications and sale or attempted sale and/or transmittal of authorized or unauthorized over-the-counter medications is prohibited.

First Offense Procedures:

The first time occurrence for the use and/or possession of over-the-counter medications and sale or attempted sale and/or transmittal of authorized or unauthorized over-the-counter medications, shall be counted at any time while the student is enrolled in a Broward County Public School. (1) If the student has been suspended or expelled for a prior drug offense by any in-state or out-of-state public, private, charter, or research school, then the disposition of this offense shall constitute a second offense and the procedures for second offenses shall apply. (2) Upon committing the first offense, a student may be referred to the area substance abuse case manager who shall refer the student to an appropriate counseling program.

Second Offense Procedures:

(1) The student shall be suspended from the regular school program for one to two (1-2) days. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. (2) The student may be referred to the area substance abuse counselor.

Third and Subsequent Offense Procedures: (1) the student shall be suspended for a ten (10) days out-of-school suspension. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. (2) The student shall be referred to the area substance abuse counselor. (3) The incident shall be considered a FIRST OFFENSE under Section III (A or C) of SB Policy 5006.

Drug and Substance Abuse Offenses Leading to Suspension and Possible Expulsion

Each principal shall post, in a place readily seen by students, a notice stating that a student's locker or other storage area may be subject to search based upon reasonable suspicion of possession of prohibited, unauthorized or illegal materials, or substances and may also result in a search of person, possessions, locker and/or vehicle. School personnel shall report to the principal/designee the suspected unlawful use, possession, transmittal, sale or attempted sale by a student of any drugs, over-the-counter or prescription substances, except those authorized under Policy 6305 (Administration of Medication/Treatments), as, alcoholic beverage or inhalant, and shall be exempt from the civil liability when making such reports.

However, any personal property brought on school grounds may be inspected by drug-sniffing dogs for alcohol, drugs, or other prohibited substances. Personal property that may be inspected includes, but is not limited to, cars parked on school grounds, desks, backpacks, lockers, book bags, and gym bags. Reasonable suspicion of improper conduct is not required to use drug-sniffing dogs to inspect personal property. Drug-sniffing dogs will not be used to inspect students for alcohol, drugs, or other prohibited substances.

The following section addresses: (A) USE, POSSESSION, OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES, (B) POSSESSION OF

**UNAUTHORIZED OR MOOD-ALTERING SUBSTANCES IS PROHIBITED AND
(C) SALE, ATTEMPTED SALE, OR TRANSMITTAL.**

(A) USE, POSSESSION, OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES

Use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, is prohibited.

First Offense Procedures: (1) The first-time occurrence for the use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, shall be counted at any time during which the student is enrolled in a Broward County Public School. If the student has been suspended or expelled for a prior drug offense by any in-state or out-of-state public, private, charter, or research school, then the disposition of this offense shall constitute a second offense, and the procedures for second offenses shall apply. (2) The student shall be suspended from the regular school program for ten (10) days and referred to the area substance abuse case manager who shall refer the student to an appropriate counseling program. Up to seven (7) days of the suspension may be waived if the student attends and completes a counseling program authorized by the principal/designee in conjunction with the area substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the full ten (10) day suspension shall be imposed. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.

Second Offense Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. (2) The student shall be placed in an expulsion abeyance program, and the expulsion shall be held in abeyance if the student completes a state-certified drug/alcohol rehabilitation program or a treatment program with a certified addiction professional. (3) If the student fails to complete the state certified drug/alcohol rehabilitation program, the full term of the expulsion shall be implemented. (4) The student may return to the regular school program upon successful completion of the prescribed rehabilitation program. The area substance abuse case manager shall monitor/verify that the student has completed the program.

Third and Subsequent Offense(s) Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. (2) The student shall be placed in an Expulsion Abeyance Program for a period of one calendar year, with no Workback allowed, commencing with the date of the offense and shall complete a state certified drug/alcohol rehabilitation program. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.

(B) POSSESSION OF UNAUTHORIZED OR MOOD-ALTERING SUBSTANCES IS PROHIBITED

First Offense Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense. Workback is allowed. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team.

Second and Subsequent Offense Procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 team. (2) The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense, with no Workback allowed. In the case of a student with a disability, the IEP/504 team should convene as soon as possible to address the student's program and to determine appropriate action. (3) The student must complete a state certified drug rehabilitation program.

(C) SALE, ATTEMPTED SALE, OR TRANSMITTAL of drugs or mood-altering substances, unauthorized substances, or other substances held out or represented to be drugs or mood-altering substances, including alcohol or alcoholic beverages is prohibited. **Procedures for Sale, Attempted Sale, or Transmittal:** (1) Student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. (2) The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year, commencing with the date of the offense, with no Workback allowed. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.

