

SUMMARY OF CHANGES
Effective School Years 2020-2023

DATE: February 25, 2020

POLICY #: 5.8

POLICY TITLE: Code of Student Conduct

Page #	Recommended Change/Addition/Deletion	Rationale
2	<p>Revision:</p> <p><u>Responsibility of Administrators</u></p> <ul style="list-style-type: none"> • Distribute the Code of Student Conduct to students, parents and school personnel • Maintain a safe and orderly school by using prevention and intervention strategies • Monitor, support and sustain the effective implementation and maintenance of a positive school culture and learning environment • Define, teach, model, reinforce and support appropriate student behaviors to maintain a positive school environment • Provide students with meaningful and relevant positive feedback on their behavioral and academic progress • Implement the Code of Student Conduct in a fair, equitable and consistent manner • Expand the adoption and implementation of alternatives to suspension at the school • Communicate policies, expectations and concerns and respond to complaints or concerns from students and parents in a timely manner • <u>Keep parents informed of school-related issues and ensure communication is sent home, as appropriate</u> • Use professional judgment to prevent minor incidents from escalating • Identify appropriate training and resources as needed to implement 	Recommended by Code of Student Conduct Committee

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	<p>positive behavior interventions and supports</p> <ul style="list-style-type: none"> • Provide meaningful opportunities for parent participation and involvement 	
4	<p>Revision:</p> <p>Rights Students have a right to make-up work they missed during an excused absence or suspension.</p> <p>Responsibilities http://www.broward.k12.fl.us/sbbcpolicies/docs/Policy%206000_1-Student_Progression_Plan_2019-2020.pdf. https://www.browardschools.com/Page/37754).</p>	Recommended by Attendance Committee
5-6	<p>Revision:</p> <p>WHAT IS A PATTERN OF NON-ATTENDANCE?</p> <p>A student <i>may</i> be establishing a pattern of non-attendance when he or she has an accumulation of tardiness, early sign-outs, and/or unexcused absences that exceed 5 days in one marking period or 10 days in 2 marking periods. <u>If the child study/collaborative problem-solving team finds that a pattern of non-attendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies (F.S. §1003.26(1)(b)).</u></p>	Recommended by Attendance Committee and alignment to F.S. § 1003.26(1)(b), 1003.24(4), and 1003.21(2)(b)

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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

F.S. §1003.21 (1) and (2)(a) and is not exempt under F.S. §1003.21 (3) or §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)).

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

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

~~ABSENCE REPORTS~~ REPORTING AN EXCUSED ABSENCE

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Parents can find absence reporting options on each traditional school's website. On the website, under CONTACT, select "REPORT AN ABSENCE" where parents can choose their preferred absence reporting method:

- Online Form: Submit an online form that will provide a confirmation email that includes the date and time of submission
- Voicemail
- Handwritten note from parent delivered to the front office

~~An Absences absence may be reported by telephone or written note.~~ The report must come from a parent and give the date(s) of the absence(s) and the reason for the absence(s). Parents MUST report these absences within two (2) days, although school principals MAY make exceptions in cases of need. School staff members have a legal right to ask for a written medical excuse (F.S. §1003.24(4)).

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

For Elementary Only, the Broward Truancy Intervention Program (BTIP) is a ~~joint~~ partnership ~~program of~~ between the Broward State Attorney's Office and the School Board of Broward County. The program is designed to prevent excessive absences through parent notification and accountability, school interventions, and daily monitoring of attendance. Parents are expected to communicate with school personnel regarding absences. Parents who do not comply are referred to the State Attorney's Office for failure to comply with F.S. §1003.27 which provides that a parent

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	<p>commits a misdemeanor of the second degree, punishable as provided by law, if the parent refuses or fails to have a child attend school regularly or refuses to participate in meetings concerning the child's truancy.</p>	
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EXCUSED ABSENCES CRITERIA

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

- 1) Illness. Parents should obtain a copy of the Hospital/Homebound referral packet from the Hospital/Homebound contact person at the school if their child is expected to miss at least 15 school days due to illness, a medical condition, for social/emotional reasons, or who would miss excessive days intermittently throughout the school year for the same reasons and could benefit from supplemental

