

# PARENT AND STUDENT ACKNOWLEDGMENT

Student Code of Conduct is available on-line at [hernandoschools.org](http://hernandoschools.org)

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

I have read/**viewed on-line** and acknowledge:

- Bullying/Harassment/Teen Dating Violence Policy & Procedures (Appendix A)
- Bus Expectations (Appendix B)
- Dress Code Policy (Appendix C)
- Annual notification of Family Educational Rights and Privacy Acts (FERPA) (Appendix D)
- Network/Internet acceptable use agreement (Appendix E)
- Opt Out Pledge of Allegiance (F)
- Participation in Interscholastic and Intrascholastic Extracurricular Activities (Appendix G)
- Student Code of Conduct

\_\_\_\_\_  
Parent(s)/Guardian(s) Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Signature (Middle & High School)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print) Student's Name/Student ID #

\_\_\_\_\_  
Grade

I request a copy of the Student Code of Conduct in Spanish

Photograph/Video/Student Work Permission:

Hernando County Schools may use photographs or videotapes in which your child appears as well as your child's project materials (i.e. artwork, written materials, class projects, computer projects). These images may be used for Hernando County Schools in publications such as newsletters, brochures and/or display on social media. The publication of any picture in which your child appears will not be labeled with his/her name or any other personal facts.

PLEASE INITIAL

\_\_\_\_\_ Yes, I give permission to Hernando County Schools to use my child's photographs, videotapes and/or project materials.

\_\_\_\_\_ No, I do NOT give permission to Hernando County Schools to use my child's photographs, videotapes and/or project materials.

**PLEASE HAVE YOUR CHILD RETURN THIS PAGE TO SCHOOL  
AFTER SIGNING THE ACKNOWLEDGEMENT AND INITIALING THE PHOTO/VIDEO/WORK  
PERMISSION SECTION**

**HERNANDO COUNTY SCHOOL DISTRICT  
STUDENT CODE OF CONDUCT**



**HERNANDO  
SCHOOL DISTRICT**

Learn it. Love it. Live it.

**2023 - 2024**

John Stratton, Superintendent of Schools

Hernando County School District, 919 North Broad Street, Brooksville, FL 34601, (352) 797-7000

## A MESSAGE FROM THE SUPERINTENDENT



Dear Parents and Guardians;

The Hernando School District's Student Code of Conduct has been updated for the 2023-24 school year. The Student Code of Conduct is a framework that outlines school rules and expectations for student behavior. It is an integral part of our commitment to ensuring schools are safe for students, staff and parents.

The Student Code of Conduct goes through careful review each year. Before receiving school board approval, the school district invites stakeholders, including parents, students, teachers and school administrators to consider proposed changes and to offer recommendations. The goal is to create a thoughtful and clear set of expectations and procedures as a guidepost for administrators, students and parents.

There are no shortcuts when it comes to school safety but the commitment to prioritizing campus safety is one we make together. I encourage you to spend a few moments with your student reviewing the 2023-24 Student Code of Conduct and share your own expectations for behavior while at school. With the cooperation of students, staff and parents, the Hernando School District will continue leading in school safety and in creating successful academic outcomes for our students.

Thank you.

Respectfully,

A handwritten signature in blue ink, appearing to read "John Stratton". The signature is fluid and cursive.

John Stratton  
Superintendent



## **Mission**

The Hernando County School District collaborates with students, parents and other community stakeholders to effectively prepare all students for a successful transition into a diverse and changing world.

## **Vision**

To inspire and support the pursuit of individual greatness.

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## **Introduction**

The Hernando County School District collaborates with parents and other community stakeholders to effectively prepare all students for a successful transition into a diverse and changing world. With this vision in mind, The Hernando County School District has developed the Student Code of Conduct to clearly communicate the behavioral expectations necessary for maintaining a safe and orderly learning environment.

The Student Code of Conduct applies to all students enrolled in the Hernando County School District.

Students enrolled in the Hernando County School District are subject to the law, rules, regulations, and policies of the State of Florida and the School Board of Hernando County, Florida, anytime:

1. a student is on school board-owned property;
2. a student is attending school;
3. a student is being transported to or from school or school-sponsored events at public or school expense;
4. and a student is in attendance at, or participating in, a school-sponsored activity.

All students are subject to the immediate control and direction of teachers, staff members, or bus drivers to whom such responsibility has been assigned by the principal or the principal's designee.

## **\*\* PARENT NOTICE \*\***

If your child commits two or more Level III offenses with documentation of interventions, or any Level III offense that results in injury or campus disruption or one Level IV violation, the result will be immediate administrative action, removal of your child from school and/or recommendation for expulsion. Please refer to page 7 of this Student Code of Conduct for specific offenses covered under these levels.

Furthermore, any student who has been determined to have committed a repeat offense of bullying will be subject to this same administrative action. Refer to Appendix A.

Students will be disciplined as outlined in the Student Code of Conduct. Some acts may warrant law enforcement investigation, and there may be additional consequences for acts that violate the law.

Electronic communication and all other forms of communication that take place on or off of school grounds, with students' personal property (non-school property) and causes a major disruption on school campus, will result in disciplinary action.

**A parent conference must be held with school administration for any major infraction prior to student returning to school.**



## **Zero Tolerance:**

Zero Tolerance for School Related Violent Crimes: The Hernando County School District believes that all students are entitled to attend schools that are safe and orderly and which provide an environment that fosters learning and high academic achievement. The district will not tolerate the presence of persons who engage in violent criminal acts on school property, on school sponsored transportation, or during school sponsored activities.

(F.S 1006.13)

The School Board has determined that the following acts constitute threats to school safety:

- Aggravated battery
- Armed robbery
- Arson
- Battery or aggravated battery on a teacher or other school personnel
- False Alarms, including but not limited to, pulling fire alarms
- Homicide
- Possession, use or sale of any explosive device
- Possession, use or sale of any firearm
- Sexual battery
- Victimization

*\*Any student who has been found to have committed one of the enumerated felony offenses in Florida Statutes and has a No Contact Order issued by a judge, will be removed from the school of attendance and transferred to a different school in the district, or must be separated from the victim(s) and the victims' siblings in school and on school transportation.*

## **Infractions that require Expulsion or One Year Placement in an Alternative Setting: Per Florida Statute 1006.07**

- False reporting of bomb or explosive
- Possession of Firearms/Weapons

## **Anti-Bullying, Harassment, and Dating Violence Policy**

The policy of the Hernando County School District is that all students have an educational setting that is safe, secure and free from harassment, bullying, dating violence or abuse of any kind. This policy shall be applied consistently with all applicable school board, state and federal laws. Conduct that constitutes bullying, harassment, dating violence or abuse as defined herein, is prohibited. Students who persistently engage in substantiated bullying behavior will be subject to possible expulsion. See Appendix A.



## **Annual Notice of Non-Discrimination**

It is the policy of the School Board of Hernando County, Florida, not to discriminate on the basis of race, color, religion, national origin, age, sex, marital status, or handicap in its educational programs or employment practices. By operating in this manner, the School Board adheres to the provisions of Federal Law and other applicable laws.

Specifically, Hernando District Policy states, "It is the policy of the Hernando County School Board not to illegally discriminate or to allow its employees to illegally discriminate on the basis of race, color, religion, national origin, age, sex (including sexual orientation, transgender status or gender identity), marital status, disability, pregnancy, military status, ancestry, or Genetic Information Nondiscrimination Act of 2008 (GINA) in its educational programs or employment practice." The District also provides equal access to its facilities to the Boy Scouts and other identified Title 36 patriotic youth groups, as required with 34 C.F.R. 108.9.

In accordance with Florida Administrative Code, national origin minority or Limited English Proficient (LEP) students shall not be subjected to any disciplinary action because of their appropriate use of a language other than English. (The lack of English skills will not be a barrier to admission into any Career and Technical Education Programs offered at any of our schools, Sun Tech Education Center or adult education programs)

To file concerns, please follow the complaint procedures found in School Board Policies 1122, 3122 and 4122.

Compliance officers for Employee related issues are Matthew Goldrick, Director of Human Resources 352-797-7005. Compliance officer for student related issues are Jill Kolasa, Director of Student Services 352-797-7008 and Anna Jensen, Director of ESE, 352-797-7022.

## I. STUDENTS' RIGHTS AND RESPONSIBILITIES:

<b><u>Attendance</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to attend school and be informed of the school rules and county policies on attendance and makeup work.	Students have the responsibility to participate in classes regularly, be on time, and adhere to the school's attendance policy and makeup policy.
<b><u>Bullying</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to attend school free of harassment, bullying, or sexual cyber harassment.	Students have the responsibility to report any and all acts of harassment, bullying, or sexual cyber harassment to school personnel.
<b><u>Counseling</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to receive counseling for personal, academic, or career oriented reasons.	Students have the responsibility to seek this counseling.
<b><u>Dress Code</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to dress comfortably in a way appropriate to the school setting.	Students have the responsibility to dress in a non-offensive manner to others that is compliant with school, classroom, and extracurricular rules.
<b><u>Due Process</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have a right to due process in all disciplinary actions	Students have the responsibility to cooperate with school personnel in cases involving disciplinary actions, follow the process correctly, and accept the final decisions and consequences of their actions.
<b><u>Education</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to receive an education.	Students have the responsibility to participate in educational opportunities, complete all assignments expected from them, and complete work to the best of their abilities and strive for academic growth and their personal best.
Students have the right to know in advance how grades in their class will be determined. Students have the right to receive grades in a timely manner.	Students have a responsibility to understand the grading system and monitor their own progress.
Students have the right to attend school in a positive, safe, and clean learning environment free from bias, discrimination, and verbal or physical threats.	Students have the responsibility to maintain an attitude and actions that promotes a positive learning environment.
Students have the right to have school personnel who are receptive to student needs and concerns.	Students have the responsibility to express their needs and concerns in an appropriate manner.
<b><u>Electronics</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to use electronic media legally for academic purposes in accordance with the district electronics policy and state statutes.	Students have the responsibility to follow and adhere to the district electronic policy during school hours and at school functions.
<b><u>Free Speech</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>

Students have the right to hear, examine, and express divergent points of view, including freedom of speech, written expression, and symbolic expression.	Students have the responsibility to be considerate and respectful of divergent points of view, and to not cause major disturbances on campus through their expression of their point of views to others or to school property.
Students have the right to express their views through reading and writing, but without being obscene, disruptive, or slanderous to the school, students, or employees.	Students have the responsibility to respect the right of others in their expression of their views, and to do this (and express their own) in a polite manner.
<b><u>Materials</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to be provided with district adopted textbooks and use school facilities and property appropriately.	Students have the responsibility to respect all school property and materials and return them or pay for them in cases of damage at appropriate times.
<b><u>Participation</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to participate in extracurricular activities dependent upon state and district eligibility requirements. Students have the right to participate in school affiliated clubs and organizations.	Students have the responsibility to abide by all school rules when participating in school sponsored activities on or off campus. Students have the responsibility to take an active interest in the club or organization and fulfill all membership responsibilities.
Students have the right to participate in school government based on democracy.	Students have the responsibility to take an active interest in student government and provide their input.
Students have the right to choose whether to participate in patriotic or religious activities	Students have the responsibility to respect the rights of others to participate in religious or patriotic activities.
Students have the right to assemble peaceful on school grounds.	Students have the responsibility to assemble in a way that does not disrupt education.
<b><u>Privacy and Property Rights</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to enjoy a reasonable degree of personal privacy.	Students have the responsibility to understand that privacy is not guaranteed with regard to use of the internet and electronic devices.
Students have the right to have personal property respected, unless school personnel have reason to believe a student is in possession of materials prohibited according to school and state rules.	Students have the responsibility to respect others private possessions and to keep prohibited items away from school and school related activities.
<b><u>School Rules and Regulations</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have a right to be informed of the school's rules and regulations and the consequences of breaking them.	Students have a responsibility to know and follow the school rules and accept the consequences of their actions in breaking the rules.
Students have the right to be treated in a fair and equitable way from school employees and have school rules that are enforced in a consistent and fair manner.	Students have the responsibility to treat school employees in a fair and equitable way, and to also treat the school grounds in a respectful manner.
<b><u>Student Records</u></b>	
<b>Students' Rights</b>	<b>Students' Responsibilities</b>
Students have the right to have access their own student records	Students have the responsibility to provide the school their own information relevant to making educational decisions.

This list is intended as a general illustration of some rights and responsibilities recognized by law, and does not create or expand any rights or responsibilities beyond those specifically provided by State or Federal law or School Board Policy.

