

SUMMARY OF RECOMMENDED CHANGES

DATE: May 3, 2016

POLICY #: 5.8

POLICY TITLE: Code of Student Conduct

Page (Item)	Recommended Change/Addition/Deletion	Rationale
6	<p>Change:</p> <p>WHAT IS A PATTERN OF NON-ATTENDANCE?</p> <p>A student <i>may</i> be establishing a pattern of non-attendance when: 1) He or she has an accumulation of tardiness, early sign outs, and/or <u>unexcused</u> absences (excused and unexcused) that exceed 5 days in one marking period or 10 days in 2 marking periods; or</p> <p style="padding-left: 40px;">2) He or she is absent and unexcused 5 days in 30 calendar days or 10 days in 90 calendar days (F.S. 1003.26 (b)).</p> <p>However, a student <i>does</i> establish a pattern of non-attendance when he or she has an accumulation of 15 unexcused absences within 90 calendar days, with or without a parent's knowledge (habitual truant) (F.S. 003.01 (8)).</p> <p><u>A student may be identified as "habitual truant" if he or she has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent, is subject to compulsory school attendance under s. 1003.21 (1) and (2)(a), and is not exempt under F.S.1003.21 (3) or s. 1003.24, or by meeting the criteria for any other exemption specified by law or rules of the State Board of Education. (F.S.1003.01 (8)).</u></p>	<p>Alignment to Policy 5.5: Attendance</p>
9	<p>Change:</p> <p>MAKE-UP WORK</p> <p>1. Make-up work for full earned credit and grade is allowed for all absences.</p> <p>2. Students have two (2) class days to make-up the work for each class day of an absence, not including the day of return. However, previously assigned work is due the day of return.</p>	<p>Clarifying language</p>

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	<p>These deadlines may be extended by the teacher for extenuating circumstances.</p> <p>3. Middle School Students: Make-up work for credit and grade is allowed for all absences due to the statutory promotion requirements to high school and the impact on course recovery.</p> <p>4. <i>For Secondary Only</i>, when class work is not completed for a marking period due to excused absences, a grade of "I" may be given. Students must complete the work prior to the end of the next marking period and may earn a grade to replace the "I". In extenuating circumstances, the principal has the authority to extend the deadline. But in most cases, when these deadlines are not met, the "I" changes to an "F" and may cause a semester course failure. If and when the class is repeated and students earn a grade, the "I" or the "F" will not be counted in computing grade point averages.</p> <p>5. <i>For Secondary Only</i>, when a semester exam is not completed a grade of "I" is given. If students are absent on an exam day, the exam must be made up in order for credit to be given. For each semester exam day students are absent, they will have two (2) days to make up the exam, not including the day of return. These deadlines may be extended by the principal for extenuating circumstances.</p> <p>6. Suspensions: Make-up work for credit and grade is allowed. It is the student's responsibility to get the missed work.</p> <p>Student is NOT allowed to participate in any school activities during the suspension period. Students who are assigned in-school suspension are expected to be in school. These students must complete assignments and turn in work daily.</p> <p>For students who are not offered the option to attend an alternative to suspension site, specific homework assignments will be provided (F.S. 1003.01). These absences will be considered</p>	
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	<p>suspensions.</p> <p><u><i>For School Board policies regarding the earning of grades and credits for make-up work, related to absences, field trips and suspensions, see policies 5.5: Attendance and 6000.1: Student Progression Plan.</i></u></p>	
<p>15-16</p>	<p>Change:</p> <p>“Bullying” as defined in F.S. 1006.147 includes “Cyberbullying” and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted, purposeful written, verbal, nonverbal or physical behavior, including, but not limited to, any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual’s school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power. Bullying may involve, but is not limited to:</p> <ol style="list-style-type: none"> 1. Unwanted Teasing 2. Theft Social exclusion* 3. Threatening 4. Sexual, religious, or racial harassment Intimidation 5. Intimidating Stalking 6. Public or private humiliation Physical violence 7. Stalking Theft 8. Destruction of school or personal property Sexual, religious, or racial harassment 9. Physical violence Public or private humiliation 10. Social exclusion, including incitement and/or coercion Destruction of property +- Rumor or spreading of falsehoods <p><u><i>*Note: Social exclusion includes incitement and/or coercion</i></u></p>	<p>Alignment to F.S. 1006.147</p>

