

SUMMARY OF CHANGES
Effective School Years 2019-2022

DATE: April 30, 2019

POLICY #: 5006

POLICY TITLE: Suspensions and Expulsions

Page #	Recommended Change/Addition/Deletion	Rationale
1	<p>Addition:</p> <p><u>PURSUANT TO F.S. 1003.31 AND F.S. 1006.08, STUDENTS WHO COMMIT VIOLENT OR DISRUPTIVE BEHAVIORS THAT MAY POSE A THREAT TO THE SAFETY OF SCHOOL STAFF OR STUDENTS SHALL BE ASSIGNED TO AN ALTERNATIVE EDUCATIONAL PROGRAM OR, PURSUANT TO F.S.1006.07(7), REFERRED TO MENTAL HEALTH SERVICES IDENTIFIED BY THE SCHOOL DISTRICT. REFERRAL TO MENTAL HEALTH SERVICES SHALL BE IN CONSULTATION WITH THE THREAT ASSESSMENT TEAM.</u></p>	<p>Alignment to F.S. 1003.31, 1006.08 and 1006.07</p>
1	<p>Addition:</p> <p>THE DISCIPLINE MATRIX, ATTACHED AS APPENDIX A TO POLICY 5.8, CODE OF STUDENT CONDUCT, IS HEREBY INCORPORATED INTO AND MADE PART OF THIS POLICY. THE DISCIPLINE MATRIX SETS FORTH THE GUIDELINES FOR ASSIGNING CONSEQUENCES FOR VIOLATIONS OF SCHOOL BOARD POLICIES. SCHOOL PRINCIPALS HAVE THE DISCRETION TO DEVIATE FROM THESE GUIDELINES BY ASSESSING AN APPROPRIATE CONSEQUENCE OTHER THAN STATED IN THE DISCIPLINE MATRIX IF HE OR SHE DETERMINES IN HIS OR HER SOLE DISCRETION THAT THERE ARE MITIGATING OR AGGRAVATING CIRCUMSTANCES. <u>PRINCIPALS MAY DEVIATE BY ONE LEVEL WHEN APPLYING CONSEQUENCES PER THE DISCIPLINE MATRIX, EXCEPT FOR SUBSTANCE RELATED AND MANDATORY EXPULSION INCIDENTS.</u></p>	<p>Clarifying language</p>

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2	<p>Addition:</p> <p>UNDER FLORIDA LAW, THE SUPERINTENDENT OF SCHOOLS/DESIGNEE <u>AND THE SCHOOL BOARD</u> SHALL HAVE THE AUTHORITY TO REMOVE FROM THE CLASSROOM, THE SCHOOL BUS AND THE SCHOOL CAMPUS DISOBEDIENT, DISRESPECTFUL, VIOLENT, ABUSIVE, UNCONTROLLABLE, OR DISRUPTIVE STUDENTS, IN SUPPORT OF THE AUTHORITY OF TEACHERS, SCHOOL BUS DRIVERS AND SCHOOL PRINCIPALS, AND TO PROVIDE FOR A PROPER PLACEMENT OF SUCH STUDENTS, INCLUDING IN AN ALTERNATIVE SETTING, WHEN APPROPRIATE (F.S. 1001.42, 1001.51(24), 1003.31, 1003.32 AND 1006.08).</p>	Clarifying language
3	<p>Addition:</p> <p>SECTION I Offenses Leading to and Procedures for Disciplinary Action, including Suspension, Arrest, <u>The Hope Scholarship Program, Zero Tolerance</u> and PROMISE (Preventing Recidivism through Opportunities, Mentoring, Interventions, Supports and Education)</p>	Clarifying language
4	<p>Addition:</p> <p><u>C. THE HOPE SCHOLARSHIP PROGRAM</u> <u>Pursuant to F.S. 1002.40, the Hope Scholarship Program was established to provide the parent of a public school student who was subjected to a specific incident an opportunity to transfer the student to another public school or to</u></p>	Alignment to F.S. 1002.40

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	<p><u>request a scholarship for the student to enroll in and attend an eligible private school.</u></p> <p><u>Beginning with the 2018-2019 school year, contingent upon available funds, and on a first come, first-served basis, a student enrolled in a Florida public school in kindergarten through grade 12 is eligible for a scholarship under this program if the student has been subjected to an incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses; sexual harassment; sexual assault; sexual battery; threat or intimidation; or fighting at school.</u></p>	
5	<p>Addition:</p> <p><u>E. ZERO TOLERANCE</u></p> <p><u>Pursuant to F.S. 1006.13, District school boards shall promote a safe and supportive learning environment in schools by protecting students and staff from conduct that poses a serious threat to school safety. A threat assessment team may use alternatives to expulsion or referral to law enforcement agencies to address disruptive behavior through restitution, civil citation, teen court, neighborhood restorative justice, or similar programs. Zero-tolerance policies may not be rigorously applied to petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances. Zero-tolerance policies must apply equally to all students regardless of their economic status, race, or disability.</u></p> <p><u>The threat assessment team shall consult with law enforcement when a</u></p>	<p>Alignment to F.S. 1006.13</p>