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	<p>instruction. Students who expect to miss at least 15 consecutive school days due to illness, a medical condition, or for social/emotional reasons, or who would miss excessive days intermittently throughout the school year for the same reasons and could benefit from instruction, should obtain a copy of the Hospital/Homebound referral packet from the Hospital/Homebound contact person at their school</p> <ol style="list-style-type: none">2) Illness of an immediate family member3) Death in the family4) Religious holidays of the student's specific faith5) Required court appearance or subpoena by a law enforcement agency6) Special event. Examples of special events include important public functions, education enrichment activities, conferences, state/national competitions, college/university campus tour/visit, as well as exceptional cases of family need7) Scheduled doctor, dentist appointments, or treatment for autism spectrum disorder by a licensed health care practitioner or certified behavior analyst (F.S. §1003.21(2)(b)).8) Students having or suspected of having a communicable disease or infestation that can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard (F.S. § 1003.22). Examples of communicable diseases and infestations include, but are not limited to, fleas, head lice, ringworm, impetigo, and scabies. Students are allowed a maximum of five (5) days excused absence for each infestation of head lice	
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	<p>a. <u>9) Note:</u> Students on field trips, students who attend alternative-to-suspension programs, or internal in-school suspension programs are not considered absent.</p>	
7	<p>Revision:</p> <p>TARDINESS Tardiness is disruptive to the learning environment and can have a negative impact on student achievement. Tardiness may also count toward establishing a pattern of non-attendance that may indicate early signs of truancy. A pattern of non-attendance may be established by an accumulation of tardiness, absences (excused and unexcused), and early sign outs that exceed five (5) <u>school</u> days in a marking period or ten (10) <u>school</u> days in two (2) marking periods.</p>	Clarifying language
8	<p>Deletion:</p> <p>EXPECTED BEHAVIORS</p> <ul style="list-style-type: none"> • Treat others with respect and honesty • Prepare for class by bringing paper, pencil, pen, books, and other needed supplies • Complete all class work and homework • Use class time properly • Take home and return necessary forms • Follow rules and regulations, including those for field trips 	Recommended by Code of Student Conduct Committee

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	<ul style="list-style-type: none"> • Take care of and return all textbooks, library books, or other school-owned materials loaned to them • Act responsibly on campus, on buses, on field trips, and at all school-sponsored events, regardless of location • Wear properly fitted safety-rated helmets when riding a bicycle. Law enforcement officers may issue traffic citations and assess fines to riders under age 16 who do not comply (F.S. §316.2065) • Secondary students must wear identification (ID) badges, if the school has the infrastructure and/or funding in place to require ID badges and the school's handbook specifies the rules and consequences for ID badges 	
9-10	<p>Revision:</p> <p>DISRUPTIVE INCIDENTS (INCLUDING, BUT NOT LIMITED TO)</p> <ul style="list-style-type: none"> • Disturbing the class or school by: being disrespectful or rude, refusing to obey any staff member, failing to follow classroom rules, running in the halls, throwing objects, possessing or igniting fireworks or firearms, fighting, gambling, or bringing distracting items to school. Examples of distracting items include, but are not limited to: skateboards, scooters, in-line skates/roller blades/heelies (sneakers with wheels), toys, playing cards, games, cigarette lighters, radios, audio recorders, or laser pointers/pens and other laser devices ■ Sole possession of a wireless communication device is not a violation of the Code of Student Conduct. However, the possession of a wireless communication device which disrupts the educational process; the use of a wireless communication device during school hours, except as indicated 	Clarifying language

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~~below; the use of a wireless communication device on school buses in the absence of an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay); and the possession or use of a cellular telephone (other than text messaging that does not disrupt the bus driver), would be a violation of the Code of Student Conduct, subjecting violators to progressive discipline~~

~~Note: School Board employees will not be held liable for wireless communication devices that are lost, stolen, or confiscated. Violations of this policy will result in confiscation, and the device will only be released to the parent. F.S.~~

~~**§1006.07(2)(e) requires school districts to notify parents that students who use wireless communication devices in the commission of a criminal act may face school disciplinary action and/or criminal penalties.**~~

- ~~■ Students will not be subject to disciplinary action for the use of their cell phones or other personal technology used to report a potentially dangerous situation.~~
- ~~■ Sole possession of personal technology is not a violation of the Code of Student Conduct. Personal technology, should be turned off or silenced and kept out of sight during all instructional and class time activities. No cell phone, video, audio, voice monitoring/recording or image capturing devices, or other personal technology may be used except under the direction of a teacher or administrator for instructional purposes. Using personal technology during all non-instructional or non-class time activities or during class time at the direction of a teacher will not be subject to discipline under this policy. Time before or after school, passing time between classes, or during lunch is not considered instructional time for secondary students. For~~

