



THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

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DR. FRANK TILL
Superintendent of Schools

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Welcome to the 2002-2003 School Year!

Dear Students and Parents,

Broward County Public Schools are committed to providing all students with a quality education in a safe and secure learning environment. The Code of Student Conduct booklet is designed to help promote those goals.

This Code provides you with information about the rules that students are expected to follow, as well as the consequences for unacceptable and serious misbehavior.* Furthermore, the Code addresses expectations for students related to consistent and timely attendance, respect for persons and property, dress, technology usage, student publications, student activities, and student records. Students and parents are required to sign statements that indicate they have received the Code of Student Conduct and know the rules.

Since there have been some changes, it is important you review this booklet even if you have read the Code in previous years. A list of the changes can be found on the reverse side of this page. These include merging the elementary and secondary code books, requiring more severe consequences for students who bring weapons to schools, prohibiting students from bringing skateboards, scooters, and in-line skates/rollerblades to school, and emphasizing positive behaviors that strongly reflect the district's Character Education initiative: providing clear and consistent consequences for misbehavior on the bus, adding heeies (tennis shoes with retractable wheels) to the list of distracting items that students are prohibited from bringing to school, and including harassment because of physical appearance, ethnicity, socioeconomic background, linguistic differences, and for any other reason to the list of unacceptable behaviors that lead to disciplinary action.

One of the school district's strategic plan objectives is to engage the public in dialog about important decisions, like the Code of Student Conduct. This year, community forums the committee sought input from a variety of parent, student, and staff groups. The browardschools.com website also was used to solicit input for the Code. If you are interested in providing input related to regarding school boundaries, the budget, or other issues, will be held in December, followed by public hearings in February and March. Public hearings for the school district's budget generally occur during the period of July through September. For more detailed information about timelines, please contact our the Communications, Strategic Planning and Community Relations Department.

You can be assured that we are planning to continue our commitment to student achievement, safe and secure schools, and positive character development. With mutual understanding and cooperation, I know this year will be a successful one for all of us.

Have a Wonderful Year!

Sincerely,

Frank Till
Superintendent of Schools

*For IDEA-eligible disabled students, suspension and expulsions shall follow applicable laws, School Board policies, and provisions of the Individual Education Plan (IEP). Likewise, for students determined to be disabled under Section 504 of the Rehabilitation Act of 1973, suspension, expulsion, and other disciplinary measures shall follow applicable laws, School Board policies, and provisions of the Section 504 Accommodation Plan.

SUMMARY OF CHANGES CODE OF STUDENT CONDUCT 2002-03

- Revised Acknowledgement Form to raise awareness of School Discipline Plans. (Pages 3, 5)
- Added heelies (tennis shoes with retractable wheels) to the list of distracting items that students are prohibited from bringing to school. (Page 10)
- Added harassment because of ethnicity, socio-economic background, or linguistic differences to the list of unacceptable behaviors. (Page 11)
- Added harassment because of physical appearance or for any other reason to the following sections of the Code: unacceptable behaviors, discrimination and/or harassment, dress code, and the right to participate in student activities. (Pages 11, 13, 14, 16)
- Defined three levels of severity for bus misbehavior with defined consequences. (Page 12)
- Added notification to parents for release of information to the Armed Services and to community colleges and universities in the State University System. (Page 18)



STOP THE SILENCE - KEEP YOUR SCHOOL SAFE

**REPORT DANGEROUS OR
THREATENING SITUATIONS
24 HOUR SECURITY HOTLINE**

(954) 712-2282



PARENT/STUDENT ACKNOWLEDGMENT

Code of Student Conduct 2002-03

PLEASE SIGN THIS FORM AND SEND IT BACK TO SCHOOL
 YOUR SIGNATURE MEANS THAT YOU HAVE RECEIVED THIS BOOKLET AND KNOW WHAT THE RULES ARE

Student Name (Please Print)	Grade	F.S.I./Social Security Number
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This booklet lists the district rules for students in Broward County. The rules apply to all activities occurring on school grounds, on other sites being used for school activities, and on any vehicles authorized for the transporting of students. Specific consequences for bus misbehavior have been added to the Code this year (page 12). **Parents, students, school faculty, and staff need to know the rules. Since parent(s)* can be held responsible for the actions of their children, it is important that they are aware of the rules and consequences if the rules are broken.** (*Throughout the Code, wherever the word “parent(s)” appears, it shall also refer to “guardian(s).”)

Parents need to become involved in the education of their children and have the responsibility to provide the school with current emergency contact person(s) and/or telephone numbers. They also have the responsibility to notify the school of anything which may affect their children’s ability to learn, to attend school regularly, or to take part in school activities. Please be aware that before any medicine may be administered by authorized school staff, written approval must be obtained from a personal physician or the Broward County Health Department.

For student safety, parents should make sure that their children do not arrive at school until the official starting time, nor remain on school grounds after the official school closing time, unless a school has a supervised before and after school child care program in which their child is enrolled. For students who ride a school bus, it is important to know that bus drivers are not permitted to let students off the bus except at the student’s designated stop.

The school system must have proof that every student and every parent or guardian has had a chance to read this Code of Student Conduct. **Your signature means that you have received this booklet and know the rules.** (It does not mean that you agree or disagree with them.) School discipline plans that assign specific consequences for misbehavior are school-based and are available to parents upon request.

Parent/Guardian (Please Print) _____ Date _____

Parent/Guardian Signature _____ Date _____

Student Signature _____ Date _____

MEDIA RELEASE FORM

I understand that my student’s picture may appear in newspapers, on television, on district and school websites, in School Board publications, or other communication tools to promote Broward County Public Schools.

I will allow my student to be photographed for the purposes explained above.

I will not allow my student to be photographed for the purposes explained above.

Parent/Guardian Signature _____ Date _____



PARENT/STUDENT ACKNOWLEDGMENT

Code of Student Conduct 2002-03

PLEASE RETAIN IN CODE BOOK - THIS IS YOUR COPY
YOUR SIGNATURE MEANS THAT YOU HAVE RECEIVED THIS BOOKLET AND KNOW WHAT THE RULES ARE

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Student Signature _____	Date _____

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Parent/Guardian Signature _____	Date _____
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French - Ce Code de Conduite des Etudiants est disponible en français à votre école.

Haitian-Creole - Règleman sou Kondwit Elèv disponib an kreyòl nan lekòl-la.

Spanish - El Código de Conducta de Estudiantes está a su disposición en español, en la escuela.

Portuguese - O Código de Conduta do Estudante encontra-se disponível em português, em sua escola.

SECTION I - ATTENDANCE

The parent of a child of compulsory age is responsible for the child's daily school attendance. School staff, parents, students, and appropriate state agencies are expected to work together to ensure that laws are obeyed including, but not limited to, referral to the state designated agency for possible court action for extended absence or truancy (**Florida Statute 232.09**).