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	<p><u>student exhibits a pattern of behavior, based upon previous acts or the severity of an act, which would pose a threat to school safety.</u></p> <p><u>Zero-tolerance policies do not require the reporting of petty acts of misconduct and misdemeanors to a law enforcement agency, including, but not limited to, disorderly conduct, simple assault or battery, affray, theft of less than \$300, trespassing, and vandalism of less than \$1,000. However, if a student commits more than one misdemeanor, the threat assessment team must consult with law enforcement to determine if the act should be reported to law enforcement.</u></p> <p><u><i>Note: A threat assessment team may use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to school safety.</i></u></p> <p><u>Refer to Policy 2130: Threat Assessment for more information related to threats.</u></p>	
5-6	<p>Change:</p> <p><u>PROMISE is a mandatory program, which is eligible to students of at least 11 years of age and/or enrolled in a District 6-12 school program. PROMISE incidents for said students shall accrue through 12th grade with a maximum of three (3) referral assignments to the program.</u></p> <p><u>Note:</u></p>	<p>Clarifying language and alignment with the Marjory Stoneman Douglas Commission Report Recommendations</p>

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1. The PROMISE program is not intended to limit the discretion of law enforcement.
2. Any student committing more than one misdemeanor must be referred to the threat assessment team, which includes law enforcement, to determine if the act should be reported to law enforcement for further action.
3. Additionally, a student who has accrued three cumulative incidents from the list below shall be referred to a community youth support diversion program, and to the Behavior Intervention Committee, as appropriate.

The list of PROMISE eligible incidents are outlined below.

1. Disruption on Campus-Major*
2. Trespassing*
3. Alcohol-Use/Possession/~~Under the Influence*~~
4. Alcohol Sale/Attempted Sale/Transmittal*
5. Drug-Use/Possession ~~Under the Influence*~~
6. Drug Paraphernalia ~~Possession*~~
- ~~7. Bullying~~
- ~~8. Harassment~~
- ~~9.7. _____ Fighting-Mutual Combat*~~
- ~~10. False Accusation Against School Staff*~~
- ~~11. Assault/Threat (no harm or injury)*~~
- ~~12.8. _____ Theft-Petty <\$300*~~
- ~~13.9. _____ Vandalism/Damage to Property <\$1,000*~~

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	<p>Although this policy (Policy 5006: Suspension and Expulsion) specifically outlines consequences for drug offenses by incident (i.e. first, second, third offense, etc.), the continuum of consequences for all other-PROMISE incidents are referenced in the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</p> <p>For PROMISE eligible incidents/violations: if the parent/student refuses the PROMISE program assignment as outlined in the Discipline Matrix, then they the student shall will be referred to the Juvenile Justice System of Care. The Juvenile Justice System of Care (JJSC) is an intervention created by an Interagency Agreement of which Broward County Public Schools is a party.</p> <p>Should the parent/student still refuse to participate in the PROMISE program assignment as outlined in the Discipline Matrix, the child may shall be arrested referred to the State Attorney's Office.</p> <p>When a parent/student accepts the PROMISE program assignment as outlined in the Discipline Matrix, but fails to fulfill the requirements of the program, the parent/student shall be referred to the Juvenile Justice System of Care. Should the parent/student still refuse to complete the program, the child may shall be referred to the State Attorney's Office arrested.</p> <p>Note:</p> <ul style="list-style-type: none">—1. A student, who has accrued three cumulative incidents from the list above, in a school year, shall be referred to the Behavior Intervention Committee.—2. *Upon the fourth cumulative incident within a school year of	
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	any incident denoted with an asterisk in the above list, the student shall be referred for consultation with law enforcement, unless the Discipline Matrix requires such a referral sooner.	
6	<p>Revision:</p> <p>SECTION II: MEDICATIONS: USE, POSSESSION, SALE, AND/OR TRANSMITTAL LEADING TO SUSPENSION AND POSSIBLE EXPULSION</p> <p><u>For incidents within this category, accruals occur by school level (Grades K-5, 6-8 and 9-12).</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).</p>	Clarifying language
8-9	<p>Addition:</p> <p>SECTION III: DRUG AND SUBSTANCE ABUSE OFFENSES LEADING TO SUSPENSION AND POSSIBLE EXPULSION OR MANDATORY EXPULSION</p> <p><u>For incidents within this category, accruals occur by school level (Grades K-5, 6-8 and 9-12) and require reporting per the School Environmental Safety Incident Reporting (SESIR) guidelines to the Florida Department of Education.</u></p>	Clarifying language

