

SUMMARY OF RECOMMENDED CHANGES

DATE: July 23, 2013

POLICY #: 5.8

POLICY TITLE: Code of Student Conduct 2013-2016

Page (Item)	Recommended Change/Addition/Deletion	Rationale
1-3	<p>Addition:</p> <p style="text-align: center;"><u>INTRODUCTION - GUIDING PRINCIPLES</u></p> <p><u>Broward County Public Schools firmly believes a positive school culture promotes equal educational opportunity and establishes the framework for a safe learning environment. The Code of Student Conduct is comprised of a set of policies, rules, and laws by which order is established and maintained for the benefit of all. Discipline within a school must have the qualities of objectivity, consistency and equity. It is the responsibility of all school personnel, students, parents, external stakeholders and the greater community to ensure the school environment encourages a climate conducive to learning.</u></p> <p><u>The Code of Student Conduct is intended to be an instructive policy based on interventions and supports for students. However, when consequences are warranted, they shall be implemented based on a system of progressive discipline. Minor infractions and first offenses have less serious consequences than major infractions and repeat offenses. Factors such as age, grade level, social, emotional and intellectual development, and overall student rights and responsibilities shall also be considered. Disciplinary issues will be resolved by every means possible prior to exclusion from school. Equitable and reasonable procedures will be followed to assure students of their rights.</u></p> <p><u>Broward County Public Schools expects all stakeholders to demonstrate mutual respect for the rights of others. It is expected that all involved in teaching and learning fully accept their responsibilities to model and practice the Character Traits - Responsibility, Citizenship, Kindness,</u></p>	<p>Recommended by the Code of Student Conduct Committee</p>

