

STUDENT CODE  
OF  
CONDUCT  
  
2018-2019



**Pasco County Schools**

Providing a world-class education for all students

**Kurt S. Browning, Superintendent of Schools**

## A MESSAGE FROM THE SUPERINTENDENT



Dear Parents/Guardians:

Welcome to the 2018-2019 school year. The mission of Pasco County Schools is to provide a world-class education for all students. By working together, parents and the school community can reach this goal and prepare students for success in college, career, and life.

Parent involvement also is an essential element in ensuring student safety. Student academic achievement depends on students and staff feeling safe and secure in their schools. Parents play a crucial role in promoting safety on our school campuses by supporting the district's *Student Code of Conduct*. By reviewing the Student Handbook with your child, you can help us reinforce the guidelines and rules students are expected to follow.

Preventing bullying and harassment is vital to establishing the safe, caring, respectful environment necessary for teachers to teach and students to learn. Please review with your student the definitions of bullying and the different types of harassment, as well as the consequences students could face if it is proven that they have engaged in such behavior. I want to eliminate uncivilized, disrespectful behavior in our schools, but I need your help to make sure students understand that the schools will not tolerate bullying, harassment or uncivilized behavior.

We also need your help reinforcing with your student the consequences they face if they make a threat against a school. This issue is an increasing problem with more students on social media. Threatening violence against a school is never a joke; it always is taken seriously and the consequences could include felony charges and expulsion from school. A new Florida law that went into effect on October 1, 2016, makes threatening violence with a firearm a 2<sup>nd</sup> degree felony.

Our dedicated teachers, administrators, and support staff strive for a safe, productive school year with you and your child. We welcome your active involvement in your child's school and education.

Sincerely,

A handwritten signature in black ink that reads "Kurt S. Browning". The signature is written in a cursive, flowing style.

Kurt S. Browning  
Superintendent of Schools



# Pasco County Schools

Kurt S. Browning, Superintendent of Schools

7227 Land O' Lakes Boulevard • Land O' Lakes, Florida 34638

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## Student Code of Conduct Acknowledgement

Yes  No – My school has reviewed the Student Code of Conduct with me

Yes  No – I have been advised that I can review the Student Code of Conduct online

I have received, read, understand and agree to abide by the 2018-19 Student Code of Conduct.

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

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

I/we have read the Student Code of Conduct 2018-2019, discussed it with my/our child(ren), and will support the school's efforts to have a safe, well-disciplined learning environment.

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

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Email address

Please note that the Student Code of Conduct and other discipline materials may be viewed at: [www.pasco.k12.fl.us/ssps/conduct](http://www.pasco.k12.fl.us/ssps/conduct)

(Print on separate page – to be removed by recipient)

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The District School Board of Pasco County does not discriminate on the basis of race, color, sex, religion, national origin, marital status, disability, or age in its programs, services, and activities or in its hiring and employment practices.

District School Board of Paso County Equity Manager/Title IX Coordinator:  
Sandy May, Office for Employee Relations (813) 794-2322.

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The Student Code of Conduct shall be in force twenty-four (24) hours a day, seven (7) days a week, on all school campuses, school transportation and at all school functions, whether on or off school campuses. This document is intended for the use of students, school district staff, and parents. We all share responsibility for the safety and security of our students. Any and all threats of harm should be immediately reported to school staff. The school will work to protect the confidentiality of all involved within the limits of the law.

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### **Supervision of Students Before and After School or During School Activities**

School authorities are charged with the responsibility of supervising students no longer than thirty (30) minutes before or after school hours while such students are on campus, or thirty (30) minutes before or after an authorized school sponsored activity. Parents are not to rely on school supervision outside the time limits set forth above (F.S. 1003.31).

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### **Vision**

The vision of the District School Board of Pasco County is that all our students achieve success in college, career and life.

### **Introduction**

The District School Board of Pasco County is committed to creating a respectful, caring community that supports college, career and life readiness for all students. Every school year represents a fresh start for our students to have the opportunity to do their very best, to learn new things, to progress academically and make positive behavioral choices.

Our central goal is to teach students to engage in positive behaviors that promote hope, engagement and well being so that all students develop the social-emotional skills to be successful post graduation. In order to accomplish this goal, it is essential that all members of the school community know and support expectations for student conduct.

As part of our multi-tiered system of supports, the District School Board of Pasco County offers a continuum of positive behavior supports, which are integrated with academic goals and include increasing levels of intervention in response to student needs. Whenever possible, prevention approaches and teaching strategies are considered prior to implementing consequences for behavior.

The Student Code of Conduct communicates minimal requirements for student behavior and summarizes the policies of the District School Board of Pasco County. This handbook:

- Defines the responsibilities and rights of students
- Defines the rules of conduct and the behavioral expectations for students
- Establishes consequences for violations of the rules of conduct
- Describes the process for handling disciplinary infractions

Each new school year is considered a "fresh start" for students to make positive behavioral choices. In order to promote learning and behavioral change, consequences should be assigned and implemented as soon as possible after an infraction. Disciplinary actions should be assigned within the same school year that the offense occurred. In very limited cases, such as an investigation that extends into the summer, a pattern of bullying behavior that carries over from one year to the next, expulsion, alternative placement in lieu of expulsion or Disciplinary Alternative Placement (DAP), assignment of disciplinary consequences may extend into the new school year. Other disciplinary consequences will not carry over year-to-year.

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## Legal Notices

### (FERPA) Family Educational Rights and Privacy Act

In August of 1974, President Ford signed into law a series of legislative amendments known as the Education Amendments. Among them was an amendment sponsored by Senator James Buckley entitled Family Educational Rights and Privacy Act of 1974 (FERPA). Since enacting FERPA, Congress has strengthened privacy safeguards of education records through this law, refining and clarifying family rights and agency responsibilities to protect those rights. FERPA gives parents the right to review and confirm the accuracy of education records. These rights transfer to the student when the student turns eighteen (18) years old or attends a post-secondary institution. At this time, the student is designated as an “eligible student” and holds the same rights as his or her parents held with respect to education records. This and other United States “privacy” laws ensure that information about citizens collected by schools and government agencies can be released only for specific and legally defined purposes.

The primary rights of parents and eligible students under FERPA include the right to:

- Inspect, and review education records.
- Seek and amend education records.
- Have some control over the disclosure of information from education records.

What is an education record? What type of information is maintained in the record?

A permanent cumulative education record and an automated record are maintained for each student from entrance into school through the twelfth grade or its equivalent. The school that initially enrolls a student is responsible for establishing the records. Each school principal has the legal responsibility for maintaining education records. Educational records (automated and nonautomated) are those records, documents, and other materials, which contain information, directly related to the student and are maintained by an educational institution or agency. Information contained in the record is classified as follows:

Category A is defined as permanent information of clear educational importance that is retained indefinitely.

Category A information includes: • student’s full legal name • date of birth • place of birth • race • gender • address • parent/guardian name • name, location, and dates of schools attended • days present/absent • date of enrollment and withdrawal • courses taken and achievement record (grades, credits, GPA, or certification of program completion) • graduation date and requirements • state/district test results (if required for graduation) • written records of access • home language survey • health immunization certification forms.

Category B is defined as temporary information of clear educational importance that will be periodically corrected and/or eliminated as prescribed by law. Category B information includes, but is not limited to: health and immunization information • family background data • test scores • honors/activities • educational and career plans • discipline records • driver education certificates • correspondence from external agencies • divorce and/or custody documents/court orders • written agreements of records deletions or expunctions, records of major discipline or expulsion actions • student LEP plans.

Upon request, the parent or eligible student shall have the right to:

- Be provided with a list of all records directly related to the student
- Be shown any report on the student
- Receive interpretation of the record
- Be provided with copies of the record (not to exceed actual duplicating costs)

Requests to review student records should be made directly to the school principal or principal’s designee. The school must comply within a reasonable time frame (not in excess of 30 days). In addition to rights of access, the parent or eligible student has the right to challenge the content and request correction/deletion of records if he/she thinks they are misleading or inaccurate.

These requests should be made to the school principal and may be further appealed to the Superintendent (or designee). Who else has the right to access student records?

An educational agency/institution may disclose personally identifiable information from a student's education record without prior written consent of the parent or eligible student if the disclosure is:

- "Directory information," which is information contained in the student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes: student's name, address, Sec. 1.07 telephone number (if listed), date and place of birth, dates of attendance at an educational institution, name of most recent previous educational institution attended, major field of study, grade level, diploma, degrees, awards and honors received, participation in officially recognized activities and sports, weight and height of members of athletic teams, and photograph(s). Parents who object to the release of directory information on their child(ren) must notify the school principal, in writing, within fifteen (15) days of receiving this notification. This should be done on an annual basis
- To "school officials", including teachers, who have a legitimate educational interest as determined by school board policy
- To officials of other schools or post-secondary institutions in which the student seeks to or has enrolled
- To authorized representatives of the Comptroller General of United States, The United States Secretary of Education, Assistant Secretary for Education, and state educational authorities, in order to comply with state or federal program requirements
- In connection with a student's application for financial aid
- To organizations conducting educational studies for the purpose of developing or validating tests, student aid, or improving instruction
- To accrediting organizations
- In connection with health and safety emergencies
- To a court of jurisdiction in compliance with a court or attorney of record order pursuant to a lawfully served subpoena, upon the condition that the school makes a reasonable attempt to notify the parent or eligible student
- For use as evidence in student expulsion hearings conducted by a school district
- To the Auditor General in connection with official functions
- To the credit bureaus in connection with an agreement for financial aid which the student has executed
- To parties of an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities for the purpose of implementing the Juvenile Justice Act
- To parents of a dependent student as defined by the Internal Revenue Services Code of 1986
- If a school district initiates legal action against a parent, or if the parent initiates legal action against a school district
- To School Readiness Coalitions and the Florida Partnership for School Readiness in connection with assigned duties. Copies of education records are released only on the condition that the information will not be subsequently transferred to another party without obtaining the proper consent of the parent or eligible student

#### Exceptional Education Students:

The Pasco County School District identifies exceptional educational students and maintains information about those students screened and staffed for special educational services/programs. The term "exceptional student" includes students identified for special education programs/services within the following classifications: Intellectual Disabilities, Speech and Language Impaired, Visually Impaired, Deaf/Hard of Hearing, Specific Learning Disabilities, Gifted, Emotional Behavioral Disabilities, Developmentally Delayed, Established Conditions, Hospital Homebound, Autism Spectrum Disorder, Language Learning Disabled, Other Health Impaired, Traumatic Brain Injury, and Orthopedically Impaired. Educational records and reports maintained may include information on the student's psychological, social, physical, academic / intellectual, communication / language abilities, aptitudes and behaviors. This information is used to assist school staff in the development of appropriate educational plans and instructional strategies for students receiving special education services. It is also utilized for required state and federal reports/audits. Exceptional student education records (Category B information) will be destroyed five (5) years after the date of actual or intended graduation (or its equivalent in time). Parents may contact the school and receive a copy of these records prior to their disposal date. These records may be useful or needed to access adult agency services.

Where can copies of school board policy on student records be obtained?

Parents and eligible students may obtain copies of the District School Board of Pasco County records policy at any public school location or from the Student Services Department at the District Office in Land O'Lakes, Florida. Parents and eligible students who need assistance or who wish to file a complaint under FERPA should do so by mailing pertinent information concerning any allegations to the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

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#### (HIPPA) Privacy Rights Under the Health Information Portability Accountability Act

Protected health information includes demographic and medical information that concerns the past, present, or future physical/mental health of your student or yourself. Demographic information could include name, address, telephone number, Social Security Number and any other means of identifying you or your child as a specific person. Protected health information contains specific information that identifies a person or can be used to identify a person. You or your child's protected health information may be used or disclosed for purposes of treatment (emergency care, for example), payments and health care operation. The school district may send medical information to Medicaid, insurance companies, or community agencies to pay for services provided to your child or yourself. Some protected health information can be disclosed without your written authorization, as allowed by law.

- Those circumstances include:
    - Reporting abuse
    - Investigations related to missing children
    - Internal investigations and audits or by government agencies
    - Public health purposes, including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals
    - District medical examiner investigations
    - Research approved by the Department of Health or school board
    - Court orders, warrants, or subpoenas
    - Law enforcement purposes
  - You have the following rights as an individual or as a parent:
    - You can request to restrict the use and disclosure of your or your child's health information
    - You have the right to be assured that information will be kept confidential
    - You can inspect and receive a copy of your or your child's protected health information
    - You have the right to correct your or your child's health information
  - Disclosure of information to school staff is made with your permission for the purpose of providing maximum safety to you and your child. This would be discussed with the parent prior to any disclosure of health information.
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#### Notice of Social Security Number Disclosure

Section 119.071(5)(a)2-4., Florida Statutes requires agencies to notify individuals of the purpose(s) that require the collection of Social Security Numbers. The District School Board of Pasco County collects Social Security Numbers (SSNs) for the following purposes:

- The Internal Revenue Service and Social Security Administration require a Social Security Number on a Form W4, that is used to determine how much federal withholding tax is to be collected and Federal Insurance Contribution Act (FICA) tax on wages paid and later reported in a W-2 Wage and Tax Statement.
- The Internal Revenue Service requires a Taxpayer Identification Number on Form W-9, which could be a Social Security or an Employer Identification Number that could be used to generate a 1099 Miscellaneous Income Statement based on expenditures processed through accounts payable. Vendors with Social Security Numbers are captured in the Vendor Application process.
- The Office for Human Resources and Educator Quality/Finance software program requires use of Social Security Numbers as the primary personal identification of employees for wages, leaves, payroll deductions, etc.