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	<p>General Information:</p> <ul style="list-style-type: none">• Each principal shall post, in a place readily seen by students, a notice stating that a student’s locker or other storage area may be subject to search based upon reasonable suspicion of possession of prohibited, unauthorized, or illegal materials/objects or substance and may also result in a search of person, possessions, locker and/or vehicle (Florida Statute 1006.09(9)).• School personnel shall report to the principal/designee the suspected unlawful use, possession, transmittal, sale or attempted sale by a student of any drugs, tobacco or tobacco related products, e-cigarette, vapor devices or similar, over-the-counter or prescription substances, including any alcoholic beverage or inhalant, and shall be exempt from civil liability when making such reports.• If a student has been suspended or expelled for a prior drug offense by any in-state or out-of-state public, private, charter or research school, then the disposition of this offense shall constitute a second offense and the procedures for second offenses shall apply.• Pursuant to F.S. s. 1006.07(7)(e), if an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. <p>A. USE, POSSESSION, SALE, AND/OR TRANSMITTAL OF TOBACCO, TOBACCO PRODUCTS, E-CIGARETTES, VAPOR DEVICES AND/OR COMPONENTS OF E-CIGARETTES, VAPOR DEVICES OR SIMILAR</p>	
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	<p><u>Use, possession, sale, and/or transmittal of tobacco, tobacco products, vapor devices and/or components of vapor devices or similar are prohibited.</u></p> <p><u>A1. USE, POSSESSION, SALE, AND/OR TRANSMITTAL OF TOBACCO AND/OR TOBACCO PRODUCTS</u></p> <p><u>First Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5):</u> The student shall be issued a one (1) day detention and be referred to the School Counselor.</p> <p><u>Secondary students, (Grades 6-12):</u></p> <p><u>b.</u> The student shall be issued a one to two (1-2) day in-school suspension and be referred to the Substance Abuse Case Manager.</p> <p><u>Second and Subsequent Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5):</u> The student shall be issued a one to two (1-2) day in-school suspension and be referred to the Substance Abuse Case Manager.</p> <p><u>Secondary students, (Grades 6-12):</u></p> <p><u>b.</u> The student shall be issued a three to five (3-5) day in-school suspension and be referred to the Substance Abuse Case Manager.</p> <p><u>A2. USE, POSSESSION, SALE, AND/OR TRANSMITTAL OF E-CIGARETTES, VAPOR DEVICES AND/OR COMPONENTS OF E-</u></p>	
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	<p><u>CIGARETTES, VAPOR DEVICES OR SIMILAR</u> <u>This section also prohibits and is applicable to any electronic nicotine delivery system/vapor device accessory or clothing.</u></p> <p><u>a. Elementary students, (Grades K-5):</u> <u>The student shall be issued a one (1) day detention and be referred to the School Counselor.</u></p> <p><u>Secondary students, (Grades 6-12):</u></p> <p><u>b.</u> <u>The student shall be issued a one to two (1-2) day in-school suspension and be referred to the Substance Abuse Case Manager.</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 issued a one to two (1-2) day in-school suspension and be referred to the Substance Abuse Case Manager.</u></p> <p><u>Secondary students, (Grades 6-12):</u></p> <p><u>b.</u> <u>The student shall be issued a three to five (3-5) day in-school suspension and be referred to the Substance Abuse Case Manager.</u></p> <p><u>AB. USE, AND/OR POSSESSION, AND/OR BEING UNDER THE INFLUENCE OF LEAF MARIJUANA (LESS THAN 20 GRAMS) AND/OR ALCOHOL MOOD-ALTERING SUBSTANCES</u></p>	
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	<p>Use <u>and/or</u>; possession, and/or being under the influence of <u>leaf marijuana (less than 20 grams), other mood-altering substances, including</u> alcohol and/or alcoholic beverages, 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>	
10-12	<p>Addition:</p> <p><u>C. BEING UNDER THE INFLUENCE OF LEAF MARIJUANA AND/OR OTHER MOOD-ALTERING SUBSTANCES</u> <u>Being under the influence of leaf marijuana and/or other mood-altering substances, including alcohol and alcoholic beverages, is prohibited.</u></p> <p><u>First Offense Procedures:</u> <u>a. Elementary students, (Grades K-5): The student shall be suspended from the regular school program for four (4) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. Two (2) days of the suspension shall be waived if the student attends a counseling program authorized by the principal/designee in conjunction with the District substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the initial four (4) day suspension shall be</u></p>	Recommended by P5006 Committee

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	<p><u>imposed.</u></p> <p><u>b. Secondary students, (Grades 6-12):</u> <u>The student shall be suspended from the regular school program for six (6) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. Three (3) days of the suspension shall be waived if the student attends a counseling program authorized by the principal/designee in conjunction with the District substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the initial six (6) day suspension shall be imposed.</u></p> <p><u>Second 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 referred for the Behavior Intervention Program via the Expulsion Abeyance Office. The student shall be placed on a Probationary Substance Contract in lieu of the Behavior Intervention Program Assignment via the Expulsion Abeyance Office. The Behavior Intervention Program via the Expulsion Abeyance Office will not be required if the student successfully completes the requirements of the Probationary Substance Contract while at a regular school program. The District substance abuse case manager shall monitor/verify that the student remains in compliance with the terms of the Probationary Substance Contract.</u></p> <p><u>If the student violates the terms of the Probationary Substance Contract then the student shall be placed in a Behavior Intervention Program via</u></p>	
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	<p><u>the Expulsion Abeyance Office, with Substance Workback. The student shall complete the state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p> <p><u>If the student fails to complete the state-certified drug/alcohol rehabilitation or treatment program, the full term of the Behavior Intervention Program Assignment shall be implemented.</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 on a Probationary Substance Contract in lieu of an expulsion abeyance program. The Expulsion Abeyance Program will not be required if the student successfully completes the requirements of the Probationary Substance Contract while at a regular school program. The District substance abuse case manager shall monitor/verify that the student remains in compliance with the terms of the Probationary Substance Contract.</u></p> <p><u>If the student violates the terms of the Probationary Substance Contract then the student shall be placed in an expulsion abeyance program, with Substance Workback. The expulsion shall be held in abeyance if the student completes the state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional. The student may return to a regular school program upon successful completion of the</u></p>	
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	<p><u>prescribed rehabilitation or treatment program. The District substance abuse case manager shall monitor/verify that the student has completed the prescribed program. If the student fails to complete the state-certified drug/alcohol rehabilitation or treatment program, the full term of the expulsion abeyance program shall be implemented.</u></p> <p><u>Third and Subsequent Offenses 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 and recommended for the Behavior Intervention Program via the Expulsion Abeyance Office, for a period of one (1) calendar year commencing with the date of the offense, (F.S. 1006.09(3)), with Substance Workback. The student shall complete the District approved or state-certified drug/alcohol 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.</p> <p><u>b. Secondary students, (Grades 6-12):</u> The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory (F.S. 1006.09(3)). 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 Substance Workback. The expulsion shall be held in abeyance if the student completes the District approved or state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional. The District substance</p>	
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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.