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	<p><u>Honesty, Self-Control, Tolerance, Respect and Cooperation.</u></p> <p><u>Stakeholders' responsibilities are outlined below.</u></p> <p><u>Responsibility of Students</u></p> <ul style="list-style-type: none"><u>• Attend school daily, be prepared for class and complete assignments to the best of their abilities</u><u>• Follow the Code of Student Conduct and school-based rules</u><u>• Model and practice the expected behaviors and character traits</u><u>• Notify school staff about any dangerous behavior, bullying or activity that occurs on school grounds, or off school grounds when it may result in disruption to the educational setting</u><u>• Accept and respect individual differences and people</u><u>• Bring only those materials to school that are allowed</u><u>• Keep parents informed of school-related issues and ensure communications are brought home</u> <p><u>Responsibility of Parents/Guardians</u></p> <ul style="list-style-type: none"><u>• Read the Code of Student Conduct</u><u>• Make sure your child attends school regularly and on time</u><u>• Notify the school of absences or tardiness in a timely manner</u><u>• Monitor your child's academic and behavioral progress</u><u>• Talk with your child about school and behavioral expectations</u><u>• Visit your child's school, as necessary</u><u>• Play an active role and support your child's educational experience</u><u>• Be a positive role model and practice the expected behaviors and</u>	
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	<p><u>character traits</u></p> <ul style="list-style-type: none">• <u>Teach your child to respect the rights and property of others</u> <p><u>Responsibility of Teachers</u></p> <ul style="list-style-type: none">• <u>Use well-planned, creative and engaging instructional plans daily</u>• <u>Teach and review the Code of Student Conduct, as necessary</u>• <u>Set expectations, teach, model and reinforce positive behavior</u>• <u>Provide students with meaningful and relevant feedback on their behavioral and academic progress</u>• <u>Use appropriate classroom management strategies to maintain the learning environment</u>• <u>Maintain a safe and orderly classroom by using prevention and intervention strategies</u>• <u>Provide corrective feedback and re-teach appropriate behaviors when a student demonstrates misconduct</u>• <u>Use professional judgment to prevent minor incidents from escalating</u>• <u>Keep parents informed of student academic progress and behavior through regular communication</u>• <u>Support and cooperate in implementing opportunities for parents to participate in their child's education</u>• <u>Request additional training and staff development as needed</u>• <u>Refer students in need of additional support to the Collaborative Problem-Solving Team</u> <p><u>Responsibility of Administrators</u></p>	
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	<ul style="list-style-type: none">• <u>Distribute the Code of Student Conduct to students, parents and school personnel</u>• <u>Maintain a safe and orderly school by using prevention and intervention strategies</u>• <u>Monitor, support and sustain the effective implementation and maintenance of a positive school culture and learning environment</u>• <u>Define, teach, model, reinforce and support appropriate student behaviors to maintain a positive school environment</u>• <u>Provide students with meaningful and relevant positive feedback on their behavioral and academic progress</u>• <u>Implement the Code of Student Conduct in a fair, equitable and consistent manner</u>• <u>Expand the adoption and implementation of alternatives to suspension at the school</u>• <u>Communicate policies, expectations and concerns and respond to complaints or concerns from students and parents in a timely manner</u>• <u>Use professional judgment to prevent minor incidents from escalating</u>• <u>Identify appropriate training and resources as needed to implement positive behavior interventions and supports</u>• <u>Provide meaningful opportunities for parent participation and involvement</u> <p><u>Responsibility of Additional School-based Staff</u></p> <ul style="list-style-type: none">• <u>Maintain a safe and orderly school environment by modeling and supporting appropriate student behaviors</u>	
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	<ul style="list-style-type: none">• <u>Provide students with meaningful and relevant positive feedback on their behavioral progress</u>• <u>Provide appropriate corrective feedback and re-teach appropriate behaviors when a student demonstrates misconduct</u>• <u>Monitor, support and sustain the effective implementation and maintenance of a positive school culture and learning environment</u>• <u>Use professional judgment to prevent minor incidents from escalating</u> <p><u>Responsibility of District Staff</u></p> <ul style="list-style-type: none">• <u>Create and implement policies and procedures that encourage safe and orderly schools for all students, school staff and principals</u>• <u>Protect the legal rights of school staff, principals, students and parents</u>• <u>Provide appropriate training and resources to implement a positive school culture and behavior interventions</u>• <u>Utilize individual school discipline data to identify and allocate professional development services for school administrators and staff</u>• <u>Assist parents who are unable to resolve issues at the school-level</u>• <u>Expand the adoption and implementation of alternatives to suspension across the District</u> <p><u>Stakeholders are collaborative partners in education and each plays an important role in the commitment to educating all students to reach their highest potential.</u></p>	
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3-4	<p>Change:</p> <p>Section B Florida law supports the active involvement of parents until the student graduates from school (F.S. 743.07, 1003.26, 1003.21). <u>It is presumed that students are dependent students (as defined by FERPA 34 C.F.R §99.31(a)(8) and by Internal Revenue Code §152). Parents will be notified that when a student reaches the age of majority (18 years of age), the parent shall continue to perform the parental functions of a dependent student, including, but not limited to, provide excusal of absences and tardiness, permission slips for early release, field trips, other activities, as necessary, and to register or terminate (withdraw) school enrollment, until the student graduates.</u> For purposes of all areas of this policy, it is expected that parents of students who have reached the age of majority (i.e., 18 years of age) will continue to perform the parental functions of a dependent student except under the following circumstances: (3) <u>The student has submitted specific and acceptable documentation (such as rental agreement, lease, etc.) to establish that he or she is independent of his/ her parents and that the presumption of dependency does not apply to him or her.</u></p>	Alignment to Policy 5.5
7	<p>Change:</p> <p>EXCUSED ABSENCES Students must be in school. However, when it is necessary to be out of school, absences may be excused for one of the reasons listed below. (Students on field trips, in internal in-school suspension, or attending alternative-to-suspension programs are not considered absent.) For reasons 1-5, p Parents must report the absence the day before, the day</p>	Alignment to Policy 5.5

