

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

Page (Item)	Recommended Change/Addition/Deletion	Rationale
1-2	<p>Addition:</p> <p>STUDENTS ELIGIBLE FOR PUBLIC-SUPPORTED EDUCATION IN THE BROWARD COUNTY PUBLIC SCHOOL SYSTEM SHALL NOT BE SUSPENDED OR EXPELLED FROM SCHOOL FOR DISCIPLINARY REASONS FOR ANY PERIOD UNLESS SUCH STUDENT IS PROVIDED AN OPPORTUNITY FOR A STUDENT CONFERENCE/HEARING PURSUANT TO RULES OF THE SCHOOL BOARD. STUDENTS WHO ARE IDEA AND SECTION 504 ELIGIBLE HAVE SUPPLEMENTAL RIGHTS UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AND STATE BOARD RULE.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><u>DISABLED STUDENTS WHO ARE ELIGIBLE UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) OR SECTION 504 OF THE REHABILITATION ACT OF 1973 (SECTION 504) HAVE SUPPLEMENTAL RIGHTS UNDER IDEA OR SECTION 504 AND STATE BOARD RULE. THE STUDENT'S INDIVIDUAL EDUCATION PLAN OR 504 PLAN TEAM SHOULD CONVENE AS SOON AS POSSIBLE TO ADDRESS THE STUDENT'S PROGRAM AND DETERMINE APPROPRIATE ACTION, INCLUDING, BUT NOT LIMITED TO, CONDUCTING MANIFESTATION DETERMINATIONS, AS NECESSARY.</u></p> </div>	<p>Recommendation by Policy 5006 Committee</p>
4	<p>Change:</p> <p>d. Notice of the suspension, using the district-approved suspension form, shall be sent within twenty-four (24) business hours from the suspension decision by mail or hand-delivered to the parent/guardian (F.S. 1006.09(1)(b) or to the student, if the student is <u>not a dependent (18 years or older) student as defined in the Internal Revenue Code §152 or</u> and has been emancipated per Florida Statute, Section 743.015 or whose parent is unknown as per policy 5.5: Attendance.</p>	<p>Clarifying language</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

4-5	<p>Addition:</p> <p><u>PREVENTING RECIDIVISM through OPPORTUNITIES, MENTORING, INTERVENTIONS, SUPPORTS and EDUCATION (PROMISE)</u></p> <p><u>PROMISE is an intervention-based program designed to correct student behaviors that violate this policy or Policy 5.8: Code of Student Conduct through a comprehensive set of supports and education. PROMISE is designed to address these policy violations that rise to the level of entrance into the delinquency system. The intent of PROMISE is to safeguard the student from entering the said system.</u></p> <p><u>The list of PROMISE eligible incidents are outlined below.</u></p> <ol style="list-style-type: none"><u>1. Disruption on Campus-Major</u><u>2. Trespassing</u><u>3. Alcohol-Use/Possession/Under the Influence</u><u>4. Alcohol Sale/Attempted Sale/Transmittal</u><u>5. Drug-Use/Possession/Under the Influence</u><u>6. Drug Paraphernalia-Possession</u><u>7. Bullying</u><u>8. Harassment</u><u>9. Fighting-Mutual Combat</u><u>10. False Accusation Against School Staff</u><u>11. Assault/Threat (no harm or injury)</u><u>12. Theft-Petty <\$300</u><u>13. Vandalism/Damage to Property <\$1,000</u> <p><u>Although this policy (Policy 5006: Suspension and Expulsion) specifically outlines consequences for drug offenses by incident (i.e. first, second, third offense, etc.), the continuum of consequences for all other PROMISE incidents are referenced in the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p><u>For PROMISE eligible incidents/violations: if the parent/student refuses the PROMISE program, then they will be referred to the Juvenile Justice System of Care. The Juvenile</u></p>	<p>Recommendation by Policy 5006 Committee</p>
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SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p><u>Justice System of Care (JJSC) is an intervention created by an Interagency Agreement of which Broward County Public Schools is a party.</u></p> <p><u>Should the parent/student still refuse to participate in the PROMISE program, the child may be arrested.</u></p> <p><u>When a parent/student accepts the PROMISE program but fails to fulfill the requirements of the program, the parent/student shall be referred to the Juvenile Justice System of Care. Should the parent/student still refuse to complete the program, the child may be arrested.</u></p>	
5	<p>Addition:</p> <p>SECTION II: MEDICATIONS, USE, POSSESSION, SALE, AND/OR TRANSMITTAL LEADING TO SUSPENSION AND POSSIBLE EXPULSION</p> <p><u>Disciplinary consequences for violations at the elementary level (Grades K-5) shall not be counted when subsequent violations occur at the secondary level (Grades 6-12).</u></p>	<p>Recommendation by Policy 5006 Committee</p>
5	<p>Addition:</p> <p>General Information - <u>Violations of Policy 6305:</u></p> <ul style="list-style-type: none"> • 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. • A new Authorization for Medication/Treatment Form must be completed and signed by the healthcare provider and parent for any medication(s), changes in dosage, or changes in current medication(s). 	<p>Clarifying language</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