- Social Security Numbers are also used as identifiers for processing fingerprints with the Federal Bureau of Investigation and the Florida Department of Law Enforcement.
- Social Security Numbers are requested by the National School Lunch Act from parents on the free or reduced price meal application and household verification process as part of determining a family's eligibility for their child(ren) for free or reduced price meals.
- Social Security Numbers for employees and dependents are required for enrollment in health insurance, life insurance, and other miscellaneous insurances.
- Social Security Numbers are used by the Florida Department of Education as a standardized identification number for the required reporting of yearly certification and training information.
- Social Security Numbers are required by the Florida Division of Retirement to report earnings used to document creditable years of service in the Florida Retirement System.
- The District telephone system requires the use of employee Social Security Numbers to track long distance calls and to allow access for substitutes to use the "sub dialer".
- Social Security Numbers are used by the Florida Department of Education as a standardized identification number to track students from year to year and when they move from one school or county to another. Social Security Numbers are used for students in grades 10 through 12 as identifiers for colleges and scholarship programs such as Florida Bright Futures. For students in grades Pre-Kindergarten through 12, Social Security Numbers are used as identifiers for enrollment and attendance, funding reports (such as FTE), tracking of achievement gains, and standardized testing such as FCAT. Student Social Security Numbers are included in all Florida Department of Education required reporting.
- For adult students and approved GED Exit Option students taking the GED exam for graduation purposes, Social Security Numbers are used by the Florida Department of Education as a standardized identification number to track students.
- The District School Board of Pasco County will not use a student's Social Security Number for the purpose of identifying immigration status. The Social Security Numbers of all current and former employees are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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#### Parental Rights and Safeguards Regarding the District's Use of Public Benefits and Insurance

In 1988, the federal government signed a supplementary Medicaid program called the Medicaid Certified School Match Program into law. This program allows the District to recover certain costs for the provision of health, behavioral and therapy related services to eligible students. This activity will not affect your child's Medicaid insurance coverage in any way. The District has been participating in the program since 2003.

- Federal and state law requires that the District provide written notification to parents before accessing the child's or the parent's public benefits (e.g., Medicaid). The District has elected to provide this notice at all IEP meetings advising parents of their rights.
- A one-time parental consent is required specifying that the parent understands and agrees that the public agency may access the parent's or child's public benefits (e.g., Medicaid) or insurance to pay for services under part 300. [300.154(d)(2)(iv)(A)-(B)] Consent is currently obtained via the student's Emergency Information Card.
- For children with disabilities who are covered by public benefits or insurance (e.g., Medicaid), the public agency may not use a child's benefits if that use would: decrease available lifetime coverage or any other insured benefit; result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside the time the child is in school; increase premiums or lead to the discontinuation of benefits or insurance; or risks loss of eligibility for home and community-based waivers. [300.154(d)(2)(i)-(iii)]
- Parents have the right under 34 CFR part 99 and part 300 to withdraw their consent to disclosure of their child's personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) at any time.
- Withdrawal of consent or refusal to provide consent under 34 CFR part 99 and part 300 to disclose personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents. [34 CFR 300.154 (d)(2)(v)]
- Please call (813) 794-2601 for more information regarding the Medicaid program.

### (PPRA) Student Surveys and Privacy: Parent Notification of the Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) is a federal law that affords definite rights to parents of minor students in relation to surveys that ask questions of a personal nature. The law requires that schools obtain written consent from parents before minor students are required to participate in any U.S.

- Department of Education (U.S. DOE) funded survey or evaluation that reveals information concerning the following protected areas:
  - Political affiliations or beliefs of the student or the student’s parent
  - Mental and psychological problems of the student or the student’s family
  - Sexual behavior or attitudes
  - Illegal, antisocial, self-incriminating, or demeaning behavior
  - Critical appraisals of other individuals with whom respondents have close family relationships
  - Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
  - Religious practices, affiliations, or beliefs of the student or student’s parent
  - Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- The District School Board of Pasco County, which receives funds from the U.S. DOE, will comply with the requirements of PPRA for the collection and reporting of certain information by means of student surveys, as well as the requirements to protect student privacy.
- The District School Board of Pasco County participates in the Florida Youth Survey (FYS). The FYS is administered on an annual basis by the district in conjunction with the Florida Departments of Education and Health. The FYS collects and reports information relative to student attitudes and behaviors on topics such as school safety, substance use, and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, the surveys collect information on general health practices and human sexuality. The information is collected by survey anonymously on a sampling basis, and no personally identifiable information is obtained from or reported on any individual student.
- Participation in FYS surveys is voluntary. No student shall be required to participate in such a survey if the student, or the student’s parent/guardian if the student is a minor, objects to participation. A parent must provide written notification to opt out of survey participation. If, however, a survey soliciting protected area information is funded in whole or in part by any program administered by the United States Department of Education (U.S. DOE), prior written consent will be obtained from the parent.
- PPRA affords parents certain rights; these include the right to:
  - Consent before students are required to submit to a survey that concerns one or more of the “protected areas” if the survey is funded by a program of the USDOE.
  - Receive notice and an opportunity to opt a student out of survey participation.
  - Inspect, upon request, and before administration will use, the protected information student surveys and related materials.
  - These rights transfer from the parents to a student who is eighteen (18) years of age or in an emancipated minor under Florida State rule.

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### Title IX

Title IX prohibits any person from being excluded from participation in, be denied the benefits of, or be subjected to discrimination on the basis of sex, in any educational program or activity receiving Federal financial assistance. The district has developed the following procedures to respond to allegations of Title IX violations:

- All schools and district departments will provide notice to all students and employees of the complaint/grievance procedures, including where complaints may be filed.
- Title IX prohibits retaliation against any individual who files a complaint in good-faith or participates in a complaint investigation.
- All Title IX complaints should be reported anonymously or in-person to the school Principal or Principal’s designee or Equity Manager.
- Definitions and examples of sexual harassment under Title IX include, but are not limited to:
  - Sexual harassment
  - Gender-based harassment
  - Sexual assault

- Unwelcome sexual propositions, invitations, solicitations, and flirtations
- Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person’s body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls
- Verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender expression that does not involve conduct of a sexual nature, including harassment predicated on sex-stereotyping, (e.g. mannerisms, dress, etc.)
- The district will keep all complaints and investigations confidential to the greatest extent possible and all investigations will be completed as outlined in Board Policy 5517.
- Documentation will be maintained related to the investigation and any corrective action by the school site and throughout the district in accordance with applicable State record retention requirements.
- The district will take interim preventative measures to protect victims and the school community during the investigation.
- The district will maintain on-going contact with the victim throughout the investigation.
- The district will take appropriate remedial action to address and resolve any findings of discrimination and to prevent the recurrence of any discrimination, which may include, but is not limited to:
  - Provision of resources
  - Counseling provided to harasser to prevent future recurrence
  - Disciplinary sanctions as appropriate
  - Provide protections against retaliation for the individual subjected to the harassment and any witnesses
  - Counseling provided to the victim
  - Any other necessary steps to address any impact on the victim, witnesses and the broader student body
  - Any other necessary steps reasonably calculated to prevent future occurrences of harassment
- Written notification will be provided to all parties involved regarding the outcome of the investigation to the extent authorized by law.
- All parties involved will have the right to appeal the findings of the investigation, including introducing evidence and witnesses. Parties who wish to appeal an outcome must submit a request to the Equity Manager with ten (10) business days of being notified of the outcome of the investigation.

*For more information about Title IX, the process for reporting allegations of violations and the school district’s responsibilities, please see <https://www.boarddocs.com/fl/pasco/Board.nsf/Public?open&id=policies#>*

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These and other parent and legal notices may be found at: [http://www.pasco.k12.fl.us/ssps/parent\\_notices](http://www.pasco.k12.fl.us/ssps/parent_notices)

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| <ul style="list-style-type: none"> <li>● 2018-19 Student Progression Plan</li> <li>● Attendance</li> <li>● Career Academies</li> <li>● CheckCare Disclosure</li> <li>● Child Labor Laws</li> <li>● Classroom Transfer Process</li> <li>● Clinic, Health Issues and Medications</li> <li>● Controlled Open Enrollment (School Choice)</li> <li>● Drop-out Prevention and Graduation Enhancement</li> </ul> | <ul style="list-style-type: none"> <li>● Florida Shines Online Career &amp; Academic Planning</li> <li>● Food and Nutrition Services</li> <li>● Graduation Requirements for 24-Credit/4-Year Standard Diploma</li> <li>● Multi-Tiered Systems of Supports (MTSS)</li> <li>● Parent Right to Request Evaluation</li> <li>● Pledge of Allegiance Notice</li> <li>● Respect and Civility Policy Statement</li> <li>● Reporting Child Abuse</li> <li>● Responsibility of School District and Parents or Guardians for Students Who Are Transported at Public Expense</li> </ul> |
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## **Progressive Discipline**

The District School Board of Pasco County engages in the practice of progressive discipline.

Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate student behavior and build upon strategies that promote positive behaviors. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that also includes corrective and supportive measures.

Progressive discipline is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline, in accordance with the Discipline Matrix. The previous disciplinary history of the student and all other relevant factors will be taken into account.

### **Definitions**

- The term “parent” wherever used in this document shall include a student’s parent or parents, legal guardian, legal custodian, or adult recognized by the student’s school as acting “in loco parentis”.
  - The term “Superintendent” shall include the Superintendent’s designees including Assistant Superintendents, hearing officers, and/or other administrators as is appropriate within the context of the provision.
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## **Respect and Civility Policy**

The District School Board of Pasco County believes that a safe, secure, nurturing and civil environment is essential to accomplishing its mission to create a community which works together so all Pasco County students will reach their highest potential.

This policy promotes mutual respect, civility and orderly conduct among all district employees, students, parents and the general public. The policy is not intended to deprive any person of his or her right to freedom of expression. Rather, it is intended to maintain, to the extent that is possible and reasonable, a safe, harassment-free environment for students, families, and staff, that is free of disruptive, demeaning, intimidating, threatening or aggressive behaviors.

- District staff will treat students, parents, fellow staff members and members of the public with respect and will expect the same in return.
- District staff will not conduct business with those who use obscenities or otherwise speak in a demanding, loud, insulting or threatening manner.
- Volatile, hostile or aggressive actions and words will not be tolerated, and individuals who engage in these activities may face penalties up to, and including, criminal prosecution.

(F.S. 1001.41, 871.01, 1006.145)

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## **Student Rights and Responsibilities**

Students shall have:

- The right to be informed of all school rules and regulations, the consequences of breaking those rules and regulations, the responsibility to know and observe all school rules and accept the consequences of acceptable and unacceptable behavior. Students and parents are expected to be familiar with the student code of conduct.
- The right to due process in all disciplinary actions including an appeal procedure, and the responsibility to cooperate with school personnel in cases involving disciplinary action, following the prescribed process for appeal and accepting final decisions and consequences.
- The right to receive an appropriate education, which will include instruction using texts and materials at a level which allows an opportunity for success and the responsibility to participate in educational opportunities and complete classroom assignments and homework to the best of their abilities.
- The right to know in advance how grades in a class will be determined and the responsibility to understand the teacher's grading system and to monitor their own progress in each class.
- The right to hear, examine and express divergent points of view; this shall include freedom of speech, written expression, and symbolic expression; and the responsibility to consider and respect the divergent

points of view of others; they should also be sure that their personal expressions (speech, written, or symbolic) are not damaging to or infringe on the rights of others and/or otherwise materially and substantially disrupt the learning environment.

- The right to decide whether or not to participate in symbolic (e.g., flag salute) or religious activities and the responsibility to respect the rights of others to participate in symbolic or religious activities.
- The right to nondiscrimination in regards to participation in extracurricular activities and clubs for which they are eligible; students may not be excluded from such activities on the basis of gender (except as allowed under Title IX), color, race, ethnic origin, disability, or religion, and the responsibility to abide by the rules and guidelines which govern extracurricular activities and clubs; they should show good school spirit and sportsmanship.
- The right to participate, to the extent eligible and otherwise qualified, in a student council process which provides channels of communications as a means for solving problems in a democratic process; and providing input into school rules and curriculum within the context of student government, and the responsibility to support and take an active interest in student government.
- The right to dress and groom in a way that expresses personal preferences within the guidelines of the school dress code and the responsibility to know and observe school rules of dress and appearance.
- The right to, consistent and in accordance with school board policy, compose and make available printed, audio and/or video materials for reasons that are not commercial; this shall include freedom of the press for all student publications, and the responsibility to ensure that all published materials made available to the school are free from obscene or offensive material in adherence to journalistic ethics and reflect school and community standards, as determined by the principal or designee.
- The right to peacefully assemble, in accordance with school board policy, on school grounds and the responsibility to assemble in such a way as to avoid disrupting the educational process or conflicting with school rules.
- The right to enjoy reasonable degrees of personal privacy, in accordance with the school board search and seizure policy.
- The right to be free from bullying, hazing, name calling, or harassment. It is the responsibility of the student to avoid and discourage such behavior and to report said behavior to school staff when observed.