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~~elementary students, instructional time is defined as time from the beginning bell until the end of the school day bell: non-instructional time is time prior to the first bell or the bell at the end of the school day. Due to school and safety concerns, personal technology (headphones, earbuds, or other accessories) is restricted to minimal volume only to be heard by its user. One ear must remain free of the accessory at all times. Violations of this policy will result in confiscation, and the device will only be released to the parent. Progressive discipline will apply for repeated violations~~

- Using scooters and inline skates/rollerblades/heelies in the school building
- Behaving inappropriately on field trips
- Possessing pornographic/obscene material or drug paraphernalia at school
- Misrepresenting oneself by cheating, copying, plagiarizing, counterfeiting, using false identification, or making false reports by posing as a parent to excuse absences or tardiness, sign a report card, etc.
- Unauthorized possession or use of school/county documents or forms
- Abusing another student or staff member including, but not limited to, verbal abuse, actual or threatened physical harm, extortion, destruction of personal property, intentionally making a false accusation, or **intentionally** providing misinformation
- Conducting, recruiting, or participating in youth gang activities on campus
- Using gang-related or cult-related gestures, language, and/or signs
- Unauthorized presence on school property
- **For Secondary Students Only**, parking a motorized vehicle on school grounds without an official permit or in unauthorized areas
- Endangering the lives of students and staff by setting off unfounded fire alarms
- Gambling

[WIRELESS ELECTRONIC COMMUNICATION DEVICES](#)

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| | <ul style="list-style-type: none">• <u>Sole possession of a wireless communication device is not a violation of the <i>Code of Student Conduct</i>. Wireless communication devices include, but are not limited to cellular/mobile phones, smart watches, personal digital assistants, tablets, two-way communication devices.</u>• <u>Wireless communication devices shall be turned off or placed on silent mode and kept out of sight during all instructional and class time activities. Use of personal wireless communication devices during the instructional day is permitted under the direction of a teacher or administrator for instructional purposes. Time before or after school or during lunch is not considered instructional time for secondary students. For elementary students, instructional time is defined as time from the beginning bell until the end of the school day.</u>• <u>Due to school safety concerns, personal technology (headphones, earbuds or other accessories) is restricted to minimal volume only to be heard by its user. One ear must remain free of the accessory at all times.</u>• <u>Students will not be subject to disciplinary action for the use of wireless communication devices when used to report a potentially dangerous situation that compromises the safety of students, staff or property. In such an event, any recordation/information shall be shared with administrative staff as soon as possible.</u>• <u>The improper use of a wireless communication device during the school day, in attendance at a school function or on school transportation is a violation of this policy. Improper use is defined as one that disrupts the educational environment or interferes with the safety of students, staff or property. Pursuant to F.S. s.1006.07(2)(f), The School Board is required to provide notice that students who use wireless communication devices in the commission of a criminal act while on school property or in</u> | |
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	<p>attendance at a school function may face school disciplinary action and/or criminal penalties.</p> <ul style="list-style-type: none"> • Progressive discipline will apply for repeated violations as outlined in the Discipline Matrix. Repeated violations of this policy will result in the confiscation of the wireless communication device and the device will be released only to the parent. • Schools are not responsible if a student’s wireless communication device is lost or stolen while in school, in attendance at a school function or while on school transportation. <p>Note: The activated 2-way communication of wireless electronic devices are a violation of this policy.</p>	
13	<p>Addition:</p> <p>Cyberstalking as defined in F.S. §784.048(d) means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. Additional definitions in F.S. §815.03 are also applicable.</p>	Alignment to Policy 5.9 and F.S. §815.03
13	<p>Addition:</p> <p>Bullying, Cyberbullying, Harassment, and Discrimination also encompass, but are not limited to, unwanted harm towards a student or employee in regard to their real or perceived: sex, race, color, religion,</p>	Alignment to Policy 5.9

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	<p>national origin, age, disability (physical, mental, or educational), marital status, socioeconomic background, ancestry, ethnicity, genetic information, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, social/family background; or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, District employee, consultant, contractor, agent, parent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored activities or events, on school buses, and at training facilities or training programs sponsored by the District.</p>	
<p>16-17</p>	<p>Revision:</p> <p>SECTION III – DRESS CODE</p> <p>1) Footwear must be worn at all times. Parents should ensure that the shoes worn by their children do not impede their safety while at school. For grades K-12, bedroom slippers are not allowed. Additionally, elementary students Students in grades K-8 may not wear backless, sling-backs, or open-toed footwear. Students in grades 9-12 are permitted to wear backless, sling-back, or open-toed footwear. Socks may not be worn with backless shoes as a substitute back for backless shoes. Parents should ensure that the footwear their students wear to school does not impede their safety</p> <p>2) Special clothing, including footwear, may be required for safety reasons</p>	<p>Clarifying language</p>