## II. EDUCATIONAL AUTHORITY

### A. School Administration Authority

The school administration shall have authority and control over all students at school, at a school sponsored activity and during times when students are on a school bus. School administration has the authority to direct students and can impose reasonable requirements that are consistent with the Student Code of Conduct. (F.S 1006.09)

Electronic communication that takes place off school grounds with student's personal property (non-school property) and causes a significant disruption on school campus may result in disciplinary action.

### B. Teacher Authority/Procedures

In accordance with Section 1003.32, Florida Statutes [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1003/Sections/1003.32.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1003/Sections/1003.32.html), teachers and other instructional personnel shall have the authority to undertake actions in managing student behavior and ensuring the safety of all students in their classes and school and their opportunity to learn in an orderly and disciplined classroom.

The principal shall make provisions for students to be removed from class when the continued presence of the student in the classroom is intolerable.

1. The school-based Placement Review Committee consists of three (3) teacher representatives [one (1) selected by the school's faculty and one (1) selected by the teacher who removed the student] and one (1) teacher appointed by the principal. The principal must notify each teacher in that school about the availability, the procedures and the criteria for the Placement Review Committee.
2. If no teacher volunteers to participate in the Placement Review Committee, then the Hernando Classroom Teachers' Association (HCTA) President will appoint members to serve on that school's committee.
3. The teacher who does not wish the student readmitted to the class may not serve on the committee, nor may the principal serve on the Placement Review Committee. The teacher and the principal may speak before the committee. Neither may be present when the committee members deliberate to reach their decision.
4. The teacher and the Placement Review Committee must render decisions within five (5) working days of the removal of the student from the classroom.
5. If the Placement Review Committee's decision is contrary to the decision of the teacher to withhold consent to the return of the removed student to the teacher's class, the teacher may appeal the committee's decision to the Superintendent of Schools.

### C. Bus Driver's Authority

The bus driver shall have authority of students when they are on the bus. The driver *shall not have authority* when students are waiting at the bus stop, or when they are en route to the bus stop except

when the bus is present at the bus stop and students are loading or unloading from the bus. If a student's behavior jeopardizes the safety of others on the bus, law enforcement shall be contacted by the driver or the Transportation Department. (F.S. 1006.10)

**Parent(s)/Guardian(s) shall:**

1. Ensure that their students ride only on their assigned school bus and get on and off only at assigned bus stops, except when the district has pre-approved an alternative bus or other arrangements.
2. Ensure that their child follows the district's adopted Student Code of Conduct while at the school bus stop and provide necessary supervision during times the bus is not present.
3. Provide assistance if necessary to their students with disabilities to help them get on and off the bus at their stop, as required by the student's Individualized Education Plan.
4. Meet their PK – 2<sup>nd</sup> grade students at the bus door for all Elementary and K-8 schools, or have an adult or older sibling listed on the child's bus registration card designated to meet the student at the bus door. If the person designated is an older sibling, then the parent(s)/guardian(s) must send in a notarized letter authorizing this action.

### **III. INTERVIEWS/INVESTIGATIONS**

#### **A. Administrative**

School administration, which may include the School Resource Officer/Guardian, has the right and duty to interview students who are subjects and/or potential witnesses to possible violations of the Student Code of Conduct **without** notifying parent(s)/guardian(s). The identity of witnesses will be protected to the greatest extent possible.

#### **B. Criminal Offenses On School Campus**

School administration has the right to request the assistance of law enforcement to investigate crimes or allegations of a crime committed at school, on a school bus or at a school sponsored activity. If school administration requests assistance, a law enforcement officer may conduct a general investigation and interview students (witnesses and suspects) during the school day. School administration shall be present during the interviews. If the investigation determines that a particular student is a suspect then the parent(s)/guardian(s) will be notified.

#### **C. Criminal Offenses Off School Campus**

The school administrator shall make every attempt to contact the student's parent(s)/guardian(s) before permitting law enforcement to interview a child when the student is a suspect in a criminal investigation for an offense that occurred off school property. When the parent(s)/guardian(s) can be reached they will be informed that law enforcement is planning to interview the student and be given a reasonable time to appear before the student is interviewed. School administration shall be present during the interview if the parent(s)/guardian(s) cannot be contacted. At the high school level, the student has the right to request that school administration not be present during the interview.

When a student is being interviewed as a victim or witness in a criminal case that occurred off campus, the parent(s)/guardian(s) must be notified before permitting the child to be interviewed. Attempts must be documented and if the parent(s)/guardian(s) cannot be contacted the school administration shall be present during the interview.

#### **D. Child Abuse**

If a student is a suspected victim in a child abuse investigation, school administration may **not** contact the parent(s)/guardian(s). This is the sole responsibility of the Department of Children and Family investigator. School administration or their designee may be present, in accordance with Florida statutes, if requested by the student and approved by the DCF /law enforcement official conducting the interview.

#### **E. Removal of a Student from School**

A student has certain rights when an officer of the court (law enforcement, Department of Children and Families Investigator/Case Worker) wishes to remove the student from school premises.

1. A student can be removed from campus by law enforcement under the following circumstances:
  - a. With consent from the parent/guardian
  - b. To ensure compliance with a subpoena requiring the student to appear in a court proceeding
  - c. In response to a court order authorizing the student's being taken into custody;  
OR
  - d. When the student is subject to criminal arrest due to probable cause.

School administration should verify the time of removal and that the School Resource Officer has informed the parent(s)/guardian(s).

2. When a law enforcement officer/DCF investigator informs school administration that the child needs to be removed pursuant to Florida Statutes, the officer/investigator shall be permitted to do so. The officer/investigator will be responsible for notifying the parent(s)/guardian(s). The officer/investigator should follow established sign out procedures. School administration should document the time of removal.

### **IV. SEARCHES**

#### **A. Locker/Vehicle Search**

School administration retains control over lockers, storage spaces and desk space loaned to students and has authority to regulate admission and parking of all vehicles on school grounds. School administration has the duty and authority to inspect and search students' lockers, desks or vehicles with reasonable suspicion that prohibited or illegal items are contained therein.

#### **B. Personal Search**

Students and their possessions may be searched by school administration with or without the student's permission, if school administration has reasonable suspicion that the safety and well-being of that student or other people in the school are in jeopardy, or if the student is suspected to be in possession of prohibited items. If illegal items are located by school administration, these items will be turned over to law enforcement for investigation. If student refuses or parent denies the student to be searched, this may result in a Level III for Gross insubordination.

**House Bill 1537:** *Any search of a student's personal belongings, including a purse, backpack, or book bag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings.*

### **C. Canine Search**

The principal or designee may request a canine search through the Director of Safe Schools.

Trained sniff-screening dogs are allowed on school grounds to prevent drugs and weapons at school. They are an element of safety measures intended to provide students a safe and healthy school in which to learn. A trained sniff-screening dog may be walked around school lockers, school grounds or vehicles in the school parking lot without violating student's constitutional rights provided that students themselves are not being detained (without reasonable suspicion) while the dog is sniffing.

For example, walking a trained sniff-screening dog around a student's car in a school parking lot while the student is in class is permissible; however, detaining the same student in the school parking lot, without reasonable suspicion, while a trained sniff-screening dog walks around the student's car is not permissible. An alert by a trained sniff-screening dog that drugs or weapons may be present in a particular location provides school officials reasonable suspicion and law enforcement officers probable cause to conduct a search of the place to which the dog alerted.

Vehicles brought on school grounds by students are subject to the same criteria for searches as students' personal belongings. If a request to search a vehicle on school premises is denied by the student, parent, guardian or vehicle owner, administration has the right to terminate the student's privilege of bringing a motor vehicle on to school premises.

### **D. Cell Phones/Wireless Communication Devices (WCD)**

School administration may search a cell phone or other wireless communication devices if they have reasonable suspicion that such a device has been used in violation of the Student Code of Conduct.

## V. MISCONDUCT THAT WILL RESULT IN DISCIPLINE

Level I	Level II
<p style="text-align: center;"><b><u>CODE OFFENSE</u></b></p> <p>DS Dress code violation            HP Horseplay            NS No show detention            PI Possession of inappropriate items            FR Failure to report a code of conduct violation            SE Selling/buying/trading items            TR Tardies            UF Undue familiarity            VV Motorized Vehicle Violations</p>	<p style="text-align: center;"><b><u>CODE OFFENSE</u></b></p> <p>BV Bus violations            CD Disrespectful behavior/class disruption            CF Cell phone/ Wireless Communication devices (WCDs)            CH Cheating/plagiarizing            CI Classroom insubordination            FL False information            MD Misuse of cell phone/wireless communication devices (WCDs)            MV Medication violation            IM Intermediate offenses            PR General Profanity            SR Skipping/unauthorized area/trespassing on school ground            TA Taunting            TBC* Tobacco/possession/sale/use/distribution (vaping)            TH Theft less than \$750.00            TRS* Trespassing on school campus            TV Testing violation            VI Vandalism less than \$1,000.00            VP Verbal/Physical Altercation</p>
Level III	Level IV
<p style="text-align: center;"><b><u>CODE OFFENSE</u></b></p> <p>◆ALC* Alcohol possession, use or sale            BRK* Burglary            ◆BUL* Bullying            ◆DRU* Drug possession/use            ◆FA False accusations            ◆FIT* Fighting (injury)            ◆GI Gross insubordination            ◆HAR* Harassment/teen dating violence            ◆HAZ* Hazing            IF Interference or physical contact with school personnel            OB Profanity directed toward staff            ◆OMC* Other major (includes gang activities, hazing)            PC Physical contact, hitting, kicking, scratching, biting spitting            ◆PHA* Physical attack (Simple Battery)            PV Provoking a fight            ◆STL* Grand Theft - greater than \$750.00            ◆SXA* Sexual assault            ◆SXH* Sexual harassment            ◆SXO* Sex offenses            TI Extortion/coercion/blackmail            ◆TRE* Threats/intimidation            VAN* Criminal mischief felony-vandalism – greater than \$1,000.00            WI Possession/use or display of an object            UBL Unsubstantiated Bullying            UHR Unsubstantiated Harassment            USA Unsubstantiated Sexual Assault</p>	<p><i>A Level IV offense will result in a referral for pre-expulsion. All level IV codes are reported and referred to Law Enforcement</i></p> <p style="text-align: center;"><b><u>CODE OFFENSE</u></b></p> <p>◆ARS* Arson            ◆BAT* Aggravated Battery            ◆DOC* Major disruption on campus (e.g. bomb threat, false fire alarm)            ◆DRD* Drug sale/distribution            ◆HOM* Homicide            ◆KID* Kidnapping            ◆ROB* Robbery (using force to take something)            ◆SXB* Sexual battery            ◆WPO* Weapon possession            USB Unsubstantiated Sexual Battery</p>

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

◆F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.

\*\*Multiple disciplines in any level will result in the next level discipline action.

\*\*\*Administration has the final say on the disciplinary action for each discipline.



## VI. DISCIPLINARY ACTIONS

CODE		
AC	Conference with administrator	1
AD	Administrative detention	1, 2
AH	After hours school	2
AL	Alternative school – weapons, drugs, serious bodily harm	Multiple 3, 4
AM	Anger management	2, 3
AS	Alternative school – all other offenses	4
AW	Administrative warning	1
BA	Change assigned seat (bus)	1
BC	Behavioral contract	1
BS	Bus suspension	2
BW	Bus warning	1
CM	Check-in check-out/mentoring (Behavioral Expectations Plan)	1, 2
CR	Counseling referral	1,2,3
CS	Change student's schedule	1
EE	Referral to staffing committee for possible 45 day home instruction	3, 4
GC	Group counseling	2
HC	Daily or weekly home-school communication	1
IS	In school suspension	1, 2, 3
LA	Letter of apology	1
LD	Lunch detention	1, 2
LE	Loss of eligibility for extracurricular activities	2, 3
LP	Loss of privileges	1, 2
MH	Mental health referral resource	3, 4
OA	Outside agency referral	1, 2, 3, 4
OS	Out of school suspension	3, 4 & Multiple 2*
PC	Parent conference	1,2,3,4
PM	Assignment of peer or adult mentor	1
R	Physical restraint Crisis Prevention Intervention (CPI)	3, 4
RE	Restitution	2, 3, 4
SA	Substance Abuse Program	2,3
SR	School Resource Officer referral	1, 2, 3, 4
SS	Saturday school	1, 2, 3
ST	Bullying/harassment group	3
TB	Tobacco class with parent consent	2, 3
TC	Conference with teacher	1
TD	Teacher detention	1
TG	Participate in targeted skills group	2
TO	Time out/classroom removal	1, 2
WD	Work detail	2, 3
WR	Written reflection	1

**\*OSS is also specified for some specific Level I and Level II infractions, see section VIII.**

A Multi-Tiered System of Supports (MTSS) refers to framework that includes all of the instructional strategies, interventions, and supports that are used to help all students achieve.