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## **Rules of Student Conduct**

The following behaviors are considered inappropriate for students:

### *Level 1 - Minor Disruptive Behaviors:*

- Inappropriate public display of affection (1B)
- Running, tripping, pushing, hitting or similar aggressive acts (1C)
- Tardiness (1E)
- Unauthorized possession or use of toys, audio or wireless communication devices, collectibles, or other items or materials that are inappropriate for an educational setting (1I)
- Violation of dress and appearance code (1K)
- Unauthorized location (1L)
- Violation of traffic, parking, bus or bicycle regulations (1M)
- Failure to comply with classroom, school, or bus rules (1P)
- Disrespect toward student or staff (1Q)

### Reporting Element

- Unsubstantiated bullying (1Z)

### *Level 2 - Disruptive Behaviors:*

- Disruptive behavior (2B)
- Skipping or leaving class without permission (2C)
- Failure to comply or complete previously assigned intervention strategies (2E)
- Fighting (Non-SESIR) or physical confrontation (2F)
- Verbal altercation, instigating a fight, harassment (Non-SESIR) or unwanted teasing or taunting of others (2G)

- Defacing and/or destroying school or personal property resulting in damages of less than \$1,000 (2H)
- Distribution of objects, literature, or materials that are obscene or inappropriate for an educational setting (2I)
- Leaving school grounds without permission (2J)
- Truancy (2L)
- Academic dishonesty, cheating, plagiarism, violation of copyright laws or similar acts (2M)
- Misrepresentation, providing false information to school personnel, or lying about a school staff member (2N)
- Having a toy/imitation weapon (2O)
- Violation of campus or bus safety rules (2Q)
- Defying, disobeying, or disrespecting school personnel (2R)
- Having or using matches, lighters, fireworks, smoke/stink bombs, laser pens, over-the-counter drugs or other unauthorized items (2S)
- Theft or accessory to theft of property worth less than \$300.00 (2T)
- Profane, obscene or provocative language or gestures (2U)
- Gang related disruption; may include materials, dress or hand signs (2V)
- Improper use of technology (2W)
- Gambling (2X)

Level 3 - *Most Serious, Dangerous or Violent Behaviors:*

- Mutual altercation that requires physical restraint or results in injury requiring medical attention (3D, FIT)
- Physical use of force or violence (hitting, striking, harming) by an individual against another who does not retaliate, battery requires law enforcement officer (LEO) involvement and more serious bodily injury (3E, BAT, PHA)
- Using, possessing, selling, purchasing or distributing alcohol, controlled substances, drugs, drug related items, or substance represented to be a drug (3F, ALC, DRU, DRD)
- Having weapons, including any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon as defined in state statute (3G, WPO)
- Theft or accessory to theft of property, \$300.00 or more (3H, STL)
- Sexual harassment (3I, SXH)
- Major disruption on campus; taking part in a riot (3K, DOC)
- Arson, setting fire to a building or other property (3L, ARS)
- Bomb threats, false fire alarms, hoaxes or threatening the use of a firearm (3M, DOC)
- Extortion or robbery (3N, ROB)
- Intimidating school staff or students or threatening them with violence or sexual assault (3O, TRE, SXA)
- Bullying, harassment or hazing of staff or students (3P, BUL, HAR, HAZ)
- Violations of other criminal laws (3R, OMC, HOM, KID, SXB, BRK, TRS)
- Habitual or serious breach of bus rules (3S)
- Possession or use of tobacco products or look-alikes (3T, TBC)
- Defacing and/or destroying school or personal property resulting in damage of \$1,000 or more (3U, VAN)
- Sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Must involve law enforcement. (3V, SXO)
- Dangerous objects: razor blades, box cutters, common pocket knives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items (3W)

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**Interventions/Consequences/Reporting Elements**

Interventions for students found to be in violation of the school rules encompass multi-tiered behavioral supports and may include but are not limited to:

- Conference with student (30)
- Conference with parent (31)
- Assignment of reflective written work, work detail, and/or restitution (i.e.: property/damages) (32)

- Behavioral or student self-improvement agreement (33)
- Loss of privileges (34)
- Peer mediation (35)
- Daily or weekly report to parents (36)
- Referral to Guidance Counselor, School Nurse, School Psychologist, School Social Worker, School Resource Officer, Behavior Specialist, School-Based Intervention Team (S-BIT), Community Agency/Services or similar resource (37)
- Detention (38)
- Bicycle privilege revoked (39)
- Parking privilege revoked (40)
- Referral to Dept. of Highway Safety & Motor Vehicles (41)
- In-school suspension (ISS). (The student will report to school at the stipulated time but will not be able to follow the regular schedule or to attend extracurricular activities.) (42)
- Bus suspension (The student will not access school transportation, for any reason, during the period of suspension. The student is required to attend school during the period of bus suspension.) (43)
- Out-of-school suspension (OSS). (The student will not be permitted on any school board property during the period of suspension.) (44)
- Referral to law enforcement agency (investigation or arrest) (46)
- Recommendation for bus expulsion (47)
- Recommendation for expulsion (48)
- Alternative to suspension (ATS) (49)
- Change of placement (ESE only, 45-day rule) (50)
- Threat assessment (51)
- Functional Behavioral Assessment/Behavior Intervention Plan (52)
- Confiscation of items or devices (53)
- Recommendation for alternative placement (57)
- Batch (99)

#### Reporting Elements

- Mechanical restraint (54)
- Physical restraint (55)
- Seclusion (56)

*Grades: Teachers shall not give or threaten to give grades lower than those the student actually earned. Academic dishonesty (cheating or plagiarism), however, will result in a lowered grade on that particular assignment. Also, failure to properly complete assignments will naturally result in lower grades. Grades may **not** be lowered as a consequence.*

#### **Extracurricular, Co-curricular Activities, and Student Organizations**

Extracurricular activities should be scheduled to maximize student access while minimizing conflict with instructional time.

The following rules and procedures shall apply to all student activities and organizations:

- They must be open to any student who qualifies; members cannot be selected by open or secret ballot (excluding voting for student government officers). Students shall not be excluded on the basis of race, sex, national origin, disability, gender, or religion.
- They must have a charter and/or constitution written by students and teacher sponsors and approved by the school administration.
- They must have a faculty sponsor, appointed by the principal, who will be present at all meetings; meetings will be held on school grounds unless otherwise approved by the school administration.
- Dues must be reasonable.
- All monies collected must be handled through an established school account.
- All initiation ceremonies must be approved by the school administration; those ceremonies will not be injurious or degrading.

- All meetings and social functions will be approved by the school administration and will be adequately chaperoned.
- Extracurricular activities shall establish special rules of conduct and consequences that are reasonable and consistent with district policy, approved annually by the principal or designee, written and distributed to prospective member students.
- These rules shall facilitate membership for the children of active military regardless of application deadlines to the extent that they are otherwise qualified (F.S. 1003.05).

Student Being Arrested and Charged (Involved in Extracurricular Activities)

If a student is found to have been arrested on or off campus and/or charged with a felony or a delinquent act that would be a felony if that student were an adult, even if adjudication is withheld, then the student will be suspended from and deemed ineligible to participate in extracurricular activities. The student shall be suspended/deemed ineligible to participate in extracurricular activities, including athletics, for no less than ninety (90) school days from the date the school becomes aware of said violation. After the days of suspension from participation are completed, the principal or designee will review the suspension and make a decision concerning the eligibility of the student to resume participation in extracurricular activities. Results of this decision may not be appealed. The suspension may be lifted should the charges be dropped or a ‘not guilty’ be entered into the court records. (F.S. 1006.15)

**Note:** Participation in extracurricular activities is a privilege, not a right, and may be revoked by the principal for violations of the Student Code of Conduct including but not limited to actions that result in in-school-suspension, out-of-school suspension and/or a recommendation for expulsion. Suspension or dismissal from extracurricular activities may be utilized as a disciplinary consequence in addition to or in lieu of other disciplinary actions.

**Note:** A student’s grade should not be lowered if they are excluded from extracurricular or co-curricular activities due to disciplinary reasons.

**Student Eligibility – Interscholastic Activities**

HB 7029 mandates each school district establish and publish eligibility standards for extracurricular activities in its Student Code of Conduct. Per F.S. 1006.195, the following apply to all students participating in an interscholastic program sponsored by the district. The district has established, through its Student Code of Conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities.

In compliance with HB 7029, the district has established the following:

- A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board’s suspension or expulsion powers provided in law, including 1006.07, 1006.08 and 1006.09 is eligible to participate in interscholastic and intrascholastic extracurricular activities.
- 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 1006.15.
- A student’s eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until the final disposition of the allegation pursuant to 1006.20.

The following includes a list of FHSAA district athletics eligibility criteria, including but not limited to:

- 2.0 GPA required for academic eligibility. A middle/junior high student must have a 2.0 GPA, or the equivalent of a 2.0 GPA based on a 4.0 scale, at the conclusion of each semester. A high school student must have a cumulative 2.0 GPA on a 4.0 unweighted scale, or its equivalent, at the conclusion of each semester to be academically eligible during the next semester (1006.15).
- Athlete cannot turn nineteen (19) before September 1<sup>st</sup> of the current year.
- Four-year eligibility limit.
- Any other district or FHSAA policy that would remove or prevent a student from participating.

### Good Cause Participation

- A student who transfers schools and wishes to continue participating in the same sport at the new school may seek good cause authorization.
  - The following includes a list of examples, such as, but not limited to, which may be considered for “good cause authority.”
    - Move to a new residence that make it necessary to attend a different school
    - Reassignment by school board or charter school board
    - Transfer of school within the first twenty (20) days (i.e., acceptance into a previously applied for magnet program or career academy)
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### Student Government

An elected or voluntary student government will be established in all schools. The purpose of this organization shall be to develop attitudes of and practice in good citizenship, promote harmonious relations throughout the school, improve school morale, provide a forum for student expression, provide orderly direction of school activities, and promote the general welfare of the school.

The student government establishes election procedures and decides upon officers' qualifications in accordance with district and school board policies on non-discrimination.

The student government will work to make improved communications among students, teachers, parents, and the administration. The administration shall use the government to get student opinions on curriculum, procedures, teacher-student relationships, and student conduct.  
(F.S. 1001.43, DSBPC 5820)

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### Declaration of Intent to Terminate School Enrollment

A student who is sixteen (16) or seventeen (17) years of age who is choosing to withdraw from school must sign a “Declaration of Intent to Terminate School Enrollment” form. Students may obtain the form by speaking with school guidance counselors or a member of the school administration staff. This form requires parent signature/consent unless the student is legally classified as independent.

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### Attendance

State statute requires that “All children who have attained or will have attained the age of six (6) years by February 1st of any school year and have not yet attained the age of sixteen (16) years, except as otherwise provided, are required to attend school regularly during the entire school term.” (F.S. 1003.21)

It is the belief of the District School Board of Pasco County that academic success requires continuity of instruction and active classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. School attendance shall be the responsibility of parents and students.

School Attendance: Students are to be counted in attendance only if they are actually present or engaged in a school-approved educational activity, which constitutes a part of the instructional program for the student.

Class Attendance: Students are to be counted in attendance if they are physically present in class or have been excused by the teacher on a class-related assignment, or have been requested by a member of the school support staff for an approved school activity.

Florida Law 1003.26(1)(b) provides that if a student has at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the school must take action. The school may require documented medical and legal excuses for a pattern of non-attendance.

- Attendance shall be counted period by period. (Secondary only)

- A student, whose parent or legal guardian is an active duty member of the armed forces and has been called to duty, is on leave from, or has immediately returned from deployment, shall be granted additional excused absences, at the discretion of a school district's superintendent or designee, to spend time with said student's parent/guardian, relative to such leave or deployment.
- After three (3) unexcused absences the school shall contact the home (or work place) of the parent/guardian to determine the reason for the absence.

#### Attendance Procedures

All elementary, middle and high school students who are absent will be marked "unexcused" (U) until the parent/guardian notifies the school in writing and justifies the absence with one of the acceptable reasons as defined below.

- Failure to do so within three (3) school days will cause the absence to be recorded as "unexcused".
- In the case of excessive or extended absences, which are claimed to be due to illness, upon request of the principal or designee, a parent must provide documentation (doctor's statement) of a student's illness.
- Excessive or extended absences are considered five (5) in one calendar month or ten (10) in one semester, or a history of excessive absences per period as defined below under Student Consequences for Unexcused Absences. Absences that meet this threshold as defined above will require a doctor's note. If doctor's notes are not provided, absences will be marked as unexcused.

#### The following are acceptable reasons for a student's absences from class:

- Illness of student
- Major illness in the immediate family of the student (immediate family is determined as parents, brothers, sisters, grandparents, aunts, uncles, legal guardians or persons "in loco parentis," or a member of one's own household)
- Death in the immediate family of the student
- Religious holiday of the student's faith (including Yom Kippur, Rosh Hashanah, Epiphany, etc.)
- Religious instruction (including Bar/Bat Mitzvah, Confirmation, etc.)
- Religious institutes, conferences, or workshops, provided that the principal or designee approves the absence in advance
- Absences for trips or other parental requests that are determined to be educationally relevant for the student as determined by the principal or designee. Requests must be approved at least one (1) week in advance. The principal or designee's decision in this matter is final
- In-school or out-of-school suspension
- Subpoena or forced absence by any law enforcement agency, a copy of the subpoena or court summons must be submitted to the school
- For purposes of attendance, school related activities would not be counted as absences from school.
- Issues and occasions specific to military families

#### Tardiness and Early Checkout

Students need to arrive on time and stay through dismissal so they will receive important directions, class instruction and avoid disrupting other students. Parents can set a good example by encouraging students to follow the school's time schedule and to follow the procedures found in the school handbook. All parents must report to the front office when picking up their child prior to the regular dismissal time.