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17	<p>Additton:</p> <p><i>“Bullying,” “Cyberbullying,”</i> and/or <i>“Harassment”</i> also encompasses:</p> <ol style="list-style-type: none"> 1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying, harassment, or discrimination. 2. Retaliation also includes reporting a baseless act of bullying, cyberbullying, harassment, or discrimination that is not made in good faith. 3. Perpetuation of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by: <ol style="list-style-type: none"> a. Incitement or coercion; b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system; or c. Acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination. 	Clarifying Language
19-20	<p>Addition:</p> <p style="text-align: center;">Discrimination and/or Harassment</p> <p>The School Board of Broward County, Florida, prohibits any policy or procedure that results in discrimination on the basis of age, color, disability, ethnicity, gender, gender identity, gender expression, *national origin, marital status, race, religion, or sexual orientation.</p> <p>If any **student feels that he or she has been discriminated against or harassed, there are specific procedures to report such offenses. See pp-61-62 Section X for further information.</p>	Clarifying Language

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37	<p>Deletion:</p> <p>“Directory Information” is personally identifiable information that would not generally be considered harmful or an invasion of privacy if disclosed. The School Board of Broward County designates the following as “directory information”: student’s name, parent’s name, residential address, telephone number(s), date and place of birth, major field of study, participation in school-sponsored activities and sports, height and weight of athletic team members, school grade level, dates of school attendance, degrees and awards*, and the name of the most recent previous school or program attended. The School Board reserves the right to release Directory Information only (a) to colleges, universities or other institutes of higher education in which the student is enrolled, may seek enrollment or may be recruited, (b) for school publications, instructional materials and other school communication tools (including, but not limited to, yearbooks, athletic programs, graduation programs, recruitment brochures, theatrical programs, school and District websites, and postings and displays throughout the school facility), (c) to Broward County health officials for purposes of communicating with parents and to address conditions of public health importance as determined by Florida Department of Health (64D-3, F.A.C.), including information to meet or to prepare for a potential or confirmed health threat; or (d) to class reunion committees (and the like) for purposes of class reunion activities.</p>	Clarifying Language
40	<p>Change:</p> <div style="background-color: #e0e0e0; padding: 5px; text-align: center;"> <p>HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) NOTICE</p> </div> <p style="text-align: center;">Effective Date of Notice: April 15, 2014 <u>TBD</u></p>	Date update upon final Board approval
40	<p>Addition:</p> <p>HOW THE SCHOOL DISTRICT USES AND SHARES YOUR AND YOUR CHILD’S PROTECTED HEALTH INFORMATION</p> <p>It is important for you to be aware that this law allows the school district to share your and your child’s</p>	Alignment to FERPA 34 C.F.R. §99.31(10) and F. S. 39.0014

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	<p>PHI without your consent under the following circumstances:</p> <ul style="list-style-type: none"> ▪ To another health care provider for purposes of your or your child’s treatment; ▪ To insurance companies, Medicaid, or local, state, or federal agencies to pay for the services provided to you or your child; ▪ To report abuse of children, adults, or disabled persons; ▪ For investigations related to a missing child <u>and/or child abuse investigations</u>; 	
<p>47-50</p>	<p>Change:</p> <p style="text-align: center;">Medications: Use, Possession, Sale, and/or Transmittal Leading to Suspension and Possible Expulsion</p> <p>School Board Policy 6305 (Administration of Medications/Treatments), provides the guidelines for the administration of medication and/or treatment for students receiving prescription and over-the-counter (OTC) medication.</p> <p><u>Prescription medication/treatment and over-the-counter medication require an Authorization for Medication/Treatment Form. The healthcare provider and parent/guardian must complete this form.</u></p> <p>As per Policy 6305, sStudents with special health conditions, e.g., asthma, diabetes and hypersensitivity, regardless of grade, may carry medication on self, only if approved by their physician and noted on the <u>Authorization for Medication/Treatment</u> Authorization <u>Form</u>.</p> <p><u>Note: For Grades 9-12 only, an Authorization for Non-Prescription/Over-the-Counter (OTC) Medication Form must be completed and signed by the parent/guardian annually for the following select medications: acetaminophen, calcium carbonate, ibuprofen, Midol, Aspirin and Lactaid.</u></p>	<p>Aligned to Policy 5006</p>