<b>INTERVENTIONS</b>		
Interventions may include, but are not limited to, the following strategies		
<b><u>LEVEL I</u></b>	<b><u>LEVEL II</u></b>	<b><u>LEVEL III &amp; IV</u></b>
<ul style="list-style-type: none"> <li>• Referral to MTSS/Response to intervention team</li> <li>• Four step problem solving process</li> <li>• Monthly/Quarterly positive incentives</li> <li>• Class Assemblies to review behavior expectations</li> <li>• Classroom Interventions/supports</li> <li>• School/Class Behavior Expectations posted</li> <li>• Conference with student and administrator</li> <li>• Re-teach school &amp; classroom expectations</li> <li>• Social Worker Referral</li> </ul>	<ul style="list-style-type: none"> <li>• Conference with student, Counselor and/or Administrator</li> <li>• Daily or weekly home school communication</li> <li>• Functional Behavioral Assessment, Positive Behavioral Intervention Plan</li> <li>• Parent conference with teacher and/or administrator</li> <li>• Parent Workshop</li> <li>• Peer Mediation</li> <li>• Participate in targeted skills group</li> <li>• Check-In / Check-out</li> <li>• Referral to community agency</li> <li>• Re-teach Behavioral expectations</li> <li>• Increase frequency of incentives</li> <li>• Social Worker Referral</li> </ul>	<ul style="list-style-type: none"> <li>• Functional Behavioral Assessment, Positive Behavioral Intervention Plan</li> <li>• Re-teach behavioral expectation(s)</li> <li>• Review classroom expectations</li> <li>• Referral for Mental Health Supports</li> <li>• Check-In / Check-out (BIP)</li> <li>• Targeted skills group</li> <li>• Individual counseling</li> <li>• Wrap around services</li> <li>• Referral to community agency</li> <li>• Social Worker Referral</li> </ul>

<b>LEVELS OF DISCIPLINARY ACTION SUMMARY</b>
Interventions and corrective actions should be selected that will have a positive impact on student behavior, and when at all possible, minimize student’s time away from classroom instruction. Corrective actions are designed for consistency and to protect the learning environment for all students.

<b><u>LEVEL I</u></b>	<b><u>LEVEL II &amp; III</u></b>	<b><u>LEVEL IV</u></b>
<ul style="list-style-type: none"> <li>• Reteach behavioral expectation(s)</li> <li>• Conference with Teacher</li> <li>• Conference with Principal</li> <li>• Counseling referral</li> <li>• Conference with School and Parents</li> <li>• Referral to Community Agency</li> <li>• Adjustment of Student’s schedule</li> <li>• Assignment of peer or adult mentor</li> <li>• Written reflection</li> <li>• Daily or weekly home-school communication</li> <li>• Letter of apology</li> <li>• Lunch detention</li> <li>• Administrative warning</li> <li>• Loss of privilege</li> <li>• Change assigned seat (bus)</li> <li>• Work detail</li> <li>• Teacher detention</li> </ul>	<ul style="list-style-type: none"> <li>• Detention (Administrative)</li> <li>• Timeout</li> <li>• Work detail</li> <li>• After-hours school</li> <li>• In-school suspension</li> <li>• Out of school suspension</li> <li>• Saturday school</li> <li>• Lunch detention</li> <li>• Loss of eligibility for extracurricular activities</li> <li>• Loss of privileges</li> <li>• Restitution</li> <li>• Participate in targeted skills group</li> <li>• Check-In/Check-out – Behavioral Education Plan</li> <li>• Group counseling</li> <li>• Restitution</li> <li>• Social Worker Referral</li> </ul>	<p><b>Pre-Expulsion Hearing will be held</b></p> <ul style="list-style-type: none"> <li>• Out of School Suspension</li> <li>• Expulsion-Alternative placement</li> <li>• Social Worker Referral</li> </ul> <p>A Pre-Expulsion hearing to review student’s record with an administrator, other appropriate school personnel, student, and the parent/legal guardian. The consequences for the infraction will be determined at or immediately following the hearing.</p>

Student success is not impeded by race, color, sex, age, nationality, political beliefs, disability, sexual orientation, social, and family background. When misbehavior occurs, teachers, support staff, and parent work together to identify risk factors contributing to student misconduct. Through the use of direct instruction and positive reinforcement, replacement behaviors can be achieved. Student success is reliant on collaboration among staff, students, parents and community stakeholders. In order to eliminate disparate rates of discipline and suspensions, each school will implement a school wide Positive Behavior Intervention and Supports Plan that provides interventions and a tiered system of supports to promote preventive measures that engage students and families as part of the process.

## **VII. INFRACTIONS WITH GENERAL AND SPECIFIC DISCIPLINARY ACTIONS AS INDICATED:**

The Hernando County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment. Students are expected to comply with established rules, follow directions, and respond respectfully to those in authority. In addition, students should be recognized and praised for demonstrating good conduct, self-discipline, good citizenship, and academic success.

### **A. Level I**

**[DS] DRESS CODE VIOLATION:** (Appendix C outlines the dress code expectations): Any student who violates the dress code policy, such as; wearing clothing that exposes undergarments or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment.

1. **First Offense** – A student shall be given a verbal warning and the administrator or their designee shall call the student’s parent or guardian to bring a change of clothes.
2. **Second Offense** – The student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days, may lose a privilege and the school administrator or their designee shall call, meet with the student’s parent or guardian and ask them to bring a change of clothes.
3. **Third or Subsequent Offense** – A student shall receive an in-school suspension pursuant to s.1003.01(5) for a period not to exceed three (3) days, the student is ineligible to participate in any extracurricular activity for a period not to exceed thirty (30) days, may lose additional privileges and the school administrator or their designee shall call the student’s parent or guardian to bring a change of clothes, send the parent or guardian a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities. (Section 1006.07, Florida Statutes.)

**[HP] HORSEPLAY:** Jumping on, wrestling with, slapping on head, etc. Note: Pulling down another student’s pants may be considered “horseplay” or “harassment” depending on the situation, students present, and the location of the incident. Horseplay that results in unintentional injury may result in out of school suspension.

**[NS] NO SHOW DETENTION.**

**[PI] POSSESSION OF INAPPROPRIATE (Non-approved) ITEMS:** Any item that may cause campus distraction or may potentially cause harm. Items banned at school, for example, any outside food or drink. Level II consequences may be applied if appropriate.

[FR] **FAILURE TO REPORT:** Any student who knowingly fails to report any violation of the Student Code of Conduct. Intentionally withholding valid information from an HCSD employee, contracted personnel, volunteer, or authorized adult.

[SE] **SELLING/BUYING/TRADING ITEMS.**

[TR] **TARDIES:** Tardy to class is defined as the student is not in the classroom when the tardy bell rings or class begins.

Violations one (1) to five (5) are Level I offenses. Schools will assign a progression of consequences for the 6<sup>th</sup>-10<sup>th</sup> tardy that may result in ISS or OSS being assigned.

Unexcused tardy from class for ten (10) or more minutes will be considered skipping (SR), a Level 2 offense in the Student Code of Conduct and will result in ISS.

[UF] **UNDUE FAMILIARITY:** Inappropriate public display of affection marked by welcomed physical contact. Includes but not limited to hugging, kissing etc.

[VV] **MOTORIZED VEHICLES VIOLATIONS:**

Improper or unsafe operation of any means of transportation on school campus by a student, including failure to comply with school parking policies.

1. **First Offense** - Level I or revocation of parking permit
2. **Repeat Offense** - Denial of parking/driving privileges

## B. Level II

[BV] **BUS VIOLATIONS:** Failure to adhere to bus safety regulations. This may include but not limited to changing seats while the bus is in motion, getting on or off the bus at the wrong stop, having any part(s) of the body hanging out the window, or any other behavior deemed unsafe by the driver, school administrator, or designee. Multiple Level II referrals may result in Level III consequences.

[CD] **DISRESPECTFUL/DISRUPTIVE BEHAVIOR/CLASS DISRUPTION:** To include isolated inappropriate language. Any actions which interrupt classroom instruction to include isolated inappropriate language. Examples include, but not limited to being up out of seats, distracting other students, repeated verbal outbursts, etc.

[CF] **CELL PHONE / WIRELESS COMMUNICATION DEVICES (WCDs):** Referred to as "device" includes but is not limited to a privately/school owned laptop, tablet computing device, net book, notebook, e-Reader, iPod touch, smart watch, gps tracker with recording and/or transmitting capability, and/or smart phone. House Bill 379 A student may not use a wireless communication device (WCD) during instructional time, except when solely used for educational purposes as directed by his or her teacher. A teacher may withhold a student's WCD during instructional time. Each staff member has the authority to establish a procedure for collection of devices in order to enhance the learning environment. **When permission is not given**, such devices must be turned off and put away during the school day or on the bus. Smart watches may be on the wrist in sight, but shall not be utilized for recording or transmitting without permission. The student is fully responsible, at all times, for the personally owned device brought to school. The District is NOT liable for any loss, damage or theft of a personally owned device. As such, students should not share devices. Device use is exclusively limited to schools participating in the Bring Your Own Device (BYOD) program.

Devices should be turned off and should not be visible at schools not participating in the BYOD program.

Devices may only be used in certain approved areas of the school. Students may not use devices in parts of the school designated as No Technology Zones or any other areas where devices are not permitted.

**Ear Bud/Headphones/Devices** will only be permitted in labs or lab type settings on a school campus with the approval of administration or classroom teacher.

Refusal to turn over a device including a cell phone's sim card and battery when directed is considered Gross Insubordination.

**First Offense** – School personnel may use their discretion to direct the student to turn off the device and put it away. This discretion is permitted for the purpose of limiting interruptions of classroom instructional time. Administration must instruct teachers on how to notify them for first offenses. Teachers must follow the procedures set by administration.

**Second Offense** – The device will be confiscated by school personnel, labeled and turned into administration. A conference will be held between the student and an administrator. Parent notification/contact will be made. The device will be returned to the student at the end of the day. A second cell phone offense will result in a level II discipline action.

**Third Offense** – The device will be confiscated by the school personnel, labeled and turned into administration. A Discipline Referral must be written and should also include "Gross Insubordination" [GI] as an additional infraction to the [CF] code. Parent conference must be held to return device and discuss future incidents which may lead to banning the device.

**Any additional offenses** will result in the device being confiscated and student will be prohibited from carrying a device during the school day. Parent conference must be held and device returned to parent.

**NOTICE:**

- Taking pictures of school staff or students without their permission is prohibited. WCDs may not be used for illegal purposes, nor used for transmitting, retrieving, or storing any communications of an obscene, discriminatory, harassing nature, or for any other purpose that is against school board policy.
- **The taking, transferring, or other sharing of nude, obscene, pornographic, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, e-mailing, picture mail, etc.) may constitute a crime under state and/or federal law. Any person taking, transferring, or other sharing of nude, obscene, pornographic, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest and prosecution.**
- **Use of devices to record a fight(s) will result in a discipline action code of MD/OMC.**

**[CH] CHEATING/PLAGIARISM/FALSIFYING DOCUMENTS:** To influence by deceit, fraud, dishonesty/to steal and pass off the ideas or words of another as one's own, without crediting the source. Including but not limited to:

1. Using or consulting any materials or personal electronic devices/wireless communication devices not authorized by the teacher during a test
2. Unlawfully accessing tests or answer keys through physical or electronic means
3. Providing or receiving questions, answers or work to or from another student
4. Incorporating the words, sentences, paragraphs, or part of another person's writings
  - a. First Offense: Zero (0) or reduced credit on the assignment
  - b. Repeat Offenses: Zero (0) and ISS is assigned

**[CI] CLASSROOM INSUBORDINATION: Refusal to complete or participate in classwork and/or causes a disruption to the learning environment.**

**[FL] FALSE INFORMATION:** Reporting untrue or misleading information with reckless disregard, which may disrupt the orderly process of the school or which may slander or libel others.

**NOTE: Any instance where a student intentionally makes false accusations that jeopardize the professional reputation, employment, or certifications of school staff is a Level III offense.**

**[MD] MISUSE OF ALL WIRELESS COMMUNICATION DEVICES (WCDs) OR ONLINE SERVICES:** Electronic media may not be used for illegal purposes including transmitting, retrieving or storing any communications of an obscene, discriminatory, harassing nature, academic dishonesty, or for any purpose that is against school board policy (i.e. accessing school district Wi-Fi or any password protected site). Furthermore, no student may use electronic media to attempt access to restricted data nor bypass network security or filtering through the use of a VPN or other methods. Students are to connect only to the guest/student Wi-Fi which is not password protected. Students are prohibited from connecting to any password protected Wi-Fi. See (Appendix E) for Acceptable Use Agreement.