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	<p>in certain programs or activities such as physical education, home economics, career/technical education, and science</p> <ol style="list-style-type: none">3) Revealing clothing or clothing that exposes the torso is not allowed. Examples include, but are not limited to: tank tops or spaghetti straps without overblouses (long shirts) or jackets; see-through garments; mini-skirts or mini-dresses; halters; backless dresses; jackets, shirts, or blouses tied at the midriff; and bare midriff outfits4) Clothing which is not worn appropriately, is not properly fastened, or has tears that are *indecent will not be permitted. All trousers, including oversized or low-hanging trousers, must be worn and secured at waist level5) Garments including, but not limited to, pajamas, boxer shorts, bloomers, and bustiers, which were traditionally designed as undergarments, sleepwear, or beachwear, may not be worn as outer garments. Other clothing not allowed are: body armor of any type (real or faux), leggings without overblouses (long shirts) that reach mid-thigh, tights, bodysuits, or hosiery, including those with lace trim, and bicycle racing attire unless they are worn underneath dresses, skirts, or shorts of appropriate length. Appropriate T-shirts may be worn as outer garments6) Clothing that exposes the upper thigh is not allowed. Shorts that are not shorter than mid-thigh, including walking shorts, Bermuda shorts, and split skirts (culottes), are allowed. For Pre-K through 3, shorter shorts may be worn since these are standard attire for these ages7) Clothing, jewelry, buttons, haircuts, or other items or markings which are, *suggestive, *revealing, or *indecent, associated with gangs or cults, encourage the use of drugs, alcohol, or violence, or support	
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	<p>discrimination on the basis of age, color, disability, ethnicity, gender, gender identity, gender expression, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or on any other basis are not allowed</p> <p>8) Head coverings including, but not limited to, caps and hats are not allowed unless they are necessary for safety in programs such as home economics, technology education, vocational education, and athletics or are worn for religious or medical reasons. Bandanas are not allowed. Hats, that do not violate #7 above, are allowed to be worn outdoors for physical education and recess as a safety precaution from sun damage</p> <p>9) Curlers and other hair grooming aids are not allowed. Personal grooming including, but not limited to, combing, brushing, and/or spraying hair, and applying cosmetics is allowed only in restrooms and/or designated areas</p> <p>10) Sunglasses may not be worn indoors unless a doctor's authorization is on file. Sunglasses are allowed to be worn outdoors for physical education and recess as a safety precaution from sun damage.</p> <p>11) Any articles of clothing or jewelry that may cause injury including, but not limited to: items with spikes or sharp objects, wallet chains, and heavy link chains are not allowed</p> <p>H12) <u>Students shall wear their current, unaltered, and official school issued identification (ID) badge, clearly visible on the front of their person and not lower than elbow level. Said item shall be worn at all times while on school grounds, on school-sponsored transportation, or at school sponsored events</u></p>	
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23	<p>Revision:</p> <p>SECTION V - STUDENT ACTIVITIES AND ASSEMBLY</p> <p>However, non-educational field trips are a privilege. Students on field trips will have the same rights, as it pertains to make-up <u>their</u> work, as students with excused absences</p>	Clarifying language
25	<p>Revision:</p> <p>SECTION VI – STUDENT FREE SPEECH AND DISTRIBUTION OF MATERIALS</p> <p>5) Students may not hand out/<u>circulate</u> petitions or surveys during class time unless they are curriculum-based <u>or related to school-sponsored extracurricular activities</u></p>	Clarifying language
29-30	<p>Revision:</p> <p>FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTICE</p> <p>OPT OUT PROCEDURE</p>	Clarifying language