#### Make-up Work

Excused absences guarantee students the right to make up any and all assignments assigned on the day(s) of absence at full credit. The student is responsible for asking the teacher(s) for make up tests, assignments and related work. Students will be given a minimum of two (2) calendar days per day or period of absence to make up all tests, assignments and related work. Students may be given additional time as stipulated on their IEP or based on teacher discretion. Work due to be turned in on the day of the absence will be turned in upon return and be given full credit. The principal or designee shall have the authority to modify these conditions with just cause. Students who have been assigned out-of-school suspension (OSS) may make up all tests, assignments and related work for full credit.

### Referrals for Intervention and Support

If the initial parent/guardian meeting/contact does not resolve the problem and the person responsible for all non-attendance, determines that an early pattern of non-attendance is developing, interventions that best address the problem will be developed. The interventions may include but need not be limited to:

- Attendance agreements.
- Referral to the school based intervention team.

If the attendance agreements and the referral to the school based intervention team are not successful, then a referral to the school social worker is initiated.

Once referred to the school social worker, a student and/or parent may be referred to the Office of the State Attorney's Truancy Intervention Program (TIP) or to Children in Need of Services/Families in Need of Services (CINS/FINS).

### Truancy Prosecution

The Truancy Intervention Program (TIP) may prosecute through the State Attorney's Office (SAO) via the school attendance statute. A truancy referral through Youth and Family Alternatives (YFA) may also lead to prosecution via the CINS statute. (F.S. 1003.12, F.S. 984.03)

### Driver License Penalty

Students who accumulate fifteen (15) unexcused absences or absences for which the reasons are unknown, in a period of ninety (90) calendar days may face suspension of their driver license, or for students who are under age sixteen (16), having their application for licensure denied. Please see section on Driver License Law below. (F.S. 322.091)

### Public Assistance Penalty

Truancy may impact public assistance the family receives through the Learnfare program. (414.1251)

### Intervention Systems

It is the expectation that schools will design and implement an attendance incentive program where students may earn additional rewards and privileges. School administrators may elect to exclude the following consequences for unexcused absences from their attendance plan.

### Student Consequences for Unexcused Absences

At the secondary level, attendance is marked per period. If a student has at least five (5) unexcused absences, or absences for which the reasons are unknown, in any one course within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, in any one course within a semester, the student may lose privileges as described below.

At the elementary level, attendance is marked per day. Students who accumulate excessive absences, which is defined as five (5) unexcused absences, or absences for which the reasons are unknown, in any one calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, in any semester, tardies or early dismissals may lose privileges as described below.

### Loss of Privileges

- May be excluded from attendance reward incentives as defined at the school level.
- Lose the privilege of participating in extracurricular activities. These include but are not limited to dances, special events, club activities and athletics, until the end of the following grading quarter. **Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year.**
- Lose the privilege to drive to campus until the end of the following grading quarter. **Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year.**

The principal or designee may review extenuating circumstances resulting in a loss of privilege(s). The principal's decision is final.

### Athletics and Extracurricular Activities

Students must be present for the majority of the school day to participate in extracurricular activities unless otherwise approved by school administration. These include but are not limited to dances, special events, club activities and athletics.

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### **Tardy Hall/Detention (Secondary Only)**

Principals or designees shall have the authority to establish tardy halls where students serve immediate detention for unexcused class tardies. The school shall develop reasonable procedures, which shall be submitted for approval to the Superintendent or designee.

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### **Driver License Law (Secondary Only)**

The Florida Legislature has enacted F.S. 322.091(1), which provides that minors (ages 14 - 18) satisfy school attendance requirements in order to apply for or maintain their driving privileges. In accordance with F.S. 1003.27, the principal or designee will notify the district office of those students who accumulate fifteen (15) unexcused absences or absences for which the reasons are unknown, in a period of ninety (90) calendar days. The school superintendent or designee is then required to submit to the Department of Highway Safety and Motor Vehicles (DHSMV) the names of the students along with their date of birth, sex, and Social Security Number. For the purposes of maintaining the right to drive, days of suspension from school will not be forwarded to the DHSMV as unexcused.

If a student's name is sent to the DHSMV for lack of attendance, then the student is in danger of having the current privilege to drive suspended, or for students who are under age sixteen (16), having their application for licensure denied. Hardship waiver hearings will be available in cases where the driver has been notified by DHSMV that the license will be suspended. Following a license suspension by DHSMV, the driving privilege may be reinstated if the student submits written verification to DHSMV that the student has completed thirty (30) days of attendance in school without an unexcused absence.

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### **Student Parking Policy (Secondary Only)**

Parking in a school lot is a privilege. All vehicles must be registered to park in a school parking lot. Proof of insurance must be presented at the time of registration and the registration is non-transferable. Vehicles that are not registered, that are inappropriately or illegally parked, or parked so as to cause a safety hazard, may be warned, booted, or towed at the owner's expense.

Students who drive inappropriately or dangerously, or are found to be truant or have excessive absences (see attendance policy) are subject to having their parking privileges suspended or revoked.

There will be no refunds for loss of hang tags/parking privileges. If a student regains his or her driving/parking privilege, it is subject to space availability.

A vehicle, upon reasonable suspicion, may be searched for weapons, drugs, other illegal items, or items prohibited by school board policy, (e.g., alcohol, stolen property, or other contraband.) If any of these are found in the car, appropriate disciplinary and/or legal action will be taken and the parking permit will be revoked.

In addition, each school may specify additional conditions for parking on school grounds at the time of vehicle registration.

When parking or otherwise utilizing a car on school grounds, the student shall be responsible for the control of the vehicle, and the contents contained therein. It is the duty of the student to ensure that no illegal items, weapons or other items prohibited by the School Board Policy, are placed, stored or otherwise contained in such vehicle. Students shall be subject to discipline and legal action when illegal items, weapons or other items prohibited by School Board Policy are contained in the vehicle being utilized or parked on school grounds by the student.

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### **Judicial “No Contact” Orders**

The Department of Juvenile Justice will report to the school district all court orders in which a Pasco County student is mandated by the Department of Juvenile Justice to have “no contact” with his or her victim or victim’s family members.

Upon notification by the DJJ Transition Coordinator, the principal or designee of the school where the offender attends will determine if measures can be taken within the existing school of attendance to ensure that the “no contact” order can be followed. If the principal or designee feels the order cannot be accommodated at the school, consultation with the Division of Student Services will determine how the “no contact” order will be enforced.

A “no contact” order may be issued by a circuit judge at or before the time of adjudication, withholding of adjudication, or plea of guilty or nolo contendere for the following offenses: homicide, assault, battery, culpable negligence, kidnapping, false imprisonment, luring or enticing a child, custody offenses, sexual battery, lewdness and indecent exposure, abuse of children, robbery, robbery by sudden snatching, car jacking, or home-invasion/robbery.

(F.S. 1006.13)

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### **Student Felony Reports**

F.S. 1006.08 (2) requires law enforcement agencies and courts to notify schools when a student is accused or convicted of felony-level crimes. The principal or designee must share the information with school staff that work with the student. The informed staff must maintain appropriate levels of confidentiality. The information regarding the felony report is not kept in the student’s cumulative record.

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### **Student Placement Review Procedures**

F.S. 1003.32 gives teachers the authority to remove a student from a class for the remainder of the school year under any of the following circumstances:

- Who has been documented by the teacher to repeatedly interfere with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn
- Whose behavior the teacher determines is so disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive that it seriously interferes with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn
- Who has threatened personal harm or property damaged against the teacher or teacher’s family

Within five (5) days of the teacher’s removal of the student, the principal or designee will either return the student to the teacher’s class with the teacher’s agreement or will determine a more appropriate placement of the student. If the teacher and principal or designee cannot agree on a decision, a Placement Review Committee will determine the appropriate class for the student. The placement review committee may return the student to the original class if they determine that such placement is the best or only alternative. The teacher may appeal the committee’s decision to the Superintendent.

Program eligibility requirements, School Board policies, and state and federal laws limit placement options. In no instance shall a student’s right to due process be compromised.

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### **Use of Reasonable Force**

The safety and welfare of the students is of utmost importance. In today's society, it has become necessary to use a range of conduct management efforts to control student behavior. These efforts include the use of reasonable force. Florida Statutes 1006.11 and 1012.75 allow such force to be used by school personnel in maintaining a safe and secure learning environment. While use of reasonable physical force may be needed, that force may not be excessive, cruel or unusual in nature, and alternatives to the use of such force should be attempted, time permitting. Any use of reasonable physical force must cease upon the restoration of a safe and orderly environment.

Use of reasonable force is permitted to protect students from:

- Conditions harmful to learning
  - Conditions harmful to students' mental health
  - Conditions harmful to students' physical health
  - Conditions harmful to safety
  - Harmful and/or injury to self, school personnel and others
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### **Search and Seizure**

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property, including vehicles, of a student, with or without the student's consent, whenever they reasonably suspect that a violation of law or school rules has occurred or is occurring. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Administrators are permitted to conduct a search of any student's locker and its contents at any time, providing there is a reasonable suspicion the contents of the locker are illegal, possessed illegally, or otherwise violate the Student Code of Conduct. Proper notice is to be posted in the locker areas of each building, readily seen by students, notifying students that their lockers or storage areas are subject to search upon a reasonable suspicion, as set forth herein. See below for rules regarding canine search.

Search of a student's person shall be conducted by a person of the student's gender, whenever possible. Searches conducted by a person of the opposite gender will only be conducted under emergency circumstances and when a person of the same gender is not available. In such instances, another person will witness the search.

The School Board also authorizes the use of mechanical detection devices and specially trained law enforcement canines, trained in detecting the presence of drugs or devices to conduct random searches for contraband in classrooms, student lockers, other common areas of school buildings, and vehicles parked on school grounds. Searches will be conducted in conjunction with law enforcement and a school administrator shall accompany the handler and canine during all searches conducted on school property. This means of detection shall be used only to determine the presence of drugs or other contraband in locker areas and other places on school property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search. If a dog indicates that contraband is present on school property, school administrators may conduct a further search.

Whenever possible, a request for the search of a student or a student's possessions will be directed to an administrator who shall seek the freely offered consent of the student to the inspection, and the search will be conducted by the principal in the presence of the student and an additional staff member. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

(PCSB 5771, F.S. 1006.09)

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### **Rules of Dress and Appearance**

In order to promote an orderly learning environment in our schools while preparing all students for later success in the world of work, the District School Board of Pasco County has established the following guidelines for student dress:

- The principal, or designee, shall determine the appropriateness of dress and appearance in accordance with the guidelines distributed by the school, school board policy and guidelines contained herein. The principal, or designee, will make the decision if a student's appearance meets school and community standards. The principal's decision on the appropriateness of dress is final.

- Students shall wear modest clothing of such style and design as shall be consistent with community standards as determined by the school principal or designee. Refer to specific guidelines distributed by the school. Sexually implicit or explicit clothing, bikini and tank tops, and spandex clothing (kinds of clothing usually worn at beaches and while engaging in recreation activities), are not appropriate wearing apparel for school or school functions.
- Students may not wear leggings, yoga pants, tights or similar clothing unless they are covered by a shirt or skirt that is no more than 4" above the knee.
- Students may wear shorts and skirts as long as they are no more than 4" above the knee.
- Blouses, shirts, and sweaters cannot dip below a line formed between the right and left armpit. Muscle shirts and tank tops are not permitted. Spaghetti straps and strapless tops are not acceptable. Tops must be long enough to clearly overlap the belt line or stay tucked in during the course of normal movement throughout the school day.
- Students shall keep their clothes, bodies, and hair clean and well groomed.
- Students shall not wear hats or head coverings on the school campus during the regular school day unless previously approved for medical or religious reasons or special school activities as determined by the principal or designee.
- Students shall wear shoes for foot protection and hygienic reasons while on school grounds or on school transportation. Slippers are not acceptable.
- Decorations, symbols, mottos, or designs imprinted or attached to the body, clothing, accessories or student vehicle which contain profanity in any form, violent images, are considered vulgar, offensive to good taste or the maintenance of decorum, or which contain sexually suggestive words, phrases or images, advertise tobacco, alcohol, drugs, or which identify them as members of secret antisocial groups or gangs, or which cause an inherent risk of substantial disruption to the educational program, shall not be worn to school or school functions. Offensive designs imprinted on the body must be covered.
- Jewelry shall be worn in a way that does not present a safety or health hazard or cause a major disruption to the educational process.
- Wallet chains or dog collars shall not be permitted.
- If issued, student must be in possession of school badges during all school activities and must present the badge to school officials upon request.
- While on any District School Board of Pasco County schools or campus, at any school function or on any school sponsored transportation, students are prohibited from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment. Students' clothing shall be worn appropriately with no abdomen skin or underwear exposed.
- Schools may not require a student to remove or discipline a student for wearing clothing that depicts a firearm or weapon or expresses an opinion regarding a right guaranteed by the Second Amendment (F.S. 1006.07)

Violations of these provisions of the dress code are subject to the following consequences as defined by F.S. 1006.07(2)(d1) and F.S. 1006.07(2)(d2), as follows:

- For a first offense, the student shall be given a verbal warning and the school principal or designee shall call the student's parent or guardian.
- For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal shall meet with the student's parent or guardian.
- For a third or subsequent offense, the student shall receive an in-school suspension 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, and the school principal shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities.