**Prohibited use(s) of a device include, but are not limited to, taking inappropriate pictures, inappropriate video /audio recording, inappropriate receiving or sending text messages, sexting, or distribution of school misbehavior. These violations may be considered a Level III or Level IV offense depending on location (i.e. locker room, restroom) and subject of violation. It is prohibited and against the law to photograph or audio/video record a person without their permission. Violations will immediately be referred to law enforcement if they involve any nude images of children or adults, should be coded as [OMC] and will result in out-of-school suspension (one (1) to ten (10) days) and possible recommendation for expulsion. Parents will be notified once law enforcement has completed their investigation. To help prevent misuse, school personnel reserves the right to collect devices during classroom assessments.**

- **Use of devices to record a fight(s) will result in the code of MD/OMC.**

Refusal to give a prohibited item(s) to any school staff will result in an immediate Out of School Suspension. A parent/guardian conference may be required before a student may return to school. Each school may develop its own procedure for confiscating electronic devices. House Bill 379 students may not access social media platforms through the use of internet access provided by the school district, except when such use is solely for educational purposes as directed by their teacher.

[MV] **MEDICATION VIOLATION:** Students who bring their medication to school in violation of the District Medication Policy will be given one (1) day OSS and a parent(s)/guardian(s) is/are contacted. Repeat violations will be treated under the Drug Violation section.

**House Bill 1537:** *A student may possess and use a medication to relieve headaches while on school property or at a school-sponsored event or activity without a physician's note or prescription if the medication is regulated by the United States Food and Drug Administration for over-the-counter use to treat headaches. Violations of Over-the-Counter (OTC) medication policy, include but are not limited to: distributing, dispersing, or sharing of OTC, carrying or possessing OTC in a package other than the original manufacturer's packaging, or ingesting or utilizing OTC in a way that is not specifically directed or authorized by the manufacturer, as directed on the original packaging. F.S. 1002.20(3)P*

[IM] **INTERMEDIATE OFFENSES:** Any offenses to include but not limited to racially charged slurs, comments or gesture of a sexual connotation, tampering with food/drink, tampering with school facilities causing disruption without causing damage, etc. If monetary damages occur please see Vandalism or another appropriate code.

[PR] **GENERAL PROFANITY:** Blatant use of profane, obscene, vulgar, intimidating or otherwise offensive language or gestures in the presence of other students or school staff.

[SR] **SKIPPING/UNAUTHORIZED AREA:** Student not in assigned classroom or authorized area within the school, without permission. Leaving campus without permission may receive Level III consequences. House Bill 1521, any student who willfully enters a restroom or changing facility designated for the opposite sex and refuses to depart when asked to do so may result in level III consequences.

[TA] **TAUNTING:** Unwanted teasing, an isolated incident that is insulting or hurtful to others. Multiple incidents of this nature may be considered bullying/harassment.  
**Level III consequences can be applied.**

[TBC\*] **TOBACCO POSSESSION, SALE, USE, DISTRIBUTION: (Cigarettes or other forms of tobacco)** The possession, use, distribution, or sale of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related. **This includes products used for smoking, chewing, snuffing, or vaping, including but not limited to E-cigarettes and hookah pens.**

1. **First Offense:** Three (3) days OSS and referral to the Tobacco Abuse Program. Failure to attend tobacco program will result in two (2) additional days OSS. Note: If it has been more than one school year, student may repeat tobacco class.
2. **Second Offense:** Five (5) days OSS and referral to second offender drug program conducted by Student Services. A second offense will be considered a level III discipline and will have level III disciplinary action.
3. **Third Offense:** Ten (10) days OSS and possible recommendation for alternative school placement.

Sale/Distribution: Students found to be in possession of multiple vapes or distributing multiple vape/tobacco products will be given a five to ten day OSS and a possible recommendation for expulsion. (Will be coded as OMC and TBC)

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

◆F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.

**NOTE: The School Board prohibits the use of any form of tobacco products by anyone in any area at all times utilized by students or designated for student activities. Additionally, and in accord with law and other governing regulations, prohibits the use of tobacco products in any form in facilities, vehicles, and areas designated for the various student programs and activities. It is unlawful for any person under 21 years of age to smoke tobacco or vape in, on, or within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school between the hours of 6 a.m. and midnight. Any person issued a citation pursuant to this section shall be deemed to be charged with a civil infraction punishable by a maximum civil penalty not to exceed \$25, or \$50 hours of community service or, where available, successful completion of a school-approved anti-tobacco or anti-vaping “alternative to suspension” program. Any person who fails to comply with the directions on the citation shall be deemed to waive his or her right to contest the citation and an order to show cause may be issued by the court. Consult with law enforcement.**

**[TH] THEFT (Less than \$750 threshold):** The unauthorized taking, carrying, riding away with, or concealing the property of another person less than \$750 value, including motor vehicles, without threat, violence, or bodily harm.

**[TRS\*] TRESPASSING: (Illegal entry onto campus)** To enter or remain on school grounds, school transportation, or at a school-sponsored event, without authorization or invitation and with no lawful purpose for entry.  
**Report to law enforcement**

**[TV] TESTING VIOLATION:** Failure to follow stated directions on any state and/or district standardized assessment. This includes possession or use of electronic devices (including cell phones), talking to any other student, looking at another student’s computer or any other behavior to be deemed disruptive or inappropriate by the school administrator or their designee. This infraction will result in two (2) days OSS and possible test invalidation, which could result in a score of zero (0) for the assessment.

**[VI] VANDALISM:** The destruction, damage or defacing of school or personal property less than \$1,000.00.

**[VP] VERBAL /PHYSICAL ALTERCATION:** Verbal confrontation OR physical contact that does not involve serious injury between two (2) or more students which is harmful and/or disruptive. (K-8 students only)

### C. Level III

**[ALC\*]♦ALCOHOL POSSESSION, USE OR SALE:** Possession, sale, purchase or use of alcoholic beverages. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. Alcohol incidents cannot be Drug-related.

**EXAMPLES:**

1. Student testing positive for alcohol by law enforcement.
2. Student possessing, using, or selling alcohol.

**Report to law enforcement**

**Mental Health Resource List**

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

*♦F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.*



**[BRK\*] BURGLARY:** Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.

**Report to law enforcement**

**[BUL\*] ♦BULLYING:** (Intimidating behaviors that are repeated, intentional and involve a power imbalance) Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that creates an intimidating, hostile, or offensive environment; or unreasonably interferes with the individual's school performance or participation. Bullying includes instances of cyberbullying, Florida Statute 1006.147.

1. **First Offense:** Three (3) to five (5) days of OSS and attend the District Bullying/Harassment Prevention Program. Additional days may be assigned at the discretion of the administrator, not to exceed ten (10) days. Failure to attend will result in additional consequences or days of suspension. *K-2 one (1) – three(3) days of OSS and referral to certified school counseling for an individual bullying/harassment program.*
2. **Second offense** for any student will result in ten (10) days suspension and recommendation to superintendent for expulsion.

**Consult with law enforcement**

**Hope Scholarship documented**

**Mental Health Resource List**

**[DRU\*] ♦DRUG USE POSSESSION:** (Illegal drug possession or use) The use or possession of any drug, narcotic, controlled substance, any substance used for chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. Possession or use will result in three (3) to five (5) days OSS and enrollment in an approved Substance Abuse Program through the Hernando County School District Substance Abuse Educator. Failure to attend the substance abuse program will result in additional consequences or days of suspension. Additional days may be assigned at the discretion of the administrator, not to exceed ten (10) days.

**Report to law enforcement**

**Mental Health Resource List**

**[FA] ♦FALSE ACCUSATION:** Any instance where a student knowingly or with reckless disregard makes false accusations that jeopardize the professional reputation, employment, or certifications of school staff is three (3) to ten (10) days Out of School Suspension and possible recommendation for expulsion.

**Mental Health Resource List**

**[FIT\*] ♦FIGHTING:** (Mutual combat, mutual altercation) When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR.

**House Bill 1537 Self Defense:** *In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened, using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer were necessary to restore or maintain the safety of others.*

\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.

♦F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.

**ELEMENTARY: First Offense:** One (1) to three (3) days of OSS and referral to Certified School Counselor for individual Anger Management Program. **Second Offense:** Second and subsequent offense, parents must attend a parent conference in person before a student can return to a school campus. Three (3) to five (5) days OSS. **Third Offense:** Five (5) to ten (10) days OSS.

**SECONDARY: First Offense:** Five (5) days OSS and attend an anger management group. Additional days may be assigned at the discretion of the administrator, not to exceed ten (10) days. **Second Offense:** Second and subsequent offense, parents must attend a parent conference in person before a student can return to a school campus. Ten (10) days OSS and possible recommendation for expulsion. **Note:** Failure to attend anger management may result in additional consequences or days of suspension.

**Report to law enforcement**  
**Hope Scholarship documented**  
**Mental Health Resource List**

[GI] ♦**GROSS INSUBORDINATION: Repeated** refusal to respond to or carry out reasonable and/or lawful directions of authorized school personnel. Student with multiple [GI] infractions can be recommended for expulsion with documentation of interventions for individual.

**Mental Health Resource List**

[HAR\*] ♦**HARASSMENT:** Any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property; has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school, including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

1. **First Offense:** three (3) to five (5) days of OSS and attend the District Bullying/Harassment Prevention Program. Additional days may be assigned at the discretion of the administrator, not to exceed ten (10) days. **Second Offense:** Ten (10) days of OSS and an investigation should be initiated. May result in recommendation for expulsion. **Note:** Failure to attend District Bullying/Harassment Prevention Program may result in additional consequences or days of suspension.

**Consult with law enforcement**  
**Hope Scholarship documented**  
**Mental Health Resource List**

[HAZ\*]♦**HAZING:** Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. Hazing includes, but is not limited to pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

**Report to law enforcement**  
**Mental Health Resource List**

[IF] **INTERFERENCE OR PHYSICAL CONTACT WITH SCHOOL PERSONNEL:**  
Preventing or attempting to prevent school personnel from engaging in their lawful duties. This may include blocking an exit or entry route of school personnel or physical contact with school personnel that is deliberate.

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

♦F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.

**[OB] PROFANITY DIRECTED TOWARD STAFF:** Use of profane, obscene, vulgar, or abusive language or gestures directed at or referring to a staff member/ volunteer/ chaperone. Student with multiple [OB] infractions can be recommended for expulsion with documentation of interventions for individual.

**[OMC\*]◆OTHER MAJOR:** (Major incidents that do not fit within the other definitions)Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. Sale/Distribution: Students found to be in possession of multiple vapes or distributing multiple vape/tobacco products will be given a five to ten day OSS and a possible recommendation for expulsion. (Will be coded as OMC and TBC)

**Report to law enforcement**  
**Mental Health Resource List**

**[PHA\*]◆PHYSICAL ATTACK (SIMPLE BATTERY):** An actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.

**Report to law enforcement**  
**Hope Scholarship documented**  
**Mental Health Resource List**

**[PC] PHYSICAL CONTACT:** May include but not limited to hitting, kicking, scratching, biting, spitting, or throwing objects at another student. This infraction could be considered a Level III [PHA\*] if injuries result, Level III intermediate offense if staff member is hit and no injury or Level IV if injuries are serious in nature and law enforcement involvement becomes necessary, which could be coded as Battery [BAT].

**[PV] PROVOKING A FIGHT:** Encouraging others, in person or digitally, to violate the Student Code of Conduct (i.e. inciting others to engage in a fight or two (2) persons engage in a physical conflict, blows are exchanged, students separate on their own and no injuries result). This infraction includes aggressively confronting or challenging another student(s) and/or video recording up to and/or during a physical altercation. This infraction may result in out-of-school suspension and/or referral to law enforcement.

**[STL\*]◆GRAND THEFT (Taking of property from person, building or vehicle \$750+):** The unauthorized taking, carrying, riding away with, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally defined incidents according to district policies.

**Report to law enforcement**  
**Mental Health Resource List**

**[SXA\*]◆SEXUAL ASSAULT:** An incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault.

**Report to law enforcement**  
**Hope Scholarship documented**  
**Mental Health Resource List**

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

*◆F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.*

**[SXH\*]♦SEXUAL HARASSMENT: (Undesired sexual behavior)** Unwanted verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance or participation as defined in Rule 6A-19.008 F.A.C.