Other Offenses (Non-Drug and Non-Substance Abuse Offenses) Leading to Suspension and Possible Expulsion

Students shall be suspended and may be recommended for expulsion when they:

- Repeatedly commit a serious breach of conduct including, but not limited to, willful disobedience and/or open defiance of authority or violations of Policy 5.9: Anti-Bullying.
- Commit assault.
- Commit battery.
- Commit or threaten to commit damage to property.
- Commit any act on campus or off campus that substantially disrupts the orderly conduct of the classroom or school activities.
- Commit grand theft.
- Possess and/or display or transmit a Class B weapon.
- Possess, display, transmit, or handle laser pens/pointers and other laser devices in a manner that could potentially harm or injure another individual.
- Make an internet/electronic transmission of a threat to do harm to person(s) on school grounds, or to school property that results in a substantial disruption (see Definitions – Section IX) to the school climate.
- Conduct, recruit, or participate on campus in a formal or informal manner in order to foster youth gang activity. This activity may include an association or group of three (3) or more persons who are gang-related individually or collectively who engage in a pattern of youth or street gang activity and have a common name or common identifying clothing, jewelry, buttons, colors, signs, symbols, or markings with the intent to threaten and/or present a danger to public order and safety.
- Transmit or distribute any video voyeurism or sexting information or images as defined in Section II of this policy.
- Commit other criminal actions on School Board property, or during school events or activities not already set forth in Policy 5006, including, but not limited to, when the

student is found by a court to have committed a delinquent act which would be a felony, if committed by an adult; the student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or the student has been found guilty of a felony.

- Use the school district's technology and/or software for any unauthorized purpose. This includes the unauthorized use of a computer/technology, including, but not limited to, accessing or breaking into restricted accounts or networks, creating, modifying or destroying files/records without permission, copying software, entering, distributing or printing unauthorized files/records, uploading to the internet and/or sharing or distributing, offensive or inappropriate material, including video, and any other misuse or violation of the School Board of Broward County Technology-Acceptable Use Policy 5306, Section 6.

Mandatory Expulsion

Students shall not be subject to mandatory suspension and expulsion proceedings when the principal determines that an instrument or object was used solely for the purpose of defense against an aggressor. A student shall not be subject to mandatory expulsion proceedings if it is determined that the student immediately* returned a firearm to the person who gave it to her or him, or if the student took a firearm to a staff member or was in the process of taking it to a staff member. (*The term "immediately" means without delay.)

Offenses Leading to Mandatory Expulsion

Students found to have committed one of the following offenses will be expelled, with or without continuing educational services, from the student's regular school for a period not less than 1 full year, and will be referred to the criminal justice or juvenile justice system:

- (1.) Bringing a firearm or weapon, as defined in Chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing, displaying, using, selling or transmitting a firearm at school.
- (2.) Making a threat or false report, as defined by FS 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity, including:
 - a. Threatening to throw, project, place, or discharge a destructive device with intent to do bodily harm to any person or with intent to damage any property of any person.
 - b. Making a false report, with intent to deceive, mislead, or otherwise misinform a person concerning the placing or planting of any bomb, dynamite, or other deadly explosive, or weapon of mass destruction.

In addition, students found to have committed the following offenses on school property, school-sponsored transportation, or during a school-sponsored activity shall receive the most severe consequences provided in this policy which shall be mandatory suspension and expulsion, referral to appropriate counseling services, and may be referred to the local law enforcement agency for criminal prosecution. (See section on Workback. This provision is not available for some of the following offenses.) These acts pose a serious threat to school safety and include:

- Serious assault.
- Arson or attempted arson.
- Sexual battery (rape) or attempted sexual battery (rape).

- Possessing, displaying, using, selling or transmitting of a Class A weapon.
- Homicide
- Kidnapping or abduction.

- Bringing, possessing using, or selling of any explosive propellant or destructive device.
- Robbery or attempted robbery.
- Armed robbery or attempted armed robbery.
- Serious battery.
- *Battery on School Board of Broward County employee, sports official, or other specified officials as listed in F.S. 1006.07 (g)
- *Battery on a law enforcement officer, firefighter, emergency medical care provider, and others as listed in F.S. 784.07.
- *Found, by a court, to have committed an assault on specified officials, or School Board employees or sports official. (F.S. 784.081).
- *Found, by a court, to have committed an assault on a law enforcement officer, firefighter, emergency medical care provider, etc., (F.S. 784.07)
- Extortion.
- Threatening to throw, project, place, or discharge a destructive device that may cause bodily harm to any person or damage any property of any person.
- Making a false report, concerning the placing or planting of any bomb, dynamite, or other deadly explosive.