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	<p>A new Authorization for Medication/Treatment Form must be completed and signed by the healthcare provider and parent for any new medication(s), changes in dosage, or changes in current medication(s).</p> <p>All other medications, including over-the-counter, must be transported <u>to the school by the parent/guardian in the original sealed container along with the appropriate Authorization Form signed by the appropriate parties.</u> by the parents/guardians. Therefore students are prohibited from possessing any medication while on school grounds <u>or participating in school-sponsored activities, except as indicated above</u> without appropriate authorization.</p> <p>Students found to be in violation of School Board Policy 6305 shall be subject to the disciplinary action identified below.</p> <p>A. USE AND/OR POSSESSION OF UNAUTHORIZED OVER-THE-COUNTER MEDICATIONS IS PROHIBITED.</p> <p>Disciplinary consequences for violations at the elementary level (Grades K-5) shall not be counted when subsequent violations occur at the secondary level (Grades 6-12).</p> <p>First and Second Offense Procedures:</p> <p>a. <u>Elementary students, (Grades K-5):</u> Upon committing the first or second offense, the substance shall be confiscated from the student. The student shall receive a verbal warning and the parent shall be notified. School administration shall inform the parent <u>of procedures for dispensation of authorized medication.</u> if medication (prescribed or over the counter) needs to be taken/carried by the student, then an Authorization for Medication/Treatment form should be completed annually or as needed by the parent and a physician.</p>	
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	<p><u>a. Secondary students, (Grades 6-12): Upon committing the first or second offense, the substance shall be confiscated from the student. The student shall receive a verbal warning and the parent shall be notified. School administration shall inform the parent of procedures for dispensation of authorized medication.</u></p> <p>Third and Subsequent Offenses Procedures:</p> <p><u>a. Elementary students, (Grades K-5): Upon committing the third and subsequent offense, the substance shall be confiscated from the student. The parent shall be notified and the student shall be administered a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p>a. The student shall be administered a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</p> <p><u>b. Secondary students, (Grades 6-12): Upon committing the third and subsequent offense, the substance shall be confiscated from the student. The parent shall be notified and the student shall be administered a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p>2. The students shall be referred to the District substance abuse case manager.</p> <p><i>Note: Use of over-the-counter medication in excess of the manufacturer’s <u>recommended dosage prescribed</u> limits may be treated as a mood-altering substance and assigned a consequence under Section III of this policy.</i></p> <p>B. SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF AUTHORIZED OR</p>	
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	<p>UNAUTHORIZED-OVER-THE-COUNTER MEDICATION IS PROHIBITED.</p> <p>First Offense Procedures:</p> <p><u>a. Elementary students, (Grades K-5):</u> Upon committing the first offense, the substance shall be confiscated from the student. The parent shall be notified and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</p> <p><u>b. Secondary students, (Grades 6-12):</u> Upon committing the first offense, the substance shall be confiscated from the student. The parent shall be notified and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</p> <p>Second and Subsequent Offense Procedures:</p> <p><u>a. Elementary students, (Grades K-5):</u> Upon committing the second and subsequent offense, the substance shall be confiscated from the student. The parent shall be notified, <u>the student shall be referred to the School Counselor</u> and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</p> <p><u>b. Secondary students, (Grades 6-12):</u> Upon committing the second offense, the substance shall be confiscated from the student. The parent shall be notified, <u>the student shall be referred to the School Counselor and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p>The student shall be referred to the District’s substance abuse case manager.</p> <p><u>Third and Subsequent Offense Procedures:</u></p> <p>†<u>a. Elementary students, (Grades K-5):</u> Upon committing the third and subsequent offense, the substance shall be confiscated from the student. The parent shall be notified, the student</p>	
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	<p><u>shall be referred to the School Counselor and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p><u>a.b. Secondary students, (Grades 6-12): Upon committing the third and subsequent offense, the substance shall be confiscated from the student. The parent shall be notified, the student shall be referred to the District substance abuse case manager and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p>	
<p style="text-align: center;">50-51</p>	<p>Change:</p> <p>The following section addresses: (A) USE, POSSESSION, AND/OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES, (B) USE/POSSESSION OF UNAUTHORIZED OR MOOD-ALTERING SUBSTANCES IS PROHIBITED, <u>(C) BEING UNDER THE INFLUENCE OF UNATHORIZED SUBSTANCES</u> AND (D) SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL.</p>	<p style="text-align: center;">Aligned to Policy 5006</p>
<p style="text-align: center;">54</p>	<p>Change:</p> <p>(B) USE/POSSESSION OF UNAUTHORIZED SUBSTANCES IS PROHIBITED</p> <p>Second and Subsequent Offense Procedures:</p> <p>a. Elementary students, (Grades (K-5): The student shall be suspended from the regular school program for ten (10) days and recommended for the Behavior Intervention Program, for a period of one (1) calendar year commencing with the date of the offense, with Substance Workback. The student shall complete the District approved or state-certified drug rehabilitation or treatment program <u>with a certified addiction professional</u>. The District substance abuse case manager shall monitor/verify that the student has</p>	<p style="text-align: center;">Clarifying Language</p>