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	<p>Parents/guardians of students in any grade level (or eligible students, those over the age of 18 or attending a postsecondary institution) may opt out of (refuse to permit) the release of any or all of the above Directory Information. On the FERPA Opt Out Notification Form provided in the Code of Student Conduct Handbook, parents/guardians or eligible student must indicate the types of Directory Information they do not want disclosed. The FERPA Opt Out Notification Form must be submitted to the school principal annually. Regarding former students, SBBC shall continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance, unless the former student rescinds the opt out request (34 C.F.R. § 99.37(b)) and/or the former student submits a new FERPA Opt Out Notification Form.</p> <p><i>Note: Opt out choices on the FERPA Opt Out Notification Form will be effective until the parent or student (age 18 or older) submits a new form.</i></p> <p>DISCLOSURE TO MILITARY, ARMED FORCES AND POSTSECONDARY INSTITUTIONS SBBC is required to disclose, upon request, student name, address, and telephone number of 11th and 12th grade students to the armed services, military recruiters, and/or postsecondary institutions without prior written consent, unless the parent/guardian or eligible student opts out of disclosure. Parents/guardians of students or eligible students in 11th and 12th grade may opt out of having student's name, address and telephone number provided to the armed services, military recruiters, and/or postsecondary institutions.</p>	
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	<p>On the Every Student Succeeds Act (ESSA) Opt Out Form provided in the Code of Student Conduct Handbook, parents/guardians and eligible students must indicate the categories they wish not be disclosed. The ESSA Opt Out Form must be submitted to the school principal annually.</p> <p>4) <i>The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.</i> The name and address of the office that administers FERPA is Student Privacy Policy OfficeFamily Policy Compliance Office • U. S. Department of Education • 400 Maryland Avenue, S.W. • Washington, DC 20202. <i>If you wish to discuss and try to resolve any FERPA concerns before contacting the</i> Student Privacy Policy OfficeFamily Policy Compliance Office, <i>you may contact the SBBC Privacy Officer at 754-321-1914.</i></p>	
36	<p>Revision:</p> <p>ZERO TOLERANCE</p> <p>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</p>	Alignment to Policy 5006

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	<p>fights or disturbances. Zero-tolerance policies must apply equally to all students regardless of their economic status, race, or disability.</p> <p>The threat assessment team shall consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, which would pose a threat to school safety.</p> <p>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.</p> <p><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></p> <p>Refer to Policy 2130: Threat Assessment for more information related to threats.</p>	
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40	<p>Revision:</p> <p>A2. USE, POSSESSION, SALE, AND/OR TRANSMITTAL OF E-CIGARETTES, VAPOR DEVICES AND/OR COMPONENTS OF E-CIGARETTES, VAPOR DEVICES OR SIMILAR This section also prohibits and is applicable to any electronic nicotine/drug delivery system/vapor device accessory or clothing.</p> <p>First Offense Procedures:</p> <p>a. Elementary students, (Grades K-5): The student shall be issued a one (1) day detention and be referred to the School Counselor.</p> <p>b. Secondary students, (Grades 6-12): The student shall be issued a one to two (1-2) day in-school suspension, complete e-cigarette intervention assignments and be referred for school-based intervention support. to the District substance abuse case manager</p> <p><u>a.</u> Second Offense Procedures:</p> <p>i. Elementary students, (Grades K-5): The student shall be issued a one to two (1-2) day in-school suspension and be referred to the District substance abuse case manager.</p> <p>a. Secondary students, (Grades 6-12): 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 treatment program. Three (3) days of the suspension</p>	Alignment to Policy 5006
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	<p>shall be waived if the student attends the assigned Alternative to External Suspension (AES) program <u>and completes the prescribed e-cigarette intervention assignments within the first (3) days.</u> <u>If the student is unsuccessful in completing the prescribed e-cigarette intervention assignments within the first (3) days, then the student shall continue to attend the AES program for the remaining (3) days of the (6) day suspension assignment.</u> to complete curriculum assignments related to e-cigarette intervention. If the student does not complete the e-cigarette curriculum assignments or does not attend the AES program after acceptance, the remaining days of the initial six (6) day suspension shall be imposed.</p>	
<p style="text-align: center;">41</p>	<p>Revision:</p> <p>(B) USE AND/OR POSSESSION OF LEAF MARIJUANA (LESS THAN 20 GRAMS), AND/OR ALCOHOL Use and/or possession of leaf marijuana (less than 20g), alcohol and/or alcoholic beverages, is prohibited.</p> <p>First Offense Procedures:</p> <p>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 and completes a counseling program <u>as</u> authorized by the principal/designee in conjunction with the District substance abuse</p>	<p>Alignment to Policy 5006</p>

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	<p>case manager. If the student does not complete the recommended counseling program, the remaining days of the initial four (4) day suspension shall be imposed.</p> <p>b. Secondary students, (Grades 6-12): 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 <u>as</u> 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.</p>	
<p>42-43</p>	<p>Revision:</p> <p>C) BEING UNDER THE INFLUENCE OF LEAF MARIJUANA, ALCOHOL AND/OR OTHER MOOD-ALTERING SUBSTANCES Being under the influence of leaf marijuana and/or other mood-altering substances, including alcohol and alcoholic beverages, is prohibited.</p> <p>a. Elementary students, (Grades K-5): The student shall be suspended from the regular school program for four (4) days and</p>	<p>Alignment to Policy 5006</p>