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	<p>of, or within 2 school days following the absence, or the absence will be considered unexcused. Any absence is unexcused until the school receives a telephone call or a note to excuse the absence. A reason for the absence must be provided and absences can only be excused for one of the eight School Board allowed reasons for absences. Some situations will require written documentation from a private physician or public health unit. Excused absences include:</p> <p>6. Special event. Examples of special events include important public functions, conferences, state/ national competitions, <u>college/ university campus tour/ visit</u> as well as exceptional cases of family need. Students must get permission from the principal/ designee at least 5 days in advance.</p>	
37	<p>Change:</p> <p style="text-align: center;">HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) NOTICE</p> <p style="text-align: center;">Effective Date of Notice: May 7, 2013 TBD</p>	Date to be revised upon final Board Approval
42	<p>Change:</p> <p>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 not a dependent (18 years or older) student as defined in the Internal Revenue Code §152 or and has been emancipated per Florida Statute, Section 743.015 or whose parent is unknown as per policy 5.5: Attendance.</p>	Alignment to Policy 5006
43-44	<p>Addition:</p>	Alignment to Policy 5006

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	<p><u>PREVENTING RECIDIVISM through OPPORTUNITIES, MENTORING, INTERVENTIONS, SUPPPORTS and EDUCATION (PROMISE)</u></p> <p><u>PROMISE is an intervention-base d program designed to correct student behavior that violate this policy or Policy 508: Code of Student Conduct though 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>	
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	<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 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>	
<p style="text-align: center;">44-45</p>	<p>Change:</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><u>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.</u></p> <p>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 while the student is enrolled in a Broward County Public.(1) If the student has been suspended or expelled for a prior drug</p>	<p>Alignment to Policy 5006</p>

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	<p>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 <u>and Second</u> Offense Procedures:</p> <p>(21) Upon committing the first <u>or second</u> offense, a student may be referred to the area <u>District substance abuse case manager</u> who shall refer the student to an <u>appropriate counseling program</u>. <u>the substance shall be confiscated from the student.</u> <u>The student shall receive a verbal warning and the parent shall be notified.</u> <u>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.</u></p> <p>Second Offense Procedures:</p> <p>(1) 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. (2) The student may be referred to the area substance abuse counselor.</p> <p>Third and Subsequent Offense Procedures: (1) the student shall be <u>administered a consequence</u> suspended for a ten (10) days out-of-school suspension <u>as outlined in the Discipline Matrix – Appendix A</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. (2) The student shall be referred to the District substance <u>abuse case manager</u>. (3) The incident shall be considered a FIRST OFFENSE under Section III (A or C) of SB Policy 5006.</p> <p><u>Note: Use of over-the-counter medication in excess of the manufacturer's</u></p>	
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	<u>prescribed limits may be treated as a mood-altering substance and assigned a consequence under Section III of this policy.</u>	
45	<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><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 in the Discipline Matrix –Appendix A. 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></p> <p><u>2. Second and Subsequent Offense Procedures:</u></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 in the Discipline Matrix Appendix A.</u></p> <p><u>b. The student shall be referred to the District’s substance abuse case manager.</u></p>	Alignment to Policy 5006
45-46	<p>Addition:</p> <p>Drug and Substance Abuse Offenses Leading to Suspension and</p>	Clarifying language

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	<p style="text-align: center;">Possible Expulsion</p> <p>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 substances and may also result in a search of person, possessions, locker and/ or vehicle.</p> <p><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>	
<p style="text-align: center;">46-48</p>	<p>Change: The following section addresses: (A) USE, POSSESSION, <u>AND/OR</u> BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES, (B) <u>USE</u>/POSSESSION OF UNAUTHORIZED OR MOOD-ALTERING SUBSTANCES IS PROHIBITED AND (C) SALE, ATTEMPTED SALE, <u>AND/OR</u> TRANSMITTAL.</p> <p><u><i>Note: In the case of a change of placement, IEP/504 TEAM should convene as soon as possible to address the student's program and determine appropriate action.</i></u></p> <p>(A) USE, POSSESSION, <u>AND/OR</u> BEING UNDER THE INFLUENCE OF MOOD-ALTERING SUBSTANCES Use, possession, <u>and/</u>or being under the influence of mood-altering substances, including alcohol and alcoholic beverages, is prohibited.</p> <p><u>Disciplinary consequences for violations at the elementary level (Grades K-5) shall not</u></p>	<p style="text-align: center;">Alignment to Policy 5006</p>