***When charged with these acts, the student shall be immediately removed from the classroom and placed in an alternative school setting pending disposition.**

AT NO TIME is it appropriate for any student to possess or bring a weapon of any kind onto a school campus. Federal and state laws require local school districts to notify parents, through the Code of Student Conduct, that any student who is determined to have brought a firearm, projectile device, electric weapon or device, or flare gun to school, to any school function, or on any school-sponsored transportation will be recommended for expulsion, with or without continuing educational services, from the student's regular school for a period of not less than one full year and referred for criminal prosecution.

Possession of a firearm, projectile device*, electric weapon or device, or flare gun shall be defined as knowingly, intentionally, deliberately, or inadvertently (without meaning to do it) bringing a firearm on school property, school-sponsored transportation, or to a school-sponsored activity.

***Elementary students, Grades K-5, (at the time of infraction) in possession of a projectile device on campus or any school sponsored event, will be eligible for Workback.**

Expulsion / Expulsion Abeyance

1. The expulsion shall commence with the date of the School Board's final order or, in the case of a student with a disability, the date established by the IEP/504 Team. However, the term of exclusion from the regular school shall not exceed one calendar year from the date of the offense. If the expulsion shall be held in abeyance, the student shall be given the opportunity to participate in an established Expulsion

Abeyance Program. In the case of a student with a disability, movement to such a program would constitute a change in placement and would require action by the IEP/504 Team.

2. If a student enrolls in an Expulsion Abeyance Program or in a program designated by the Superintendent and successfully completes the program, the expulsion shall be expunged from the student's official transcript. The area student services substance abuse/expulsion case manager will facilitate the student's re-entry into the regular school program, except where indicated otherwise in this policy. In the case of a student with a disability, return to a school placement would require action by the IEP/504 Team.
3. Refusal or failure to meet conditions specified in the Expulsion Abeyance Agreement may result in the removal of the abeyance option, and the student may be expelled from all programs and schools in the Broward County Schools until the duration of the original expulsion has lapsed. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team.
4. The appropriate expulsion code shall be entered into the student's permanent record. This record shall be forwarded to any school requesting that record for the purpose of student admission.
5. The area student services case manager shall monitor/verify that the student has completed the program.
6. All steps necessary to protect the victim, of any acts set forth in this policy, from further victimization will be taken. With infractions that require mandatory expulsion (See Section V) or involve serious repeated acts of bullying, such actions may include assignment of the student (perpetrator) to a different school from that where the offense occurred. Only the superintendent/designee may assign a student to another school after completion of the mandatory requirements for expulsion abeyance or after compliance with the bullying complaint procedures. Should the district make such a reassignment, transportation will be provided by the District. All "no contact orders" entered by a court shall be enforced. Transportation is not provided by the district when there is a court order for no contact requiring reassignment of the student to another school, unless there is transportation available at no additional cost to the District.

Workback

The Workback Program is designed to allow a student who has been recommended for expulsion to reduce the one-year period of expulsion by no more than ninety (90) school attendance days, except where otherwise indicated in this policy. Workback requirements are reviewed with the student by the area case manager and include specific responsibilities the student must comply with to be considered for Workback. However, students are **not** eligible for the Workback Program if they commit any of the following offenses:

- Arson or attempted arson.
- Sexual battery (rape) or attempted sexual battery (rape).
- Possession, use, sale, or transmittal of a firearm, **projectile device***, electric weapon or device, or flare gun.
- Homicide
- Kidnapping or abduction.
- Armed robbery or attempted armed robbery.

- Second and subsequent offenses for possession or use of an unauthorized substance.
- Third and subsequent offenses for use, or being under the influence of mood-altering substances including alcohol and alcoholic beverages.

- Sale or transmittal of mood altering substances including alcohol and alcoholic beverages.
- Sale or transmittal of unauthorized substances or the sale or transmittal of the student's own prescription medication.
- Battery on a School Board of Broward County employee
- Battery on a Law Enforcement Officer.

***Elementary students, Grades K-5, (at the time of infraction) in possession of a projectile device on campus or any school sponsored event, will be eligible for Workback.**

For all other offenses, the principal, with approval of the area superintendent, may recommend that a student not participate in the Workback Program due to the circumstances of the expellable offense. Upon successful completion of the Workback Program, the student shall transition back to the regular school program, except when indicated otherwise in this policy. In the case of a student with a disability, return to a school placement, is a change in placement and will require action by the IEP/504 Team.

Out-of-District Expulsions

Expulsion or dismissal of a student from any in-state or out-of-state public, private, charter, or research school will be honored by the Broward County School Board if the act committed is one that would be grounds for expulsion under this policy.

If a student who has been expelled or dismissed from another district wishes admission, he/she shall be placed in an appropriate Expulsion Abeyance Program or a program designated by the Superintendent for a period of time commensurate with the terms of the original expulsion.

Definition of Weapons

Weapons are defined in two categories, Class "A" or Class "B." An object which can be defined as a Class "A" weapon pursuant to this policy shall be conclusively determined to be a Class "A" weapon and further classifications shall not be considered.