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	<p>completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.</p> <p>b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense, with no Workback allowed. The student shall complete the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</p>	
<p>54-55</p>	<p>Addition:</p> <p><u>C. BEING UNDER THE INFLUENCE OF UNAUTHORIZED SUBSTANCES IS PROHIBITED</u></p> <p><u>Disciplinary consequences for violations at the elementary level (Grades K-5) shall not be counted when subsequent violations occur at the secondary level (Grades 6-12).</u></p> <p><u>First Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5):</u> The student shall be suspended from the regular school program for ten (10) days. The student shall be referred to the District substance abuse counselor for assignment to engage in the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The student may return to school subsequent to the ten (10) day suspension. The District substance abuse case manager shall monitor student participation in the assigned program.</p> <p><u>b. Secondary students, (Grades 6-12):</u> The student shall be suspended from the regular school program for ten (10) days. The student shall be referred to the District substance abuse counselor for assignment to engage in the District approved or state-certified drug rehabilitation or treatment</p>	<p>Aligned to Policy 5006</p>

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	<p><u>program with a certified addiction professional. The student may return to school subsequent to the ten (10) day suspension. The District substance abuse case manager shall monitor student participation in the assigned program.</u></p> <p><u>Second and Subsequent Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5):</u> <u>The student shall be suspended from the regular school program for ten (10) days and recommended for the Behavior Intervention Program, for a period of one (1) calendar year commencing with the date of the offense, with Substance Workback. The student shall complete the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.</u></p> <p><u>b. Secondary students, (Grades 6-12):</u> <u>The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense, with no Workback option allowed. The student shall complete the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p>	
64	<p>Addition:</p> <p>Use/Possession/Transmittal of Class A weapons include, all Weapons and Firearms defined in Chapter 790, Florida Statute. This category includes, but is not limited to:</p> <ul style="list-style-type: none"> <u>▪ Projectile devices* including, but not limited to, BB guns, pellet (hard and soft) guns, and paintball guns</u> <p><i><u>*Note: On a 1st offense only, an elementary level student, (Grades K-5) shall not be subject to mandatory expulsion proceedings for possession or display of a projectile device, if it is determined</u></i></p>	Aligned to Policy 5006

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	<p><i><u>by the school principal/designee that the following conditions have been met:</u></i></p> <p><i><u>1) the projectile device was unloaded;</u></i></p> <p><i><u>2) the student was not in possession of ammunition for the projectile device; and</u></i></p> <p><i><u>3) the District's Threat Assessment Protocol did not result in a high level threat.</u></i></p>	
<p>66</p>	<p>Change:</p> <p>1. Mood Altering Substance is any substance that is or may be detrimental to the user or to others, including, but not limited to, alcohol or alcoholic beverages, marijuana (less than 20 grams), hallucinogens/chemical intoxication, inhalants, over-the-counter medication taken in excess of <u>the manufacturer's recommended dosage limit</u>prescribed amount. "Over-the-counter (OTC) medications" are medications that may be sold directly to a consumer without a prescription from a physician or licensed healthcare provider.</p> <p>Unauthorized Substances/Drugs include any substances deemed to be illegal under Chapter 893, any drugs or controlled substances that constitute a felony under Florida Statute, any prescription drug not prescribed for the student who is in possession of the medication, and any <u>prescription</u> medication that is not authorized as part of Policy 6305 <u>and any substance that are derivatives of marijuana</u>.</p> <p><u>Under the Influence</u> refers to any student who attends a school or school-sponsored event subsequent to having used or ingested any mood-altering or unauthorized substance as defined within Policy 5006: Suspension and Expulsion.</p>	<p>Aligned to Policy 5006</p>
<p>Appendix A</p>	<p>Change: Discipline Matrix Updated</p>	