	<ul style="list-style-type: none"> As per Pursuant to Policy 6305, students with special health conditions, e.g., asthma, diabetes and hypersensitivity, regardless of grade, may carry medication on self, only if approved by their physician and noted on the Medication/Treatment Authorization form. 	
5-6	<p>Change:</p> <p>A. USE AND/OR POSSESSION OF UNAUTHORIZED OVER-THE-COUNTER MEDICATIONS AND SALE OR ATTEMPTED SALE, AND/OR TRANSMITTAL OF AUTHORIZED OR UNAUTHORIZED OVER THE COUNTER MEDICATIONS IS PROHIBITED.</p> <p>1. The first time occurrence for the use and/or possession of over the counter medications and sale or attempted sale, and/or transmittal of authorized or unauthorized over the counter medications, shall be counted at any time during which the student is enrolled in a Broward County Public School. 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.</p> <p>First and Second Offense Procedures:</p> <p>ba. Upon committing the first <u>or second</u> offense, a student may be referred to the area substance abuse case manager who shall refer the student to an appropriate counseling program. the substance shall be confiscated from the student. The student shall receive a verbal warning and the parent shall be notified. School administration shall inform the parent if medication (prescribed or over-the-counter) needs to be taken/carried by the student, then an Authorization for Medication/Treatment form should be completed annually or as needed by the parent and a physician.</p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

	<p>2. Second Offense Procedures:</p> <p>a. The student shall be suspended from the regular school program for one to two (1-2) days. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.</p> <p>b. The student may be referred to the area substance abuse counselor.</p> <p>32. Third and Subsequent Offenses Procedures:</p> <p>a. The student shall be administered a consequence suspended for a ten (10) day out of school suspension as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A). In the case of student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.</p> <p>b. The students shall be referred to the District substance abuse case manager.</p> <p>e. The incident shall be considered first offense under Section III (A) of this policy.</p> <p><u>Note: Use of over-the-counter medication in excess of the manufacturer's prescribed limits may be treated as a mood-altering substance and assigned a consequence under Section III of this policy.</u></p>	
6	<p>Addition:</p> <p><u>B. SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF AUTHORIZED OR UNAUTHORIZED OVER-THE-COUNTER MEDICATION IS PROHIBITED.</u></p> <p><u>1. First Offense Procedures:</u></p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p><u>a. Upon committing the first offense, the substance shall be confiscated from the student. The parent shall be notified and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p>2. Second and Subsequent Offense Procedures:</p> <p><u>a. Upon committing the second and subsequent offense, the substance shall be confiscated from the student. The parent shall be notified and the student shall receive a consequence as outlined by the Discipline Matrix (see Policy 5.8: Code of Student Conduct – Appendix A).</u></p> <p><u>b. The student shall be referred to the District’s substance abuse case manager.</u></p>	
<p style="text-align: center;">6-8</p>	<p>Change: SECTION III: DRUG AND SUBSTANCE ABUSE OFFENSES LEADING TO SUSPENSION AND POSSIBLE EXPULSION OR MANDATORY EXPULSION</p> <p>General Information:</p> <ul style="list-style-type: none"> • Each principal shall post, in a place readily seen by students, a notice stating that a student’s locker or other storage area may be subject to search based upon reasonable suspicion of possession of prohibited, unauthorized, or illegal materials/<u>objects</u> or substance and may also result in a search of person, possessions, locker and/or vehicle (Florida Statute 1006.09(9)). • School personnel shall report to the principal/designee the suspected unlawful use, possession, transmittal, sale or attempted sale by a student of any drugs, over-the-counter or prescription substances, including any alcoholic beverage or inhalant, and shall be exempt from civil liability when making such reports. • <u>If a student has been suspended or expelled for a prior drug offense by any in-state or out-of-state public, private, charter or research school, then the disposition of this offense shall constitute a second offense and the procedures for second offenses shall apply.</u> 	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

A. USE, POSSESSION, AND/OR BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES

Use, possession, and/or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, is prohibited.