~~C.~~ **D. USE/POSSESSION OF UNAUTHORIZED SUBSTANCES IS PROHIBITED**

Note: For the purposes of this policy, unauthorized substances refers to prescription medication not prescribed for the student who is in possession of the medication, or any prescription medication not authorized by Policy 6305, substances/drugs deemed illegal under Chapter 893, are drugs or controlled substances that constitute a felony under Florida statute, are derivatives of the cannabis sativa plant, including, but not limited to, marijuana and hemp, and derivatives of such, including, but not limited to THC and CBD products.

Note: Students violating Policy 6305: Administration of Medication/Treatment, by possessing their own prescription medication on school grounds, on school transportation, or at a school-sponsored activity shall not receive a consequence under this section of the policy. In such instances, students shall be required to follow Policy 6305 and receive a consequence as outlined in Section II, A of this policy.

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	<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 style="text-align: center;">13</p>	<p>Change:</p> <p>d. <u>E.</u> BEING UNDER THE INFLUENCE OF UNAUTHORIZED SUBSTANCES IS PROHIBITED</p> <p><u>For the purposes of this policy, unauthorized substances refers to prescription medication not prescribed for the student who is in possession of the medication, or any prescription medication not authorized by Policy 6305, substances/drugs deemed illegal under Chapter 893, are drugs or controlled substances that constitute a felony under Florida statute, are derivatives of the cannabis sativa plant, including, but not limited to, marijuana and hemp, and derivatives of such, including, but not limited to THC and CBD products.</u></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 Offense Procedures:</p> <p>a. Elementary students, (Grades K-5): 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</p>	<p>Recommended by P5006 Committee</p>

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	<p>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. <u>The student shall be suspended from the regular school program for ten (10) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. Six (6) days of the suspension shall be waived if the student attends a counseling program authorized by the principal/designee in conjunction with the District substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the suspension shall be imposed.</u></p> <p>b. Secondary students, (Grades 6-12): 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. <u>The student shall be suspended from the regular school program for ten (10) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. Six (6) days of the suspension shall be waived if the student attends a counseling program authorized by the principal/designee in conjunction with the District substance abuse case</u></p>	
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	<u>manager. If the student does not complete the recommended counseling program, the remaining days of the suspension shall be imposed.</u>	
13-14	<p>Change:</p> <p>D.F. SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL: <u>POSSESSION OF LEAF MARIJUANA WITH INTENT TO SELL, SALE,</u> ATTEMPTED SALE, AND/OR TRANSMITTAL OF DRUGS OR MOOD-ALTERING SUBSTANCES, UNAUTHORIZED SUBSTANCES, OR OTHER SUBSTANCES HELD OUT OR REPRESENTED TO BE DRUGS OR MOOD-ALTERING SUBSTANCES, INCLUDING ALCOHOL OR ALCOHOLIC BEVERAGES</p> <p><u>Possession of leaf marijuana with intent to sell, sale, attempted sale, and/or transmittal of drugs or mood-altering substances, unauthorized substances, or other substances held out or represented to be drugs or mood-altering substances, including alcohol or alcoholic beverages</u> is prohibited on a school campus or any school or school<u>School board</u> Board of broward<u>Broward county</u> County sponsored event.</p>	Recommended by 5006 Committee
15	<p>Change:</p> <p>PROCEDURES FOR <u>POSSESSION OF LEAF MARIJUANA WITH INTENT TO SELL,</u> SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF DRUGS OR MOOD-ALTERING SUBSTANCES, UNAUTHORIZED SUBSTANCES, OR OTHER SUBSTANCES HELD OUT OR REPRESENTED TO BE DRUGS OR MOOD-ALTERING SUBSTANCES,</p>	Recommended by 5006 Committee

