

MATRIX OF RECOMMENDED CHANGES
2012 - 2013

POLICY #: 5.8

POLICY TITLE: Student Code of Conduct

Item Number	Page	Recommended Change / Addition / Deletion	Rationale
1	2	<p>Addition:</p> <p>Rights</p> <p>Students have a right to know how the District defines and handles excused absences, unexcused absences, and tardiness. The District's <i>Discipline Matrix</i> that assigns specific consequences for misbehavior is part of the school's discipline plan. The <i>Discipline Matrix</i> is located on the District's website, browardschools.com and in the Code of Student Conduct booklet. <u>The <i>Discipline Matrix</i>, attached hereto as Appendix A, is hereby made part of this Code of Student Conduct. The Discipline Matrix sets forth the guidelines for assessing consequences for violations of School Board policies. School principals have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the Matrix if he or she determines in his or her sole discretion that there are mitigating or aggravating circumstances.</u></p>	Clarifying language
2	7	<p>Addition:</p> <p>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 that respect the rights of all. Consequences for unacceptable behaviors are found in the <i>Discipline Matrix</i> located at browardschools.com and at the end of the Code of Student Conduct booklet. <u>- see Appendix A.</u></p>	Clarifying language

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3	8	<p>Clarification: Communication device</p> <p>Disruptive Incidents (including but not limited to)</p> <ul style="list-style-type: none"> ▪ Sole possession of a wireless communication device (camera telephone, cellular telephone, or pager) is not a violation of the <i>Code of Student Conduct</i>. 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 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. 	Recommended by Code of Conduct Committee - excessive language
4	9	<p>Addition:</p> <p>Substance Abuse/Drug Incidents (Including, But Not Limited To)</p> <ul style="list-style-type: none"> ▪ Possessing or using drugs, alcohol, and/or tobacco products, including unauthorized over-the-counter medications <u>or unauthorized prescription medications.</u> ▪ Sale or attempted sale and/or transmittal of drugs, alcohol, and/or tobacco products, including authorized or unauthorized over-the-counter medications <u>or prescription medications.</u> 	Addresses recommendation from the Public Rule Development Workshop
5	11	<p>Revision of Definition</p> <p>Definitions</p> <p><u>“Sexting” the use of a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another any photograph or video of any person, which depicts nudity as</u></p>	Recommended by Code of Conduct Committee – partial alignment of language with State statute

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		defined in F.S. 847.0141(1)(a). using any electronic device, including cell phones, to send or receive sexually suggestive or explicit texts, pictures, videos, or other materials. This includes video voyeurism as specified in F.S. 810.145.	
6	12	<p>Addition:</p> <p>In addition, though an incident of alleged bullying (cyberbullying or other) may occur off campus and may not entail threats or acts to occur during school hours, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, as determined by the school district administration, disciplinary sanctions may be issued.</p> <p><u>Disciplinary sanctions may be imposed when the alleged bullying, cyberbullying, harassment or discrimination takes place off campus provided that a nexus exists between the off campus conduct and conduct at a school or during a school sponsored event. This is determined on a case-by-case basis after reviewing the facts and circumstances unique to each situation. If a sufficient nexus exists, appropriate discipline shall be issued in accordance with this policy and as provided for in current law.</u></p> <p><u>"Nothing in this section shall be construed to abridge the rights of students or school board employees that are protected by the First Amendment" to the state or federal constitutions. (1006.147)(10).</u></p>	Clarifying language
7	17	<p>Substitution:</p> <p>13. Violators of the uniform policy (SB Policy 5309) shall be subject to the same penalties as violators of the dress code policy. For further clarification, see the District's Discipline Matrix that assigns specific consequences and is part of the <u>attached</u> school's discipline plan. The Discipline Matrix is available to parents upon request. You may view the complete uniform policy and all School Board policies on the Web at http://www.broward.k12.fl.us/sbbcpolicies.</p>	Clarifying language

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8	24	<p>Deletion:</p> <p>“Directory Information” is personally identifiable information that would not generally be considered harmful or an invasion of privacy if disclosed. The School Board of Broward County designates the following as “directory information”: student’s name, gender, residential address, telephone number, date and place of birth, major field of study, participation in school-sponsored activities and sports, height and weight of athletic team members, dates of school attendance, degrees and awards received, and the name of the most recent previous school or program attended.</p>	Alignment with FERPA law
9	25	<p>Substitution:</p> <p>Effective date of Notice: June 15, 2011 TBD</p>	Date change will occur upon adoption of Policy 5.8
10	28	<p>Substitution:</p> <p>It will not be necessary to use each consequence or to use consequences in the order listed below. However, as provided in the <i>Discipline Matrix</i>, certain rule violations do require specific consequences. The District’s <i>Discipline Matrix</i> that assigns specific consequences for misbehavior and is part of the school’s discipline plan is <u>attached and also available to parents on the District’s website at www.browardschools.com/schools/discipline_matrix.htm and in the Code of Student Conduct booklet. For more information on the <i>Discipline Matrix</i>, talk with a school administrator.</u></p>	Clarifying language
11	29	<p>Substitution:</p> <p>Notice of a suspension shall be sent within twenty-four (24) hours by certified mail or hand-delivered to the parent/guardian or to the student, if the student is age 18 or older and <u>or</u> has been emancipated per Florida Statute, Section 743.015 or whose parent is unknown as per Policy 5.5: Attendance.</p>	Clarifying language