Disciplinary consequences for violations at the elementary level (Grades K-5) shall not be counted when subsequent violations occur at the secondary level (Grades 6-12).

1. First Offense Procedures:

a. ~~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 School. 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.~~

b. Elementary students, (Grades K-5): The student shall be suspended from the regular school program for ~~ten (10)~~ four (4) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. ~~Two (2) Up to seven (7)~~ Two (2) days of the suspension ~~may be~~ shall be waived if the student attends a counseling program authorized by the principal/designee in conjunction with the District substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the ~~full ten (10)~~ initial four (4) day suspension shall be imposed. ~~In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.~~

c. Secondary students, (Grades 6-12): ~~The student shall be suspended from the regular school program for six (6) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. Three (3) days of the suspension shall be waived if the student attends a counseling program~~

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

authorized by the principal/designee in conjunction with the District substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the initial six (6) day suspension shall be imposed.

2. Second Offense Procedures:

a. Elementary students, (Grades K-5): The student shall be suspended from the regular school program for ten (10) days and referred for the Behavior Intervention Program.~~expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. The student shall be placed on a Probationary Substance Contract in lieu of the Behavior Intervention Program Assignment. The Behavior Intervention Program will not be required if the student successfully completes the requirements of the Probationary Substance Contract while at a regular school program. The District substance abuse case manager shall monitor/verify that the student remains in compliance with the terms of the Probationary Substance Contract.~~

If the student violates the terms of the Probationary Substance Contract then the student shall be placed in a Behavior Intervention Program, with Substance Workback. The student shall complete the state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional.

~~b. The student shall be placed in an expulsion abeyance program and 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.~~

~~e.~~The student may return to ~~the a~~ regular school program upon successful completion of the prescribed rehabilitation or treatment program. The District substance abuse case manager shall monitor/verify that the student has completed the program.

~~d.~~If the student fails to complete the state-certified drug/alcohol rehabilitation or treatment program, the full term of the Behavior Intervention Program Assignment ~~expulsion~~ shall be implemented.

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

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

student shall be placed on a Probationary Substance Contract in lieu of an expulsion abeyance program. The expulsion abeyance program will not be required if the student successfully completes the requirements of the Probationary Substance Contract while at a regular school program. The District substance abuse case manager shall monitor/verify that the student remains in compliance with the terms of the Probationary Substance Contract.

If the student violates the terms of the Probationary Substance Contract then the student shall be placed in an expulsion abeyance program, with Substance Workback. The expulsion shall be held in abeyance if the student completes the state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program. The District substance abuse case manager shall monitor/verify that the student has completed the prescribed program. If the student fails to complete the state-certified drug/alcohol rehabilitation or treatment program, the full term of the expulsion abeyance program shall be implemented.

3. Third and Subsequent Offenses Procedures:

Elementary students, (Grades K-5): The student shall be suspended from the regular school program for ten (10) days and recommended for the Behavior Intervention Program for a period of one (1) calendar year commencing with the date of the offense, (F.S. 1006.09(3)), with Substance Workback. The student shall complete the District approved or state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.
~~The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team.~~

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p><u>Secondary students, (Grades 6-12):</u> The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory <u>(F.S. 1006.09(3))</u>. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. The student shall be placed in the expulsion abeyance program for a period of one (1) calendar year commencing with the date of the offense, with no Workback allowed and shall complete a state certified drug/alcohol rehabilitation program. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. <u>with Substance Workback. The expulsion shall be held in abeyance if the student completes the District approved or state-certified drug/alcohol rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.</u></p>	
<p style="text-align: center;">8-9</p>	<p>Change:</p> <p><u>B. USE/POSSESSION OF UNAUTHORIZED SUBSTANCES IS PROHIBITED</u> <u>Disciplinary consequences for violations at the elementary level (Grades K-5) shall not be counted when subsequent violations occur at the secondary level (Grades 6-12).</u></p> <p><u>Note: Students violating Policy 6305: Administration of Medication/Treatment, by possessing their own prescription medication on school grounds, on school transportation, or at a school-sponsored activity shall not receive a consequence under this section of the policy. In such instances, students shall be required to follow Policy 6305 and receive a consequence as outlined in Section II, A of this policy.</u></p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