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	<p>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 <u>as</u> 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 imposed.</p> <p>b. Secondary students, (Grades 6-12): 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 <u>as</u> 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.</p>	
44-45	<p>Addition:</p> <p><u>USE/POSSESSION/SALE/ATTEMPTED SALE/TRANSMITTAL OF DRUG PARAPHERNALIA</u></p> <p><u>First and Second Offense Procedures:</u></p>	Alignment to Policy 5006

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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 as authorized by 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 imposed.

b. Secondary students, (Grades 6-12): 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 as authorized by 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.

Third Offense Procedures:

a. Elementary students, (Grades K-5): 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

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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.

If the student violates the terms of the Probationary Substance Contract then the student shall be placed in a Behavior Intervention Program via 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.

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.

b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and recommended for expulsion. 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.

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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 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.

Fourth and Subsequent Offense Procedures:

- 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 via the Expulsion Abeyance Office, 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/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.

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	<p><u>b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and recommend for expulsion. 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 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>46-47</p>	<p>Revision:</p> <p>E. BEING UNDER THE INFLUENCE OF UNAUTHORIZED SUBSTANCES IS PROHIBITED</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 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 <u>as</u> 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.</p>	<p>Alignment to Policy 5006</p>

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b. **Secondary students, (Grades 6-12):** 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 as 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.

(F) POSSESSION WITH INTENT TO SELL, SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF LEAF MARIJUANA (LESS THAN 20g), ~~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 IS PROHIBITED.

F2. PROCEDURES FOR POSSESSION WITH INTENT TO SELL, SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF LEAF MARIJUANA (LESS THAN 20g), ~~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

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	MOOD-ALTERING SUBSTANCES, OTHER THAN ALCOHOL OR ALCOHOLIC BEVERAGES	
48-49	<p>Revision:</p> <p>OTHER OFFENSES (NON-DRUG AND NON-SUBSTANCE ABUSE OFFENSES) LEADING TO SUSPENSION AND POSSIBLE EXPULSION Students shall be suspended and may be recommended for expulsion when they:</p> <ol style="list-style-type: none"> 1) Commits repeated violations of Policy 5.9: Anti-Bullying 2) Commits repeated violations of harassment 3) Commits battery -- medium 4)3) Commits or threatens to commit vandalism/damage to property 5)4) Commits any act on campus or off campus that substantially disrupts the orderly conduct of the classroom or school activities 6)5) Commits grand theft 7)6) Commits burglary – unlawful breaking/entering 8)7) Commits a physical attack 9)8) Commits a sexual assault 10)9) Commits sexting 11)10) Commits sexual harassment 12)11) Sexual Misconduct (Sexual Offense) 13) Uses/possesses/transmits drug paraphernalia 14)12) Commits a false accusation against school staff 15)13) Commits a false fire alarm/911 call 	Alignment to Policy 5006

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	<p>16)<u>14)</u> Commits trespassing</p> <p>17)<u>15)</u> 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>18)<u>16)</u> Commits fire starting* – starts a fire on campus, at a school function, on school property and/or at a school bus stop</p> <p>*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 in the reissuance of the 3 days.</p> <p>19)<u>17)</u> Conducts, recruits, or participates on campus in a formal or informal manner in order to foster youth gang activity. This activity may include an association or group of three (3) or more persons who are gang-related individually or collectively who engage in a pattern of youth or street gang activity and have a common name or common identifying clothing, jewelry, buttons, colors, signs, symbols, or markings with the intent to threaten and/or present a danger to public order and safety</p> <p>20)<u>18)</u> 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.</p>	
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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.*

**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.*

~~21~~19) Commits other criminal actions on School Board property, or during school events or activities not already set forth in Policy 5006, including, but not limited to, when the student

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

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

21)Extortion

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	22) Motor vehicle theft	
50-51	<p>Revision:</p> <p>OFFENSES LEADING TO MANDATORY EXPULSION</p> <ul style="list-style-type: none"> ▪ Assault/threat – serious ▪ Assault/Threat - high ▪ Arson or attempted arson ▪ Sexual battery (rape) or attempted sexual battery (rape) ▪ Possessing/displaying/using/selling/transmitting of a Class A weapon ▪ Homicide ▪ Kidnapping or abduction ▪ Bringing, possessing, using, or selling of any explosive propellant or destructive device ▪ Robbery or attempted robbery ▪ Armed robbery or attempted armed robbery ▪ Motor vehicle theft ▪ Battery – serious aggravated felony ▪ *Battery on School Board of Broward County employee, sports official, or other specified officials as listed in F.S. §784.07 and 1006.13(5) ▪ *Battery on a law enforcement officer, firefighter, emergency medical care provider, and others as listed in F.S. §784.07 ▪ *Found, by a court, to have committed an assault on 	Alignment to Policy 5006