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	<p><u>be counted when subsequent violations occur at the secondary level (Grades 6-12).</u></p> <p>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 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. (2) <u>Elementary students, (Grades K-5):</u> The student shall be suspended from the regular school program for ten (10) <u>four (4)</u> days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. Two (2) <u>Up to seven (7)</u> days of the suspension may be <u>shall be</u> waived if the student attends and completes 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) <u>initial four (4)</u> 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.</p> <p><u>Secondary students, (Grades 6-12):</u> The student shall be suspended from the regular school program for six (6) days and referred to the District substance abuse case manager who shall refer the student to an appropriate counseling program. <u>Three (3) days of the suspension shall be waived if the student attends a counseling program authorized by the</u></p>	
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	<p><u>principal/ designee in conjunction with the District substance abuse case manager. If the student does not complete the recommended counseling program, the remaining days of the initial six (6) day suspension shall be imposed.</u></p> <p>Second Offense Procedures: (1) <u>Elementary students, (Grades K-5):</u> The student shall be suspended from the regular school program for ten (10) days and <u>referred for the Behavior Intervention Program.</u> 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. <u>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.</u> (2) 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. (3) If the student fails to complete the state certified drug/ alcohol rehabilitation <u>or treatment</u> program, the full term of the <u>Behavior Intervention Program Assignment</u> expulsion shall be implemented. (4) The student may return to the a regular school program upon successful completion of the prescribed rehabilitation <u>or treatment</u> program. The District substance abuse case manager shall monitor/ verify that the student has completed the program.</p>	
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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 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.

Third and Subsequent Offense(s) Procedures: (1) 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

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<p style="text-align: center;">48-49</p>	<p>Change:</p> <p>(B) <u>USE/POSSESSION OF UNAUTHORIZED SUBSTANCES IS PROHIBITED</u></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><u>Note: Students violating Policy 6305: Administration of Medication/Treatment, by</u></p>	<p style="text-align: center;">Alignment to Policy 5006</p>

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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.

First Offense Procedures: (1) 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.

(2) Secondary students, (Grades 6-12): 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, with Substance Workback. Workback is allowed. 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. 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 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 and Subsequent Offense Procedures: (1) 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

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	<p><u>(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. 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><u>(2) 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. <u>(2)</u> 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. <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. <u>(3)</u> The student must complete a state certified drug rehabilitation program.</p>	
<p style="text-align: center;">49-51</p>	<p>Change:</p> <p>(C) 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.</p> <p><u>Note: Broward School employees shall report this offense to the Department of Children</u></p>	<p style="text-align: center;">Alignment to Policy 5006</p>

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	<p><u>and Families (F.S. 39.201) as appropriate.</u></p> <p><u>I. 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:</u></p> <p><u>First 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 assigned to internal suspension for one to two (1-2) days.</u></p> <p>(1) b. <u>Secondary students, (Grades 6-12): The S</u>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. <u>(2) 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. 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.</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>	
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	<p><u>Second Offense Procedures:</u></p> <p>a. <u>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>b. <u>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 that 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>a. <u>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>b. <u>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>2. PROCEDURES FOR SALE, ATTEMPTED SALE, AND/OR TRANSMITTAL OF DRUGS OR MOOD-ALTERING SUBSTANCES, UNAUTHORIZED</u></p>	
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	<p><u>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> <p>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.</p> <p>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 that 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.</p> <p><u>Second Offense Procedures:</u></p> <p>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.</p> <p>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.</p>	
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	<p><u>Third and Subsequent Procedures:</u></p> <p>a. <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 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>b. <u>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>	
51-52	<p>Change:</p> <p>Other Offenses (Non-Drug and Non-Substance Abuse Offenses)</p> <p style="text-align: center;">Leading to Suspension and Possible Expulsion</p> <ol style="list-style-type: none"> 4. Commit or threaten to commit <u>vandalism/</u> damage to property. 6. Commit grand theft, <u>including motor vehicle theft.</u> 8. Possess, display, transmit, or handle <u>Use of</u> laser pens/ pointers and other laser devices in a manner that could potentially harm or injure another individual 11. Transmit or distribute any video voyeurism or sexting 	Alignment to Policy 5006