Rights	Responsibilities
Students have a right to know how the school defines and handles excused absences, unexcused absences, and tardies.	Students have a responsibility to attend all classes.
Students have a right to ask that a penalty for an unexcused absence be reviewed.	Students have a responsibility to be on time for school and all classes.
Students have a right to make up work they missed during an excused absence.	Students have a responsibility to ask their parents to notify the school when they are absent.
Students who are married, are parents, or are expectant mothers have a right to remain in the regular school program or to attend a special program designed to meet their needs.	Students have a responsibility to ask teachers for, and to complete, make-up assignments.
Students have a right to be protected from exposure to communicable diseases and infestations when in school.	Students have a responsibility to get medical advice and/or counseling about how to adjust their schooling for marriage, pregnancy, and parenthood.
Students have a right to attend field trips or school-sponsored activities without being penalized as absent.	Students having or suspected of having a communicable disease are not allowed to attend school. In order to return to school, parents must obtain a doctor's note stating that the student is no longer contagious. Chickenpox is the only infectious disease that does not require a doctor's note.
Students on field trips will have the same rights, as it pertains to make-up work, as students with excused absences.	Students have the responsibility to turn in assigned work on time while on field trips or school-sponsored activities.

RULE - The School Board of Broward County, Florida stresses the importance that all students attend school regularly and remain in school until they graduate from high school. However, ~~students~~ "a child who attains the age of 16 years during the school year are is not subject to compulsory school attendance beyond the date upon which they he or she attains that age if they the child files a formal declaration of intent to terminate school enrollment with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce earning potential and must be signed by the child and the child's parent or legal guardian. The school district must notify the child's parent or legal guardian of receipt of the child's declaration of intent to terminate school enrollment" (**Florida Statute 232.0201**). Declaration of intent forms are available at each school's administration office. Also be aware that students who drop out of school are not eligible to receive a driver's license or permit or will have their license or permit revoked (see page 8).

Absence Reports - Elementary and Middle School

Absences may be reported by telephone or written note. The report must come from a parent and give the date(s) of the absence and the reason for it. Parents **MUST** report these absences within two days following the absences, although school principals **MAY** make exceptions in cases of need. A note can be sent either the day before or not later than the second day after an absence. School staff members have a legal right to ask for a written medical excuse.

For Elementary Only, the Broward Truancy Intervention Program (BTIP) is a joint partnership program of 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 **Florida Statute 232.19** which provides that a parent or guardian commits a misdemeanor of the second degree, punishable as provided by law, if the parent or guardian refuses or fails to have a child attend school regularly or refuses to participate in meetings concerning their child's truancy.

Absence Reports - High School

School Board policy says that high school staff members may **NOT** accept notes as reports of excused absences. Parents **MUST** report these absences by telephone within two days following the absences, although school principals **MAY** make exceptions in cases of need. In the case of shared-time students, absences must be reported to both schools. School staff members have a legal right to ask for a written medical excuse.

Excused Absences

Students must be in school unless the absence has been excused for one of the reasons listed below. (A student who attends internal suspension or an alternative to suspension program is not considered absent.) **For reasons 1-5, parents must report the absence the day before, the day of, or within two school days following the absence, or the absence will be considered unexcused.** However, any absence is unexcused until the school receives a phone call or, in the case of elementary and middle school, a note is also acceptable to excuse the absence. Some situations will require written documentation from a private physician or public health unit. Excused absences include:

1. Illness. 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 Homebound referral packet from the Homebound contact person at their school.
2. Illness of an immediate family member.
3. Death in the family.
4. Religious holidays of the student's specific faith.
5. Required court appearance or subpoena by a law enforcement agency.
6. Special event. Examples of special events include important public functions, conferences, state/national competitions, as well as exceptional cases of family need. Students must get permission from the principal/designee at least five days in advance.
7. Scheduled doctor or dentist appointments. The parent must notify the school of the date and appointment time prior to the absence/release time.
8. Students having or suspected of having a communicable disease or infestation which 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 (**Florida Statute 232.032**). 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 days excused absence for an infestation of head lice.

Unexcused Absences

It is the responsibility of the school principal to ensure that parents are contacted after each unexcused absence and to ensure that there are specific, appropriate consequences/interventions as a result of each unexcused absence.

1. If absences are not excused, as defined in the previous section, the absences are considered unexcused.
2. Students who have been externally suspended and choose not to participate in alternative to suspension programs will be considered unexcused.
3. Students without a completed Certificate of Immunization indicating compliance with the current required schedule of immunizations will not be allowed to attend classes until this document is provided or a waiver is obtained. Students who receive the first shot in a series of immunizations but who are late obtaining subsequent shots will be given a three-day grace period after which they will be excluded from school and resulting absences will be considered unexcused.
4. **For Secondary Only**, students who have an unexcused absence will receive a grade of zero, if, on the day of the unexcused absence, the teacher's instructional activities include work for which a grade is given. This work may not be made up. Teachers WILL include these zeros when averaging grades for a marking period. Each zero is counted as no more than 2.2% of the final grade. When there is assigned classwork or a test, these zeros are averaged into the final grade at full value. (Please note 2.2% is for a 45-day marking period. When marking periods vary in length, this percentage will change slightly.)
5. **For Secondary Only**, students 14-18 years of age who drop out of school or who have 15 unexcused absences within 90 calendar days and have a driver's license will have their driver's license suspended by the Division of Highway Safety and Motor Vehicles or will not be issued a license if they apply for one. Additional information about procedures and waivers is available from school administration or guidance offices.

Make-Up Work

1. All students are expected to make up classwork missed during an absence. Students have two days to make up the work for each day absent, **not including the day of return**. However, previously assigned work is due the day of return.

2. Students who are assigned to internal suspension are expected to be in school. These students must complete assignments and turn in work daily.
3. Students who are assigned external suspension and who attend an alternatives to suspension programs are allowed to make up work. (Alternatives to external suspension may include school internal suspension, Saturday School, off-campus alternative to suspension programs, and community partnership alternative to suspension programs.) Students who elect not to participate in alternatives to suspension programs will be unexcused and not allowed to make up work.
4. **For Secondary Only**, when classwork is not complete for a marking period due to excused absences, a grade of "I" may be given. Students must complete the work during the next marking period prior to the 40th day and may earn a grade to replace the "I." In extenuating circumstances, the principal has the authority to extend the deadline. But, in most cases when these deadlines are not met, the "I" changes to an "F" and may cause a semester course failure. If and when the class is repeated and students earn a grade, the "I" or the "F" will not be counted in computing grade point averages.
5. **For Secondary Only**, when a semester exam is not completed, a grade of "I" is given. If students are absent (excused or suspended from school) on an exam day, the exam must be made up in order for credit to be given. For each semester exam day students are absent, they will have three days to make up the exam. These deadlines may be extended by the principal for extenuating circumstances.