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	<p>specified officials, or School Board employees or sports official. (F.S. §784.081)</p> <ul style="list-style-type: none"> ▪ *Found, by a court, to have committed an assault on a law enforcement officer, firefighter, emergency medical care provider, etc., (F.S. §784.07) ▪ Extortion ▪ Hazing (F.S. §1006.135) <p><u><i>Incidents associated with potential threats require the convening of the threat assessment team to determine if the act shall be reported to law enforcement.</i></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, <u>Assault/Threat-Serious, Assault/Threat-High</u>, Bomb Threat/Mass Shooting (Placing/Actual) and Bomb Threat/Mass Shooting (False Reporting), shall be expellable offenses for all students, Grades K-12 <u>for a period of not less than 1 full year, and be referred to the criminal justice or juvenile justice system</u> (F.S. §1006.13(3)).</p>	
52	<p>Revision:</p> <p>Students are not eligible for the Workback Program if they commit any of the following offenses:</p>	Alignment to Policy 5006

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	<table border="1" style="margin: auto; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">SECTION IV INCIDENTS</th> <th style="width: 50%;">SECTION V INCIDENTS</th> </tr> </thead> <tbody> <tr> <td>a. Physical attack</td> <td>a. Bomb/Mass Shooting (Placing/Actual) Bomb threat (placing/actual)</td> </tr> <tr> <td>b. Sexual assault</td> <td>b. Bomb Threat/Mass Shooting (False Reporting)</td> </tr> <tr> <td>c. Sexual harassment</td> <td>c. Assault/threat-serious</td> </tr> <tr> <td>d. Sexual misconduct (sexual offense)</td> <td>d. Assault/threat- high</td> </tr> <tr> <td>e. False accusation against school staff</td> <td>e. Arson or attempted arson</td> </tr> <tr> <td>f. Gang activity</td> <td>f. Sexual battery (rape) or attempted sexual battery (rape)</td> </tr> <tr> <td>g. Other criminal actions/delinquent act</td> <td>g. Class A weapon</td> </tr> <tr> <td></td> <td>h. Homicide</td> </tr> <tr> <td></td> <td>i. Kidnapping or abduction</td> </tr> <tr> <td></td> <td>j. Robbery or attempted robbery</td> </tr> <tr> <td></td> <td>k. Armed robbery or attempted armed robbery</td> </tr> <tr> <td></td> <td>l. Motor vehicle theft</td> </tr> <tr> <td></td> <td>m. Battery – serious aggravated felony</td> </tr> <tr> <td></td> <td>n. Battery on School Board employees, sports officials, law enforcement, fire fighters & emergency medical care providers</td> </tr> <tr> <td></td> <td>o. Hazing</td> </tr> </tbody> </table>	SECTION IV INCIDENTS	SECTION V INCIDENTS	a. Physical attack	a. Bomb/Mass Shooting (Placing/Actual) Bomb threat (placing/actual)	b. Sexual assault	b. Bomb Threat/Mass Shooting (False Reporting)	c. Sexual harassment	c. Assault/threat-serious	d. Sexual misconduct (sexual offense)	d. Assault/threat- high	e. False accusation against school staff	e. Arson or attempted arson	f. Gang activity	f. Sexual battery (rape) or attempted sexual battery (rape)	g. Other criminal actions/delinquent act	g. Class A weapon		h. Homicide		i. Kidnapping or abduction		j. Robbery or attempted robbery		k. Armed robbery or attempted armed robbery		l. Motor vehicle theft		m. Battery – serious aggravated felony		n. Battery on School Board employees, sports officials, law enforcement, fire fighters & emergency medical care providers		o. Hazing	
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54-55	<p>Revision:</p> <p>Battery (<u>Aggravated Felony</u>) is 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>If the incident involves a Class A or Class B Weapon, said incident shall be documented as weapon-related per SESIR guidelines.</u></p>	Alignment to Policy 5006																																