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	<p>OTHER THAN ALCOHOL OR ALCOHOLIC BEVERAGES</p> <p><u>For the purposes of this policy, unauthorized substances refers to prescription medication not prescribed for the student who is in possession of the medication, or any prescription medication not authorized by Policy 6305, substances/drugs deemed illegal under Chapter 893, are drugs or controlled substances that constitute a felony under Florida statute, are derivatives of the cannabis sativa plant, including, but not limited to, marijuana and hemp, and derivatives of such, including, but not limited to THC and CBD products.</u></p>	
<p>15-17</p>	<p>Change:</p> <p>SECTION IV: OTHER OFFENSES (NON-DRUG AND NON-SUBSTANCE ABUSE OFFENSES) LEADING TO AND PROCEDURES FOR SUSPENSION AND POSSIBLE EXPULSION</p> <p><u>For incidents within this category, accruals occur by school level (Grades K-5, 6-8 and 9-12) and require reporting per the School Environmental Safety Incident Reporting (SESIR) guidelines to the Florida Department of Education.</u></p> <p><u>Note: Pursuant to F.S. 1006.07(7)(e), if an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources.</u></p>	<p>Recommended by 5006 Committee</p>

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	<p>A. OFFENSES (AS DEFINED IN SECTION VII) A STUDENT SHALL BE SUSPENDED AND MAY BE RECOMMENDED FOR EXPULSION WHEN THE STUDENT: <u>LEADING TO SUSPENSION AND POSSIBLE EXPULSION</u></p> <ul style="list-style-type: none">1. Commits repeated violations of Policy 5.9: Anti-Bullying1.2. <u>Commits repeated violations of harassment</u>2.3. <u>Commits an assault/threat - medium</u>3.4. <u>Commits a battery - medium</u>4.5. <u>Commits or threatens to commit vandalism/damage to property</u>6. Commits any act on campus or off campus that substantially disrupts the orderly conduct of the classroom or school activities7. Commits grand theft/motor vehicle theft1.8. <u>Commits burglary – unlawful breaking/entering</u>8.9. <u>Commits a physical attack</u>9.10. <u>Commits a sexual assault</u>10.11. <u>Commits sexting</u><u>12. Commits a sexual harassment</u><u>13. Commits a sexual misconduct (sexual offense)</u><u>14. Uses/possesses/transmits drug paraphernalia</u>	
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	<p>15. Commits a false accusation against school staff</p> <p>16. Commits a false fire alarm/911 call</p> <p>17. Commits a trespassing</p> <p>11.18. Possesses /displays/uses/ transmits a Class B weapon, which includes laser pens/pointers and other laser devices used in a manner that could potentially harm or injure another individual</p> <p>12.19. Commits fire starting* – starts a fire on campus or school property and/or at a school bus stop</p> <p><i>*Note: The school administrator shall refer the student for participation in a local Fire Starter Program. The suspension shall be reduced by 3 days upon parent/guardian agreement to participate in said program. Failure on the part of the student to successfully complete the program may result the reissuance of the 3 days.</i></p> <p>13. Uses laser pens/pointers and other laser devices in a manner that could potentially harm or injure another individual</p> <p>14. Makes an internet/electronic transmission of a threat to do harm to person(s) on school grounds, or to school property, that results in a substantial disruption (See definition in Section VII) to the school climate</p> <p>15.20. Conducts, recruits, or participates on campus in a formal or informal manner in order to foster youth gang activity. This activity may include, but is not limited to, an association or group of three or more persons who are gang related individually or collectively who engage in a pattern of youth or street gang activity and have a</p>	
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	<p>common name or common identifying clothing, jewelry, buttons, colors, signs, symbols or markings with the intent or purpose to threaten and/or present a danger to public order and safety</p> <p><u>21. Electronic device – the use of an electronic device to possess, display, or transmit offensive images, images that depict nudity or sexual content, video voyeurism, or the use of an electronic device to capture said images, or any other images of people which violates reasonable expectation of privacy.</u></p> <p><u>Note: Display of offensive images will not result in disciplinary consequences if it is determined that the student immediately* reported or delivered the offensive image(s) to a staff member.</u></p> <p><u>*The term “immediately” means without delay as determined by the principal after considering the totality of the circumstances and prior to being reported by another individual.</u></p> <p>16. Transmits or distributes any video voyeurism or images that depict nudity or sexual content or that violate the rights of individuals having a reasonable expectation of privacy and/or violate privacy laws</p> <p><u>17.22.</u> Commits other criminal actions, on school board property, or during school events or activities, not already set forth above in this policy including, but not limited to, when the student:</p> <ul style="list-style-type: none">a. is formally charged with having committed a delinquent act which would be a felony, if committed by an adult (F. S.1006.09(2));b. has had an adjudication withheld for a delinquent act which,	
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	<p>if committed by an adult, would be a felony; or c. has been found guilty of a felony 19<u>23</u>. Uses the school district's technology and/or software for any unauthorized purpose. The unauthorized use of a computer/technology, including, but not limited to, accessing or breaking in to restricted accounts or networks, creating, modifying or destroying files/records without permission, copying software, entering, distributing or printing unauthorized files/records, uploading to the internet, and/or sharing or distributing, offensive or inappropriate material, including video, and any other misuse or violation of the School Board of Broward County Technology-Acceptable Use Policy 5306, Section VI.</p>	
18	<p>Addition:</p> <p>SECTION V: MANDATORY EXPULSION OFFENSES AND PROCEDURES</p> <p><u>For incidents within this category, accruals occur by school level (Grades K-5, 6-8 and 9-12) and require reporting per the School Environmental Safety Incident Reporting (SESIR) guidelines to the Florida Department of Education.</u></p> <p><u>Pursuant to F.S. 1006.07(7)(e), if an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources.</u></p>	Clarifying language