(F.S. 1006.07, 1003.01)

Special Note:

- *A student in violation of the dress code will be required to change into appropriate clothing before returning to class. The principal has discretion to allow a student to return to class in extenuating circumstances.*

- *If necessary, the student will contact parents to provide the appropriate clothing. Failure to do so will result in a discipline referral. Repeated violations of the dress code will result in appropriate consequences.*
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### **Academic Integrity**

Students at all levels are expected to pursue their studies with integrity and honesty in all school settings. All work that a student submits will be the original and authentic work of the individual student unless otherwise specified in the assignment.

Students have the responsibility to:

- Uphold the highest standards of academic integrity in the student's own work
- Refuse to participate in or tolerate violations of academic integrity in the school community
- Foster a high sense of integrity and social responsibility in the school community

The following examples of academic dishonesty will result in disciplinary action. These are examples for guidance purposes and do not constitute an exhaustive list.

- Cheating
- Altering or interfering with grading
- Using or consulting any materials or personal electronic devices/wireless communication devices not authorized by the teacher during a test or assignment
- Submitting an assignment purchased or otherwise obtained from a third party
- Plagiarism
- Lack of proper academic citation (e.g., APA, MLA, Chicago, AP)
- Distributing test questions, homework questions, assignments and other school testing or evaluation materials, or answers thereto in a manner that enables or advances the examples of Academic Dishonesty set forth herein
- Willfully or knowingly taking an online course or examination on behalf of another person, or allowing someone to take an online course or examination for you

Consequences are detailed on the Discipline Matrix and may also include the following:

- Reduced credit on assignment
  - Proctored assessments
  - Withdrawal from course (eSchool/FLVS)
  - Schedule change
  - Completion of an Academic Integrity Module
  - Repeated infractions may also be coded as 2R - Defiance
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### **Wireless Communication Devices (WCDs) and Digital Citizenship**

The School Board is aware that parents and students use wireless communication devices (WCDs) to communicate with each other. However, the use of wireless communication devices (WCDs) on school grounds must be appropriately regulated to protect students, staff, and the learning environment. For purposes of this policy, "wireless communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones, BlackBerry, iPhone, Android devices, Windows Mobile devices, smart watches, etc.), telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type.

For purposes of this policy, "texting" includes, but is not limited to manually typing, using voice to text applications or entering multiple letters, numbers, symbols, or other characters on a device, for the purpose of non-voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, instant messaging, or similar activities.

Technology including, but not limited to, WCDs intended and actually used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the classroom teacher or the

principal. However, the use of a WCD to engage in non-education-related communications during instructional time is expressly prohibited.

Students may use WCDs before and after school, during their lunch break, in between classes, during after-school activities (e.g. extracurricular activities), at school-related functions, and while on the school bus provided such use does not create a distraction, disruption, or otherwise interfere with the educational environment. Distracting behavior that creates an unsafe environment will not be tolerated. Use of WCDs, except those approved by a teacher or administrator, at any other time is prohibited and the WCD must be stored out of sight. WCDs must be fully powered off during standardized tests and other times as directed by your teacher or administrator.

Except as authorized by a teacher, administrator, or Individual Education Plan (IEP) Team, students are prohibited from using WCDs during the school day, including while off-campus on a field trip or during any school-related activity, to capture, record or transmit the words or sounds (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit, written consent for the capture, recording or transmission of such words or images. Using a WCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a WCD to make prohibited recordings or violate the privacy rights of another person may have their WCD confiscated and held until the end of the school day or until a parent/guardian picks it up, and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity, the confiscated WCD may be turned over to law enforcement.

"Sexting" is prohibited at any time on school property or at school functions. As set forth in State law, sexting is the knowing transmission or distribution to another minor by a computer or similar device any photograph or video of any person that depicts nudity and is harmful to minors. Sexting also includes possessing a photo of any person that was transmitted or distributed by another minor that depicts nudity. Such conduct not only is potentially dangerous for the involved students, but also can lead to unwanted exposure of the messages and images to others, and could result in criminal violations related to the transmission or possession of child pornography. Such conduct will be subject to discipline and possible confiscation of the WCD and referral to law enforcement.

Pursuant to State law, students shall not operate a motor vehicle owned or leased by the district on or off school property, or personal motor vehicle on district property, while manually typing or entering multiple letters, numbers, symbols, or other characters into a personal communication device or while sending or reading messages on such a device, for the purpose of non-voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, instant messaging, and snap chatting.

The use of WCDs that contain built-in cameras (i.e., devices that take still or motion pictures, whether in a digital or other format) is prohibited in locker rooms, shower facilities, and/or rest/bathrooms.

Students may not use a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5517.01 and 5517 – Bullying and Harassment. In particular, students are prohibited from using WCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - sending, receiving, sharing, viewing or possessing pictures, text messages, e-mails or other materials of a sexual nature (i.e., sexting) in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a WCD to capture, record and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using WCDs to receive such information. Furthermore, students are prohibited from using WCDs in any manner that otherwise violates the Student Code of Conduct.

Possession of a WCD by a student at school during school hours and/or during extracurricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. Administration may also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g. child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If multiple offenses occur, a student may lose his or her privilege to bring a WCD to school for a designated length of time or on a permanent basis.

If the WCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the WCD may be turned over to law enforcement. School officials will not search or otherwise tamper with WCDs in district custody unless they reasonably suspect that the WCD contains evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure.

Students shall have no expectation of confidentiality with respect to their use of WCDs on school premises/property. A person who discovers a student using a WCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, damage to, misuse, or unauthorized use of WCDs brought onto its property, or the unauthorized use of such devices.

(PCSB 5136, F.S. 316.305, 847.0141)

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### **Responsible Electronic Use Rules for Students**

I have access to the Internet, school networks, district provided electronic accounts, email, and electronic devices and other “electronic resources” so I can:

- Expand my learning
- Communicate with others about what I am learning
- Research topics for class projects or for my personal learning
- Create products highlighting my learning
- Learn how to be a responsible and productive digital citizen

Here are some things I need to know:

- Electronic devices include but are not limited to computers, netbooks, iPads, iPods, tablets, cell phones, cameras, and other electronic devices that allow me to create and communicate.
- I am responsible for all my online activities that take place through the network connection with my school’s devices, electronic accounts, email, or through access with my own personal electronic devices.
- I am responsible for obeying all laws, including copyright. This also means I may not use the District logo or other District-owned content on my personal posts.
- I do not have the right of privacy when accessing the Internet or network while at school.
- Communicating electronically includes using my camera and cell phone to communicate visually.
- When communicating electronically, I should ask myself: Is it safe? Is it kind? Is it respectful? Is it appropriate?
- I do not have an absolute right to take, publish/post photographs or videos of others at school, as it may impact their individual rights of privacy.
- Bullying or harassing someone either in person or electronically is wrong, violates the Student Code of Conduct, and is against the law.
- Information I find on the Internet is not necessarily true or accurate.
- There are filters to prevent access to inappropriate information, but no filter is perfect. Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites, content and communication.

- The District reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of internet, school networks, district issued electronic accounts, email and electronic devices. Students should have no expectation of privacy over matters sent or received through such electronic resources.
- I can learn more about being a responsible digital citizen at <http://www.safeflorida.net/safesurf>.

Here's what I agree to do as a responsible and productive digital citizen:

- I will follow all school rules and laws when using electronic devices at school.
- I will not damage equipment, upload harmful files, damage files, delete files, or access someone else's account or files because it impacts others.
- I will keep my password to myself and will not share it with others.
- I will not search for or try to access obscene, harmful, or inappropriate material.
- If I accidentally access inappropriate materials, I will close the window and tell a responsible adult.
- I will not post or send hurtful, offensive or inappropriate material.
- I will behave honestly, fairly, and with integrity when posting online, including my social networks.
- I will follow rules of network etiquette, and I will be polite when communicating with others electronically.
- I will not use bad language or access messages from others who use bad language.
- I will not post or share pictures of others without their knowledge and approval.
- I will stay safe and will never meet or give out personal information such as my name, phone number, or address to someone I meet on the Internet without the express permission of my parents and/or teachers.
- I will discuss my online activities with my parents so they understand how I am learning to be a digital citizen.
- My teachers and administrators have the right to access whatever I do online while in school if they are concerned about my safety or the safety of others.
- I will not use others' work without permission or without citing their work according to copyright laws.
- If I'm not sure how to do something or whether something is okay to access or do, I will ask a responsible adult.

What happens if I violate these rules and am not a responsible digital citizen?

- Violations of these rules will result in disciplinary action according to the Student Code of Conduct.

### **Bullying, Harassment, Hazing and Teen Dating Violence/Abuse**

Harassment or bullying of students or staff is an extremely serious violation of the Student Code of Conduct. It can also be a violation of criminal law. The District will not tolerate unlawful bullying and harassment in schools or school campuses, school sponsored buses, school-related or school-sponsored events, or through the use of data or computer software that is accessed through a computer, computer system, or computer network of the district. 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.

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

Unwanted teasing or taunting	Physical violence
Social exclusion	Theft
Threat	Sexual, religious, or racial/ethnic harassment
Intimidation	Public humiliation
Stalking	Destruction of property

Violations of this policy should be immediately reported to the principal or designee as soon as possible after the alleged incident. The principal or designee will promptly investigate reports of bullying or harassment. If the

investigation finds an instance of bullying or harassment has occurred, it will result in prompt and appropriate remedial and/or disciplinary action.

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

- Places a student or 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
- Has the effect of substantially disrupting the orderly operation of school

#### Unlawful Harassment

The District School Board of Pasco County does not tolerate unlawful harassment on any of the prohibited bases, including sex/gender, race, color, national origin, religion, age, marital status and disability. Any student who believes he or she has been subjected to unlawful harassment, including sexual assault, gender-based harassment, or other sex-based harassment should immediately report the unlawful harassment to the principal or designee. The District is committed to taking immediate action to eliminate the harassment, prevent its recurrence, and reduce its effects. Students found to have engaged in acts of unlawful harassment will be subject to prompt disciplinary action. Students, parents, and staff are encouraged to work together to prevent unlawful harassment. Please contact District School Board of Pasco County Equity Manager/Title IX Coordinator: Sandy May, Office for Employee Relations at (813) 794-2322 with concerns.

#### Hazing

The District School Board of Pasco County prohibits hazing activities of any type and at any time, whether in school facilities, on school property, and/or off school property, if the misconduct is connected to activities or incidents that have occurred on school property.

Hazing means 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 including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school with any of grades 6 through 12. "Hazing" includes, but is not limited to:

- Pressuring, coercing, or forcing a student into:
  - Violating state or federal law
  - Consuming any food, liquor, drug, or other substance
  - Participating in physical activity that could adversely affect the health or safety of the student
- Any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements

Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

Acts of hazing, unlawful harassment, teen dating violence, bullying and harassment shall be addressed and may result in disciplinary action and/or civil and criminal penalties in accordance with the law. If the principal or designee determines that a student has committed such an act, violation of this policy may result in disciplinary action, which may include suspension, assignment to another school or program, recommendation for expulsion, or referral to law enforcement as defined in the Discipline Matrix and elsewhere in district policy and procedure.

(F.S. 1006.135)

#### Teen Dating Violence and Abuse

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.

Any student who is the victim of an act of dating violence and abuse, or has cause to believe that they are 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 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 encouraged to report the matter to a school administrator. These reports can be made either in person or anonymously to Crime Stoppers of Tampa Bay at <http://crimestopperstb.com> (1-800-873-TIPS).

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. 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 years of age or older and the student who was the victim of the act of dating violence and abuse is a minor.

(F.S. 1003.42, 1006.148)

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### **Discipline of Students with Disabilities**

The Board shall abide by Federal and State laws regarding suspension, expulsion, alternative placement and discipline of students with disabilities (SWD). A student with a disability (SWD) is any Exceptional Student Education (ESE) Student, non-inclusive of Gifted only students, or a student with a 504 plan. Students who are suspected to have a disability are also protected as described below.

The purpose of an MDM is to determine whether the conduct was caused by, or had a direct and substantial relationship to the child's disability; or if the student's conduct was the direct result of the Local Education Agency's (LEA) failure to implement the student's Individual Education Plan (IEP) or 504 plan.

A Manifestation Determination Meeting (MDM) must be held within ten (10) school days of any significant change to the educational placement of a child with a disability because of out-of-school suspension due to a violation of the Student Code of Conduct. A significant change of placement includes any removal of more than ten (10) consecutive days, a series of removals totaling more than ten (10) or a pattern of removals based on substantially similar behaviors within a school year.

A Manifestation Determination Meeting (MDM) will be held prior to any Disciplinary Alternative Placement (DAP) for all Exceptional Student Education (ESE) students, non-inclusive of Gifted only students. If an ESE student's behavior is found not to be a manifestation of their disability, a hearing will commence to consider the school's request for such a placement.

Any student with a 504 must have the proper MDM plan proceeding prior to being recommended for Disciplinary Alternative Placement (DAP) or expulsion. If the behavior is found not to be a manifestation of the student's disability, the school may request a district level hearing to review said expulsion and Disciplinary Alternative Placement (DAP) recommendations in accordance with all other sections of the Student Code of Conduct (SCOC). Students with 504 plans will not be alternatively placed for disciplinary reasons without such a hearing.