**ELEMENTARY: First Offense:** One (1) to three (3) days of OSS and referral to Certified School Counselor for an individual Sexual Harassment Program. **Second Offense:** three (3) to five (5) days OSS. **Third Offense:** five (5) to ten (10) days OSS.

**SECONDARY: First Offense** – one (1) to three (3) days OSS and attend the District Sexual Harassment Prevention Program. Additional days may be assigned at the discretion of the administrator, not to exceed ten (10) days. **Second Offense:** ten (10) days of OSS and an investigation should be initiated. May result in recommendation for expulsion.

**Note:** Failure to attend District Sexual Harassment Prevention Program may result in additional consequences or days of suspension.

**Consult with law enforcement**

**Hope Scholarship documented**

**Mental Health Resource List**

**[SXO\*]♦SEX OFFENSES:** Other sexual contact, including intercourse, without force or threat of force. Includes subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner.

**Report to law enforcement to investigate**

**Hope Scholarship documented**

**Mental Health Resource List**

**[TI] EXTORTION/COERSION/BLACKMAIL:** Obtaining money or property (Something of value) from an unwilling person, or forcing an individual to act through use of force or threat of the use of force.

**[TRE\*]♦THREAT/INTIMIDATION: (Instilling fear in others)** An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats (e.g., brandishing a weapon) and verbal threats of physical harm which are made in person, electronically or through any other means.

**Report to Law Enforcement**

**Hope Scholarship documented**

**Mental Health Resource List**

**[VAN\*] CRIMINAL MISCHIEF – FELONY VANDALISM (\$1,000+):** (Destruction, damage, or defacement of school or personal property) The intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of it. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.

**Report to Law Enforcement**

**[WI] POSSESSION/USE OR DISPLAY OF OBJECT:** Possession or display of any object including: BB gun, pellet gun, common pocket knife, lighters, chains, blunt knife, laser pointer, smoke bomb, bullet, shot gun shell or firecracker or any other object that could cause harm to another person is prohibited.

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

*♦F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.*

Possession of a common pocket knife is exempted from state zero tolerance expulsion requirement 1006.07(2) F.S.; however, **law enforcement should be notified of any weapon or knife, including pocket knives, for investigation.**

**Note: If a student threatens to use a common pocketknife or any other object to harm another person, it becomes a weapon under state statute**

**[UBL] UNSUBSTANTIATED BULLYING:** After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under the definition of bullying as listed in the Jeffrey Johnston Stand Up for all Students Act (section 1006.147, F.S.).

**[UHR] UNSUBSTANTIATED HARASSMENT:** After a complete investigation and follow up of a reported harassment incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under definition of harassment as listed in the Jeffrey Johnston Stand Up for all Students Act (section 1006.147, F.S.).

**[USA] UNSUBSTANTIATED SEXUAL ASSAULT:** After a complete investigation and follow up of a reported sexual assault incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a sexual assault.

#### **D. Level IV**

**[ARS\*]♦ARSON:** (Intentionally setting a fire on school property) To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.

**Report to law enforcement**  
**Mental Health Resource List**

**[BAT\*]♦AGGRAVATED BATTERY: (Intentional great bodily harm)** A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.

**Report to Law Enforcement**  
**Hope Scholarship documented**  
**Mental Health Resource List**

**[DOC\*]♦MAJOR DISRUPTION ON CAMPUS:** (Significantly disrupts all or portions of the campus activities, school sponsored events or school bus transportation) Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others. Examples of major disruptions include bomb threats, inciting a riot, or initiating a false fire alarm.

**Report to law enforcement**  
**Mental Health Resource List**

*\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.*

*♦F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.*

**[DRD\*] ♦ DRUG SALE OR DISTRIBUTION:** (Illegal sale or distribution of drugs) The manufacture, cultivation, sale or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance. **Report to law enforcement**, and refer to Substance Abuse Educator for the Substance Abuse program.  
**Mental Health Resource List**

**[HOM\*] ♦ HOMICIDE:** (Murder, Manslaughter) The unjustified killing of one human being by another.  
**Report to law enforcement**  
**Mental Health Resource List**

**[KID\*] ♦ KIDNAPPING:** (Abduction of an individual) Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.  
**Report to law enforcement**  
**Mental Health Resource List**

**[ROB\*] ♦ ROBBERY: (Using force to take something from another)** The taking or attempted taking of anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear.  
**Report to law enforcement**  
**Mental Health Resource List**

**[SXB\*] ♦ SEXUAL BATTERY: (Attempted or actual)** Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or foreign object. Both males and females can be victims of sexual battery.  
**Report to law enforcement**  
**Hope Scholarship documented**  
**Mental Health Resource List**

**[WPO\*] ♦ WEAPONS POSSESSION:** (Possession of firearms and other instruments which can cause harm) Possession of a firearm or any instrument or object as defined by Section 790.001, Florida Statutes, or district code of conduct that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm, This includes such items as any knife, metallic knuckles, slingshot, club, tear gas gun, box cutter, electric weapon or device, razor blades, chemical weapon, destructive device or explosive device. (*Possession of a common pocketknife is exempted from state zero tolerance expulsion requirement 1006.07(2) F.S.; however, law enforcement should be notified of any weapon or knife, including pocketknives, for investigation.*)

**Note: Firearms with the exception of approved school activities to include those for recreational activities such as hunting or target practice, shall not be displayed or in the possession of any student while on school premises or property, or taken upon school premises or property or property designated for school activities by students:**

1. Regardless of intent or lack thereof.
2. With or without knowledge, whether advertently or inadvertently.
3. Whether on or about the person or property, to include vehicles.
4. Whether loaded, unloaded, operable, or inoperable.

**Report to law enforcement**  
**Mental Health Resource List**

\*SESIR/State reportable offense. Two (2) or more Level III offenses with documentation of interventions or any Level III offense that results in injury or campus disruption, may result in recommendation for expulsion. All Level IV will be referred for pre-expulsion.

♦F.S.1006.07 – Requires mental health referral resource for violent and disruptive behaviors.

**[USB] UNSUBSTANTIATED SEXUAL BATTERY:** After a complete investigation and follow up of a reported sexual battery incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a sexual battery.

## **VIII. OUT OF SCHOOL SUSPENSION PROCEDURES**

When administration selects OSS or bus suspension as the disciplinary action for a student, the following procedural (due process) steps are required:

### **A. The School Administration Shall:**

1. Schedule a conference with the student giving him/her an opportunity to tell his/her side of the story and provide documentation or the names of witnesses. The conference shall occur prior to the suspension except in emergency situations, disruptive conditions or “serious” breaches of this Student Code of Conduct. In these situations, the school administration may suspend the student pending the conference, but it must still take place within two (2) school days except when waived by the student’s parent or for good cause.
2. Provide reasons for recommending suspension.
3. The principal shall make good faith effort to immediately contact parent(s)/guardian(s) by telephone in the presence of the student, if possible, at the time of the suspension and explain the reasons for same.
4. Provide the student with a copy of the discipline referral.
5. Send a letter to the parent(s)/guardian(s) confirming the suspension and the reasons for same.  
**Notes: Procedures regarding “make-up work” due to suspension may be found in the School Procedures Manual located on the school district website. School administrators have the authority to permit the suspended student on campus for assessment or intervention activities as deemed appropriate.**
6. A parent conference must be held with school administration for any major infraction prior to student returning to school.

### **B. Due Process**

A student cannot be suspended and, thereby deprived of his or her free and appropriate education which is provided in the public schools, without appropriate due process of the law. While the appropriate level of procedural due process to be afforded to a student may depend upon circumstances, due process is guaranteed to every American citizen by the Fourteenth Amendment to the Constitution of the United States of America. These rights are not waived or relinquished by a child enrolled in a public school.

A student cannot be deprived of his/her constitutionally guaranteed rights to fair notice, fair hearing, and fair procedures. Personal and constitutional rights must be safeguarded within such rules.

A student may not participate in any athletic competition, extra-curricular activity or co-curricular performances/competition during a suspension (in-school or out-of-school). Students may resume participation in any athletic competitions, extra-curricular and co-curricular activities the next day following the suspension. Students may attend practice and rehearsal while assigned in-school suspension with approval from their school’s administration.

### **C. Off Campus Felonies**

A student who is formally charged by the State Attorney’s Office with an offense that constitutes a felony for an incident which occurred off school property that may have an adverse impact on the educational program, school discipline, or welfare of the school, may be suspended pending court determination of his or her guilt, innocence, or dismissal of the charges. School administration should

provide written notice to the student and his or her parent(s)/guardian(s) that he or she is being temporarily suspended for a felony occurring off school campus and provide a date for an Administrative Hearing which shall not be less than two (2) school days or more than five (5) school days from the post-marked date or delivery. Appropriate personnel as determined by the Superintendent will be invited to any Administrative Hearing as per Florida Statute 1006.09. The school administration may recommend to the Board that the student be expelled if it is determined by the court the student committed the offense.

**D. Students with Disabilities: In matters relating to the discipline of students with disabilities, the Hernando County School District shall abide by the Federal and State laws regarding suspension, expulsion and alternative placement.**

In the case of some students with Individual Education Plans (IEP) or Section 504 Plans, inappropriate behavior may be related to a disabling condition. The behavior must be treated individually and sensitively which frequently requires the use of a wide range of interventions and/or alternatives. The following procedures will be utilized:

1. In all matters, including transportation, students with disabilities shall conform to the same rules outlined in the Student Code of Conduct as their non-disabled peers unless otherwise stated in their IEP or Section 504 Plan.
2. Students with disabilities may be suspended for infractions as defined for all students in the Student Code of Conduct.
3. Suspension for ten (10) days or less: Follow typical disciplinary procedures.
4. Suspension beyond ten (10) days: **Any student with a suspected or identified disability** shall not be suspended more than ten (10) days, either through a single suspension or cumulative shorter suspensions per school year without the IEP or Section 504 Committee meeting to evaluate the extent to which the misconduct has direct and & substantial relationship to the disabling condition and as permitted by state and federal law. Bus suspension and partial day removals may count as suspensions.
5. Before a school district can consider a student with disabilities with an IEP for expulsion:
  - a. Convene an IEP meeting and conduct a manifestation determination within ten (10) school days of decision to remove the student for discipline reasons.
  - b. If the IEP committee determines that the behavior is a manifestation of the student's disability, the IEP team will either conduct, review or revise a functional behavior assessment.
  - c. If a behavioral intervention plan already has been developed, review the behavioral intervention plan and modify it, as necessary, to address the behavior. If no behavioral intervention plan exists but one is needed, then develop one based on the current behaviors needing to be addressed.
  - d. If the IEP committee determines that the behavior is not a manifestation of the student's disability, then relevant disciplinary procedures in the same manner and duration as for students without disabilities apply, however, educational services must continue.
  - e. If the committee determines that the behavior is a manifestation of the student's disability, except as described below under the sub-heading Special Circumstances, the school district must return the student to the placement from which the student was removed, unless the parent and the district agree to a change of placement as part of the behavioral intervention plan.