Class A weapons include:

- Firearms, (whether operable or inoperable, loaded or unloaded) including, but not limited to, hand, zip, pistol, rifle, shotgun, and starter gun.
- Projectile devices including, but not limited to BB guns, pellet (hard and soft) guns, and paintball guns, and slingshots.
- Explosive propellants or destructive devices (operable or inoperable).
- Dirks.
- Brass knuckles and/or metallic knuckles.
- Billy clubs.
- Tear gas.
- Electric weapon or device including, but not limited to, stun guns and taser guns.
- Slungshot
- Chemical weapon or devices
- Flare guns.

Class B weapons include:

- Possession of a toy gun.
- Toys which resemble weapons, when used in a threatening manner.
- Knives - any kind of knife, including, but not limited to, pen, switch blade or hunting knife.
- Chains, including any chain not being used for the purpose for which it was normally intended that is capable of harming an individual.
- Pipe - any length of metal or other hard substance not being used for the purpose for which it was normally intended.
- Razorblades of any kind or similar instruments with a sharp cutting edge.
- Ice picks and other pointed instruments.
- Nunchakus, Chinese stars.
- Pepper spray, a mace device with the capacity to hold two (2) ounces or less of the chemical.
- Any tool or instrument when used in a threatening manner, including, but not limited to, scissors, compass, or similar items.
- Ammunition and any component thereof, including but not limited to bullets, shotgun shells, bullet casings, magazines, or clips.

Other Definitions for this Policy

Assault is defined as an intentional threat by words or action to do harm to another person, coupled with an apparent ability to carry out the threat, and/or committing an act that creates a well-founded fear in such person that such violence is imminent.

Days shall be construed to be school days (as determined by the applicable school calendar) whenever mentioned in this policy.

Serious Assault is defined as an assault in which a Class A or Class B weapon is used to commit the assault.

Battery is defined as an intentional touching or striking another person without their consent or against their will or causing bodily injury to another person. In the case of "battery on a School Board employee" or "Law Enforcement Officer" there must be evidence of *an unprovoked, deliberate act* with intent to cause physical harm to the person.

Serious Battery is defined as committing battery (1) using a Class A or Class B weapon or (2) causing serious injury.

Minor Injury is defined as an injury which solely requires treatment by a professional medical personnel.

Serious Injury is defined as an injury which requires treatment by professional medical personnel.

Petty Theft is defined as taking property of another that is less than \$300.

Grand Theft is defined as taking property of another worth \$300 or more.

Mood Altering Substance is any substance that is or may be detrimental to the user or to others, including, but not limited to, alcohol or alcoholic beverages, cocaine, marijuana (less than 20 grams), hallucinogens, inhalants, narcotics (such as hydrocodone and oxycodone), stimulants (such as Ritalin, Adderall, and Ecstasy), depressants (such as Xanax and benzoids), and steroids.

Unauthorized Substances include any substances deemed to be illegal, any prescription drugs not prescribed for the student who is in possession of the medication, and any medication that is not authorized as part of Policy 6305.

Disruptive Behavior is that which causes confusion or disorder or interrupts, interferes, or impedes normal classroom or school activity.

Violent Behavior is that using physical force that causes damage or injury or violates or abuses another person or property.

Substantial Disruption is defined as an incident which results in the temporary suspension of the educational process due to a school evacuation, interference with learning activities/educational process, and/or requires the intervention of outside agencies such as the police or fire department.

Possession is the knowing, intentional, deliberate or inadvertent control of any article, object, asset, or property.

Transmittal is the transfer of an object, thing, electronic message or image, or substance from one person to another. Transmittal does not occur when the person immediately* returns the item back to the person who gave it to them or if it is immediately delivered to a teacher or school administrator. *The term "immediately" means without delay.

SECTION X

RIGHT TO APPEAL UNFAIR PENALTIES GRIEVANCE PROCEDURES for DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION

RIGHT TO AN APPEAL

There may be times when students feel they have been unfairly penalized. Most problems can be solved if students speak with the teacher or staff member who was involved. If students feel uncomfortable with this person, they may request a conference with the next level of authority. Students may also request the presence of a third party, such as a counselor, assistant principal, other staff person, translator, interpreter, or attorney. Parents also have the right to be included. If talking things over does not solve the problem, the following steps may be taken:

1. A written statement must be presented by the parent/student to the principal within five (5) school days after the last conference. The statement must tell what happened, when it happened, who was involved, and how the student would like the problem resolved. A copy of the statement must be filed and maintained as an educational record. The principal or the administrator with the most knowledge of the incident has 5 school days to respond in writing.
2. If the problem still has not been resolved within five (5) school days from receipt of the written response, the student may request in writing, an appointment with the area superintendent/designee. The letter asking for the appointment must include a copy of the first written statement and the response.