Habitual Truant

A habitual truant is a child who has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent (Florida Statute 984.03).

1. If students have five unexcused absences in a calendar month or 10 unexcused absences within a 90-calendar-day period, the principal/designee shall determine if there is a pattern of nonattendance. If there is such a pattern, the principal/designee shall refer students to the child study team to determine if early patterns of truancy are developing (Florida Statute 232.17).
2. If the child study team finds that early patterns of truancy are developing (whether absences are excused or not), a meeting with the parent must be scheduled to identify interventions to remediate the situation. Although this meeting will focus on remediating the underlying causes of nonattendance, parents will also be provided with information regarding the potential consequences to both the student and the parent for continued nonattendance (Florida Statute 232.17). **Note:** Child study teams may also be convened to review patterns of excessive excused absences or a combination of excused and unexcused absences.
3. If parents refuse to participate in the truancy interventions and exercise the right to appeal to the School Board because the parent believes the interventions are unnecessary or inappropriate, the school district will provide a hearing officer who shall make a recommendation for final action to the Board. If the Board determines that the interventions are appropriate and the parent still refuses to participate or cooperate, the Superintendent/designee will seek criminal prosecution for noncompliance with compulsory school attendance (Florida Statute 232.17).

A child may be taken into custody by a law enforcement officer when the officer has reasonable grounds to believe that the child is absent from school without authorization or is suspended or expelled and is not in the presence of his or her parent or legal guardian, for the purpose of delivering the child without unreasonable delay to the Juvenile Intervention Facility (JIF) Truancy Unit (Florida Statute 984.13 (4)-(b)).

Tardiness

1. Tardiness is disruptive to the learning environment and can have a negative impact on student achievement.
2. Student tardiness is considered excused if parents call the school, if they or an appropriate adult accompanies their child to school, or, for elementary and middle school students only, if they provide a note to the school. Excessive tardiness will be addressed on a case by case basis. All other tardies are considered unexcused unless the principal determines that there are extenuating circumstances. Disciplinary action for unexcused tardiness shall be progressive and will be specifically defined in each school's discipline plan. Actions may include, but are not limited to, the consequences for misbehavior included on page 18 of this book. Copies of school discipline plans are available at each school upon parent request.

Early Sign-Outs

1. Early release of students causes disruption to the academic performance of all students and may create safety and security problems.
2. All schools will establish procedures for early release that ensure that all students are treated consistently. Students shall not be released within the final 30 minutes of the school day unless the principal/designee determines that it is an emergency or the student has a medical/dental appointment that cannot be reasonably scheduled at another time.

SECTION II - RESPECT FOR PERSONS AND PROPERTY

Character education is woven into the policies and procedures of Broward County Public Schools. Responsibility, Citizenship, Kindness, Respect, Honesty, Self-Control, Tolerance, and Cooperation are the foundation of this Code of Student Conduct.

Rights	Responsibilities
Students have the right to be treated with respect.	Students have the responsibility to demonstrate the character education traits.
	Students have the responsibility to treat others with respect.
	Students have the responsibility to respect the rights of others.
Students have the right to a safe and orderly school.	Students have the responsibility to treat school property and the property of others with respect and to act in a way that does not interfere with the rights of others and is not harmful to the health and safety of others.

RULE - It is important for students to know their rights and responsibilities, which include obeying teachers and all other school employees, obeying each individual rule as defined by the school, and obeying bus drivers. Students are expected to honor their responsibilities and behave in ways which respect the rights of all. Consequences for unacceptable behavior are found on pages 19-21.

Expected Behaviors

- Treat others with respect.
- 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 about field trips.
- 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 **Florida Statute 316.2065**).

Unacceptable Behaviors Leading to Disciplinary Action

- 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 smoke/stink bombs, fighting, gambling, or bringing distracting items to school including, but not limited to, skateboards, scooters, in-line skates/roller blades/heelies (sneakers with wheels), toys, playing cards, toy weapons, games, cigarette lighters, radios, audio recorders, headphones, laser pointers/pens and other laser devices.
- The use of scooters and inline skates/rollerblades/heelies in the school building is also prohibited.
- Students may not possess communication devices, such as pagers (**Florida Statute 569.11**) or cell phones, during the school day. **For Secondary Only**, telephones which are secured within a private vehicle are exempt. If students are found to be using these items, the items will be confiscated and released only to the parent.
- Abusing another student including, but not limited to, verbal abuse, actual or threatened physical harm, extortion, destruction of personal property, intentionally making a false accusation.
- Bullying.
- Threatening or hurting a person with a weapon.
- Having and/or hiding a weapon.
- Gambling.
- Damaging, destroying, or vandalizing school property.
- Starting a fire (arson).
- Possessing or using drug, alcohol and/or tobacco products.
- Possessing drug paraphernalia.
- Committing robbery or petty theft.
- Forcing someone to give money, possessions, or other things of value to another or oneself (extortion).
- Using insulting, profane, racially or sexually offensive written or oral language, or making obscene remarks or gestures.

- Conducting, recruiting, or participating in youth gang activities on campus.
- Using gang-related or cult-related gestures and/or signs.
- Hazing.
- Taking part in physical acts of a sexual nature, engaging in sexual harassment, or offending others by indecent exposure.
- Endangering the lives of students and staff by setting off unfounded fire alarms.
- Endangering the lives of students and staff by failing to report a threat of violence against others.
- Making a bomb threat.
- Harassing others because of age, color, gender, national origin, marital status, race, religion, or sexual orientation.
- Harassing others because of a disability.
- Harassing others because of ethnicity, socio-economic background, or linguistic differences.
- Harassing others because of physical appearance or for any other reason.
- Leaving class or school without proper permission.
- Not attending school (truancy).

~~1. Opening a school bus emergency exit door while the bus is in motion.~~
~~2. Opening a school bus emergency door and exiting the bus when the bus is stopped unless directed by the school bus driver in an emergency or during an emergency evacuation drill.~~

- Having unexcused tardies.
- 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 presence on school property.
- Unauthorized possession or use of school/county documents or forms.
- Possessing and/or distributing materials prohibited by law including, but not limited to, pornographic/obscene material.
- Storing pornographic/obscene materials and drug paraphernalia in school lockers, in or on any student's personal belongings, or in vehicles parked on school property.
- Intentionally making a false accusation that jeopardizes the professional reputation, employment, or certification of a teacher or other member of a school staff.
- Threatening, stalking, hitting, or hurting a teacher or other school personnel.
- Behaving inappropriately on field trips.
- Violating the dress code.
- Displaying disruptive behavior.
- **For Secondary Students Only**, parking a motorized vehicle on school grounds without an official permit or in unauthorized areas.
- Any other criminal acts.