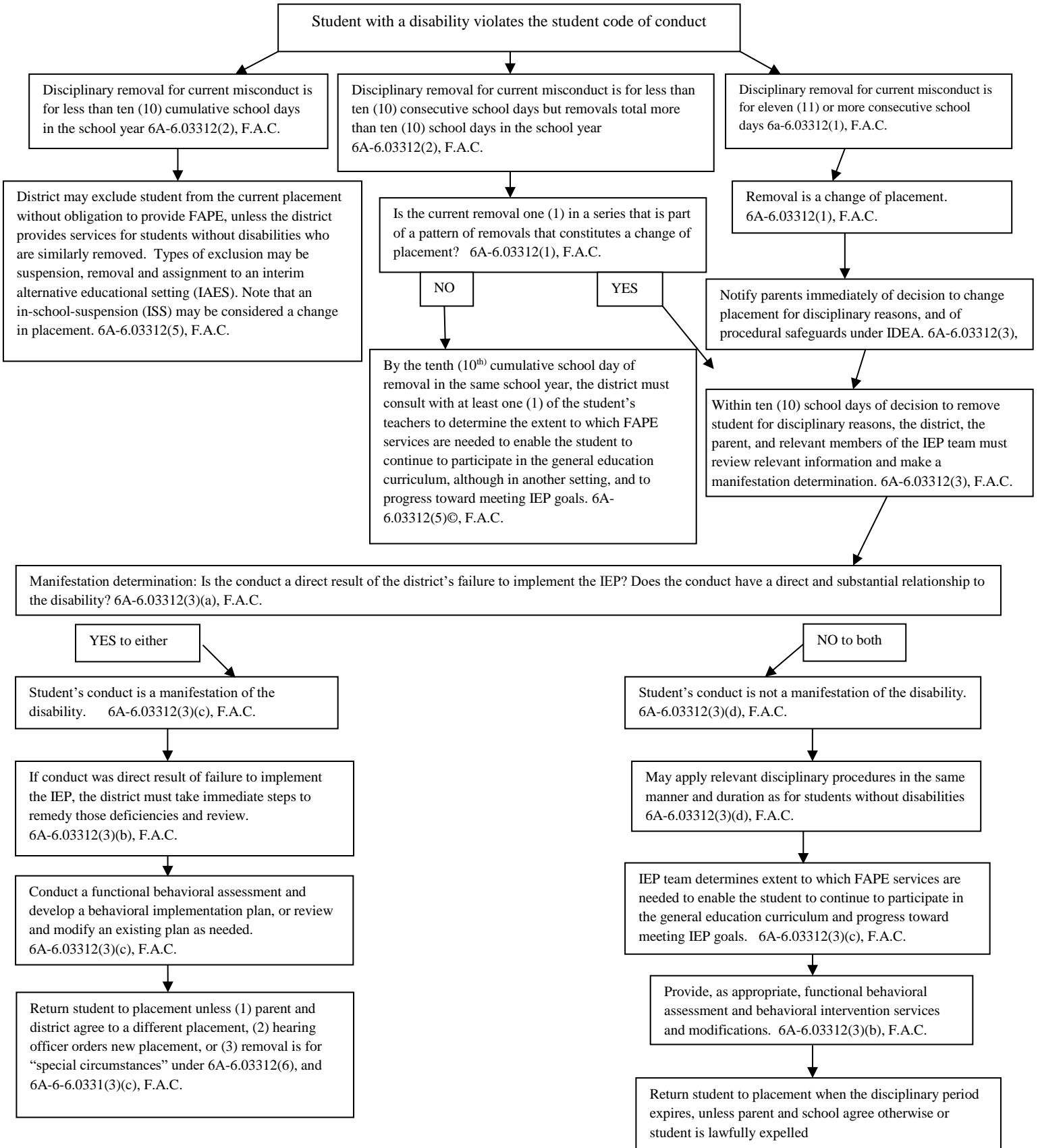


### **Special Circumstances**

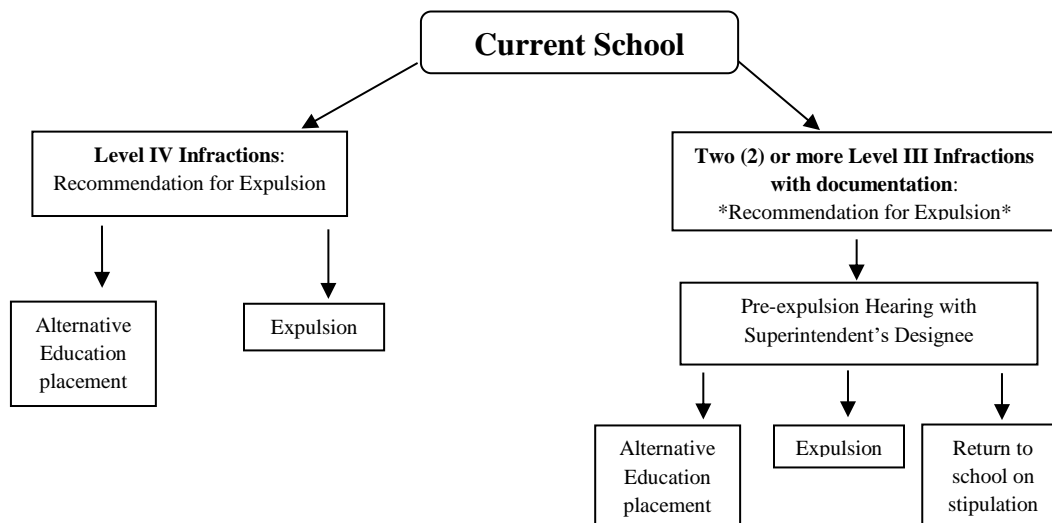
Whether or not the behavior was a manifestation of the student's disability, school personnel may remove a student to an interim alternative educational setting (determined by the student's IEP team) for up to 45 school days, if the student:

1. Carries a weapon to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Department of Education or school district;
2. Knowingly has or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the Department of Education or school district; **or**
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the Department of Education or school district.

# DISCIPLINE FOR STUDENTS WITH DISABILITIES FLOW CHART



## IX. ALTERNATIVE SCHOOL / EXPULSION PROCEDURES



- A. If the Superintendent designee recommends a disciplinary reassignment in lieu of expulsion, said decision will be considered final and not subject to further appeal, negotiation, or amendment, by any party.**

**Expelled students may not be on the campus of the zoned school or any Hernando County School at any time, for any reason, unless accompanied by a parent/guardian for a schedule meeting with school staff.**

**Any student with a disability or suspected of a disability (504 or ESE non-inclusive of Gifted only) must have the proper Manifestation Determination Meeting (MDM) proceeding prior to being recommended for expulsion discussing said recommendations.**

**ESE students only: The hearing results letter and the student's disciplinary reassignment contained herein, are subject to the student's educational and behavioral rights as set forth by the IDEA and similar Florida statutes and regulations.**

**School personnel shall not be held legally responsible for suspensions and recommendations made in good faith.**

**B. Expulsion:**

Expulsion is the removal of the right to attend school in Hernando County, be on any school property, on school buses, on school-sponsored transportation or to attend any school. Students may be expelled for the remainder of a school year and one additional year with or without continuing education services.

Students who commit two (2) or more Level III or a Level IV offense may warrant expulsion from school. The principal must follow due process and suspension procedures, informing the parent that expulsion is being recommended. Within twenty-four (24) hours of the infraction, the school-based administrator will suspend the student for ten (10) days and notify the parent in writing that a hearing will be scheduled. A subsequent letter will be issued to the parent from the superintendent or designee notifying them to attend the pre-expulsion hearing with their student.

If the student who committed the infraction is a student with a disability, the school administrator will need to contact the Director of Exceptional Student Education

(or designee) and schedule a meeting with an IEP team to conduct a manifestation determination.

If the student who committed the infraction is a student with a disability and has a 504 plan, the school administrator must request a meeting to conduct a 504 manifestation.

When the outcome of the superintendent's designee hearing is a recommendation to expel the student from school, parents will be notified by certified mail the date and time that this recommendation will be considered by the School Board. The letter shall also set forth the deadline by which the parents may request a hearing with the School Board.

If a hearing before the School Board is not requested, it will proceed as outlined in the parent letter.

If a hearing is requested, such will be scheduled. The decision that the Hernando County School Board reaches at the hearing is final. Florida Statute outlines that the superintendent's designee may extend the student's suspension beyond ten days while waiting for the next School Board meeting.

Students who are expelled may not re-enroll for the period of the expulsion. When their expulsion period is complete, students shall be assigned to the Alternative School prior to transitioning back to their zoned school. Upon successful completion of the Alternative School's prescribed interventions, the student may enroll in their zoned school.

**C. Unsatisfactory Completion of Alternative Education Program**

The general procedure for a student who enters or returns to the Hernando County School District without completing an assigned Alternative Education Program will be determined by the Superintendent or designee on a case-by-case basis.

**D. Reciprocal Discipline**

Hernando County School District will uphold and enforce disciplinary proceedings from other public school districts. If a student was expelled or alternatively placed in another district, Hernando County will enforce said expulsion or alternative placement.

(F.S. 1006.07)

**STUDENTS FROM COMMITMENT PROGRAMS AND THOSE EXPELLED FROM OTHER DISTRICTS**

**A. Commitment Programs**

A student entering and/or returning to the Hernando County School District from court adjudicated commitment programs will be enrolled at their zoned school unless charged with a crime involving weapons, drug sale, sex or violence. Under these conditions, the student is entitled to an evaluation meeting to determine proper placement.

1. The Evaluation Meeting shall involve the student, parent(s)/guardian(s), the Department of Juvenile Justice (DJJ) Juvenile Probation Officer (JPO), the Director of Student Services or designee, as well as any other appropriate school staff. The purpose of the meeting is to consider the student's educational program, commitment charge, and determine a proper school placement.

2. The student and his/her DJJ JPO shall have all pertinent educational records available for the period of time the student was not in attendance at a public school.

**B. Expelled From Other Districts**

The final order of expulsion will be honored and student will not be admitted to school in Hernando County (F.S. 1006.07).

## APPENDIX A

### BULLYING AND HARASSMENT

The School Board is committed to providing an educational setting and workplace that is safe, secure, and free from bullying and harassment for all students and employees.

The Board will not tolerate unlawful bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited:

- A. during any education program or activity conducted by the District;
- B. during any school-related or school-sponsored program or activity or on a District school bus, or at a District school bus stop;
- C. through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the District, meaning regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
- D. through the use of data or computer software that is accessed at a nonschool-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by the District or school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any nonschool-related activity, function, or program.

This policy has been developed in consultation with District students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies as prescribed in F.S. 1006.147 and in conformity with the Florida Department of Education (FLDOE) Revised Model Policy (April 2016).

Pursuant to State law, District students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies shall be involved in the review of this policy every three (3) years.

The Superintendent shall develop a comprehensive plan intended to prevent bullying and harassment and to cultivate the school climate so as to appropriately identify, report, investigate, and respond to situations of bullying and harassment as they may occur on school grounds, at school-sponsored events, and through school computer networks. Implementation of the plan by each principal will be ongoing throughout the school year and will be integrated with the school curriculum, District disciplinary policies, and violence prevention efforts.

#### **Definitions**

"Bullying" includes "cyberbullying" and means systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. physical violence;
- G. theft;
- H. sexual, religious, or racial harassment;
- I. public or private humiliation; or
- J. destruction of property; and
- K. social exclusion.

"Cyberbullying" means bullying against one (1) or more students or employees, through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

"Cyberstalking" 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 a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

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

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

"Bullying" and "harassment" also encompass:

- A. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not

made in good faith is considered retaliation.

- B. Perpetuation of conduct listed in the definition of bullying and/or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
1. incitement or coercion;
  2. accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or
  3. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

"Harassment" also means electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless hand-held device) that a student(s) or a group of students exhibits toward another particular student(s) or employee(s) and the behavior both causes mental and physical harm to the other student(s) or employee(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

### **Sexual Cyberharassment**

Pursuant to Florida law, "sexual cyberharassment" means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Sexual cyberharassment may be a form of sexual harassment.

"Within the scope of the District" means regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.

### **Expected Behavior**

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

Such behavior is essential in maintaining an environment that provides each student the opportunity to obtain a high-quality education in a uniform, safe, secure, efficient, and high-quality system of education.

The standards for student behavior shall be set cooperatively through interaction among students, parents/guardians, staff, and community member, producing an atmosphere that encourages students to grow in self-discipline. The development of such an atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. School administrators, faculty, staff, and volunteers serve as role models for students and are expected to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying.

Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority.



## **Consequences**

Consequences and appropriate remedial action for students who commit acts of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.

Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall include discipline in accordance with District policies, administrative procedures, and the collective bargaining agreement. Egregious acts of harassment by certified educators may result in a sanction against an educator's State-issued certificate. (See the Principles of Professional Conduct of the Education Profession in Florida - F.A.C. 6A-10.081)

Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

## **Procedure for Reporting**

The Board designates the principal as the person responsible for receiving all alleged acts of bullying. Any student or student's parent/guardian who believes s/he has been or is the victim of bullying or harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

All school employees are required to report alleged violations of this policy and alleged acts of bullying and harassment to the principal or as described above. The alleged violations and acts must be reported by school employees to the Principal within twenty-four (24) hours. Refer to Policy 1362, Policy 3362, and Policy 4362 for District staff allegations and procedures.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.

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

The principal shall establish and prominently publicize to students, staff, volunteers, and parents the procedure for reporting bullying and how such a report will be acted upon. A victim of bullying and/or harassment, anyone who witnessed the act, and anyone who has credible information that an act of bullying and/or harassment has taken place may file a report.

## **Procedure for Investigation**

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. All complaints about bullying and/or harassment that may violate this policy shall be promptly investigated by an individual, designated by the principal, who is trained in investigative procedures. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the accused perpetrator or victim. At no time shall the accused perpetrator and victim be interviewed together. The investigator shall collect and evaluate the facts including, but not limited to, the following:

- A. a description of the incident, the nature of the behavior, and the context in which the incident occurred;
- B. how often the conduct occurred;
- C. whether there were past incidents or past continuing patterns of behavior;
- D. the relationship between the parties involved;
- E. the characteristics of the parties involved;
- F. the identity of the alleged perpetrator, including whether the individual was in a position of power over the individual allegedly subjected to bullying or harassment;
- G. the number of alleged bullies/harassers;
- H. the age of the alleged bully/harasser;
- I. where the bullying and/or harassment occurred;
- J. whether there have been other incidents in the school involving the same or other students;
- K. whether the conduct adversely affected the student's education or educational environment;
- L. the date, time, and method in which the parent(s) of all parties involved were contacted.