	<p>First Offense Procedures:</p> <ol style="list-style-type: none">1. <u>Elementary students, (Grades K-5): The student shall be suspended from the regular school program for ten (10) days and recommended for the Behavior Intervention Program for a period of one (1) calendar year commencing with the date of the offense, with Substance Workback. The student shall complete the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.</u>2. <u>Secondary students, (Grades 6-12):</u> The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. 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, <u>with Substance Workback.</u> Workback option is allowed as referenced in this Policy under SECTION V, B, #6. <u>The expulsion shall be held in abeyance if the student completes the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional.</u> In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program. <p>Second and Subsequent Offense Procedures:</p> <ol style="list-style-type: none">1. <u>Elementary students, (Grades K-5): The student shall be suspended from the regular school program for ten (10) days and recommended for the Behavior Intervention Program, for a period of one (1) calendar year commencing with the date of the offense, with Substance Workback. The student shall complete</u>	
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SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

	<p><u>the District approved or state-certified drug rehabilitation or treatment program. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.</u></p> <p>2. <u>Secondary students, (Grades 6-12):</u> The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. The student shall be placed in the Expulsion Abeyance Program for a period of one (1) calendar year commencing with the date of the offense, with no Workback option allowed. <u>The student shall complete the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u> In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action.</p> <p>3. The student must complete a State Certified drug rehabilitation program</p>	
<p style="text-align: center;">9-11</p>	<p>Change:</p> <p>C. SALE, ATTEMPTED SALE, <u>AND/OR TRANSMITTAL</u>: Sale, attempted sale, <u>and/or</u> transmittal of drugs or mood-altering substances, unauthorized substances, or other substances held out or represented to be drugs or mood-altering substances, including alcohol or alcoholic beverages* is prohibited on a school campus or any school or School Board of Broward County sponsored event.</p> <p><u>Note: Broward School employees shall report this offense to the Department of Children and Families (F.S. 39.201) as appropriate.</u></p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

1. PROCEDURES FOR SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF ALCOHOL OR ALCOHOLIC BEVERAGES, INCLUDING SUBSTANCES HELD OUT OR REPRESENTED TO BE ALCOHOL OR ALCOHOLIC BEVERAGES:

First Offense Procedures:

a. Elementary students, (Grades K-5): The student shall be referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. The student shall be assigned to internal suspension for one to two (1-2) days.

~~4-~~ **b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team. The student shall be placed in the Expulsion Abeyance Program not to exceed for a period of one (1) calendar year commencing with the date of the offense, with no Substance Workback allowed. In the case of a student with a disability, the IEP/504 Team should convene as soon as possible to address the student's program and to determine appropriate action. The expulsion shall be held in abeyance if the student completes the District approved or state-certified alcohol rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program. The student may return to a regular school program upon successful completion of the prescribed rehabilitation or treatment program.**

Second Offense Procedures:

a. Elementary students, (Grades K-5): The student shall be referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. The student shall be suspended from the regular school program for two (2) days.