School Bus Behavior

~~School bus transportation is a privilege, not a right. This privilege can be denied for recurring unacceptable bus behavior. Misconduct by any student while riding a school bus represents a serious threat to the safety of all occupants of the bus as well as other motorists, pedestrians, and members of the community. Students who commit the following safety violations while riding a school bus will receive a ten-day suspension from the bus for the first violation and will lose bus transportation privileges for the remainder of the school year for the second violation. All rules that apply to the school grounds and school activities also apply to the school bus.~~

Unacceptable Behaviors on a School Bus Leading to Disciplinary Action*

Level One

- Being disruptive, distracting, or disobeying a bus operator.
- Eating or drinking while on the bus.
- Failing to utilize required safety equipment on the bus.
- Getting out of the seat while the bus is in motion.
- Failing to sit in the seat assigned by the bus operator.
- Loud talking or remarks out of the bus window at other students, pedestrians, or motorists.
- Boarding or attempting to board a bus route other than the student's assigned bus route or attempting to leave the school bus at other than the student's assigned bus stop without permission of the school principal or designee.
- Placing head, arms, or legs outside window of bus.

Level One Consequences

<u>First Offense</u>	<u>Verbal or written reprimand from the school principal or designee.</u>
<u>Second Offense</u>	<u>One- to ten-day suspension from school bus transportation.</u>
<u>Repeated Offenses</u>	<u>Level One unacceptable behaviors will be considered willful disobedience and/or open defiance of authority, resulting in suspension from the bus for the remainder of the school year and/or possible suspension or expulsion from school.</u>

Level Two

Opening a school bus emergency door and/or exiting the bus when the bus is stopped unless directed by the school bus operator in an emergency or during an evacuation drill.

Level Two Consequences

<u>First Offense</u>	<u>Ten-day suspension from school bus transportation.</u>
<u>Second Offense</u>	<u>Suspension of school bus transportation for the remainder of the school year.</u>

Level Three

- Threats against the bus operator, bus attendant, or passengers on the bus.
- Profanity directed at the bus operator or bus attendant.
- Fighting on the bus.
- Smoking on the bus.
- Opening a school bus emergency exit door while the bus is in motion.
- Throwing objects out of the window of the bus, which may or may not cause injury to persons or physical damage.
- Throwing objects at a bus after leaving the bus, which may or may not cause injury to persons or physical damage.
- Vandalism of seats or other bus equipment.

Level Three Disciplinary Penalty

Suspension and/or possible expulsion from school.

*For IDEA-eligible disabled students, suspension and expulsions shall follow applicable laws, School Board policies, and provisions of the Individual Education Plan (IEP). Likewise, for students determined to be disabled under Section 504 of the Rehabilitation Act of 1973, suspension, expulsion, and other disciplinary measures shall follow applicable laws, School Board policies, and provisions of the Section 504 Accommodation Plan.

Discrimination and/or Harassment and Grievance Procedures

The School Board of Broward County, Florida, **prohibits discrimination on the basis of age, color, disability, gender, national origin, marital status, race, religion, or sexual orientation.** If any student* feels that he or she has been discriminated against or harassed, he or she may contact Shirley Roberson, Director, Equal Educational Opportunities, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301, (954) 765-6187. (Complaints relating to discrimination may also be addressed to the Office for Civil Rights, P.O. Box 2048, Atlanta, GA 30301, or the state or federal Office for Civil Rights.)

Forms of Discrimination

~~Discrimination is a form of harassment.~~ Harassment is a form of discrimination. Harassment based on age, color, disability, ethnicity, gender, linguistic differences, national origin, marital status, race, religion, sexual orientation, or socioeconomic background, **physical appearance, and harassment for any other reason** are violations of School Board policies and will be dealt with in a similar manner as detailed above.

Sexual Harassment and Sexual Violations

Sexual harassment is a form of sex discrimination which violates the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and School Board Policy 4001.1. Sexual violence is a physical act of aggression that includes a sexual act of sexual purpose. Sexual violence is also a violation of these same statutes and may also represent a criminal law violation. The School District prohibits any form of sexual harassment and sexual violence.

Sexual harassment and sexual violence are unlawful and will be grounds for disciplinary action. Students who believe they have been victims of sexual harassment or sexual violence should report the alleged act immediately to a teacher and/or school administrator. Because sexual harassment can take on many forms, the following are some definitions of sexual harassment/violence.

Sexual Harassment/Sexual Violence Defined

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or communication of a sexual nature. Sexual harassment includes, but is not limited to, the following behaviors:

- Unwelcome statements of a sexual nature.
- Unwelcome solicitation or pressure for sexual activity.
- Intentional brushing against, patting or pinching of another's body.
- Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, unwanted physical contact and blocking movements.
- Leering with sexual overtones, gestures, display of sexually suggestive objects, posters, or cartoons.
- Indecent exposure.

**Whenever the word "student" appears, parents may become involved.*

Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act (ADA)

It is the policy of the School Board of Broward County, Florida not to discriminate against any students with regard to access to programs, services, and activities on the basis of disability. The steps below have been developed to comply with the law for resolution of individual complaints under Section 504/ADA. Aggrieved persons 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 school personnel is not achieved. All meetings, discussions, etc., should be documented. Appropriate school personnel could include teachers, the Section 504 liaison, counselors, etc.

1. If informal discussions do not resolve the issue, students may obtain a Grievance Filing Form from the principal. The completed form should be submitted to the principal within fifteen (15) school days of the occurrence.
2. Within fifteen (15) school days of receipt of the written grievance, the principal shall render a Complaint Resolution Form which shall uphold, modify, or deny the resolution sought.
3. If the student is not satisfied with the response issued in Step 2, he or she may file a complaint with the Office of Equal Educational Opportunities, which will inform the student of his or her rights under Section 504/ADA, including a due process hearing. The Office 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 student was, in fact, discriminated against. A determination of probable cause will include specific recommendations for corrective behavior.

SECTION III - DRESS CODE

Appropriate dress and grooming can help to create a positive learning environment. Other attire may be allowed for special school activities with approval of the school administration. Possible consequences for violating the dress code are found on page 19. **Please Note: Changes in clothing trends will not override the dress code policy.**

Rights	Responsibilities
Students have a right to wear stylish clothes of their choice as long as those clothes are appropriate for school, are not dangerous to health and safety, and do not distract or offend others.	Students have a responsibility to dress neatly, appropriately, be clean, and well-groomed.