### **Interim Alternative Educational Settings (IAES)**

School personnel may remove a student to an IAES for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

- Carries a weapon to or possesses a weapon at school, on school premises, or to a school function under the jurisdiction of a state education agency or a school district
- Knowingly possesses 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 a state education agency or a school district
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state education agency or a school district
- This rule only applies to ESE students (non-inclusive of Gifted only students)

More serious bodily injury involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. (18 USC 1365 (h)(3))

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### **Violence Against School Personnel**

- Violence against school personnel is grounds for disciplinary action and may result in criminal penalties.
- All students who commit assault or battery on school officials will be recommended for expulsion or placement in an alternative school setting.
- Whenever a person is charged with committing assault or aggravated assault or a battery or aggravated battery upon an employee of a school district, when the person committing the offense knows or has reason to know the identity or position or employment of the victim, the offense for which the person is charged shall be reclassified as follows:
  - Aggravated battery – first degree felony
  - Aggravated assault – second degree felony
  - Battery – third degree felony
  - Assault – first degree misdemeanor

(F.S. 784.081)

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### **Zero Tolerance Policy**

It is the intent of the School Board to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a serious threat to school safety, and to encourage schools to use alternatives to expulsion or referral to law enforcement when possible. The Legislature finds that zero tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances.

Zero tolerance policies must require students found to have committed one of the following offenses to be expelled, with or without continuing education services, from the student's regular school for a period of not less than one (1) full year, and to be referred to the criminal justice or juvenile justice system.

- Bringing a firearm or weapon, as defined in chapter 790 to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school
- Making a threat or false report, as defined by 790.163 and 790.164, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity

(F.S. 1006.07, F.S. 1006.13)

### Firearms

A student shall not possess, handle or transport *firearms*.

Students are not to be in possession of any type of firearm on any District School Board of Pasco County school or campus, at any school function or on any school sponsored transportation. A Junior ROTC or color guard, pre-approved activity, exemption may apply.

- Chapter 790.25(5), Florida Statutes, makes it lawful for a person eighteen (18) years of age or older to possess a firearm or other weapon for self-defense within the interior of a private vehicle if the weapon is securely encased. It is the policy of the District School Board of Pasco County, that F.S. 790.25(5), SHALL NOT apply to any student bringing any concealed firearm or weapon onto school property. All students are subject to the policies and penalties stated in this Student Code of Conduct. For the purposes of this policy, the word student shall mean, but not be limited to, any preschool, elementary, middle, high, secondary, vocational or post-secondary student of a school maintained and operated by the District School Board of Pasco County.
- Violation of this rule will result in automatic out-of-school suspension and possible expulsion. Criminal prosecution is also likely in these instances.

**Any student who is determined to have brought a firearm as defined in 18 U.S.C.s.921 (United States Code) to any District School Board of Pasco County school or campus, at any school function, or on any school sponsored transportation, will be recommended for expulsion, with or without continuing educational services from the student's regular school for a period of not less than (one) 1 full year and referred for criminal prosecution.**

The Superintendent, his designee, and/or the School Board may consider extenuating circumstances in determining the length and type of expulsion.

(F.S. 1006.07)

#### Weapons

A student shall not possess, handle or transport weapons.

- Students are not to be in possession of any type of weapon on any District School Board of Pasco County school or campus, at any school function or on any school sponsored transportation. The state's zero tolerance policy defines a weapon as any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon. (This does not include a common pocketknife, plastic knife or blunt-bladed table knife.) Violation of this rule will result in disciplinary action, which may include out-of-school suspension and possible expulsion. Criminal prosecution is also likely in these instances.

(F.S. 790.001)

#### Making a Threat or False Report

- It is unlawful for any person to threaten to throw, project, place or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person, and any person convicted there of commits a felony of the second degree.
- It is unlawful to make a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive or weapon of mass destruction as defined in 790.166, or concerning the use of firearms in a violent manner against a person or persons. Any person convicted thereof commits a felony of the second degree.

(F.S. 790.163, F.S. 790.164)

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#### **School Safety and Mental Health Resources**

Students are required to list any and all past and current referrals to mental health services upon initial enrollment with the district.

Any student expelled from another district and allowed to enroll in any Pasco County School may be referred for mental health services as deemed appropriate by the district.

The following offenses will result in the student being referred for mental health services, evaluation and/or treatment as the district deems appropriate:

- Students that bring a firearm or weapon as defined in Chapter 790 to school or school function
- Students determined to have made a threat or false report involving a school, school's property, school transportation or school sponsored event

A student who commits breaches of the student code of conduct relating to violence and chronic disruption may be referred for mental health services, evaluation and/or treatment, as the district deems appropriate.

(F.S. 7026)

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#### **School Bus Rules**

The District School Board of Pasco County provides free transportation to and from school for students who live more than two miles away from school. Students will be assigned one bus stop. Parents/guardians are responsible for their child(ren) at the bus stop. Once the bus arrives at the stop, and only at that time, does the student become the responsibility of the District School Board of Pasco County. Such responsibility shall end when the student is

delivered to the regular bus stop and the bus has departed, at the close of the school day. Each student using that transportation must abide by the rules, which are established to insure the safety of all passengers.

When riding, waiting for the bus at designated bus stops, loading or unloading, students must follow the Student Code of Conduct. Bus drivers will report students who violate the Student Code of Conduct and break school bus rules to the school administration for appropriate disciplinary action. Administrators shall investigate and issue discipline accordingly. Behavior not directly observed at bus stops, but reported and confirmed by witnesses, may be acted upon.

Violations of the Student Code of Conduct shall result in disciplinary action, suspension of riding privileges, recommended bus expulsion and may result in referral to law enforcement.

Teachers who chaperone bus trips will have the same authority and responsibilities as they have in the classrooms.

Parent conferences are not permitted while the bus is en route or stopped at a bus stop. Any conference that the parents wish to have with the bus driver must be scheduled with the school's administration.

The following bus rules will be obeyed:

- The bus driver is in full authority and must be obeyed
- Students are required to obey driver's hand signals when crossing the road
- Students are required to wear safety restraints, when they are available on the bus
- General school rules will apply on the bus, although quiet talking is permitted
- Students will be at the bus stop five minutes prior to scheduled time
- Students will stand off the roadway while waiting for the bus
- Students will board and leave the bus at their assigned bus stops unless other arrangements are made by written request of the parent and signed by the principal or designee
- Students will not distract the bus driver
- Students will sit properly and remain seated while the bus is in motion
- Students will not throw or project anything inside or out of the bus
- Students will not litter, mark, deface, or damage any part of the bus
- Students will sit in any seat assigned to them
- Students will not eat, drink, or smoke on the bus
- The emergency exit will be used only in cases of emergency
- No animals (dead or alive), glass or glass containers, sharp objects, ball bats, cutting instruments, batons, drumsticks, or other objects that could become dangerous projectiles during a sudden stop or accident will be allowed on the bus without prior permission of the driver
- Large objects (larger than students can safely hold in their laps), including band instruments, which interfere with seating and safety of others, will not be permitted on the bus without prior permission of the driver
- Students will not exit the rear emergency door of the school bus, other than in an emergency situation as determined by the bus driver
- Students will not engage in behaviors that could negatively impact the safety of those on board the bus

*The above rules will also apply on extracurricular and athletic trips.*

The following procedural interventions are recommended when appropriate:

*First offense:* Parent contact and disciplinary action as decided by principal or designee

*Second offense:* 3-day bus suspension

*Third offense:* 5-day bus suspension

*Fourth offense:* 10-day bus suspension

At the fourth referral, there will be a review of the student's behavioral and intervention history, which will culminate in the development of an intervention plan for the student. The parents will be invited to participate in this review.

*Fifth offense:* Recommendation of bus expulsion

The following may result in a recommendation for bus expulsion at any time:

- Exiting the rear emergency door
- Any action that endangers the safety of anyone on or around the bus
- Continuous disruptive behavior

Severity of the offense, extenuating circumstances, and the attitude of the student and parent will be considered by school administration and may be discussed with the Director of Transportation before a final determination is made.

A representative from transportation will attend bus suspension appeals upon request.

\* See pages 27-29 for additional appeal information

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### **In-School-Suspension (ISS) Guidelines**

Principals and their designees may assign ISS to a student for violating the Student Code of Conduct as indicated on the Discipline Matrix.

- A student may be assigned no more than ten (10) days per offense.
- Parents must be notified in writing (Student Event and Discipline Report - MIS #413) of any ISS assignment within twenty-four (24) hours.
- Assigned ISS can only be appealed at the school level.
- If a student or parent/guardian believes a proposed disciplinary action is unfair or that the allegations are unfounded, the student or parent may request a formal appeal. The formal appeal may be initiated verbally or in writing and presented to the principal within three (3) days of the discipline decision. Verbal requests for appeals must be followed up in writing. The written appeal should:
  - Briefly state the facts involved
  - State a proposed solution to the problem
  - Be copied to the school staff member(s) involved
- The principal or designee's decision regarding the appeal shall be final.
- The person hearing the case cannot have been a witness to, have assigned the original consequence or have been otherwise involved in the incident that resulted in the proposed discipline.

Students will be isolated from the mainstream of the school while in ISS and will be ineligible to participate in extracurricular activities on the day the student serves ISS.

*Students who are placed in Detention/ISS will be entitled to complete make-up work (classwork, homework, assessments, etc.) while in Detention/ISS program for full credit. Any such absence shall be marked as excused.*

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### **Out-of-School Suspension (OSS) Guidelines**

Principals and their designees may suspend a student for violating the Student Code of Conduct as indicated on the Discipline Matrix. Students shall not be suspended for skipping, tardiness, absence, leaving campus without permission or truancy. (F.S. 1006.09)

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

### Suspension Guidelines

The principal or principal's designee shall do the following when considering suspension: (F.S. 1006.09)

- Provide verbal notice to the student of the charges and an explanation of the evidence against him or her prior to assigning a suspension.
- Give each student an opportunity to present his or her side of the story and present a written statement.
- Make a good faith effort to immediately inform the student's parents by telephone of the violation(s), and the potential for the student's suspension.

- Make a good faith effort to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions requiring immediate suspension, or in the case of a serious breach of the Code of Conduct.
  - Document each suspension and the reason for the suspension on the Student Event and Discipline Report (MIS 413) and provide a copy to the parent within 24 hours. This must be done in person or by U.S. mail.
  - Parent notification must:
    - Be in the parent/guardian’s primary language, to the extent feasible
    - Explain the alleged misconduct and the school district rule(s) alleged to have been violated
    - Identify the corrective action or discipline being proposed
    - Explain that students who are suspended from school shall be allowed to make up work for full credit and the process they should follow to make up any work
    - Explain the rights of the student and/or his or her parent(s) or guardian(s) to appeal the allegation(s) and the proposed action, and tell them how to make an appeal
    - Explain that the appeal must be in writing and received by the principal within three (3) days
  - Students who are serving out-of-school suspension shall be excluded from all District or school sponsored activities taking place at any District School Board of Pasco County school or campus, at any school function or on any school sponsored transportation, including but not limited to extracurricular, co-curricular, student organizations, graduation ceremonies, dances, and other events. Suspended students may not be on the campus of the zoned school or any Pasco County school at any time for any reason, unless accompanied by a parent for a scheduled meeting with school staff.
  - Pasco County Ordinance sec. 66-153(2)(b) provides that a minor who has been suspended or expelled from school may not be or remain in a public place, in any establishment, or within 1,000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day.
  - Students who have been assigned out-of-school suspension (OSS) may make up all missed assignments and tests for full credit.
  - A student may only be suspended out-of-school for ten (10) days at a time per state statute. (F.S. 1103.01)
  - Expulsion or Disciplinary Alternative Placement (DAP) recommendations will override any school based OSS appeals. The OSS will be considered at the district level appeal for the expulsion or DAP.
- Note:** Students with disabilities (ESE and 504) may still request a school level OSS appeal.

For students with disabilities (Section 504 and IDEA, excluding Gifted only), a Manifestation Determination Meeting (MDM) must convene within ten (10) days of any decision to change placement and prior to the 11th day of removal of the student from his or her current educational placement. See the Discipline of Students with Disabilities section for more information regarding special considerations for this class of student.

\* See pages 27-29 for additional appeal information

### **Expulsion and Bus Expulsion Guidelines**

Only principals may recommend expulsion of a student.

The principal may recommend expulsion for the following reasons:

- Continuous disruptive behavior - defined as twelve (12) or more referrals
- Violation of alternative placement letter
- Certain SESIR events:
 

Arson (ARS)	Other major crimes (OMC)
Battery (BAT)	Physical attack on staff (PHA)
Bomb Threats or hoaxes/threatening use of a firearm (DOC)	Robbery (ROB)
Drug sale/distribution (DRD)	Sexual battery (SXB)
Homicide (HOM)	Weapons possession (WPO)
Kidnapping (KID)	

(F.S. 1006.09)

See School Bus Rules for bus expulsion qualifiers.

Students shall not be recommended for expulsion due to skipping, tardiness, absence, leaving campus without permission or truancy.

No student shall be expelled from school unless acted upon by the School Board. Likewise, only the School Board can cancel an expulsion. In no case shall an expulsion be for more than the duration of the current school year and one (1) additional school year (F.S. 1003.01).

If the principal recommends expulsion, the principal will immediately suspend the student for ten (10) days and notify the Superintendent or designee, and the parents by telephone or in person. This will be followed by completion of the Student Event and Discipline Report (MIS #413) and the Expulsion/Disciplinary Alternative Placement (DAP) packet.

Any recommendation for expulsion shall:

- Include the completed packet from the principal detailing the violation(s) and the alternative measures taken prior to a recommendation of expulsion, including positive behavior interventions and support strategies when appropriate.
- The parent/guardian should be given a copy of District Level Discipline Appeal Rights and Responsibilities.
- A copy of the Functional Behavior Assessment and Behavior Intervention Plan should be attached when appropriate.
- Include information about previous violations of the Student Code of Conduct, the actions taken to address those violations, attendance history and academic history.
- Inform the parent/guardian that an appeal will be scheduled at the district office.
- Be signed by the principal.
- Be sent to the parent/guardian.