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

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p><u>placed in the expulsion abeyance program for a period of one (1) calendar year commencing with the date of the offense, with Workback. The expulsion shall be held in abeyance if the student completes the District approved or state-certified alcohol rehabilitation or treatment program with a certified addiction professional and all other components of the prescribed Workback Program. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p> <p><u>Third and Subsequent Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5): The student shall be referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. The student shall be suspended from the regular school program for four (4) days.</u></p> <p><u>b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. The student shall be placed in the expulsion abeyance program for a period of one (1) calendar year commencing with the date of the offense, with no Workback. The student shall complete a District approved or state-certified alcohol rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p> <p><u>*Note: Students found to have sold, attempted to sell or transmitted alcohol or alcoholic beverages shall be eligible for Workback. See Workback section for details.</u></p> <p><u>2. PROCEDURES FOR SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF DRUGS OR MOOD-ALTERING SUBSTANCES, UNAUTHORIZED SUBSTANCES, OR OTHER SUBSTANCES HELD OUT OR REPRESENTED TO BE DRUGS OR MOOD-ALTERING SUBSTANCES, OTHER THAN ALCOHOL OR ALCOHOLIC BEVERAGES:</u></p> <p><u>First Offense Procedures:</u></p>	
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SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p><u>a. Elementary students, (Grades K-5): The student shall be referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. The student shall be suspended from the regular school program for two (2) days.</u></p> <p><u>b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. The student shall be placed in the expulsion abeyance program for a period of one (1) calendar year commencing with the date of the offense, with Workback. The expulsion shall be held in abeyance if the student completes the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional and all other components of the prescribed Workback Program. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p> <p><u>Second Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5): The student shall be referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. The student shall be suspended from the regular school program for three to five (3-5) days.</u></p> <p><u>b. Secondary students, (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. The student shall be placed in the expulsion abeyance program for a period of one (1) calendar year commencing with the date of the offense, with no Workback. The student shall complete a District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p> <p><u>Third and Subsequent Offense Procedures:</u></p> <p><u>a. Elementary students, (Grades K-5): The student shall be suspended from the regular school program for ten (10) days and recommended for the Behavior Intervention Program for a period of one (1) calendar year commencing with the date of the offense.</u></p>	
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SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p><u>with Workback. The student shall complete the District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p> <p><u>b. Secondary students. (Grades 6-12): The student shall be suspended from the regular school program for ten (10) days and expulsion shall be mandatory. The student shall be placed in the expulsion abeyance program for a period of one (1) calendar year commencing with the date of the offense, with no Workback. The student shall complete a District approved or state-certified drug rehabilitation or treatment program with a certified addiction professional. The District substance abuse case manager shall monitor/verify that the student has completed the program.</u></p>	
<p>11-12</p>	<p>Change:</p> <p>SECTION IV: OTHER OFFENSES (NON-DRUG AND NON-SUBSTANCE ABUSE OFFENSES) LEADING TO AND PROCEDURES FOR SUSPENSION AND POSSIBLE EXPULSION</p> <p>4. Commits or threatens to commit <u>vandalism</u>/damage to property</p> <p>5. Commits any act on campus or off campus that substantially disrupts the orderly conduct of the classroom or school activities</p> <p>6. Commits grand theft, <u>including motor vehicle theft</u></p> <p>8. Possesses, displays, transmits or handles <u>Use of</u> laser pens/pointers and other laser devices in a manner that could potentially harm or injure another individual</p> <p>11. Transmits or distributes any video voyeurism or “sexting” information or images <u>that depict nudity or sexual content as defined in Section II, Definitions of the Code of Student Conduct, Policy 5.8 or that violate the rights of individuals having a reasonable expectation of privacy and/or violate privacy laws</u></p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p>12. Commits other criminal actions, on school board property, or during school events or activities, not already set forth above in this policy including, but not limited to, when the student:</p> <ul style="list-style-type: none"> a. is found formally charged by a court to with haveing committed a delinquent act which would be a felony, if committed by an adult (F. S.1006.09(2)); b. has had an adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or c. has been found guilty of a felony 	
12	<p>Addition:</p> <p><u>Note: Administrative reassignment may be imposed when a student is formally charged under 12a above, for an event that takes place off campus and is determined via an administrative hearing that the incident may have adverse impact on the educational program, discipline or welfare in the school in which the student is enrolled (F.S. 1006.09(2)).</u></p>	<p>Recommendation by Policy 5006 Committee</p>
12	<p>Change:</p> <p>B. PROCEDURES FOR DISCIPLINARY ACTION IN LIEU OF EXPULSION</p> <p>1. For offenses in this category, which shall result in suspension, and may result in <u>recommendation for the Behavior Intervention Program or</u> expulsion, the principal or designee, with the approval of the Executive Director of Student Support Initiatives/designee, may offer the student an Alternative Probationary Contract in lieu of recommending <u>the Behavior Intervention Assignment or</u> expulsion. This contract shall allow the student to continue attending his/her current school under the terms of the probationary contract. <u>The Alternative to Probationary Contract shall remain in effect for one (1) year from the date of execution.</u> If a student transfers to another school during the term of the probationary contract, the terms of the probationary contract will still apply.</p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p>3. The principal may recommend to the appropriate Superintendent's Designee the administrative placement-assignment of a student in a disciplinary center for any offenses listed above in Sections IV or V of this policy, which may have resulted in repeated disciplinary action. The recommendation, approved by the <u>Behavior Intervention eCommittee</u>, chaired by the Superintendent's Designee, will<u>must</u> include documentation of actions initiated by the <u>home-referring</u> school to address the repeated offenses and will reflect referrals, interventions and outcomes. The length of such placement-assignment and conditions for return to a regular educational program, based on documented program progress, will be determined by a transition team composed of the <u>home-referring</u> school representative(s) and the disciplinary center staff.</p>	
13	<p>Addition:</p> <p><u>Note: A recommendation for the Behavior Intervention Program applies when the student commits an offense which a secondary student would receive a mandatory expulsion under this policy. Since the policy does not contemplate the expulsion of elementary students (except where noted), other disciplinary actions may be taken (i.e., administrative assignment to the Behavior Intervention Program).</u></p>	Clarifying language
13-14	<p>Change:</p> <p>SECTION V: MANDATORY EXPULSION OFFENSES AND PROCEDURES</p> <p>3. In addition, students found to have committed the following offenses on school property, school sponsored transportation, or during a school sponsored activity, shall receive the most severe consequences provided in this policy which shall be mandatory suspension and <u>administrative assignment to the Behavior Intervention Program or</u> expulsion, referral for appropriate counseling services, and may be referred for criminal prosecution to the local law enforcement agency and/or State Attorney's Office. These acts pose a serious threat to school safety, i.e., acts which directly or indirectly pose a significant risk of serious injury.</p> <p>11. Battery on a School Board employee, sports official, or other specified officials as listed in F.S. 1006.07(g) <u>784.07 and 1006.13(5)</u></p>	Recommendation by Policy 5006 Committee