RULE - All students are expected to honor their responsibilities and dress in a way which respects the rights of others.

1. Shoes must be worn at all times. For safety reasons, zoris, flip-flops, thonged sandals, clogs, bedroom slippers, or any other type of backless/strapless shoes cannot be worn. For physical education, athletic shoes may be required.
2. Special clothing may be required for health and safety reasons in certain programs such as physical education, home economics, technology education, science, and vocational education.
3. Clothing that exposes the torso or upper thighs is not allowed. ~~Here are e~~Examples of clothing which may not be worn: include, but are not limited to, see-through garments, mini-skirts or mini-dresses, halters, backless dresses, tops or dresses with spaghetti straps, tube tops or tank tops without overblouses or shirts, shirts or blouses tied at the midriff, and bare midriff outfits. Clothing which is not worn appropriately, ~~or~~ is not properly fastened, or has tears which are indecent will not be permitted. All trousers, including oversized or low-hanging trousers, must be worn and secured at waist level.
4. Garments such as boxer shorts, bloomers, and bustiers, which were traditionally designed as undergarments, may not be worn as outer garments. Other clothing not allowed are leggings without overblouses 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 garments.
5. Hemmed 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 ages.
6. Clothing, jewelry, buttons, haircuts, or other items or markings which are offensive, suggestive, or indecent, associated with gangs or cults, encourage the use of drugs, alcohol, or violence, or support discrimination on the basis of age, color, disability, ethnicity, gender, linguistic differences, marital status, national origin, race, religion, socioeconomic background, ~~or~~ sexual orientation, physical appearance, or for any other reason are not allowed.
7. Head coverings including, but not limited to, caps, hats, and bandannas are not allowed unless they are required for safety in programs such as home economics, technology education, vocational education, and athletics, or are worn for religious or medical reasons.
8. Curlers and other hairgrooming 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.
9. Sunglasses may not be worn indoors unless a doctor's authorization is on file.
10. Any articles of clothing or jewelry including, but not limited to, belts, bracelets, or collars with spikes, heavy link chains, and wallet chains may cause injury and are not allowed.
11. Violators of the uniform policy shall be subject to the same penalties as violators of the dress code policy. See your school's discipline plan for more specific information. This plan is available in your school and will be provided to parents upon request.

SECTION IV - TECHNOLOGY USAGE

Computers, networks, and online telecommunications, such as the Internet and e-mail, are becoming more commonplace in our classrooms and media centers every year. While these systems have the power to deliver a huge number of resources to our classrooms, their ability to serve students and teachers depends on the responsible and ethical use of every device and system.

Rights	Responsibilities
Students have a right to use online telecommunications and networks to increase their access to information and resources.	Students have a responsibility to understand the difference between appropriate and unacceptable uses of online telecommunications and networks.
Students have a right to use online telecommunications and networks to obtain information, create intellectual products, collaborate and communicate for educational purposes.	Students have a responsibility to recognize that the use of online telecommunications and networks is a privilege that can be withdrawn if they engage in unacceptable or illegal use of this resource.
Students have a right to use online telecommunications and networks without the fear that their products will be violated, misrepresented, tampered with, destroyed, or stolen.	Students have a responsibility to use online telecommunications and networks in a responsible, efficient, ethical, and legal manner in accordance with their educational mission.

RULE - Students are expected to use technology responsibly.

School Board Policy 5306 defines the appropriate use of technology throughout the district. This policy describes how computers and networks must be used to support research and instructional activities in our classrooms, labs, and media centers. First, it promotes the use of technology as a powerful educational tool that is increasingly becoming a common part of every student's day. Second, it provides those students who use these computers, and the networks to which they are connected, to act in accordance with prescribed rules and behavioral codes detailed in the policy. Several major provisions are noted below. The full text of Policy 5306 is available upon request from each school's media center and on the Internet at URL <http://www.broward.k12.fl.us/policy/P5306.000.pdf> [sbbcpolicies/index.asp](http://www.sbbcpolicies/index.asp).

Major Policy Provisions:

- Use of computers, networks, and online telecommunications systems must be related to students' educational activities.
- Students must recognize that computers, networks, and equipment used to support online telecommunication systems are shared devices and agree to use them in ways which will maintain their continued operability for all users.
- No illegal activity may be conducted using the district's computers, networks, or online telecommunications systems.
- Students must not access or distribute offensive, obscene, inflammatory, or pornographic material.
- Students shall not intentionally spread computer viruses, vandalize data, infiltrate systems, or degrade/disrupt computer and/or network performance.
- All users of computers, networks, and online telecommunications systems shall adhere to laws regarding copyright.

SECTION V - STUDENT ACTIVITIES AND ASSEMBLY

School activities give students a chance to interact in positive ways. They can learn from each other how to work together harmoniously for common goals.

Rights	Responsibilities
Students have a right to take part in extracurricular activities, assemblies, and school-approved organizations without regard to or support discrimination on the basis of age, color, disability, ethnicity, gender, linguistic differences, marital status, national origin, race, religion, socioeconomic background, or sexual orientation, <u>physical appearance or for any other reason</u> are not allowed.	Students have a responsibility to keep their extracurricular activities from interfering with their academic work and to know and follow the rules for the activities they choose.
Students have a right to seek office in student government and/or school-approved clubs and groups without regard to or support discrimination on the basis of age, color, disability, ethnicity, gender, linguistic differences, marital status, national origin, race, religion, socioeconomic background, or sexual orientation, <u>physical appearance or for any other reason</u> are not allowed.	Students who hold office have a responsibility to learn how to do their jobs, support the goals of the group that elected them, and to treat other members of the group fairly.
Students have a right to consult with faculty advisors of school-approved clubs and groups.	Students have a responsibility to ensure that their actions as members of school clubs and groups meet the standards that have been set by the school administration.
Students have a right to take part in electing officers for student government.	Students have a responsibility to educate themselves as to the qualities needed for leadership and choose officers who have those qualities.

RULE - Many students take part in activities that are both extracurricular (take place outside of school's hours) and interscholastic (engage in competition with other schools). Students must attend at least three periods half of the classes on the day of an activity in which they want to take part unless they have been excused or exempted from class by the school administration in advance. Students are expected to have prior approval from the school administration for many activities related to school-approved and school-sponsored clubs and groups. They need approval to:

- Present a program or an assembly.
- Collect funds. Items cannot be sold for personal gain, such as food, jewelry, T-shirts, etc.
- Have a fundraising project on or off school grounds. Fundraising drives among students initiated by outside organizations such as the Salvation Army, United Way, Girl Scouts, etc., are not permitted in the schools.
- Hold a demonstration.