In the case of Charter Schools: If the problem still has not been resolved within five (5) school days from receipt of the written response, the charter school student may request, in writing, a meeting with the Governing Board.

Items 3-5 below do not apply to Charter School students.

3. Upon receipt of the letter, the area superintendent/designee will schedule a meeting within five (5) school days with the district student and his or her parent. This meeting will include the person(s) involved in the appeal process, the principal, the district student, the parent(s) and anyone else he or she wishes to attend. An attorney may be present to represent either the district student and/or the school. The area superintendent/designee has five (5) school days after the date of the meeting to send a written response to the district student.
4. If district students still are not satisfied, they may take the problem to the Superintendent following the above procedures.
5. The Superintendent will schedule another meeting to see how the matter can be resolved. After the date of this meeting, the Superintendent has five (5) school days to send a written response. The decision of the Superintendent shall be final for the appeal of any penalties fewer than ten (10) days. For appeals of ten (10) days, district students have the right to appeal to the School Board.
6. A student shall serve his or her suspension during the pendency of any appeals. If the student is successful in his or her appeal, the student's record shall be corrected to remove all indications of the suspension, and the absences shall be reflected as "excused," for the period in question. Refer to page 5, regarding make-up work.

GRIEVANCE PROCEDURES for DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION

REPORTING DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES

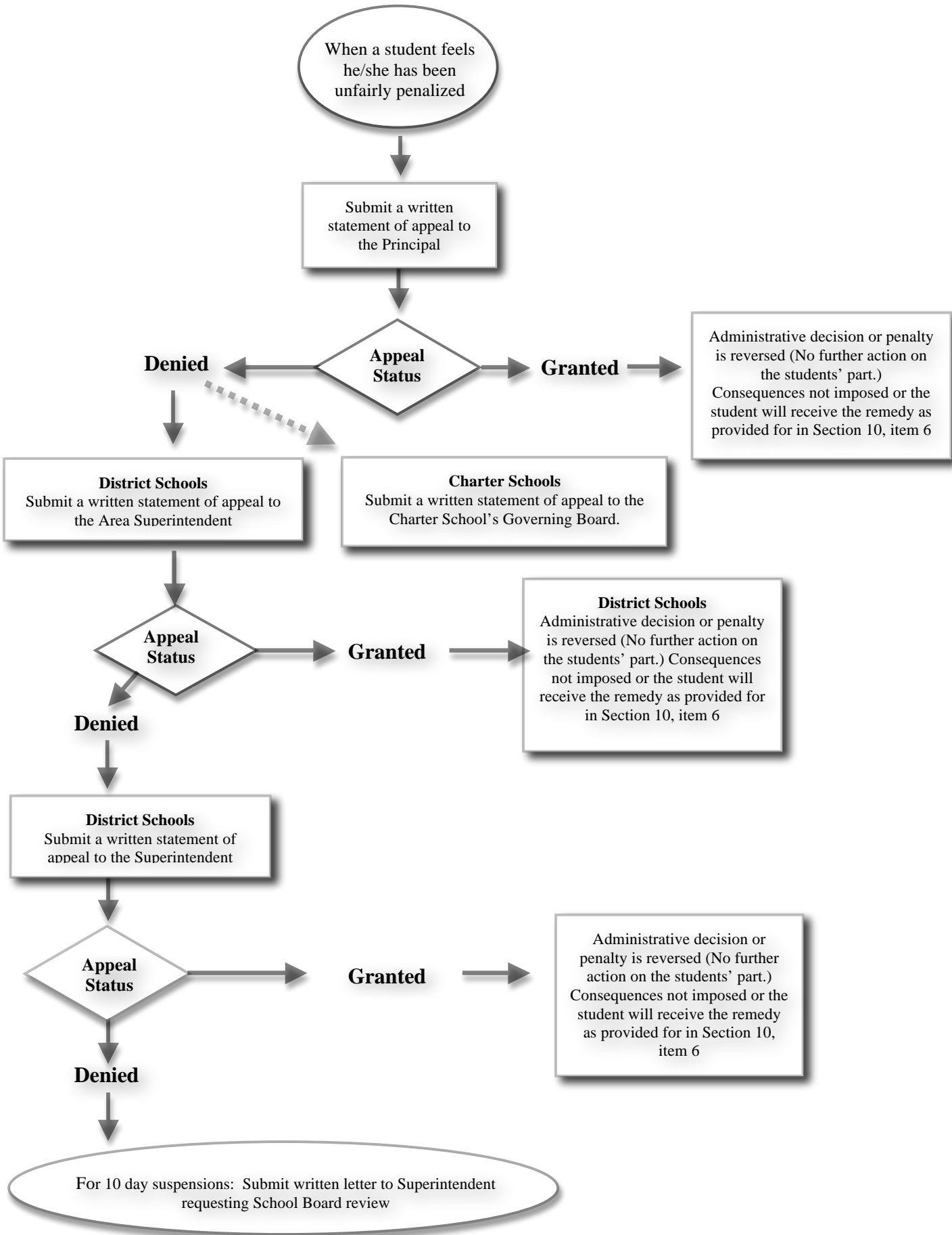
If any district school student feels that he or she has been discriminated against or harassed, he or she may contact the Executive Director of Benefits and EEO Compliance in the Department of Equal Educational Opportunities, 600 Southeast Third Avenue, 14th Floor, Fort Lauderdale, Florida 33301, Phone: 754-321-2150. Teletype Machine (TTY): 754-321-2158. Email: EEO@Browardschools.com. Complaints relating to discrimination may also be addressed to the Office for Civil Rights, 61 Forsyth Street, S.W., Suite 19T70, Atlanta, GA 30303, or the state or federal Office for Civil Rights.