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p>Note: When charged with acts listed in numbers 11 through 14 above the student shall be immediately removed from the classroom and placed in an alternative school setting pending disposition (Chapter 2009-53) (F.S. 1006.13(5)).</p>	
<p>14</p>	<p>Change:</p> <p>B. PROCEDURES FOR EXPULSION:</p> <p>1. SUSPENSION & PRE-EXPULSION PLACEMENT <u>ASSIGNMENT</u> Students shall be suspended immediately and a notice sent to the Executive Director of Student Support Initiatives/designee. In the case of a student with a disability action by the IEP/504 Team is required where a change of placement will occur as a result of the suspension. The recommendation for expulsion shall be processed to final conclusion even though the student in question has withdrawn from the school system subsequent to the violation. Students who are being recommended for expulsion shall be given the opportunity to participate in a Pre-Expulsion Alternative Education Program for a period of time commencing with the end of the ten (10) day suspension.</p> <p>While in the <u>District approved</u> Pre-Expulsion Alternative <u>Education</u> Program and the subsequent Expulsion Abeyance Program, the student is not permitted on any regular school campus during this period of time <u>and may be subject to trespass arrest pursuant to F.S. 810.09(1)(b)</u>. For non-disabled students, this placement <u>assignment</u> can be executed with or without student or parent permission. Additionally, this placement <u>assignment</u> shall continue until such time the School Board approves a Final Order of Expulsion. In the case of a student with a disability, this would constitute a change in placement and would require action by the IEP/504 Team, including a determination of services that will be offered to a student during any expulsion period.</p> <p>2. SUSPENSION & PRE-EXPULSION PLACEMENT <u>ASSIGNMENT</u>, Special</p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p style="text-align: center;">Circumstances and Interim Alternative Educational Setting (IAES) for students with disabilities (IDEA and 504 eligible)</p>	
<p style="text-align: center;">14-15</p>	<p>Clarification:</p> <p>3. PRE-EXPULSION CONFERENCE The Executive Director of Student Support Initiatives/designee will investigate the alleged offense and provide an opportunity for a Pre-Expulsion Conference with the student and the parent/guardian. During this conference, the Executive Director of Student Support Initiatives/designee shall inform the parent/guardian and student of the expulsion charges and the expulsion procedures, including the right to a formal hearing, as well as their right to be assisted by anyone they choose at their own expense. Additionally, the parent/guardian will be informed that they have the right to call and question witnesses. In the case of a student with a disability, any change in placement would require action by the IEP/504 Team.</p> <p>4. EXPULSION HEARING</p> <p>At the conclusion of the hearing, the Hearing Officer shall submit his/her recommended order. The hearing officer's recommended order, with documentary evidence, shall be placed on the next regular School Board <u>meeting</u> agenda. The School Board shall act on the recommended order or, in the case of a student with a disability shall make a recommendation and refer the matter to the IEP/504 Team for appropriate action, including a placement determination. The School Board may reject the hearing officer's findings of fact only if it is determined that there is no substantial competent evidence to support the <u>findings of facts</u>. The School Board may reject the conclusions of law only if it is determined that this policy was misinterpreted or not applied correctly. The School Board may reduce or increase the penalty only upon a review of the complete record and must state with particularity its reasons by citing to the record to justify the action.</p> <p>In the case of a student with a disability, the School Board shall make a</p>	<p style="text-align: center;">Clarifying language</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

~~recommendation and refer the matter to the IEP/504 Team for appropriate action, including a placement determination.~~