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18-19	<p>Change:</p> <p>A. OFFENSES LEADING TO MANDATORY EXPULSION Students found to have committed one of the following offenses will be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than one (1) full year, referred to the criminal justice or juvenile justice system <u>and referred to mental health services identified by the school district pursuant to F.S. 1006.04 and F.S. 1006.07(7), for evaluation and treatment as appropriate:</u></p> <ol style="list-style-type: none"> 1. Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing, displaying, using, selling or transmitting a firearm at school. <p>Note: A student may not be subject to mandatory expulsion proceedings if it is determined that the student <i>immediately</i>* reported or delivered the firearm or weapon to a staff member. *The term “<i>immediately</i>” means without delay as determined by the principal after considering the totality of the circumstances and prior to being reported by another individual.</p> <p><u>It is unlawful for any person 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 s. 790.166, or concerning the use of firearms in a violent manner against a person or persons.</u></p>	Clarifying language
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	<p>2. Making, <u>posting, transmitting, including internet/electronic transmission of</u> a threat or false report, <u>to conduct a bomb threat, mass shooting or an act of terrorism in writing or other record in any manner that would allow another person to view the threat,</u> as defined by FS <u>790.161, 790.1615, 790.162, and 790.163, 790.164, 790.165, and 790.166</u> respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity, including:</p> <ul style="list-style-type: none"><u>a.</u> Threats to throw, project, place, or discharge a destructive device with intent to do bodily harm to any person or with intent to damage any property of any person.<u>b.</u> Making a false report, with intent to deceive, mislead, or otherwise misinform a person, concerning the placing or planting of any bomb, dynamite, or other deadly explosive, or weapon of mass destruction. <p>3. In addition, students found to have committed the following offenses on school property, school sponsored transportation, or during a school sponsored activity, shall receive the most severe consequences provided in this policy which shall be mandatory suspension and administrative assignment to the Behavior Intervention Program or expulsion, referral for appropriate counseling services, and may be referred for criminal prosecution to the local law enforcement agency and/or State Attorney's Office. These acts pose a serious threat to school safety, i.e., acts which directly or indirectly pose a significant risk of serious injury.</p> <ul style="list-style-type: none"><u>a.</u> Serious a <u>Assault/threat – serious</u><u>a.b.</u> <u>Assault/threat - high</u><u>b.c.</u> <u>Arson or attempted arson</u>	
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	<p>e.d. _____ Sexual battery (rape) or attempted sexual battery (rape)</p> <p>d.e. _____ Possessing, displaying, using, selling or transmitting a Class A weapon</p> <p>e.f. Homicide</p> <p>f.g. Kidnapping or abduction</p> <p>g. Bringing, possessing, using or selling any explosive propellant or destructive device</p> <p>h. Robbery or attempted robbery.</p> <p>i. _____ Armed robbery or attempted armed robbery</p> <p>i.i. Motor vehicle theft</p> <p>j.k. Serious b <u>Battery-serious</u></p> <p>k.l. _____ Battery on a School Board employee, sports official, or other specified officials as listed in F.S. 784.07 and 1006.13(5)</p> <p>t.m. _____ Battery on a law enforcement officer, firefighter, emergency medical care provider, and others as listed in FS 784.07</p> <p>m.n. _____ Found, by a court, to have committed an assault on specified officials, or School Board employees, or Sports Official (F.S. 784.081)</p> <p>n.o. _____ Found, by a court, to have committed an assault on a law enforcement officer, fire fighter, emergency medical care provider, etc., (F.S. 784.07)</p> <p>o.p. _____ Extortion</p> <p>p. Threatening to throw, project, place or discharge a destructive device with that may cause bodily harm to any person or with intent to damage any property of any person</p> <p>q. Making a false report concerning the placing or planting of any</p>	
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	<p style="text-align: center;">bomb, dynamite or other deadly explosive. (F.S. 784.081) f.g. Hazing (F.S. 1006.135).</p> <p style="text-align: center;">Note: When charged with acts listed in k through n above the student shall be immediately removed from the classroom and placed in an alternative school setting pending disposition -- (F.S. 1006.13(5)).</p> <p style="text-align: center;"><u>Incidents associated with potential threats require the convening of the threat assessment team to determine if the act shall be reported to law enforcement.</u></p> <p>Note: A recommendation for the Behavior Intervention Program assignment via the Expulsion Abeyance Office applies when an elementary level student commits an offense, within this section, for which a secondary level student would receive a mandatory expulsion under this policy. However, Class "A" Weapons, Bomb Threat/<u>Mass Shooting (Placing/Actual)</u> and Bomb Threat/<u>Mass Shooting (False Reporting)</u>, shall be expellable offenses for all students, Grades K-12 <u>(F.S. s. 1006.13(3))</u>.</p> <p>B. PROCEDURES FOR EXPULSION: For those expellable offenses listed in this policy and for which a recommendation for expulsion has been made to the <u>Chief Officer</u> Executive Director of Student Support Initiatives <u>& Recovery</u>/designee, the following procedures shall be followed:</p> <p>1. SUSPENSION & PRE-EXPULSION ASSIGNMENT Students shall be suspended immediately and a notice sent to the Executive Director <u>Chief Officer</u> of Student Support Initiatives <u>&</u></p>	<p>Alignment to School Board Approved Division Name Change</p>
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	<p><u>Recovery</u>/designee. The recommendation for expulsion shall be processed to final conclusion even when the student in question has withdrawn from the school system subsequent to the violation. Students who are being recommended for expulsion shall be given the opportunity to participate in a Pre-Expulsion Alternative Education Program for a period of time commencing with the end of the ten (10) day suspension.</p>	
20	<p>Change:</p> <ol style="list-style-type: none"> 1. PRE-EXPULSION CONFERENCE The Executive Director<u>Chief Officer</u> of Student Support Initiatives <u>& Recovery</u>/designee will investigate the alleged offense and provide an opportunity for a Pre-Expulsion Conference with the student and the parent/guardian. During this conference, the Executive Director<u>Chief Officer</u> of Student Support Initiatives <u>& Recovery</u>/designee shall inform the parent/guardian and student of the expulsion charges and the expulsion procedures, including the right to a formal hearing, as well as their right to be assisted by anyone they choose at their own expense. Additionally, the parent/guardian will be informed that they have the right to call and question witnesses. 2. EXPULSION HEARING If a hearing is requested, either the parent/guardian or student must make the request in writing and submit it to the Executive Director<u>Chief Officer</u> of Student Support Initiatives <u>&</u> 	Alignment to School Board Approved Division Name Change