In accordance with State law, District staff may monitor as part of any bullying or harassment investigation any nonschool-related activity, function, or program.

If, during an investigation of reported acts of bullying and/or harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively "protected classes"), the principal or his/her designee will report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - *Anti-Harassment*.

Sexual Harassment covered by Policy 2266 - *Nondiscrimination on the Basis of Sex in Education Programs or Activities* is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Upon the completion of the investigation to determine whether or not a particular action or incident constitutes a violation of the policy, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:

- A. a recommendation of remedial steps necessary to stop the bullying and/or harassing behavior; and
- B. a written report to the principal.

A maximum of ten (10) days should be the limit for the completion of the investigative procedural steps and submission of the incident report. While ten (10) days is the expectation for completion of the investigative procedural steps, more time may be needed based on the nature of the investigation and the circumstances affecting that investigation. The investigator shall document in his/her report the reasons for needing additional time beyond ten (10) days. The highest level of confidentiality possible shall be provided regarding the

submission of a complaint or a report of bullying and/or harassment and for the investigative procedures that are employed.

The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

### **Scope**

The investigator will provide a report on the results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of District authority. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. If the action is within the scope of the District, District procedures for investigating bullying and/or harassment shall be followed. If the action is outside the scope of the District, and believed to be a criminal act, the action shall be referred to the appropriate law enforcement agency. If the action is outside the scope of the District and believed not a criminal act, the principal shall inform parents/guardians of all minor parties.

### **Parent Notification**

The principal shall report the occurrence of an incident of bullying as defined by District policy to the parent/guardian of all students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone, e-mail, personal conference, or by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the State Board of Education.

If the bullying incident results in the perpetrator being charged with a crime, the principal shall inform by first class mail or by telephone the parent/guardian of the identified victim(s) involved in the bullying incident about the Unsafe Schools Choice Option (the Elementary and Secondary Education Act, as amended) that states, in pertinent part, as follows:

"...a student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

Upon the completion of the investigation and if criminal charges are to be pursued against the perpetrator, the appropriate law enforcement agencies shall be notified by telephone and/or in writing.

### **Counseling Referral**

The District shall provide a referral procedure for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure will include:

- A. a process by which the teacher or parent may request informal consultation with school staff (e.g., school counselor, school psychologist, school social worker, etc.) to determine the severity of concern and appropriate steps to address the concern;
- B. a referral process to provide professional assistance or services that may include a process by which school personnel or parent/guardian may refer a student to the school intervention team (or equivalent

school-based team with a problem-solving focus) for consideration of appropriate services (parent/guardian involvement is required at this point); or

If a formal discipline report or formal complaint is made, the principal must refer the student(s) to the school intervention team for determination of counseling support and interventions (parent/guardian is required at this point).

- C. a school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
  - 1. counseling and support to address the needs of the victim(s) of bullying or harassment;
  - 2. interventions to address the behavior of students who bully and harass others (e.g., empathy training, anger management, etc.);
  - 3. interventions which include assistance and support for parents, as may be deemed necessary or appropriate.

### **Data Report**

The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data as prescribed. If a bullying (including cyberbullying) and/or harassment incident occurs it will be reported in SESIR, coded appropriately using the relevant incident code and the related element code. Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System. In a separate section, the District shall include each alleged incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding such incidents.

The District will provide bullying incident, discipline, and referral data to the Florida Department of Education (FLDOE) in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents, as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

### **Training and Instruction**

Students, parents, teachers, school administrators, counseling staff, and school volunteers shall be provided training and instruction, at least annually, on the District's policy and administrative procedures regarding bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as information about how to effectively identify and respond to bullying in schools. Instruction regarding bullying, harassment, and the District's violence prevention and school safety efforts shall be integrated into District curriculum at the appropriate grade levels. The training and instruction shall include recognizing behaviors that lead to bullying and harassment and taking appropriate preventative action based on those observations. The programs of training and instruction authorized by the District shall include, but not be limited to,:

- A. Olweus Bullying Prevention Program
- B. Monique Burr Foundation for Children, Inc.'s - Child Safety Matters
- C. PBS/PBIS (Positive Behavior Support/Positive Behavioral Interventions and Supports)

## **Victim's Parent Reporting**

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

## **Policy Publication**

At the beginning of each school year, the Superintendent shall, in writing, inform school staff, parents/guardians/other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.

The District shall provide notice to students and staff of this policy in the Code of Student Conduct, employee handbooks, and via the District's official website. The Superintendent will also provide such notification to all District contractors.

Each principal shall implement a process for discussing, at least annually, the District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages will be displayed, as appropriate, at each school and at District facilities.

## **Immunity**

A school employee, school volunteer, students, parent/guardian, or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any school employee, school volunteer, student, parent/guardian, or other person determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

## **Privacy/Confidentiality**

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

Nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

## **Retaliation/False Charges**

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry under this policy is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Suspected retaliation should be reported in the same manner as aggressive behavior and/or bullying.

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F.S. 110.1221

F.S. 784.048

F.S. 1002.20

F.S. 1006.13

F.S. 1006.147

Florida Department of Education Revised Model Policy (April 2016)  
Elementary and Secondary Education Act

**Last Modified by Tammy R Shroyer on December 29, 2022**

## **DATING VIOLENCE AND ABUSE**

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

### **Dating Violence and Abuse Defined**

For purposes of this policy, dating violence and abuse shall be defined as emotional, verbal, sexual, or physical abuse of a student who is in a current or was in a past dating relationship by the other person in that dating relationship. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats, and/or acts of mental, physical, or sexual abuse. It may also be a pattern of demeaning, coercive, abusive actions that amount to emotional or psychological abuse. Dating violence and abuse may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, as well as harassment through a third party.

### **Reporting Acts of Dating Violence and Abuse**

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

Any Board employee who receives a report of an act of dating violence and abuse, who directly observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse shall report such report, observations, or suspicions to the Principal.

Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse is strongly encouraged to promptly report the matter to the Principal or other District administrator or official. These reports can be made either in person or anonymously.

### **Investigating Reports of Dating Violence and Abuse**

Upon receiving a report of alleged dating violence and abuse, the Principal shall conduct an investigation of the allegation promptly. As part of the investigation, the Principal shall contact the parent(s) of the alleged victim and/or the parent(s) of the alleged perpetrator, if they are under the age of eighteen (18), to inform them of the report.

The investigation of the report should include interviews of the alleged victim, the individual accused of perpetrating the dating violence and abusive behavior, and any other person who may have witnessed the alleged act or who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

The Board reserves the right to investigate a report of dating violence and abuse regardless of whether the student who is allegedly the victim of the dating violence and abuse wants to pursue the matter.

### **Consequences**

At the conclusion of the investigation the Principal will determine whether or not the allegation of dating violence and abuse was substantiated. If the Principal determines that a student has committed an act of dating violence and abuse, that violation of this policy shall result in disciplinary action in accordance with the Student Code of Conduct, which may include suspension, assignment to another school or program, or

recommendation for expulsion. All disciplinary action shall be taken in accordance with State law and applicable Board policy. (See Policy 5500 and Policy 5600) When imposing discipline, the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved, shall be considered.

Suspensions for acts of teen violence and abuse may be appealed in accordance with the procedures set forth in the Student Code of Conduct. (See Policy 5500)

Further, the Department of Children and Families shall be notified if the student who is found to have perpetrated the act of dating violence and abuse is eighteen (18) years of age or older and the student who was the victim of the act of dating violence and abuse is a minor.

In those cases where teen dating violence and abuse is not substantiated, the Principal may consider whether the alleged conduct nevertheless warrants disciplinary action in accordance with the Student Code of Conduct or other Board policies.

### **Support and Reasonable Accommodations**

If requested during or after the investigation, the Principal shall make reasonable accommodations for the student who is allegedly experiencing dating violence and abuse including, but not limited to the following:

- A. Stay Away Contract, that is, a contract with the alleged perpetrator to stay away from the victim while on school grounds, on school transportation, and during school sponsored programs and events;
- B. Class schedule changes;
- C. Protection that will enable safe egress/regress from school, as well as movement within the school; and
- D. Referrals for outside support or counseling.

Students' parent and/or guardian should provide the Principal with a copy of an order of protection that has been issued by the court. The Principal shall then contact the student whose behavior is to be regulated by that order of protection and initiate a Stay Away Contract that is consistent with the terms of that order and provides penalties for known violations of the contract. Further, the Principal shall notify law enforcement immediately if s/he knows or has reason to believe that a criminal or civil restraining order has been violated.

**The School Resource Officer** shall respond immediately to a report of a violation of a criminal or civil restraining order

### **Other Violations of the Dating Violence and Abuse Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

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



## **Privacy/Confidentiality**

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

## **Retention of Investigatory Records and Materials**

All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports/allegations/complaints/statements;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel;
- E. written witness statements;
- F. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- G. all documentary evidence;
- H. e-mails, texts, or social media posts pertaining to the investigation;
- I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- K. dated written determinations to the parties;
- L. dated written descriptions of verbal notifications to the parties;
- M. written documentation of any interim measures offered and/or provided to complainants, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt; and
- N. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of dating violence and abuse. The Superintendent shall require that the District's comprehensive health curriculum in grades 7-12 include a component about dating violence and abuse that is age appropriate and includes the content required by State law.

Further, the Superintendent shall provide appropriate training to all members of the School District staff related to dating violence and abuse, and the implementation of this policy.

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F.S. 1003.42

F.S. 1006.148

**Last Modified by Juli Schlarb on September 23, 2022**

## **APPENDIX B**

### **HERNANDO COUNTY SCHOOL DISTRICT BUS EXPECTATIONS**

All standards of behavior that apply on school grounds and at school activities also apply to the school bus. The rules found in the Student Code of Conduct shall be enforced on the bus. Students are expected to abide by the standards of the Student Code of Conduct in addition to but not limited to the bus expectations listed below.

1. Respect the driver and follow instructions.
2. Remain seated; head and arms inside bus and keep your hands to yourself.
3. Keep door and aisle clear of obstacles to include but not limited to: pets, glass or large items including large band instrument, skateboards or loose balloons.
4. Do not throw anything on the bus or out of the window at anytime.
5. Be absolutely quiet when the dome lights are on.
6. Do not eat, drink or chew gum on the bus.
7. Quiet conversations only.
8. After waiting for the driver's signal, cross the road in front of the bus.
9. A permission slip signed by the principal or designee is required for riding another bus or getting off at a different stop.
10. Complete silence shall be maintained at all railroad crossings.

Pre-K through 2<sup>nd</sup> grade students **MUST** be met at the bus door at the afternoon bus stop by an authorized adult or they will be returned to school.

Bus riding is a privilege, not a right.

## APPENDIX C

### I. **DRESS CODE: The following procedures are established to promote discipline, maintain order and provide a healthy environment conducive to academic purposes.**

Students are required to wear appropriate clothing and shoes according to the situation and the grade level involved. Inappropriate clothing and appearance are disruptive to the school program. Principals will enforce adherence to the dress code by those under their jurisdiction. School administrators have final authority to decide if clothing complies with district rules.

- A. **Sun Protective Wear** – Students will be allowed to wear sunglasses, hats or other sun protective items while outdoors during and engaged in school related activities such as physical education or recess. No hats or sunglasses (unless prescribed by a physician) are to be worn in the school building or hallways.
- B. **Pants** – Pants are to be worn at the waist, not below the waist or in such a way to expose undergarments or body parts in an indecent or vulgar manner or in a manner that disrupts the orderly learning environment. Short shorts, boxer shorts, pajamas, see through items and other bedroom attire are not allowed. Spandex pants, leggings, or pants with rips may only be worn with a top that reaches mid-thigh or below as not expose undergarments or body parts in an indecent manner.
- C. **Shirts and Blouses** – Must be long enough to remain tucked in at all times with no skin visible. Blouses with a neckline that dip below the line formed between the right and left armpit are prohibited. Spaghetti straps, tank tops, muscle shirts, and shirts with cut off sleeves are also prohibited.
- D. **Shorts, Skirts, and Dresses** – To determine if shorts are too short: while student is standing with arms fully extended at side of his/her leg, shorts should reach to the student's fingertips. In other words, the longest finger should touch material, not skin. Students may wear skirts and dresses of a modest length of no more than three inches from the knee to the bottom on the hem. Dresses with a neckline that dip below the line formed between the left and right armpit are prohibited.
- E. **Unacceptable Attire** – Any apparel that is determined inappropriate, disruptive to the educational environment, or offensive to good taste by principal or designee of the school such as; jewelry, tattoos, or markings must be covered, accessories or manner of grooming, which by virtue of color arrangement, trade mark, or other attributes that denotes membership in a gang, advocates drugs, tobacco products, alcohol, violence, sexual innuendo, profanity, or has caused disruption is prohibited.
  - 1. Jewelry should be worn in such a way that doesn't present a safety or health hazard such as spiked jewelry or accessories
  - 2. Wallet chains and dog chains are not permitted
  - 3. Bandanas are not to be worn, displayed, or carried onto campus.
- F. **Footwear** – Students must wear shoes that are safe and appropriate for the specific learning environment.