If the parent waives ~~their~~ his/her right to a hearing, a request for the Final Order of Expulsion shall be forwarded by the appropriate Executive Director of Student Support Initiatives/designee for approval by the School Board. ~~In the case of a student with a disability, any change in placement that may occur as a result of these procedures must be made by the IEP/504 Team. The School Board shall act on the recommended order or, in the case of a student with a disability shall make a recommendation and refer the matter to the IEP/504 Team for appropriate action, including a placement determination. The School Board may reject the hearing officer's finding of fact only if it is determined that there is no substantial competent evidence to support the facts. The School Board may reject the conclusions of law only if it is determined that this policy was not applied correctly.~~

~~If the parent waives their right to a hearing, a request for the Final Order of Expulsion shall be forwarded by the Executive Director of Student Support Initiatives/designee for approval by the School Board. In the case of a student with a disability, any change in placement that may occur as a result of these procedures must be made by the IEP/504 Team.~~

5. EXPULSION/EXPULSION ABEYANCE

- a. The expulsion shall commence with the date of the School Board's Final Order or, in the case of student with a disability, the date established by the IEP/504 Team. However, the term of exclusion from the regular school shall not exceed one calendar year from the date of the offense. ~~However~~ Additionally, the expulsion shall be held in abeyance and the student shall be given the opportunity to participate in an established Expulsion Abeyance Program. ~~In the case of a student with a disability, movement to such a program would constitute a change in placement and would require action by the IEP/504 Team.~~
- b. If a student enrolls in an Expulsion Abeyance Program or in a program designated by the Superintendent and successfully completes the program, the expulsion shall

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p>not be documented on expunged from the student's official transcript. The area student services substance abuse/expulsion case manager will facilitate the student's re-entry into the regular school program, except where otherwise indicated in this policy. In the case of a student with a disability, return to a school placement will may require action by the IEP/504 Team.</p> <p>c. The District student services case manager shall monitor/verify that the student has completed the expulsion abeyance or agreed upon program.</p> <p>d. 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 school system until the duration of the original expulsion has lapsed. In the case of a student with a disability, expulsion would constitute a change in placement and would require action by the IEP/504 Team.</p>	
<p style="text-align: center;">15-17</p>	<p>Change:</p> <p>6. WORKBACK</p> <p><u>Elementary students, (Grades K-5) shall be administratively placed in the Behavior Intervention Program for one (1) calendar school year. Elementary students may complete a Workback Program within 45-school days and be reinstated to a traditional school program. If the student is unsuccessful at Workback Program completion within 45-school days, then the student shall continue in the Workback Program for up to 90-school days. If the student is unsuccessful after 90 school days, the full term of the administrative assignment shall be served.</u></p> <p><u>Secondary students, (Grades 6-12) shall be expelled for one (1) calendar school year. For infractions that are eligible for Workback consideration, the student may complete the Workback Program within 90-school days and be reinstated to a traditional school program. If the student is unsuccessful after 90-school days, the full term of the expulsion shall be served.</u></p> <p><u>Substance Workback</u></p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

Substance Workback shall mean that the student is eligible to return to a regular school program upon successful completion of the state-certified rehabilitation or treatment program as determined by the District substance abuse case manager.

~~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, except where otherwise indicated in this policy.~~

Workback requirements are reviewed with the student by the District case manager and include specific responsibilities the student must comply with to be considered for Workback. ~~However,~~

~~Students~~ who commit the following offenses are **not** eligible for the Workback Program:

<u>Elementary Students</u>	<u>Secondary Students</u>
<u>a. Arson or attempted arson</u>	<u>a. Arson or attempted arson</u>
<u>b. Sexual battery (rape) or attempted sexual battery (rape)</u>	<u>b. Sexual battery (rape) or attempted sexual battery (rape)</u>
<u>c. Possession, use, sale, or transmittal of a firearm, projectile device*, electric weapon or device, or flare gun</u>	<u>c. Possession, use, sale, or transmittal of a firearm, projectile device*, electric weapon or device, or flare gun</u>
<u>d. Homicide</u>	<u>d. Homicide</u>
<u>e. Kidnapping or abduction</u>	<u>e. Kidnapping or abduction</u>
<u>f. Armed robbery or attempted armed robbery</u>	<u>f. Armed robbery or attempted armed robbery</u>
<u>g. Battery of a School Board of Broward County employee</u>	<u>g. Second and subsequent offense for use/possession of an unauthorized substance</u>
<u>h. Battery on a law enforcement officer</u>	<u>h. Third and subsequent offenses of sale, attempted sale, and/or transmittal of alcohol or alcoholic beverages, including</u>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