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12	30	<p>Clarification:</p> <p>Over the Counter Medications: Use, Possession, Sale, and/or Transmittal Leading to Suspension and Possible Expulsion</p> <p>School Board Policy 6305 (Administration of Medications/Treatments), provides the guidelines for the administration of medication and/or treatment for students receiving prescription and over the counter (OTC) medication.</p> <p><u>A new Authorization for Medication/Treatment Form must be completed and signed by the healthcare provider and parent for any new medication(s), changes in dosage, or changes in current medication(s).</u></p>	Addresses recommendation from the Public Rule Development Workshop
13	31-32	<p>Addition:</p> <p><u>The following section addresses: (A) USE, POSSESSION, OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES, (B) POSSESSION OF UNAUTHORIZED OR MOOD-ALTERING SUBSTANCES IS PROHIBITED AND (C) SALE, ATTEMPTED SALE, OR TRANSMITTAL.</u></p> <p>Use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages is prohibited. (If the mood altering substance is an unauthorized substance, refer to POSSESSION OF UNAUTHORIZED SUBSTANCES IS PROHIBITED section below.)</p>	Recommended by Policy 5006 Committee – Alignment to Policy 5006
14	32	<p>Addition:</p> <p><u>(A) USE, POSSESSION, OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES</u></p> <p><u>Use, possession, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, is prohibited.</u></p>	Recommended by Policy 5006 Committee – Alignment to Policy 5006

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15	32-33	<p>Addition:</p> <p><u>(B)</u> POSSESSION OF UNAUTHORIZED OR MOOD-ALTERING SUBSTANCES IS PROHIBITED</p> <p><u>(C)</u> SALE, ATTEMPTED SALE, OR TRANSMITTAL</p>	Recommended by Policy 5006 Committee – Alignment to Policy 5006
16	39	<p>Addition:</p> <p>Right To An Appeal</p> <p><u>In the case of Charter Schools: If the problem still has not been resolved within five (5) school days from receipt of the written response, the charter school student may request, in writing, a meeting with the Governing Board.</u></p>	Addresses Charter School process
17	39	<p>Addition:</p> <p>Right to Appeal</p> <p><u>Items 3-5 below do not apply to Charter School students.</u></p> <p>3. Upon receipt of the letter, the area superintendent/designee will schedule a meeting within five (5) school days with the <u>district</u> student and his or her parent. This meeting will include the person(s) involved in the appeal process, the principal, the <u>district</u> student, the parent(s) and anyone else he or she wishes to attend. An attorney may be present to represent either the <u>district</u> student and/or the school. The area superintendent/designee has five (5) school days after the date of the meeting to send a written response to the <u>district</u> student.</p> <p>4. If <u>district</u> students still are not satisfied, they may take the problem to the Superintendent following the above procedures.</p>	Clarifies processes pertinent to District students only

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		5. The Superintendent will schedule another meeting to see how the matter can be resolved. After the date of this meeting, the Superintendent has five (5) school days to send a written response. The decision of the Superintendent shall be final for the appeal of any penalties fewer than ten (10) days. For appeals of ten (10) days, <u>district</u> students have the right to appeal to the School Board.	
18	40	<p>Addition:</p> <p>6. <u>A student shall serve his or her suspension during the pendency of any appeals. If the student is successful in his or her appeal, the student's record shall be corrected to remove all indications of the suspension and the absences shall be reflected as "excused," for the period in question. Refer to page 5, regarding make-up work.</u></p>	Clarifying language
19	40	<p>Clarification:</p> <p>REPORTING DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES</p> <p>If any <u>district school</u> 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 Forsyth Street, S.W., Suite 19T70, Atlanta, GA 30303, or the state or federal Office for Civil Rights.</p>	Clarifying language

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20	40	<p>Clarification:</p> <p>REPORTING SECTION 504 DISCRIMINATION</p> <p>The steps below have been developed to comply with the law for resolution of individual complaints under Section 504/ ADA. Aggrieved persons <u>Persons aggrieved by district school actions</u> are not required by law to exhaust the District's grievance procedures before filing a complaint at the federal or state level.</p> <p>The following steps should be followed if resolution on Section 504/ ADA issues through informal discussion with appropriate <u>district</u> school personnel is not achieved. All meetings, discussions, etc., should be documented. Appropriate <u>district</u> school personnel could include teachers, the Section 504 liaison, counselors, school administrator, etc.</p>	Clarifying language
21	40	<p>Clarification:</p> <ol style="list-style-type: none"> 1. If informal discussions do not resolve the issue, the <u>district school</u> student/parent/guardian may obtain a Grievance Filing Form from the principal. The completed form should be submitted to the <u>district school</u> principal within 15 school days. 2. Within 15 school days of receipt of the written grievance, the <u>district school</u> principal shall provide the grievant with a Grievance Resolution Notice that upholds, modifies, or denies the resolution sought. 3. If the <u>district school</u> student/parent/guardian is 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 <u>district school</u> 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 	Clarifying language

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		will conduct an investigation, convene pertinent parties, including legal counsel, and make a determination as to whether probable cause exists to believe that the <u>district school</u> student was, in fact, discriminated against. A determination of probable cause will include specific recommendations for corrective behavior.	
22	41	Addition: Flowchart Update	
23	42	Addition: Discipline Matrix	