Middle School Eligibility *(Based on an 18-week semester regardless of class scheduling format: i.e., block, rotator)*

To participate in interscholastic extracurricular athletics, middle school students must meet the following requirements:

1. Students must have been regularly promoted and must maintain a quarterly grade point average of 2.0 or above on a 4.0 scale. Middle school students must pass 5 of 6, or 4 of 5 classes, depending on the schedule.
2. Middle school students must maintain satisfactory conduct, receiving no more than one "U."
3. Failure to meet requirements makes the student/athlete ineligible for contests for the entire next nine weeks. This will take effect as of report card issue date.
4. Requirements are subject to the principal's appeal based on extreme circumstances. A copy of the principal's appeal must be filed with the County Athletic Department.

High School Eligibility *(Based on an 18-week semester regardless of class scheduling format: i.e., block, rotator)*

To participate in interscholastic extracurricular athletics, high school students must meet the following requirements:

1. Students shall be progressing satisfactorily toward graduation as provided for in the District's approved pupil progression plan.
2. Students must have been regularly promoted from the 8th grade and must maintain a cumulative grade point average of 2.0 or above on a 4.0 scale or its equivalent in the courses required for high school graduation. The cumulative grade point average and courses for graduation include all attempted credits in high school.
3. Students must maintain satisfactory conduct, and if convicted of, or found to have committed, a felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld.
4. Since representing a school either as an elected school officer or in extracurricular activities ~~should be considered is~~ both an honor and a privilege, only students meeting requirements established by their club, school, instructional services, and/or the Board ~~should~~ shall be eligible to serve as representatives of their school.
5. Participation in interscholastic extracurricular activities is contingent upon established and published School Board policy.

SECTION VI - FREE SPEECH AND STUDENT PUBLICATIONS

The Constitution of the United States guarantees ~~us~~ the right to express ~~our~~ ideas freely. A basic education should prepare students to do that in responsible ways.

Rights	Responsibilities
Students have a right to hear all sides of subjects about which people disagree.	Students have a responsibility to be informed about all sides of controversial issues.
Students have a right to give their opinions and points of view.	Students have a responsibility to listen politely to the viewpoints of others.
Students have a right to be free of censorship within a framework of mutual respect.	Students have a responsibility to use good judgment in developing student publications.
Students have a right to expect that pornographic and/or prejudicial materials will not be allowed in the schools.	Students have a responsibility to use good judgment in selecting sources of information.

RULE - In general, no printed materials may be distributed in the schools or on school grounds unless permission has been granted by the principal or an authorized staff member.

1. Approval must be obtained from a school administrator prior to handing out or posting materials, including petitions and surveys; printing any school publications; collecting money or selling advertisements for school publications; and/or distributing any commercial, political, or religious material on school grounds.
2. Notices of student non- curricular group meetings posted on general purpose student bulletin boards do not necessarily represent the viewpoint of the School Board and/or the administration. The Board is only offering physical space to such groups and does not promote, endorse, or otherwise sponsor such materials. Students are encouraged to be sensitive to other viewpoints and beliefs when posting such notices.
3. Petitions or surveys may not be handed out by students during class time unless curriculum-based.
4. No items shall be distributed or displayed in any school which, **(a)** can reasonably be interpreted by the principal or supervising administrators as obscene in a school setting; **(b)** can reasonably be interpreted by the principal or supervising administrators as being libelous or slanderous; or **(c)** can reasonably be expected to create a material and substantial disruption of normal school activity or appropriate discipline in the operation of the school.

SECTION VII - PRIVACY OF STUDENT RECORDS

Rights	Responsibilities
<p>Students have the right to expect that schools will keep student records safe, secure, and private. Students who are eighteen (18) years or older have the right to see their own school records.</p> <p>Students have a right to expect that personal belongings will be respected by others.</p>	<p>Students have a responsibility to learn how the information in their school records is gathered, how it is used, and what it means.</p>

RULE - Students have the right to personal privacy and have the responsibility of respecting the rights of others.

1. Information about another person must be treated with respect and privacy.
2. ~~All student records must be kept safe, secure, and private.~~ Student aides may not be in areas where they would be able to read student records and files that are private.
3. ~~Records of minor children must be made available to parents.~~
4. ~~Records must be made available to students who are eighteen (18) years or older.~~

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act became a federal law in November 1974, and was further revised in 1975, 1976, 1997, 2000, and 2002. The intent of this law is to protect the accuracy and privacy of students' educational records.

The Family Educational Rights and Privacy Act (FERPA), Florida Statute 228.093, and School Board Policy 5100 affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- (1) *The right to inspect and review a student's education records within ~~45~~30 days of the day the District receives a request for access.* Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. When the educational records contain information about more than one student, parents may review the information related only to that parent's child.
- (2) *The right to request the amendment of a student's education records that the parent or eligible student believes are inaccurate or misleading.* Parents or eligible students may ask the Broward County School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided when the parent or eligible student is notified of the right to a hearing.

- (3) *The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. ~~One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. FERPA permits disclosure without consent to school officials with legitimate educational interests. (Ask your principal for a copy of School Board Policy 5100 for a more detailed description of school officials with legitimate educational interests.)~~*

The school district intends to provide, upon request and without prior written consent, students' names and addresses to the Armed Services and to community college and universities within the State University System for the purpose of informing students of available opportunities within those organizations. Confidentiality of the list shall be protected by the personnel receiving the list. Parents who do not wish their child's name and address disclosed to those organizations shall provide written notification to the school principal.

- (4) *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. The name and address of the office that administers FERPA is **Family Policy Compliance • U. S. Department of Education Office • 400 Maryland Avenue, S.W. • Washington, DC 20202-4605.***

For additional information refer to Broward County School Board Policy 5100.

SECTION VIII - CONSEQUENCES

When students do not respect persons and property, one or more of the following actions may be taken until the problem is resolved.

Possible Consequences of Misbehavior

It ~~is~~ will not ~~be~~ necessary to use each consequence or to use consequences in the order listed. Individual schools may have additional rules for student behavior as part of their school discipline plans. These plans are available at your school and will be provided upon parent request. Certain rule violations do require specific consequences (see **Bus Misbehavior and Consequences of Serious Misbehavior**).

- Time out for students.
- Teacher/student conference, including record review.
- Disciplinary action initiated by teacher.
- Restitution, work detail, etc.
- Before or after school detention (parent responsible for transportation).
- Saturday School.
- Referral to the guidance counselor or administrator.
- School/parent contact.
- School/parent conference.
- Conflict mediation.
- Alternative probationary contract.
- Confiscation.
- Principal involvement.
- Guidance/administration referral to school social worker.
- Removal from class by teacher.
- Suspension from the bus. Students must attend school and the parent(s) must provide transportation.
- **For Secondary Only**, warning, notification, or towing for motor vehicle violations:
 - a. First offense: Warning
 - b. Second offense: Parent notification
 - c. Third offense: Tow vehicle
- Administrative referral to student services, outside agencies, counseling programs, alternative education programs, and/or placement in other special programs such as a telecommunications class or state-licensed drug rehabilitation program.
- External suspension from classes and all school activities in accordance with School Board Policy 5006.
- Referral to Special Investigative Unit/police.
- Full restitution by parent(s) for damage done by student in accordance with School Board Policy 2303.
- Recommendation for expulsion in accordance with School Board Policy 5006.