REPORTING SECTION 504 DISCRIMINATION

The steps below have been developed to comply with the law for resolution of individual complaints under Section 504/ADA. Persons aggrieved by district school actions are not required by law to exhaust the District's grievance procedures before filing a complaint at the federal or state level.

The following steps should be followed if resolution on Section 504/ADA issues through informal discussion with appropriate district school personnel is not achieved. All meetings, discussions, etc., should be documented. Appropriate district school personnel could include teachers, the Section 504 liaison, counselors, school administrator, etc.

1. If informal discussions do not resolve the issue, the district school student/parent/guardian may obtain a Grievance Filing Form from the principal. The completed form should be submitted to the district school principal within 15 school days.
2. Within 15 school days of receipt of the written grievance, the district school principal shall provide the grievant with a Grievance Resolution Notice that upholds, modifies, or denies the resolution sought.
3. If the district school student/parent/guardian is not satisfied with the response issued in Step 2, he/she may file a complaint with the Director of Benefits and EEO Compliance in the Department of Equal Educational Opportunities at 754-321-2150, who will inform the district school student of his or her rights under Section 504/ADA, including an impartial hearing pursuant to federal and state regulations. The Department of Equal Educational Opportunities will conduct an investigation, convene pertinent parties, including legal counsel, and make a determination as to whether probable cause exists to believe that the district school student was, in fact, discriminated against. A determination of probable cause will include specific recommendations for corrective behavior.



**Appendix - A
Administrative Discipline Matrix
Elementary - 2012/2013**

Reported to State	Incident Code	Incident	Prevention/Intervention (Re-entry parent conference)/Consequence (Record on TERMS C26 Panel) - Minimum of Two Collaborative Problem Solving Team (RIT)	Threat Assessment Protocol	Confiscation (When Applicable)	Restitution (When Applicable)	School Specific Consequences	Loss of Privilege	Removal From Class (Less than 1 day)	Detention	Verbal Warning (<i>dress code violation only</i>)	Loss of Extra Curricular Activities (1-5 days)(<i>dress code violation only</i>)	In-school Suspension 1-3 Days & Loss of Extra curricular Activities 1-30 days (<i>dress code violation only</i>)	In-School Suspension: 1-5 days	In-School Suspension: 6-10 Days	Out-of-School Suspension: 1-5 Days (Offer AES)	Out-of-School Suspension: 6-10 Days (Offer AES)	Mandatory Out-of-School Suspension: 10 Days	Recommendation for Emergency Behavior Change	Recommendation for Expulsion	Complete Immediate Notification Form (SIU)	Report to local Law Enforcement required
		Documentation on TERMS C26 panel is required for all violations requiring administrative action.																				
		Discipline of ESE/504 students with disabilities shall be in accordance with state and federal laws and School Board policies.																				
		LEGEND M = Mandatory action X = Initial punitive action (for 1st offense) A = Additional (progressive) action S = Incident codes reported to the State B= Recommendation for emergency behavior change																				
		Attendance Incidents																				
	ZL	Class Cut (Skipping)	M	A			X	A	A	A				A	A							
	ZM	Tardiness, Habitual	M	M			X	A	A	A				A	A							
	ZV	Truancy	M	M				X	A	A				A	A							
	ZG	Leaving Campus Without Permission	M	A										X	A	A						
	ZU	Out of Assigned Area	M	A			X	A	A					A	A							
		Rule Violation Incidents																				
	ZE	Dress Code Violation	M	A							X	A	A									
		<i>Dress Code Violation Only-1st Offense-must include verbal parent notification, 2nd Offense must include parent conference, 3rd Offense includes parent conference, letter to parent regarding the student's in-school suspension AND ineligibility to participate in extra curricular activities.</i>																				
	ZB	Cheating- Major	M	A										X	A							
	ZF	School Rules violation (Includes Classroom Rules)	M	A			X	A	A					A								
	ZP	Detention - Unserved	M	A				X	A	A				A								
S	ED	Electronic devices - offensive or unlawful use or publication				M										X	A	A			M	A
	ZY	Cell Phone Violation. <i>Punitive action begins on the 2nd offense</i>	M			M		X	A	A				A	A	A						
		Disruptive Incidents																				
	SB	Disruptive (Unruly) Behavior or Play	M	A			X	A	A	A				A	A	A						
	01	Disobedience/Insubordination	M	A			X	A	A	A				A	A	A						
	ZW	Defiance of Authority (See Definition)	M	M										X	A	A	A	A				
	SM	Cumulative Administrative Referrals (5 or more)	M	M										X	A	A	A	A				
	02	Profanity - use of insulting/Obscene Language	M	A			X	A	A	A				A	A	A						
	ZX	Profanity Directed Towards a Staff Member	M	M										X	A	A	A	A				
S	SG	Gambling	M	A		M								X	A	A					M	A
	Z1	Inciting a Disturbance	M	A										X	A	A						
S	SF	Passing and / or Producing Counterfeit Money	M	A										X	A	A					M	A
	ZH	Falsification/Misrepresentation (Lying, Forgery of signature)	M	A					X	A				A	A							
	ZC	Prohibited/Distracting Items - Possession/Use	M	A		M	X	A	A					A	A							
	ZJ	Distribution/Sale of unauthorized Materials (Non-Criminal)	M	A		M	X	A	A					A	A							
S	Z2	Laser Device - Inappropriate Use	M	A		M										X	A	A	B		M	
S	G1	Gang Activity	M	M												X	A	A	B		M	
	XA	Disruption on Campus (Minor)	M	A										X	A	A						
S	D0	Disruption on Campus (Major)	M	A												X	A	A			M	A
S	66	Trespassing	M	A										X	A	A					M	A
S	F9	False Fire Alarm/911 Call	M	A												X	A	A			M	A
		B- A Recommendation for Emergency Behavior Change: This applies when the student commits an offense for which a secondary student would receive a mandatory expulsion under School Board Policy 5006. Since the policy does not contemplate the expulsion of elementary students (except where noted), other disciplinary action may be taken (i.e., administrative placement into the Behavior Change program).																				