G. **Uniforms:** Brooksville Elementary School, Challenger (uniforms for K-5 only), Chocachatti Elementary School, Deltona Elementary School, Discovery, Eastside Elementary School, Endeavor Academy, J.D. Floyd Elementary School, Moton Elementary School, Pine Grove Elementary School, Spring Hill Elementary School and Suncoast Elementary School, require uniforms.

**Note:** Students enrolled in vocational/technical/lab classes may be required to wear clothing appropriate to a specific training in which students will be participating.

## APPENDIX D

### STUDENT RECORDS

State and Federal law gives parents [and students over eighteen (18) years of age] certain rights concerning student school records.

**Annual Notice About Your Rights Concerning Student Records:** Parent(s)/ guardian(s) have the right to inspect and review all records and data related to their child who is under 18 years of age or over 18 years of age if claimed as a dependent under IRS rules. This includes print, computer media, microfilm, and microfiche records. This may be done by contacting the school administration for an appointment. All requests will be granted within a reasonable period, not to exceed 30 days. Students 18 years of age and older have the right to inspect and review their records by following the same procedure outlined above.

Parent(s)/guardian(s) have an opportunity to challenge the content of their child's record, to ensure that it is not inaccurate, misleading, or otherwise in violation of privacy. Parent(s)/guardian(s) of students over eighteen (18) years of age claimed as a dependent under IRS rules and students over eighteen (18) years of age not claimed as a dependent are provided the opportunity to correct or delete inaccurate, misleading, or inappropriate data by first requesting a meeting with the school administration or department responsible for developing that information. If the school administration or department responsible for developing the information agrees that it needs to be corrected, then it is done, and only a notation that the record has been corrected or deleted is placed in the file. If an agreement is not reached at this level, then the parent(s)/guardian(s) or student over the age of 18 years if not claimed as a dependent, has the right to request a formal hearing under School Board Policy. You have the right to let other people see your school records; however, the law allows some people to see your records without your consent. Exemptions to consent for disclosure:

- i. School Board members, as part of an expulsion proceeding.
- ii. School district employee or adult volunteer may see records if he or she needs information in the record in order to do his or her job as an employee or volunteer.
- iii. Another educational institution even after a student has already enrolled or transferred if the purpose is related to the student's enrollment or transfer.
- iv. Schools or institutions of post-secondary education to which a student seeks or intends to enroll.
- v. Federal, state, and local authorities involved in an audit or evaluation of compliance with educational program requirements
- vi. Financial aid institution, such as college loan personnel.
- vii. Accrediting organizations.
- viii. Persons who comply with lawfully issued order or subpoenas.
- ix. Persons who deal with health or safety emergencies.
- x. State or local officials in connection with serving the student's under juvenile justice systems in the accordance with an interagency agreement or cooperative agreement as mandate by section 1003.52 Florida Statute.

Some of the information in your child's school record is not confidential and may be released without your consent. This information is defined as "Directory Information". The primary purpose of directory information is to allow the District to include this type of information from your child's educational records in certain school publications.

Examples include: Yearbook, honor roll, graduation reports, sport publications, etc. The following records/reports are designated as Directory Information.

- |   |   |
|---|---|
| 1. Student's name   | 6. Major field of study                           |
| 2. Date of Birth  | 7. Degrees, honors, and awards received           |
| 3. Dates of attendance  | 8. Most recent previous educational institution   |
| 4. Address  | 9. Height & weight of members of athletic teams   |
| 5. Telephone number, if not unlisted or<br>Restricted per state statute | 10. Participation in recognized sports/activities |

*If you do not want directory information released, you must notify the school administration in writing specifying what types of directory information you do not want released. The written notice to the school administration must be received within two (2) weeks of the first day of the school year or entry into the school system, if you enroll after the school year has begun.*

Military recruiters and institutions of higher education are entitled, under federal law, to a list of names, addresses, and telephone numbers of high school students, unless you object to such release. The Superintendent also authorizes release of this information to companies that manufacture class rings and publish yearbooks. You must notify your child's school administration in writing, if you do not wish this information released without your consent. Both parents have a right to see their child's record unless there is a certified copy of an order on file at the school that specifically denies the right of access to school records. Copies of school records are available for a minimum copying charge.

You have the right to inspect, upon request, any instructional material used as part of the educational curriculum. This does not include academic tests/ assessments.

You have the right to opt out of any physical examination or screening that is invasive in nature – any medical examination that involve exposure of private body parts, or any acts during examination that include incision, insertion, or injection into the body, but do not include a hearing, vision, scoliosis screening, or head lice exams.

“Note: The School District may permit School Resource Officer (SRO) to view live feed of School District risk-management surveillance videos (bus or schools) or playback of such videos. A subpoena is required if the officer requests a copy of the video.”

## APPENDIX E

### Student Network and Internet Acceptable Use and Safety Agreement

Telecommunications advances in technologies and proliferations of online media have fundamentally altered ways in which information is accessed, communicated, and disseminated in society. These changes are driving the need for educators to adopt new resources, instructional methods and ways they approach student learning, to harness and utilize the vast, diverse and unique resources available on the Internet. Although the School Board authorizes Internet services to its students, the School Board directs that appropriate restrictions are implemented to assure that use of the District's network is utilized in accordance with legitimate educational purposes. Student use of the District's computers, network, and Internet services ("Network") will be governed by policy 7540.03 and subject to the Student Code of Conduct. Student use of email will be governed by policy 7540.06 and subject to the Student Code of Conduct. The School Board encourages students to utilize the Network in order to promote educational excellence in our schools by providing them with the opportunity to develop the resource sharing, innovation and communication skills, and tools that are essential to both life and work. The instructional use of the Network will be guided by the School Board policies on instructional materials.

Technology advancements are such that the District may not always be able to protect access to services through the District's network/Internet connection to only those that have been deemed appropriate for education purposes. The District will strive to implement and sustain such protections, utilizing software and hardware measures that monitor, block and filter internet access to visual displays/depictions that are deemed obscene, child pornography and/or other materials that are harmful to minors as defined by the Children's Internet Protection Act (CIPA) and in compliance with Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99 and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), Florida Statutes Section 1002.22 and Rule 6A-1.0955 as may be amended or replaced from time to time. Parents/guardians are encouraged to discuss the appropriate use of the Internet and understand that there are risks associated with its use with their children. Parents/guardians assume risks by consenting to allow their child to participate in using the Internet. Parents/guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

The Superintendent will implement procedures to configure District technology to prohibit access to other material deemed inappropriate for students to access. Protective hardware and software may not be disabled at any time that students may be using the Network. The Superintendent may temporarily or permanently unblock access to sites containing appropriate material, if access to such sites has been inappropriately blocked by the hardware and software. Determination of whether a material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material.

District Staff members will provide training to ensure awareness and compliance regarding this policy under their supervision, and for providing guidance and instruction to students on appropriate use of the District's Network. Pursuant to Federal law, students shall receive education on the following:

- A. Safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. The dangers of students disclosing personally identifiable information online;
- C. The consequences of unauthorized access and other unlawful or inappropriate activities by students online; and,
- D. The authorized disclosures, use and dissemination of personal information regarding minors.



Students shall not access social media for personal use through the District's network. Students shall be permitted to access social media for educational use, in accordance with a teacher's pre-approved plan for use of social media for educational purposes, consistent with School Board policies. Students are responsible for behavior in accordance with standards defined in the Student Code of Conduct on the District's computers and network just as they are in classrooms, school hallways and other school premises and during school sponsored events. Users granted access to the Internet through the District's computers assume personal responsibility and liability, both civil and criminal, for inappropriate uses of the Internet as defined by this School Board policy. Users who disregard this policy may have user privileges suspended or revoked and may be disciplined.

### **Technology Privacy**

Users have no expectation of privacy of the content of personal files and records of online activity while on the District's network. Monitoring may include, but will not be necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools, in coordination, with Information Technology (IT) personnel, to review browser history and network, server and computer logs.

### **Cyber-bullying**

All students and employees will be provided a safe, secure, bullying and harassment free educational/work setting, in accordance with School Board 5517.01 Bullying and Harassment.

### **Student Communication**

The School Board encourages positive and professional communication between staff, parents, and students by means which best protect all stakeholders' interests. The District staff shall comply with all Federal and State laws pertaining to electronic mail, and shall communicate electronically for school related matters through the District-approved parent portal. The School Board recognizes that appropriate use of electronic media may take place during times outside the school hours during school activities (i.e. sport events, FFA events, field trips) when it is useful to use mobile devices and social media to communicate with students. Staff communications with students via private electronic media concerning non-school-related matters may cause the appearance of inappropriate association, and are discouraged. The use of such communication technologies may lead to discipline.

### **Bring Your Own Device (BYOD)**

BYOD is an acronym for Bring your Own Device, "device" includes but is not limited to a privately/owned laptop, tablet computing device, net book, notebook, e-Reader, iPod touch and/or smart phone. The District encourages students to use their own devices to further enhance their education in accordance with the following guidelines:

1. In order to utilize the District's network (specifically Internet access and related applications) as well as participate in the BYOD program, students and a parent/guardian must review and sign the Responsible Use Policy. This will be considered a legally-binding agreement for the privilege of use of the network.
2. The student is fully responsible, at all times, for the personally-owned device brought to school. The District is NOT liable for any loss, damage or theft of a personally-owned device. As such, students should not share devices.
3. The student is responsible for the condition of the device brought to school, including but not limited to updates, antivirus software and repair.
4. Personal devices should be charged and recharged outside of school, unless specific permission is granted. Personal devices should be capable of lasting a full day without recharging.

5. Device use is exclusively limited to schools participating in the BYOD program. Devices should be turned off and should not be visible at schools not participating in the BYOD program.
6. Devices may only be used in certain approved areas of the school. Students may not use devices in parts of the school designated as No Technology Zones or any other areas where devices are not permitted.

STATUTORY AUTHORITY: 1001.43, 1001.51, 1002.22, 1003.4205, 1006.147 F.S.

H.R. 4577, P.L. 106-554, Children's Internet Protection Act of 2000

47 U.S.S. 254(h), (10), Communications Act of 1934, as amended

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended

Children's Online Privacy Protection Act (COPPA), 15 U.S.C. ss. 6501-6506

Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)

## **APPENDIX F**

### **Opt Out Pledge of Allegiance**

**In accordance with Florida statute §1003.44:**

A student has the right not to participate in reciting the pledge. Upon written request by his or her parent, the student must be excused from reciting the pledge, including standing and placing the right hand over his or her heart.

## APPENDIX G

### **1006.195 District School Board, Charter School Authority and Responsibility to Establish Student Eligibility Regarding Participation in Interscholastic and Intrasccholastic Extracurricular Activities.**

Notwithstanding any provision to the contrary in F.S. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrasccholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrasccholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrasccholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including F.S. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrasccholastic extracurricular activities.
  2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in s. 1006.15 (3)(h).
  3. A student's eligibility to participate in any interscholastic or intrasccholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20 (2)(b).
- b) Students who participate in interscholastic and intrasccholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15 (3)(c)-(e) and (8), are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.
- c) The provisions of this subsection apply to interscholastic and intrasccholastic extracurricular activities conducted by charter schools and private schools, as applicable, except that the charter school governing board, or equivalent private school authority, is responsible for the authority and responsibility otherwise provided to district school boards.

(2)(a) The Florida High School Athletic Association (FHSAA) continues to retain jurisdiction over the following provisions in s. 1006.20, which may not be implemented in a manner contrary to this section: membership in the FHSAA; recruiting prohibitions and violations; student medical evaluations; investigations; and sanctions for coaches; school eligibility and forfeiture of contests; student concussions or head injuries; the sports medical advisory committee; and the general operational provisions of the FHSAA.

"As used in this document, 'F.S.' refers to 'Florida Statue',"

"As used in this document, 's' refers to 'subsection',"