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	<p> Serious Battery is defined as committing battery (1) using a Class A or Class B weapon or (2) causing serious injury.</p> <p>Serious Injury is defined as an injury, which requires treatment, by professional medical personnel <u>or injury which 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.</u> 18 U.S.C. 1365(h)(3).</p> <p>Unauthorized Substances/Drugs include any</p> <ol style="list-style-type: none"> 1. substance/drug deemed illegal under Chapter 893 2. drug or controlled substance that constitute a felony under Florida statute 3. <u>sativa</u> 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 4. prescription medication not prescribed for the student who is in possession of the medication, or any prescription medication not authorized by Policy 6305. 	
56-57	<p>Revision:</p> <p>Right to Appeal If talking things over does not solve the problem, the following steps may be taken:</p> <ol style="list-style-type: none"> 1. A written statement must be presented by the parent(s)/student to the principal within five (5) school days <u>from the last</u> 	Clarifying language

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	<p>notification/communication regarding the disciplinary consequence or incidentafter the last conference. The statement must tell what happened, when it happened, who was involved, and how the parent/student would like the problem resolved. A copy of the statement must be filed and maintained as an educational record. The principal or the administrator with the most knowledge of the incident has 5 school days to respond in writing.</p> <p>2. If the problem still has not been resolved within five (5) school days from receipt of the school's written response, the parent(s)/student/parent(s) may request in writing, an appointment with the Director/designee of the Office of Service Quality. The letter asking for the appointment must include a copy of the first written statement and the school's response, if one was received.</p> <p>In the case of Charter Schools: If the problem has not been resolved within five (5) school days from receipt of the school's written response, the charter school parent(s) student/parent(s) may request, in writing, a meeting with the Governing Board.</p> <p>Items 3-5 below do not apply to Charter School students.</p> <p>3. Upon receipt of such request, the Director/designee of the Office of Service Quality will schedule a meeting within five (5) school days with the District student and his or her parent. This meeting will include the person(s) involved in the appeal process, the principal, the District student, the parent(s) and any representative selected by the parent. Attorneys may attend as representatives of either the District</p>	
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	<p>parent(s)/student/parent(s) and/or the school. The Director/designee of the Office of Service Quality has five (5) school days after the date of the meeting to send a written response to the District parent(s)/student/parent(s).</p> <p>4. If the District parent(s)/student/parent(s) are still not satisfied, they may take the problem to the Superintendent's Office/designee following the above procedures.</p> <p>5. The Superintendent/designee will schedule another meeting to attempt to resolve the matter. After the date of this meeting, the Superintendent/designee has five (5) school days to send a written response. The decision of the Superintendent/designee shall be final for the appeal of any penalty that is less than ten (10) days suspension. For suspension appeals of ten (10) days, the District parent(s)/student/parent(s) have the right to appeal to the School Board by submitting a request to the Superintendent's Office.</p> <p>REPORTING DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES</p> <p>If any District school student feels that he or she has been discriminated against or harassed, he or she may contact the Executive Director of Benefits and EEO Compliance in the Department of Equal Educational Opportunities, 600 Southeast Third Avenue, 14th Floor, Fort Lauderdale, Florida 33301, Phone: 754-321-2150. Teletype Machine (TTY): 754-321-2158. Email: EEO@Browardschools.com. Complaints relating to discrimination may also be addressed to the Office for Civil Rights, 61</p>	
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Forsyth Street, S.W., Suite 19T70, Atlanta, GA 30303, or the state or federal Office for Civil Rights.

REPORTING SECTION 504 DISCRIMINATION

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

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

1. If informal discussions do not resolve the issue, the ~~district school student~~parent/guardian or the District student may obtain a Grievance Filing Form from the principal. The completed form should be submitted to the ~~district~~District school principal within 15 school days.
2. Within 15 school days of receipt of the written grievance, the ~~district~~District school principal shall provide the grievant with a Grievance Resolution Notice that upholds, modifies, or denies the resolution sought.
3. If the ~~district school student~~parent/guardian or the District student is

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	<p>not satisfied with the response issued in Step 2, he/she may file a complaint with the Director of Benefits and EEO Compliance in the Department of Equal Educational Opportunities at 754-321- 2150, who will inform the district school-parent/student of his or her rights under Section 504/ADA, including an impartial hearing pursuant to federal and state regulations. The Department of Equal Educational Opportunities will conduct an investigation, convene pertinent parties, including legal counsel, and make a determination as to whether probable cause exists to believe that the district-District school student was, in fact, discriminated against. A determination of possible cause will include specific recommendations for corrective behavior.</p>	
Appendix	Discipline Matrices Updated	