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	<p>information or images <u>that depict nudity or sexual content as defined in Section II of this policy, or that violate the rights of individuals having a reasonable expectation of privacy and/or violate privacy laws</u></p> <p>12. Commit other criminal actions on School Board property, or during school events or activities not already set forth in Policy 5006, including, but not limited to, when the student</p> <ul style="list-style-type: none"> a. is found formally charged by a court to with <u>having</u> committed a delinquent act which would be a felony, if committed by an adult <u>(F.S.1006.09(2))</u>; b. the student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or c. the student has been found guilty of a felony. <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 of the school in which the student is enrolled (F.S. 1006.09) (2)).</u></p>	
52-54	<p>Addition:</p> <p>Offenses Leading to Mandatory Expulsion</p> <p>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 to appropriate counseling services, and may be referred to the local law</p>	Alignment to Policy 5006

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	<p>enforcement agency for criminal prosecution. (See section on Workback. This provision is not available for some of the following offenses.)</p> <ul style="list-style-type: none"> ▪ *Battery on School Board of Broward County employee, sports official, or other specified officials as listed in <u>F.S. 1006.07 (g) 784.07 and 1006.13(5).</u> <p>*When charged with these acts, the student shall be immediately removed from the classroom and placed in an alternative school setting pending disposition (F.S. 1006.13(5)).</p> <p>*Elementary students, Grades K-5, (at the time of infraction) in possession of a projectile device on campus or any school sponsored event, will be eligible for Workback.</p>	
54	<p>Change:</p> <p style="text-align: center;">Expulsion / Expulsion Abeyance</p> <ol style="list-style-type: none"> 1. The expulsion shall commence with the date of the School Board’s final order or, in the case of a 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. –If <u>Additionally</u>, the expulsion shall be held in abeyance <u>and</u> the student shall be given the opportunity to participate in an established Expulsion Abeyance Program. –<u>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.</u> 2. If a student enrolls in an Expulsion Abeyance Program or in a program designated by the Superintendent and successfully 	Clarifying language

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	<p>completes the program, the expulsion shall <u>not</u> be <u>documented on expunged from</u> the student's official transcript. The District student services substance abuse/ expulsion case manager will facilitate the student's re-entry into the regular school program, except where indicated otherwise in this policy. In the case of a student with disability, return to school placement <u>would may</u> require action by the IEP/ 504 Team.</p> <p>3. Refusal or failure to meet the 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. In the case of a student with disability, expulsion would constitute a change in placement and would require action by the IEP/ 504 Team.</p>	
<p>55-56</p>	<p>Change:</p> <p style="text-align: center;">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</u></p>	<p>Alignment to Policy 5006</p>