Appendix - A
Administrative Discipline Matrix
Secondary - 2012/2013

Reported to State	Incident Code	Incident	Prevention/Intervention (Re-entry parent conference) Consequence (Record on TERMS C26 Panel) - Minimum of Two	Collaborative Problem Solving Team (RTI)	Threat Assessment Protocol	Confiscation (When Applicable)	Restitution (When Applicable)	Detention	Detention (Extended/Multiple)	Saturday School	Verbal Warning (dress code violation only)	Loss of Extra Curricular Activities (1-5 days)(dress code violation only)	In-School Suspension: 1-3 Days & Loss of Extra Curricular Activities 1-30 days (dress code violation only)	In-School Suspension: Less Than One Day	In-School Suspension: 1-5 Days	In-School Suspension: 6-10 Days	Out-of-School Suspension: 1-2 Days (Offer AES)	Out-of-School Suspension: 3-10 Days (Offer AES)	Out-of-School Suspension: 6-10 Days (Offer AES)	Mandatory Out-of-School Suspension: 10 Days	Alternative Probationary Contract	Recommendation for Expulsion	Complete Immediate Notification Form (SIU)	Report to local law Enforcement required
Substance Abuse/Drug Incidents																								
		X* 1st Offense	Mandatory 10 day out-of-school suspension; up to 7 days may be waived after referral to the Area Substance Abuse Counselor.																					
		X* 2nd and 3rd Offense	Mandatory 10 day out-of-school suspension and recommendation for expulsion.																					
	Z4	Medication - Over-the-Counter (Possession/Unauthorized use)	M	A		M								X	A	A	A	A					M	
S	TU	Tobacco Use/Possession/Sale/Transmittal	M	A		M									X	A	A	A	A				M	
S	A1	Alcohol - Possession/Use/Under the Influence	M	A		M													X*		X*	M	A	
S	A3	Alcohol Sale/Attempted Sale/Transmittal	M	A		M													X		M	M	A	
S	D5	Drug - Possession/Use/Under the Influence	M	A		M													X*		X*	M	A	
S	D7	Drug or Imitation Drug Sale/Attempted Sale/Transmittal	M	A		M													X		M	M	A	
S	DF	Drug - Possession of unauthorized substances	M	A		M													X		M	M	A	
	DP	Drug Paraphernalia - Possession	M	A		M												X	A	A	A	A	M	
Acts Against Persons																								
X* - When deciding what disciplinary action should be taken, the Principal or designee shall consider the severity of the offense and may impose a more severe consequence up to and including a ten day out of school suspension.																								
	ZI	Fight - Minor/Altercation/Confrontation	M	A										X	A	A	A							
S	F1	Fighting	M	A												X*	A	A				M	A	
	ZA	Bullying	M	A	M											X	A	A				M		
S	HA	Harassment	M	M	M											X	A	A				M		
	ZT	Hazing	M	M	M									X	A	A	A	A						
S	SS	False Accusation Against School Staff	M	A												X	A	A				M	A	
S	56	Sexual Misconduct/Indecent Exposure	M	M												X*	A	A				M	A	
S	50	Sexual Harassment	M	M										X	A	A	A	A				M	A	
	ZN	Assault/Threat (Low level-Non-Criminal)	M	A	M									X	A	A	A							
S	A5	Assault/Threat (Medium Level)	M	M	M												X	A	A	A	A	M	A	
S	A6	Assault/Threat (High Level)	M	M	M													X		M	M	A		
S	A7	Assault/(Threat - Serious)	M	A	M													X		M	M	A		
S	22	Battery	M	A													X	A	A	A	A	M	A	
S	26	Battery on a SBBC Employee/Law Enforcement Officer	M	A															X		M	M	A	
S	23	Battery - Serious	M	A															X		M	M	A	