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	<p><u>Recovery</u>/designee. The Executive Director<u>Chief Officer</u> of Student Support Initiatives <u>& Recovery</u>/designee shall schedule the hearing and the Superintendent of Schools/designee shall appoint an impartial Hearing Officer on behalf of the School Board who is not an administrator from the school at issue.</p> <p>At the conclusion of the hearing, the Hearing Officer shall submit his/her recommended order. The hearing officer's recommended order, with documentary evidence, shall be placed on the next regular School Board meeting agenda. The School Board may reject the hearing officer's findings of fact only if it is determined that there is no substantial competent evidence to support the findings of fact. The School Board may reject the conclusions of law only if it is determined that this policy was misinterpreted or not applied correctly. The School Board may reduce or increase the penalty only upon a review of the complete record and must state with particularity its reasons by citing to the record to justify the action.</p> <p>If the parent waives his/her right to a hearing, a request for the Final Order of Expulsion shall be forwarded by the appropriate Executive Director<u>Chief Officer</u> of Student Support Initiatives <u>& Recovery</u>/designee for approval by the School Board.</p>	
21-22	<p>Change:</p> <p>WORKBACK PROGRAM OPPORTUNITIES <u>Success within all Workback programs shall be based upon the</u></p>	Clarifying language

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	<p><u>requirements of the Workback agreements as determined by the District case managers.</u>Workback requirements are reviewed with the student by the District case manager and include specific responsibilities the student must comply with to be considered for Workback.</p>	
	<p><u>SECTION IV INCIDENTS</u> Elementary Students</p>	
	a. Arson or attempted arson <u>Physical attack</u>	
	b. Sexual battery (rape) or attempted sexual battery (rape) <u>Sexual assault</u>	
	c. Possession, use, sale, or transmittal of a firearm, electric weapon or device, or flare gun <u>Sexual harassment</u>	
	d. Homicide <u>Sexual misconduct (sexual offense)</u>	
	e. Kidnapping or abduction <u>False accusation against school staff</u>	
	f. Armed robbery or attempted armed robbery <u>Gang activity</u>	
	g. Battery of a School Board of Broward County employee <u>Other criminal actions/delinquent act</u>	

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	<p>h. Battery on a law enforcement officer</p>	
	<p><u>SECTION V INCIDENTS</u> Secondary Students</p>	
	a. Arson or attempted arson <u>Bomb threat (placing/actual)</u>	
	b. Sexual battery (rape) or attempted sexual battery (rape) <u>Assault/threat-serious</u>	
	c. Possession, use, sale, or transmittal of a firearm, electric weapon or device, or flare gun <u>Assault/threat - high</u>	
	d. Homicide <u>Arson or attempted arson</u>	
	e. Kidnapping or abduction <u>Sexual battery (rape) or attempted sexual battery (rape)</u>	
	f. Armed robbery or attempted armed robbery <u>Class A weapon</u>	
	g. Second and subsequent offense for use/possession of an unauthorized substance <u>Homicide</u>	
	h. Third and subsequent offenses of sale,	

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	<p>attempted sale, and/or transmittal of alcohol or alcoholic beverages, including substances held out or represented to be alcohol or alcoholic beverages<u>Kidnapping or abduction</u></p> <p>i. Second and subsequent offenses of sale, attempted sale, and/or transmittal of drugs or mood-altering substances, unauthorized substances, or other substances held out or represented to be drugs or mood-altering substances, other than alcohol or alcoholic beverages<u>Robbery or attempted robbery</u></p> <p>j. Battery of a School Board of Broward County employee<u>Armed robbery or attempted armed robbery</u></p> <p>k. Battery on a law enforcement officer<u>Motor vehicle theft</u></p> <p><u>l. Battery – serious</u></p> <p><u>m. Battery on School Board employees, sports officials, law enforcement, fire fighters & emergency medical care providers</u></p> <p><u>n. Hazing</u></p>		
22-23	Change:	Clarifying language	

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OUT-OF-DISTRICT EXPULSIONS AND OTHER ACTIONS

At the time of initial registration for school from any in-state or out-of-state public, private, charter or research school, the student shall disclose previous school expulsions, arrests resulting in a charge, juvenile justice actions, and referrals to mental health services.