Normally consequences such as suspension, detention, and Saturday School, shall occur only after other corrective measures such as parent contact, have been tried without success. If the student is suspended, the school shall provide the student's parent(s) with a written explanation of the reason for suspension.

Suspensions and expulsions of IDEA-eligible disabled students shall follow applicable laws, School Board policies, and provisions of the Individual Education Plan (IEP).

Suspension, expulsion, and other disciplinary measures applied to students determined to be disabled under Section 504 of The Rehabilitation Act of 1973 shall follow applicable laws, School Board policies, and provisions of the Section 504 Accommodation Plan.

Consequences of Serious Misbehavior Leading to Suspension and/or Expulsion

The Code also includes provisions for action that **MUST** be taken if there are serious problems involving weapons, drugs (including alcohol) mood-altering substances, steroids, and criminal acts. Specific action will be taken as a result of these violations as stated in School Board Policy 5006, Sections II, III, and IV. However, If the principal determines that the student uses an instrument or object in self-defense, the student will not be suspended or expelled. Self-defense is an

attempt to “ward off” an attack or stop the process of confrontation. It is not self-defense when an object is used in retaliation or when the student uses an object to become an aggressor.

All violations under School Board Policy 5006 will involve the following steps:

- Principal involvement.
- Immediate parent contact.
- Suspension from school grounds, all classes, and all school activities.
- Referral to Special Investigative Unit and police.

External Suspension: When, by the *school’s administration*, a student is removed from school and school-related activities on or off school grounds.

Expulsion: When, by action of the *School Board*, a student is removed from school and school-related activities on or off school grounds.

Drug and Substance Abuse Offenses Leading to Suspension and Possible Expulsion

A student’s locker or other storage area may be subject to a search by a school administrator based upon reasonable suspicion of possession of prohibited or illegal materials. Reasonable suspicion may also result in a search of person, possessions, and/or vehicle.

However, any personal property brought on school grounds may be inspected by drug-sniffing dogs for alcohol, drugs, or other prohibited substances. Personal property that may be inspected includes, but is not limited to, cars parked on school grounds, desks, backpacks, lockers, book bags, and gym bags. Reasonable suspicion of improper conduct is not required to use drug-sniffing dogs to inspect personal property. Drug-sniffing dogs will not be used to inspect students for alcohol, drugs, or other prohibited substances.

FIRST OFFENSE for use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages. First offense procedures: (1) The first-time occurrence for the use, possession or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, shall be counted at any time during which the student is enrolled in a Broward County Public Schools. If the 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. (2) Upon committing the first offense, a student will be referred to the area substance abuse case manager who shall refer the student to an appropriate counseling program. Up to seven (7) days of the suspension may be waived if the student attends a counseling program authorized by the principal/designee in conjunction with the area substance abuse case manager. If the student does not complete the recommended counseling program, the full ten (10) days of suspension shall be imposed.

SECOND OFFENSE for use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages. Second offense procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) The expulsion shall be held in abeyance if the student completes a state-certified drug/alcohol rehabilitation program or a treatment program with a certified addiction professional. (3) If the student fails to complete the state-certified drug/alcohol rehabilitation program, the full term of the expulsion shall be implemented. (4) The student may return to the regular school program upon successful completion of the prescribed rehabilitation program. The area substance abuse case manager shall monitor/verify that the student has completed the program.

THIRD AND SUBSEQUENT OFFENSES for use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages. Third and subsequent offenses procedures: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) The student shall be placed in an expulsion abeyance program for a period of one calendar year, commencing with the date of the offense and shall complete a state-certified drug/alcohol rehabilitation program.

SALE, ATTEMPTED SALE, OR TRANSMITTAL of drugs or mood-altering substances, or other substances held out or represented to be drugs or mood-altering substances, including alcohol or alcoholic beverages. Procedures for sale, attempted sale, or transmittal: (1) Student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) 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.

FELONY POSSESSION OF DRUGS OR CONTROLLED SUBSTANCES A student found to be in possession of any drugs or controlled substance which constitutes a felony under Florida statutes will be subject to the procedures for felony possession of drugs or controlled substances: (1) The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. (2) 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.

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:

- Habitually commit a serious breach of conduct including, but not limited to, willful disobedience and/or open defiance of authority.
- Commit assault.
- Commit battery.
- Commit or threaten to commit damage to property.
- Commit any act that substantially disrupts the orderly conduct of the school.
- Commit grand theft.
- Possess and/or display or transmit a Class B weapon (see **Definition of Weapons**, page 23).
- Possess, display, transmit, or handle laser pens/pointers and other laser devices in a manner that could potentially harm or injure another individual.
- Make 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 to the school climate.
- Conduct, recruit, or participate 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 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.
- Commit other criminal actions on school board property not set forth in this policy, including when the student is found to have committed a delinquent act which would be a felony, if committed by an adult; the student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or the student has been found guilty of a felony.
- Are charged by a proper prosecuting attorney with a felony, or with a delinquent act which would be a felony if committed by an adult or found by a court of law to have committed a felony for an incident which allegedly occurred on property other than public school property, if that incident is shown in an administrative hearing to have an adverse impact on the educational program, discipline, or welfare of the school in which the student is enrolled.
- Use the school district's technology and/or software illegally.

Offenses Leading to Mandatory Expulsion

Students shall not be subject to mandatory suspension and expulsion proceedings when the principal determines that an instrument or object covered in **Definitions of Weapons** (page 23) was used solely for the purpose of defense against an aggressor. A student shall not be subject to mandatory expulsion proceedings if it is determined that the student immediately returned a firearm to the person who gave it to him/her, or if the student took a firearm to a staff member or was in the process of taking it to a staff member.

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 expulsion and referral for criminal prosecution to the local law enforcement agency. These offenses include:

- Aggravated assault.
- Arson or attempted arson.
- Sexual battery (rape) or attempted sexual battery (rape).
- Possession, display, use, sale, or transmission of a Class A weapon (see **Definition of Weapons**, page 23).
- Homicide or attempted homicide.
- Kidnapping or abduction.
- Possession, use, or sale of any explosive propellant or destructive device.
- Armed robbery or attempted armed robbery.
- Aggravated battery.
- Battery on a teacher/school district employee.