A district level appeal will automatically be scheduled for all expulsion recommendations.

The hearing officer may review the file and make a recommendation if the parent/guardian waives their right to appeal, refuses to participate in a hearing or fails to appear for a scheduled meeting. Two (2) attempts to schedule a hearing will be made prior to moving forward due to parental lack of participation.

The Superintendent or designee may ban a student from campus during formal appeal of an expulsion recommendation if he/she believes the student's presence on campus would be a continuing danger or disruption. In such cases, the appeal shall be expedited.

Participation in the appeal process will not automatically reinstate participation in extracurricular activities.

If a parent/guardian does not agree with the decision reached at a district level discipline appeal hearing regarding the recommended expulsion, the parent/guardian may formally appeal the recommendation for expulsion at the next regularly scheduled meeting of the School Board by requesting an open or closed hearing before the Board. This must be done in writing within three (3) days after receiving the Superintendent or designee's decision at the conclusion of the hearing.

The School Board's decision regarding expulsions without services will be considered **final**.

If the Superintendent's designee recommends an alternative placement in lieu of expulsion, said decision will be considered **final** and not subject to further appeal, negotiation, or amendment, by any party.

Students will not be alternatively placed due to disciplinary issues without due process as mentioned in this and other sections of this document.

Students who have been expelled shall be excluded from all district or school sponsored activities taking place at any District School Board of Pasco County school or campus, at any school function or on any school sponsored

transportation, including but not limited to extracurricular, co-curricular, student organizations, graduation ceremonies, dances, and other events.

Further, expelled students may not be on the campus of the zoned school or any Pasco County school at any time for any reason, unless accompanied by a parent/guardian for a scheduled meeting with school staff.

A minor who has been suspended or expelled from school may not be or remain in a public place (including school bus stops), in any establishment, or within 1,000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day. (Pasco County Ordinance sec. 66-153)

Please note that any ESE student (excluding Gifted only) or a student being considered for ESE or Child Find should not be recommended for expulsion and should be scheduled for a Manifestation Determination Meeting (MDM). Any such student that is brought to an expulsion hearing will be returned to their school for the proper MDM proceedings. See Students with Disabilities and Discipline section for MDM information. Any student with a 504 plan must have the proper MDM proceeding prior to being recommended for expulsion.

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

\* See pages 27-29 for additional appeal information

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### **Disciplinary Alternative Placement (DAP)**

The District School Board of Pasco County reserves the right to utilize change of placement as a disciplinary measure for any matter the Superintendent deems appropriate thereby preserving the learning environment, or otherwise promoting the health, safety and welfare of those in the learning environment.

A student may be recommended for Disciplinary Alternative Placement (DAP) for one of the following reasons:

- If they were similarly placed in an alternative setting in another district (see Reciprocal Discipline policy)
- If they were formally charged by a proper prosecuting attorney with an off-campus felony that has a demonstrably adverse impact on the school campus (see Off-campus Felony policy)
  - Adverse impact must be proven in a formal DAP hearing
- In lieu of expulsion
- If the student has received four (4) separate out-of-school suspensions
  - OSS must be consistent with discipline matrix
- For continuous disruptive behavior - defined as twelve (12) or more referrals
- For certain SESIR events:

Alcohol distribution (ALC)	Larceny/theft (STL)
Breaking and entering/burglary (BRK)	Sexual assault (SXA)
Bullying (BUL)	Sexual harassment (SXH)
Major disruption on campus (DOC)	Sexual offenses other (SXO)
Fighting (FIT)	Threats/intimidation (TRE)
Harassment (HAR)	Trespassing (TRS)
Hazing (HAZ)	Vandalism (VAN)
Other major crimes (OMC)	Drug possession (DRU)      2 <sup>nd</sup> referral same year ONLY
Physical attack (PHA)	Alcohol possession (ALC)      2 <sup>nd</sup> referral same year ONLY
- Certain qualifying events will also require evidence of a lack of response to intervention (Multi-Tiered Systems of Support/MTSS) for a reasonable amount of time before the recommendation can be forwarded for consideration
- Students may return to school pending the outcome of the DAP recommendation once their out-of-school suspension has been completed. A student may only be suspended out-of-school for ten (10) days at a time per state statute. (F.S. 1103.01)

School administration recommendations for alternative placement must meet all guidelines set forth in district policy and procedure. Students will not be alternatively placed due to disciplinary issues without due process as mentioned in this and other sections of this document.

An administrative hearing will be held to review all DAP recommendations. Placement decisions will be based on the severity of the incident, evidence provided by the school and student/family and other mitigating factors. The hearing officer may review the file and issue a decision if the parent/guardian waives their right to appeal, refuses to participate in a hearing or fails to appear for a scheduled meeting. As mentioned below, said decision is final.

The decision of the Superintendent's designee will be considered **final** and not subject to further appeal, negotiation, or amendment, by any party.

Please note that any ESE student (excluding Gifted only) or a student being considered for ESE or Child Find should not be recommended for expulsion and should be scheduled for a Manifestation Determination Meeting (MDM). Any such student that is brought to an expulsion hearing will be returned to their school for the proper MDM proceedings. See Students with Disabilities and Discipline section for MDM information. Any student with a 504 must have the proper MDM proceeding prior to being recommended for Disciplinary Alternative Placement (DAP).

\* See pages 27-29 for additional appeal information

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## **Parent/Guardian, Student and School Rights During School and District Level Discipline Appeals**

### Parent/Guardian and Student Rights

Parent/guardian rights during the discipline appeal process include, but are not limited to, the following:

- The parent/guardian or student has the right to inspect any written, video or physical evidence that the school may present at the hearing.
- The parent/guardian should be provided with redacted copies of witness statements, social media printouts, and other evidence upon request in which the names and all identifying student witness information have been redacted and held confidential. A parent/guardian may request copies of videotape surveillance; however, they will be responsible for the cost associated with redacting the video thereby protecting student confidentiality.
- The parent/guardian or student may provide witnesses or any written or physical evidence that supports the student's case, including written statements from witnesses who saw or have knowledge of the incident in question.
- The school administrator or other person presenting the school's case has the right to inspect and question any written or physical evidence that the parent(s) or guardian(s) may present at the hearing.
- The parent/guardian or student has the right to ask questions of their accuser and present his or her explanation of the alleged misconduct.
- The parent/guardian or student may arrange to be represented by an attorney or advocate at private, not public, expense. An attorney or advocate is not necessary for a fair resolution of the matter. Parent/guardian must notify the Superintendent or designee as soon as possible if they plan to be represented by an attorney or advocate.

These basic rights are extended to all disciplinary situations and not limited solely to appealable offenses.

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## **School Level Appeals**

### School Level Appeal Process for Out-of-School (OSS) Suspension and Bus Suspensions

- If a student or parent/guardian believes a proposed disciplinary action is unfair or that the allegations are unfounded, the student or parent/guardian may request a formal appeal. The formal appeal may be initiated verbally or in writing and presented to the principal within three (3) school days of the discipline decision. Verbal requests for appeals must be followed up in writing. The written appeal should:
  - Briefly state the facts involved
  - State a proposed solution to the problem
  - Be copied to the school staff member(s) involved
- The student will return to school or resume bus transportation pending the school level OSS or bus suspension appeal.

- The Superintendent or designee may only ban a student from campus or the bus during formal appeal if the student's presence poses an imminent threat of danger or risk of a major campus disruption as defined elsewhere in this document. In such cases, the appeal shall be expedited.
- Suspension of extracurricular activities will remain in effect during the appeal process.
- Requests for formal appeals must be received within three (3) days of being notified of the proposed suspension. If not appealed within that time frame, the discipline will be implemented and the parent/guardian will have no further right to appeal.
- The principal or designee will review the grievance and meet with the student and parent/guardian for the appeal. Upon principal discretion, a neighboring principal or other administrator may hear the appeal if the building principal assigns the original referral.
- The person hearing the case cannot have been a witness to, have assigned the original consequence or have been otherwise involved in the incident that resulted in the proposed discipline.
- For suspensions of one (1) to five (5) days, the principal's decision regarding the appeal shall be **final**. In the case of six (6) to ten (10) days of OSS, the principal's decision may be further appealed to the Superintendent or designee.
- The recording of a non-public meeting involving students (including an EP or IEP Team meeting) is prohibited unless a parent, authorized representative of a parent, or team member, is unable to understand or meaningfully participate in the process or the planning of the relevant student's education due to a disability, language barrier, or some other impairment. (DSBPC 2461)

\* See also sections on OSS and School Bus Rules

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### **District Level Appeals**

#### At the District Level Discipline Appeal Hearing for Expulsion Recommendations, DAPs, OSS and Bus Suspension

- The participants at the hearing will be limited to those with a relevant interest in the matter at hand, as determined by the Superintendent or designee. (The Superintendent or designee may not limit attendance in cases involving ESE or 504 plan students per state statute.)
- Only the evidence presented at the hearing will be used to make a decision. No information may be provided to the Superintendent or designee outside of the hearing.
- The person hearing the case cannot be a witness to or otherwise involved in the incident that resulted in the proposed discipline or testify in the hearing.
- The Superintendent or designee will provide a written decision. This written decision will be provided at the end of the hearing or sent to the student or parent/guardian within approximately one (1) calendar week, and shall include notice of the right of due process appeal to the school board in cases of an expulsion recommendation.

#### District Level Discipline Appeals for Six (6) or More Days of Out-of-School Suspension (OSS) or Bus Suspension

In cases of OSS or bus suspension for six (6) or more days, the principal's decision may be further appealed to the Superintendent or designee. The Superintendent or designee may uphold, reverse, or modify the suspension. The following process is used:

- Prior to any district level appeal of OSS or bus suspension, the matter must FIRST be heard at the school level (except when the OSS or bus suspension is accompanied by a recommendation for expulsion, Disciplinary Alternative Placement (DAP) or bus expulsion).
- If the principal upholds the recommended suspension at the school level, the parent/guardian or student may request an appeal hearing from the Superintendent or designee.
- This request must occur within three (3) school days after the school level appeal. The request for an appeal hearing may be initiated in writing or verbally. However, verbal requests must be followed up in writing.
- The Superintendent level appeal will be scheduled at the District School Board of Pasco County office in Land O'Lakes.
- If the request for an appeal is not received within three (3) school days, the school will then proceed with the recommended proposed OSS or bus suspension, and student or parent/guardian will not have any further opportunity to appeal the matter.
- The student will return to school or resume bus transportation pending the district level OSS or bus suspension appeal.

- The Superintendent or designee may only ban a student from campus or the bus during the formal appeal if the student's presence poses an imminent threat of danger or risk of a major campus disruption as defined elsewhere in this document. In such cases, the appeal shall be expedited.
- Suspension of extracurricular activities will remain in effect during the appeal process.
- The decision of the Superintendent's designee is **final** on an OSS or bus suspension appeal.

The recording of a non-public meeting involving students (including an EP or IEP Team meeting) is prohibited unless a parent, authorized representative of a parent, or team member, is unable to understand or meaningfully participate in the process or the planning of the relevant student's education due to a disability, language barrier, or some other impairment. (DSBPC 2461)

\* See also sections on OSS, Expulsion, Disciplinary Alternative Placement (DAP) and School Bus Rules

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### **Reciprocal Discipline**

The District School Board of Pasco County will uphold and enforce disciplinary proceedings from other public school districts. If a student was expelled or alternatively placed in another district, Pasco County will enforce said expulsion or alternative placement. An official disciplinary placement letter or official hearing outcome letter must be presented that details the length of placement or expulsion, conditions for return and other critical information regarding the placement or expulsion. The District School Board of Pasco County will only enforce the original placement duration as stipulated in the sending district's placement letter. (F.S. 1006.07)

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### **Off-campus Felony**

A student who has been formally charged by a proper prosecuting attorney with a felony, or with a delinquent act which would be a felony if committed by an adult, which allegedly occurred on property other than public school property, or a student who has been adjudicated guilty of a felony, may be subject to suspension, expulsion, alternative placement, and/or exclusion from extracurricular activities if that incident is shown, in an administrative hearing to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Students will not be disciplinarily alternatively placed due to off-campus criminal activity save for the conditions contained herein and other sections of this document. (F.S. 1006.09)

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### **Crime and Victimization**

The District School Board of Pasco County reserves the right to place students in an alternative educational setting (alternative school or other district school) who are adjudicated guilty or who are found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere to, a felony violation of homicide, assault, battery, kidnapping, sexual battery, lewdness and indecent exposure, child abuse, robbery, carjacking or home-invasion robbery (see 1006.13 (6) a for full list) who also attends the same school or rides the same school bus as the victim or sibling of the victim. Students will not be disciplinarily alternatively placed due to off-campus criminal activity save for the conditions contained herein and other sections of this document. (F.S. 1006.09 & 1006.13)

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### **Discipline Timeline**

In order to promote learning and behavioral change, consequences should be assigned and implemented as soon as possible after an infraction. Disciplinary consequences (including expulsion and Disciplinary Alternative Placement (DAP) recommendations) should be assigned within five (5) school days of the incident. In very limited circumstances involving ongoing investigations, a consequence may be assigned beyond said period of time.

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### **Dangerous Objects or Devices**

A student shall not possess, handle or transport dangerous objects or devices.