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

If a student who has been expelled or dismissed from another district, charter school or private school wishes admission, he/she shall be placed in an appropriate Expulsion Abeyance Program or a program designated by the Superintendent/designee for a period of time to commensurate with the terms of the original expulsion. The student shall also be referred to mental health services identified by the school district pursuant to s.1012.584(4), when appropriate.

Note: Per F.S. 1006.07(1)(b), upon receipt of an out-of-district final order of expulsion, the order shall be recorded in the records of the receiving school district and the expelled student shall be advised of the final order of expulsion.

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	<p>SECTION VI: REPORTING REQUIREMENTS</p> <p>A. Disciplinary infractions shall be reported to the state in accordance with School Environmental Safety Reporting (SESIR) requirements through the approved reporting tool provided by the School Board. For additional guidance regarding the SESIR definitions and the appropriate Florida Statutes, please refer to http://www.fldoe.org/schools/safe-healthy-schools/safe-schools/sesir-discipline-data/.</p> <p>B. <u>All SESIR level incidents shall be addressed by school-based administrators only.</u></p> <p>C. All SESIR incidents, with the exception of petty offenses as listed in Section I and as defined in Section VII, shall be reported to Broward District Schools Police<u>the Special Investigative Unit</u> and the appropriate Law Enforcement Agencies.</p> <p>C<u>D.</u> Students found to have committed one of the following offenses must be <u>expelled, with or without continuing educational services, from the student's regular school for a period not less than 1 full year,</u> referred to the criminal justice or juvenile justice system <u>and referred to mental health services identified by the school district pursuant to F.S. 1006.04 and 1006.07(7) for evaluation and treatment, as appropriate:</u></p> <p>1. Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or</p>	
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	<p>possessing, displaying, using, selling or transmitting a firearm at school. Making, <u>posting, transmitting, including internet/electronic transmission of</u> a threat or false report, <u>to conduct a bomb threat, mass shooting or an act of terrorism in writing or other record in any manner that would allow another person to view the threat,</u> as defined by FS <u>790.161, 790.1615, 790.162 and 790.163, 790.164, 790.165, and 790.166</u> respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity, including, but not limited to:</p> <p>a. Threats to throw, project, place, or discharge a destructive device with intent to do bodily harm to any person or with intent to damage any property of any person.</p> <p>b. Making a false report, with intent to deceive, mislead, or otherwise misinform a person, concerning the placing or planting of any bomb, dynamite, or other deadly explosive, or weapon of mass destruction.</p> <p>—D. Petty offenses as defined in Section VII should not be reported to Law Enforcement Agencies or Broward District Schools Police.</p>	
23-24	<p>Change:</p> <p>SECTION VII: DEFINITIONS</p> <p><u>Affray. An instance of fighting in a public place that disrupts the peace.</u></p>	Clarifying language

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	<p>Assault/threat. <u>Assault/threat is to cause physical harm to another person with or without the use of a weapon that includes all of the following elements: 1) intent - an intention that the threat is heard or seen by the person who is the object of the threat; 2) fear - a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and 3) capability - the ability of the offender to actually carry out the threat directly or by a weapon or other instrument that can easily be obtained.</u> An intentional threat by words or action to do harm to another person, coupled with apparent ability to carry out the threat, and/or committing an act that creates a well-founded fear in such person that such violence is imminent.</p> <p>Battery. <u>The physical use of force or violence by an individual against another. The attack must be serious enough to warrant consulting law enforcement and result in more serious bodily injury.</u> An intentional touching or striking another person without their consent or against their will or causing bodily injury to another person In the case of “battery on a School Board employee” or “Law Enforcement Officer” under Section V, Sub-Section B, there must be evidence of <i>an unprovoked, deliberate act</i> with intent to cause physical harm to the person.</p>	
25	<p>Change:</p> <p>A. Unauthorized Substances/Drugs shall include <u>refers to:</u></p> <p>a. Any substances deemed to be illegal under Chapter 893.</p>	Clarifying language

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	<p>b. Any drugs or controlled substances that constitute a felony under Florida Statute.</p> <p>e. Any prescription drug (not prescribed for the student who is in possession of the medication) any prescription medication not authorized as part of Policy 6305.</p> <p>d. Any substance which are derivatives of marijuana.</p> <ol style="list-style-type: none">1. <u>substances/drugs deemed illegal under Chapter 893</u>2. <u>drugs or controlled substances that constitute a felony under Florida statute</u>3. <u>are derivatives of the cannabis sativa plant, including, but not limited to, marijuana and hemp, and derivatives of such, including, but not limited to THC and CBD products</u>4. <u>prescription medication not prescribed for the student who is in possession of the medication, or any prescription medication not authorized by Policy 6305.</u>	
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