Appendix - A
Administrative Discipline Matrix
Secondary - 2012/2013

Reported to State	Incident Code	Incident	Prevention/Intervention (Re-entry parent conference) Consequence (Record on TERMS C2.6 Panel) - Minimum of Two	Collaborative Problem Solving Team (RH)	Threat Assessment Protocol	Confiscation (When Applicable)	Restitution (When Applicable)	Detention	Detention (Extended/Multiple)	Saturday School	Verbal Warning (dress code violation only)	Loss of Extra Curricular Activities (1-5 days)(dress code violation only)	In-School Suspension: 1-3 Days & Loss of Extra Curricular Activities 1-30 days (dress code violation only)	In-School Suspension: Less Than One Day	In-School Suspension: 1-5 Days	In-School Suspension: 6-10 Days	Out-of-School Suspension: 1-2 Days (Offer AES)	Out-of-School Suspension: 3-10 Days (Offer AES)	Out-of-School Suspension: 6-10 Days (Offer AES)	Mandatory Out-of-School Suspension: 10 Days	Alternative Probationary Contract	Recommendation for Expulsion	Complete Immediate Notification Form (SIU)	Report to local law Enforcement required
Property Incidents																								
	T5	Theft - Petty < \$300	M	A		M	A								X	A	A	A	A				M	
S	T6	Theft - Grand ≥ \$300	M	A		M													X	A*	A	M	A	
S	80	Theft - Motor Vehicle				M													X		M	M	A	
S	V4	Vandalism/Damage to Property < \$1000	M	A			A										X	A	A	A	A	M		
S	V5	Vandalism/Damage to Property ≥ \$1000	M	A			A										X	A	A	A	A	M	A	
	Z3	Technology - Inappropriate use (Computers or Networks)	M	A										X	A	A	A	A						
S	ST	Technology - Illegal use (Computers or Networks)	M	A														X		A	M	A		
S	13	Arson	M	A			A											X		M	M	A		
	FS	Fire - Starting a fire on campus	M	A													X	A	A	A	A	M	A	
S	36	Burglary - Unlawful Breaking/ Entering into a school facility	M	A			A										X	A	A	A	A	M	A	
A* - When deciding what disciplinary action should be taken, the Principal or designee shall consider the severity of the offense and may impose an Alternative Probationary Contract along with the initial punitive action.																								
Other Criminal Incidents																								
S	OS	Other Serious Incident/Delinquent Act	M	A															X	A	A	M	A	
	XX	Delinquent Act/Felony Off-Campus	M	A															X	A	A			
S	WA	Weapons - Class A (Possession)	M	A		M													X		M	M	M	
S	WB	Weapons - Class B (Possession)	M	A		M										X	A	A	M	A	M	A		
S	R2	Robbery or Attempted Robbery	M	A		M												X		M	M	A		
S	R4	Robbery (Armed) or Attempted Armed Robbery	M	A		M												X		M	M	A		
S	S1	Sexual Battery/Rape (Actual or Attempted)	M	A														X		M	M	A		
S	K1	Kidnapping or Abduction	M	A														X		M	M	A		
S	42	Homicide	M	A														X		M	M	M		
S	SE	Extortion	M	A		M												X		M	M	A		
S	B3	Bomb Threat (Placing)	M	M														X		M	M	M		
S	B4	Bomb Threat (False Reporting)	M	M														X		M	M	M		

Authority: Florida Statute 1001.41

Law Implemented: Florida Statutes 1006.07, 1006.08, 1006.09, 1006.13, 1002.22 and 1002.221

Rule Adopted 04/19/11 and rule modified 03/20/2012