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<p><u>expulsion shall be served.</u></p> <p><u>Substance Workback</u> <u>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.</u> 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. <u>However,</u></p> <p><u>s</u>Students are not eligible for the Workback Program if they commit any of the following offenses:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;"><u>Elementary students</u></th> <th style="text-align: center;"><u>Secondary Students</u></th> </tr> </thead> <tbody> <tr> <td><u>Elementary students</u></td> <td><u>Secondary Students</u></td> </tr> <tr> <td><u>Elementary Students</u></td> <td><u>Secondary Students</u></td> </tr> <tr> <td><u>a. Arson or attempted arson</u></td> <td><u>a. Arson or attempted arson</u></td> </tr> <tr> <td><u>b. Sexual battery (rape) or attempted sexual battery (rape)</u></td> <td><u>b. Sexual battery (rape) or attempted sexual battery (rape)</u></td> </tr> <tr> <td><u>c. Possession, use, sale, or transmittal of a firearm, projectile device*, electric weapon or device, or flare gun</u></td> <td><u>c. Possession, use, sale, or transmittal of a firearm, projectile device*, electric weapon or device, or flare gun</u></td> </tr> <tr> <td><u>d. Homicide</u></td> <td><u>d. Homicide</u></td> </tr> <tr> <td><u>e. Kidnapping or abduction</u></td> <td><u>e. Kidnapping or abduction</u></td> </tr> <tr> <td><u>f. Armed robbery or attempted armed robbery</u></td> <td><u>f. Armed robbery or attempted armed robbery</u></td> </tr> <tr> <td><u>g. Battery of a School Board of Broward County employee</u></td> <td><u>g. Second and subsequent offense for use/possession of an unauthorized</u></td> </tr> </tbody> </table>	<u>Elementary students</u>	<u>Secondary Students</u>	<u>Elementary students</u>	<u>Secondary Students</u>	<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</u>	
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		<u>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 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>
	<ul style="list-style-type: none"> • Arson or attempted arson. • Sexual battery (rape) or attempted sexual battery (rape). • Possession, use, sale, or transmittal of a firearm, projectile device[§], electric weapon or device, or flare gun. • Homicide • Kidnapping or abduction. • Armed robbery or attempted armed robbery. • Second and subsequent offenses for possession or use of an unauthorized substance. 	

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	<ul style="list-style-type: none"> ▪ Third and subsequent offenses for use, or being under the influence of mood-altering substances including alcohol and alcoholic beverages. 7. Sale/attempted sale/ or transmittal of mood-altering substances including alcohol and alcoholic beverages. <u>Note: Students found to have sold, attempted to sell or transmitted alcohol or alcoholic beverages shall be eligible for Workback.</u> 8. Sale or transmittal of unauthorized substances or the sale or transmittal of the student's own prescription medication. ▪ Battery on a School Board of Broward County employee ▪ Battery on a Law Enforcement Officer. 	
56-57	<p>Addition:</p> <p style="text-align: center;">Out-of-District Expulsions</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
57	<p>Change:</p> <p style="text-align: center;">Definition of Weapons</p>	Alignment to Policy 5006

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	<p>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><u>Use/ Possession/ Transmittal of</u> Class B weapons include:</p>	
58	<p>Change:</p> <p>Mood Altering Substance is any substance that is or may be detrimental to the user or to others, including, but not limited to, alcohol or alcoholic beverages, cocaine, marijuana (less than 20 grams), hallucinogens/<u>chemical intoxication</u>, inhalants, narcotics (such as hydrocodone and oxycodone), stimulants (such as Ritalin, Adderall, and Ecstasy), depressants (such as Xanax and benzoids), and steroids over- <u>the counter medication taken in excess of prescribed amount.</u> <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>	Alignment to Policy 5006
58	<p>Change:</p> <p>Unauthorized Substances/Drugs include any substances deemed to be illegal <u>under Chapter 893, any drugs or controlled substances that constitute a felony under Florida Statute</u> any prescription drug not prescribed for the student who is in possession of the medication, and</p>	Alignment to Policy 5006

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	any medication that is not authorized as part of Policy 6305.	
58	<p>Addition:</p> <p><u>Fighting-Mutual Combat/Altercation is 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>	Alignment to School Environmental Safety Incident Reporting (SESIR)
63-66	<p>Deletion:</p> <p>Elementary Discipline Matrix</p>	Recommended by the Code of Student Conduct Committee
67-73	<p>Addition:</p> <p>Elementary Discipline Matrix</p>	Recommended by the Code of Student Conduct Committee
74-77	<p>Deletion:</p> <p>Secondary Discipline Matrix</p>	Recommended by the Code of Student Conduct Committee
78-84	<p>Addition:</p> <p>Secondary Discipline Matrix</p>	Recommended by the Code of Student Conduct Committee