- Students are not to be in possession of any type of dangerous objects or devices on District School Board of Pasco County school, campus, at any school functions, or on any school sponsored transportation. These may include, but are not limited to, razor blades, box cutters, common pocketknives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items.
  - Possession of a dangerous object or device will result in disciplinary action, which may include out-of-school suspension. Use of a dangerous object or device in a careless or threatening manner may result in more severe consequences as detailed in the district's Discipline Matrix and elsewhere in district policy and procedure.
  - Ammunition is defined as a fixed metallic or nonmetallic hull or casing containing a primer, gunpowder and one or more projectiles, bullets or shot. Any ammunition that is part of jewelry or other decorative item that meets the above definition will also be considered a "dangerous object." (F.S. 790.001)
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### **Gambling**

Student gambling and similar activities are prohibited on all District School Board of Pasco County campuses.

Gambling is defined as: playing a game for money or property, to bet on an uncertain outcome, to stake something on a contingency.

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### **Drugs and Other Illegal Substances**

The use of illegal substances and drugs, including alcohol, is harmful to students and detrimental to the educational process. Use, distribution, and/or possession of these substances will not be tolerated on any District School Board of Pasco County school or campus, at any school function, school sponsored event or on any school sponsored transportation. Students found in possession of controlled, illegal substances (including alcohol), pills, or any other drug or drug look-alikes will be dealt with severely. Consequences may include, but are not limited to, counseling services, suspension, and/or law enforcement intervention. Students selling and/or distributing illegal substances to others will face probable expulsion from school. The School Board may, however, waive the expulsion if the student:

- Provides information leading to the arrest and conviction of the supplier of the controlled substance
- Discloses voluntarily his unlawful possession of the controlled substance prior to arrest
- Enrolls in and successfully completes a state licensed drug abuse program

(F.S. 1006.09)

The first alcohol/drug possession or alcohol/drug use discipline will result in referral to the TOOLS Program and five (5) days OSS. If the student does not successfully complete the TOOLS Program, they will serve an additional five (5) days of OSS (for ten (10) days total). Students involved in repeated substance possession/abuse infractions may access the TOOLS Program on multiple occasions in accordance with the Discipline Matrix.

Students concerned about their own substance use and/or that of friends and family should contact their school counselors or other staff member for information and referral for help.

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### **TOOLS Program**

The TOOLS Program is an educational intervention for students who are involved in disciplinary action due to substance use, substance possession or fighting/physical aggression. This program is not substance abuse treatment. The purpose is to provide effective prevention education while helping students remain academically engaged by reducing out-of-school suspension. Students found to have been selling or distributing drugs or alcohol are not eligible for the program.

Students may also be referred to the TOOLS Program for the following fighting/physical aggression behavioral incidents: for fights/physical confrontations (2F, 3D FIT, 3E BAT, 3E PHA).

Students referred to the TOOLS Program for fighting/physical aggression will serve five (5) days OSS. If the student does not successfully complete the TOOLS Program, they will serve an additional five (5) days of OSS (for ten (10) days total).

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### **Major Disruption on Campus**

Defined as a major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation, as well as disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others.

#### Examples

- Closure of all or part of the school
- Student or other making bomb threat
- Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group
- Student or other causing an incident that results in closing the cafeteria
- Student or other inciting a riot
- Student or other pulling a fire alarm
- Student or other deliberately crashing the school computer system
- Student or other causing an incident that prevents other students from proceeding to the next class or prevents egress

#### Non-examples

- Disruption of a single classroom
- Student defying authority
- Student talking loudly on a moving bus

(FLDOE SESIR guidelines)

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### **Office Discipline Referrals**

The following procedures should be observed when issuing a Student Event and Discipline Report (MIS #413):

- Parent/guardian must be notified in writing (MIS #413) of any assigned ISS or OSS within 24 hours (written or printed copy is sufficient).
- Parent/guardian must receive a copy of all issued paper or electronic MIS #413 referrals.
- Student and parent/guardian signatures should be obtained if possible.
  - If signatures are not obtained, the administrator should write “unavailable to sign” or “refused to sign” with the corresponding date.
- Level III Behavioral Codes should only be used if they match the corresponding SESIR codes (Level III codes without corresponding SESIR codes are exempt).
  - SESIR codes refer to the School Environmental Safety Incident Reporting system.
- Only one (1) behavior code should be issued per referral. This should be the behavior code that corresponds with the most severe infraction if the incident involved multiple behaviors.
- The following paper copies should be printed and maintained if using an electronic MIS #413 referral:
  - Student/parent notification.
  - Student record - a paper copy of the referral with the student and parent/guardian signature (as applicable) should be maintained for documentation purposes.
  - Teacher/bus driver notification - per the Instructional Master Contract: *"A copy of the discipline form with principal's action noted shall be returned to the teacher as soon as possible, but not more than five (5) days from the date of the referral"*
- The 99 “Batch” code shall be used when students receive multiple referrals in the same day. The consequence will be assigned to the most severe infraction on that particular day.
- All other policy and procedure listed elsewhere in the Student Code of Conduct, School Board Policy (NEOLA) or district memorandum must also be adhered to.

### **Referral Retention**

The State of Florida General Records Schedule GS7 for Public Schools requires that certain paper copies of the Student Event and Discipline Report (MIS #413) referral and supporting documentation be retained for a certain amount of time.

#### Level 1 and Level 2

All Level 1 and Level 2 referrals and supporting documentation may be purged at the end of the school year.

#### Level 3

All Level 3 referrals and supporting documentation should be maintained for three (3) years.

#### GS7 Manual – Item #26 – Discipline Records: Student (Major Offense) – Defined as Level 3 Offenses

This record series consists of records created in reviewing an adverse action or statement against a student. The series may include, but it not limited to, a copy of the proposed adverse action (MIS #413 referral) with supporting documents, witness statements, reports (including bus drivers' reports on student misbehavior while on school buses), and decisions.

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### **Alternative to Suspension (ATS)**

The district will offer an ATS grant to secondary schools each year that funding is available. The goal of the program is to teach Exceptional Student Education (ESE) students necessary social-emotional skills while maintaining academic contact time in school. ESE students should be given top placement priority, as this program is funded by the Individuals with Disabilities Education Act (IDEA). Basic education students may participate as long as they do not supplant an ESE student.

ATS programs are not considered academic courses and do not count as academic instructional time. Any staff member implementing an ATS program should be thoroughly trained in the program they are implementing and should utilize a positive approach focused on education, restorative practices and prevention.

Transportation will not be provided for programs offered outside of the regular school day. Parent/guardian must be informed of the program requirements, as well as the consequences that will occur if the student/family elects not to participate in the ATS program.

A student should participate in ATS instead of being assigned OSS. A student who is participating in ATS should NOT be excluded from his or her campus or academic instruction for any portion of the school day.

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### **Discipline Matrix**

The Discipline Matrix was created and incorporated into the Student Code of Conduct to increase consistency and equity in District disciplinary practices. The matrix was developed after gathering input from all stakeholders in a variety of settings. The matrix was then reviewed and approved by the Superintendent and his staff as well as the School Board. **It is the expectation that each school abide by the Discipline Matrix when assigning disciplinary consequences.**

The Discipline Matrix utilizes a progressive discipline approach. Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate student behavior and build upon strategies that promote positive behaviors. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that also includes corrective and supportive measures.

Progressive discipline is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline. The previous disciplinary history of the student and all other relevant factors will be taken into account when determining disciplinary consequences.



Incident Code	The District School Board of Pasco County engages in the practice of progressive discipline.  Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate student behavior and build upon strategies that promote positive behaviors. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive. It is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline and that the previous disciplinary history of the student and all other relevant factors will be taken into account. Repeated instances of the same behavior may result in more severe consequences.  M = Mandatory Action P = Potential Action	Report to law enforcement (see SESIR reporting guidelines)																										
		30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	44	44	44	46	47	48	49	50	51	52	53	57
<b>Level Two</b>																												
2R	Defying, disobeying or disrespecting school personnel	P	P	P	P	P		P	P	P																		
2S	Having or using matches, lighters, fireworks, smoke/stink bombs, laser pens, over-the-counter drugs or other unauthorized items	P	P	P	P	P		P		P												P					M	
2T	Theft or accessory to theft of property worth less than \$300	P	P	P	P	P		P		P									P			P						
2U	Profane, obscene or provocative language or gestures	P	P	P	P	P		P	P	P				P	P	P	P					P			P			
2V	Gang related disruption; may include materials, dress or hand signs	P	P	P	P	P	P	P	P	P				P	P	P	P					P		P		P		
2W	Improper use of technology (see note)	P	P	P	P	P	P	P	P	P				P		P	P					P		P	P	P		
2X	Gambling	P	P	P	P	P	P	P	P	P				P		P	P					P		P	P	P		
<b>Level Three</b>																												
3D	Mutual altercation that requires physical restraint or results in injury requiring medical attention (FIT)	P	P	P	P	P	P			P	P				P	P	P	P	P	P							P	
3E	Physical use of force or violence (hitting, striking, harming) by an individual against another who does not retaliate, battery requires LEO involvement and more serious bodily injury (BAT, PHA) (see note)	M	P	P	P	P	P			P	P				P	P	P	P	P	P	M		P	P			P	
3F	Using, possessing, selling, purchasing or distributing alcohol, controlled substances, drugs, drug related items or substance represented to be a drug (ALC, DRU, DRD) (see note)	M	P	P	P	P	P			P	P				P		P	P	P	P	M		P	P			M	P
3G	Having weapons, including any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon as defined in state statute (WPO)	M																	M	M		M					M	
3H	Theft or accessory to theft of property, \$300 or more (STL)	M	P	P	P	P	P			P	P				P	P	P	P	P	P	M						P	
3I	Sexual harassment (SXH)	P	P	P	P	P	P			M	P				P	P	P	P	P	P							P	
3K	Major disruption on campus; taking part in a riot (DOC)	M	P	P	P	P	P			P	P				P		P	P	P	P	M						P	
3L	Arson, setting fire to a building or other property (ARS)	M	P	P	P	P	P			P	P				P	P	P	P	P	P	M		P	P				
3M	Bomb threats or hoaxes, or threatening use of a firearm (DOC)	M																	M	M		M						
3M	False fire alarm (DOC)	M	P	P	P	P	P			P	P				P		P	P	P	P	M						P	
3N	Extortion or robbery (ROB)	M	P	P	P	P	P			P	P				P	P	P	P	P	P	M		P	P				

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		30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	44	44	44	46	47	48	49	50	51	52	53	57
30	Intimidating school staff or students or threatening them with violence or sexual assault ( <b>TRE, SXA</b> )	M	P	P	P	P	P							M	P													P
3P	Bullying, harassment or hazing of staff or students ( <b>BUL, HAR, HAZ</b> ) (see note)	P	P	M	P	P	P							P	P													P
3R	Violations of other criminal laws ( <b>OMC, HOM, KID, SXB, TRS, BRK</b> ) (see note)	M	P	P	P	P	P							P	P													P
3S	Habitual or serious breach of bus rules	P	P	P										P	P													
3T	Possession or use of tobacco products or look-alikes ( <b>TBC</b> ) (see note)	P	P	P	P	P	P							P	P												M	
3U	Defacing and/or destroying school or personal property resulting in damage of \$1000 or more ( <b>VAN</b> )	M	P	P	P	P	P							P	P													P
3V	Sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Must involve law enforcement. ( <b>SXO</b> )	M	P	P	P	P	P							P	P													P
3W	Dangerous objects: razor blades, box cutters, common pocket knives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items (see note)	P	P	P	P	P	P							P	P													M

- Students may not be suspended or expelled for skipping, tardiness, absence, leaving campus or truancy.
- Recommendations for alternative placement must meet all guidelines set forth in policy and procedure.
- 2F, 3D FIT, 3E BAT, 3E PHA - May be referred to TOOLS for fighting/physical aggression – please see page 29.
- 2M - Academic dishonesty may also result in the following consequences: Reduced credit on assignment, ISS, proctored assessments, withdrawal from course (eSchool/FLVS), schedule change and/or completion of an Academic Integrity Module.
- 2S - Covers most OTC drug issues. May be 3F - DRD if someone is selling OTC drugs and representing them as an illegal drug. May be 3F - DRU if someone is using OTC drugs in excess to achieve desired effect of impairment.
- 2W - Only use when other codes do not apply (for example, 3P-BUL should be used for bullying that involves technology)
- 3E - Battery (BAT) or Physical Attack (PHA) of a school official should result in an automatic recommendation for expulsion. ESE students are exempt (IDEA). 3E PHA on student only qualifies for a Disciplinary Alternative Placement (DAP) recommendation.
- 3F - First alcohol/drug possession or alcohol/drug use discipline in any one year will result in referral to TOOLS Program and five (5) days OSS. If the student does not successfully complete the TOOLS Program, they will serve an additional five (5) days of OSS for ten (10) days total. The second offense in any one year may lead to a DAP recommendation. The student may attend the TOOLS Program more than once.
- 3F - Drug distribution (DRD) may be referred for expulsion. Alcohol distribution (ALC) may lead to a DAP recommendation.
- 3R - HOM, KID and SXB may lead to an expulsion recommendation. TRS and BRK SESIR events should be DAP recommendation only. OMC may be an expulsion or DAP recommendation.
- 3T - TBC includes e-cigarettes and hookah pens and similar devices.
- 3W - This code should not be used if any of these items have been used to threaten, injure, harm or any similar act.
- Notify your School Resource Officer (SRO) or other law enforcement any time a situation gives rise to a potential school safety issue/concern. SROs are also available to discuss potential criminality of situations should the need arise.**