		<u>substances held out or represented to be alcohol or alcoholic beverages</u>
		<u>i. Second and subsequent offenses of sale, attempted sale, and/or transmittal of drugs or mood-altering substances, unauthorized substances, or other substances held out or represented to be drugs or mood-altering substances, other than alcohol or alcoholic beverages</u>
		<u>j. Battery of a School Board of Broward County employee</u>
		<u>k. Battery on a law enforcement officer</u>
<p>a. Arson or attempted arson</p> <p>b. Sexual battery (rape) or attempted sexual battery (rape)</p> <p>c. Possession, use, sale, or transmittal of a firearm, projectile device*, electric weapon or device, or flare gun</p> <p>d. Homicide</p> <p>e. Kidnapping or abduction</p> <p>f. Armed robbery or attempted armed robbery</p> <p>g. Second and subsequent offenses for possession or use of an unauthorized substance</p> <p>h. Third and subsequent offenses for use, or being under the influence of mood-altering substances, including alcohol and alcoholic beverages</p> <p>i. Sale/attempted sale/transmittal of mood-altering substances</p> <p>Note: Students found to have sold, attempted to sell or transmitted alcohol or alcoholic beverages shall be eligible for Workback.</p> <p>j. Sale or transmittal of unauthorized substances or the sale or transmittal of the student's own prescription medication.</p> <p>k. Battery on a School Board of Broward County employee.</p> <p>l. Battery on a law enforcement officer</p>		

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: Suspension and Expulsion

17	<p>Addition:</p> <p>If a student who has been expelled or dismissed from another district, <u>charter school or private school</u> wishes admission, he/she shall be placed in an appropriate Expulsion Abeyance Program or a program designated by the Superintendent/<u>designee</u> for a period of time commensurate with the terms of the original expulsion.</p>	Clarifying language
17	<p>Addition:</p> <p>SECTION VI: REPORTING REQUIREMENTS</p> <p>2. Making a threat or false report, as defined by FS 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity, including, <u>but not limited to:</u></p> <ul style="list-style-type: none"> a. Threats to throw, project, place, or discharge a destructive device with intent to do bodily harm to any person or with intent to damage any property of any person. b. Making a false report, with intent to deceive, mislead, or otherwise misinform a person, concerning the placing or planting of any bomb, dynamite, or other deadly explosive, or weapon of mass destruction. 	Clarifying language
18	<p>Change:</p> <p><u>I. Mood-Altering Substance. Any substance that is or may be detrimental to the user or to others</u> <u>Examples of mood-altering substances may include, but are not limited to:</u></p> <ul style="list-style-type: none"> 1. Alcohol or alcoholic beverages 2. Cocaine 3.2. Marijuana (less than 20 grams) 4.3. Hallucinogens/<u>chemical intoxication</u> 5.4. Inhalants 	Recommendation by Policy 5006 Committee

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<p>6. Narcotics, which include hydrocodone and oxycodone 7. Stimulants, which include Ritalin, Adderal, and Ecstasy 8. Depressants, which include Xanax and benzoids 9.5. Steroids Over-the counter medication taken in excess of prescribed amount</p> <p><u>“Over-the-counter (OTC) medications” are medications that may be sold directly to a consumer without a prescription from a physician or licensed healthcare provider.</u></p>	
19	<p>Change:</p> <p>P. Unauthorized Substances/<u>Drugs</u> shall include:</p> <p>a. Any substances deemed to be illegal under Chapter 893 or mood altering substances.</p> <p><u>b. Any drugs or controlled substances that constitute a felony under Florida Statute.</u></p> <p>b.c. Any prescription drug (not prescribed for the student who is in possession of the medication) and any medication not authorized as part of Policy 6305.</p>	<p>Recommendation by Policy 5006 Committee</p>
19	<p>Addition:</p> <p><u>Fighting-Mutual Combat/Altercation. When two or more persons mutually participate in use of force or physical violence that requires either 1) physical restraint or 2) results in injury requiring first aid or medical attention.</u></p>	<p>Alignment to School Environmental Safety Incident Reporting (SESIR)</p>
19	<p>Change:</p> <p>R. Weapons. For purposes of this policy, weapons are defined in two categories, Class “A” or Class “B.” An object which can be defined as a Class “A” weapon pursuant to this policy shall be conclusively determined to be a Class “A” weapon and further classifications shall not be considered.</p> <p><u>Use/Possession/Transmittal of</u> Class “A” weapons include:</p>	<p>Recommendation by Policy 5006 Committee</p>

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5006

POLICY TITLE: **Suspension and Expulsion**

	<u>Use/Possession/Transmittal of</u> Class "B" weapons include:	
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