- Extortion.
- Robbery or attempted robbery.
- 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.
- False reports, with intent to deceive, mislead, or otherwise misinform a person, concerning the placing or planting of any bomb, dynamite, or other deadly explosive

Alternative to Expulsion Program

1. The expulsion shall commence with the date of the School Board's final order. However, the term of exclusion from the regular school shall not exceed one calendar year from the date of the offense. If the expulsion shall be held in abeyance, ~~and~~ the student shall be given the opportunity to participate in an established Expulsion Abeyance Program.
2. If a student enrolls in an Expulsion Abeyance Program or in a program designated by the Superintendent and successfully completes the program, all records regarding the incident shall be expunged from the student's record. The area student services substance abuse/expulsion case manager will facilitate the student's re-entry into the regular school program.
3. Refusal or failure to meet conditions specified in the Expulsion Abeyance Agreement may result in the removal of the abeyance option, and the student may be expelled from all programs and schools in the Broward County Schools until the duration of the original expulsion has lapsed.
4. The appropriate expulsion code shall be entered into the student's permanent record. This record shall be forwarded to any school requesting that record for the purpose of student admission.
5. The area student services case manager shall monitor/verify that the student has completed the program.

Workback

The Workback Program is designed to allow a student who has been recommended for expulsion to reduce the one-year period of expulsion by no more than ninety (90) school attendance days. However, students are not eligible for the Workback Program if they commit any of the following offenses:

- Arson or attempted arson.
- Sexual battery (rape) or attempted sexual battery (rape).
- Possession, use, sale, or transmittal of a firearm
- Homicide or attempted homicide.
- Kidnapping or abduction.
- Armed robbery or attempted armed robbery.
- Third and subsequent offenses for use, possession, or being under the influence of mood-altering substances including alcohol and alcoholic beverages.

For all other offenses, the principal, with approval of the area superintendent, may recommend that a student not participate in the Workback Program due to the circumstances of the expellable offense. Upon successful completion of the Workback Program, the student shall transition back to the regular school program.

Out-of-District Expulsions

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 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 wishes admission, he/she shall be placed in an appropriate Expulsion Abeyance Program or a program designated by the Superintendent for a period of time commensurate with the terms of the original expulsion.

Definition of Weapons

Class A weapons include:

- Firearms – any kind of gun (whether operable or inoperable, loaded or unloaded) including, but not limited to hand, zip, pistol, rifle, shotgun, BB gun, and starter gun.

AT NO TIME is it appropriate for any student to possess or bring a weapon of any kind onto a school campus. Federal and state laws require local school districts to notify parents, through the Code of Student Conduct, that any student who is determined to have brought a firearm to school, to any school function, or on any school-sponsored transportation will be recommended for expulsion, with or without continuing educational services, from the student's regular school for a period of not less than one full year and referred for criminal prosecution. (Firearm is defined in federal law 18 U.S.C. s.921.)

Possession of a firearm shall be defined as knowingly, intentionally, deliberately, or inadvertently (without meaning to do it) bringing a firearm on school property, school sponsored transportation, or to a school sponsored activity.

- Explosive propellants or destructive devices.
- Dirks.
- Metallic knuckles.
- Billy clubs.
- Tear gas.
- Electric weapon or device (stun gun).
- Slungshot.
- Chemical weapon or device (any weapon of such a nature, except a device known as a "self-defense chemical spray," that is carried solely for purposes of lawful self-defense, is compact in size, is designed to be carried on or about the person, and contains not more than two ounces of chemical).

Class B weapons include:

- Toys which resemble weapons when used in a threatening manner.
- Knives – any kind of knife, including, but not limited to, pen, switchblade, or hunting knife.
- Chains – any chain not being used for the purpose for which it was normally intended, that is capable of harming an individual.
- Pipe – any length of metal or other hard substance not being used for the purpose for which it was normally intended.
- Razor blades of any kind or similar instruments with a sharp cutting edge.
- Ice picks and other pointed instruments.
- Nunchakus, Chinese stars.
- Pepper spray, a mace device with the capacity to hold two ounces or less of the chemical.

Definition of Offenses

Battery is defined as using force against another person, without that person's consent, resulting in either (1) injury or (2) an offensive touching.

Aggravated Battery is defined as committing battery (1) using a Class A or Class B weapon or (2) causing serious injury.

Assault is defined as (1) an attempt to commit a battery or (2) a threat of injury through words or actions.

Aggravated Assault is defined as an assault in which a Class A or Class B weapon is used to commit the assault.

Petty Theft is defined as taking property that is less than \$300.

Grand Theft is defined as taking property worth \$300 or more.

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SECTION IX - RIGHT TO APPEAL

There may be times when students feel they have been unfairly penalized. Most problems can be solved if students speak with the teacher or staff member who was involved. If students feel uncomfortable with this person, they may request a conference with the next level of authority. Students may also request the presence of a third party, such as a counselor, assistant principal, or other staff person. Parents may also be present. If the problem is not resolved by talking things over, the following steps should be followed may be taken:

1. A written statement must be presented to the principal within five (5) school days after the last conference. The statement must tell what happened, when it happened, who was involved, and how the student would like the problem resolved. A copy of the statement should be saved. The principal has five (5) school days to present a written response.
2. If the problem still has not been resolved, students have five (5) school days to ask, in writing, for an appointment with the area superintendent. The letter asking for the appointment must include a copy of the first written statement.
3. Upon receipt of the letter, the area superintendent will schedule a meeting within five (5) school days. This meeting will include the person involved in the original action, the principal, the student, and the parent(s). An attorney may be present to represent either the student or the school. If a decision is made at this meeting, documentation of the agreed upon actions will be forwarded to all parties within five (5) school days. If a decision is not made at this meeting, the area superintendent has five (5) school days to send a written response to the student.
4. If students still are not satisfied, they may take the problem to the Superintendent following the above procedures.
5. The Superintendent will schedule another meeting to see how the matter can be resolved. If a decision is not made at this meeting, the Superintendent has five (5) school days to send a written response. If students still are not satisfied, they have five (5) school days to write to the School Board and ask for a hearing, recounting the specifics of the incident.

Educational Institutions or School Board Disruptions (Florida Statute 877.13)

(1) It is unlawful for any person to:

- (a) Knowingly disrupt or interfere with the lawful administration or functions of any School Board, or activity on School Board property in this state.
- (b) Knowingly advise, counsel, or instruct any school pupil or school employee to disrupt any school or School Board function or activity on School Board property, or in a classroom.
- (d) Conspire to riot or engage in any school campus or school function disruption or disturbance which interferes with the educational processes or with the orderly conduct of a school campus, school, or School Board function or activity