

Policy 5.8

Code of Student

Conduct

Final Reading

April 15, 2014

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Recommended Changes

Recommendation: Deletion (p. 1)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

Policy 5.8: Code of Student Conduct 2013-2016

~~Including Revisions to the HIPAA Law as of 9/16/13~~

Recommended Changes

Recommendation: Addition (p. 5)

Rationale: Clarifying and Aligning Language to Florida Statutes

Proposed Language:

Under Florida law, the Superintendent of Schools/designee shall have the authority to assign, provide for the proper placement, and govern students so as to promote the safety and welfare of all students and school personnel (F.S. 1001.41, 1001.42, 1001.51(24), 1003.31, 1003.32 and 1006.08).

Recommended Changes

Recommendation: Addition (p. 5)

Rationale: Recommended by the Code of Student Conduct Committee

Proposed Language:

Responsibilities

Students have a responsibility to ask teachers for, and to complete make-up assignments, in accordance with the guidelines from the Make-Up Work section (p.8).

Recommended Changes

Recommendation: Deletion (p. 8)

Rationale: Clarifying Language

Proposed Language:

UNEXCUSED ABSENCES

It is the responsibility of the school principal to ensure that parents are contacted after each unexcused absence and to ensure that there are specific, appropriate ~~consequences~~/interventions as a result of each unexcused absence. Parents may receive letters to inform them of their student's unexcused absences. These letters are generated from official attendance records.

Recommended Changes

Recommendation: Deletion (p. 9)

Rationale: Recommended by the Code of Student Conduct Committee

Proposed Language:

Suspensions: Make-up work for credit and grade is allowed. It is the student's responsibility to get the missed work. ~~All work is due on the day of return from the suspension.~~

Recommended Changes

Recommendation: Change (p. 15-16)

Rationale: Alignment to F.S. 1006.147

Proposed Language:

“Bullying” as defined in F.S. 1006.147 includes “Cyberbullying” and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted, purposeful written, verbal, nonverbal or physical behavior, including, but not limited to, any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual’s school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power. Bullying may involve, but is not limited to:

1. Unwanted teasing
2. Threatening
3. Intimidating
4. Stalking
5. ~~Cyberbullying~~
65. Physical violence
76. Theft
87. Sexual, religious, or racial harassment
98. Public or private humiliation
109. Destruction of school or personal property
1110. Social exclusion, including incitement and/or coercion
1211. Rumor or spreading of falsehoods

Recommended Changes

Recommendation: Continued - Change (p. 15-16)

Rationale: Alignment to F.S. 1006.147

Proposed Language:

“Harassment” means any threatening, insulting, or dehumanizing gesture, use of technology/data, computer software, or written, verbal or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student’s educational performance, an employee’s work performance, either’s opportunities, or benefits;
3. Has the effect of substantially negatively impacting a student’s or employee’s emotional or mental well-being; or
4. Has the effect of substantially disrupting the orderly operation of a school.

Recommended Changes

Recommendation: Continued - Change (p. 15-16)

Rationale: Alignment to F.S. 1006.147

Proposed Language:

“Cyberbullying” is defined as the willful and repeated bullying or harassment and/or intimidation of a person through the use of digital technologies, or any electronic communication including, but not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identify of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying. (F.S.1006.147). ~~e-mail, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, sexting, instant messaging, or video voyeurism.~~

Note: The scope of a public K-12 educational system means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at school-related or school-sponsored program or activity.

The definitions of Computer-Related Crimes in F.S. 815.03 and the definition of Cyberstalk in F.S. 784.048(1)(d) are applicable to this section.

Note: Per F.S. 810.145, voyeurism, which may be utilized in cyberbullying, in and of itself, is a criminal offense.

Recommended Changes

Recommendation: Addition (p. 35)

Rationale: Clarifying Language

Proposed Language:

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTICE

The Family Educational Rights and Privacy Act is a federal law that protects the accuracy and privacy of students' educational records.

The Family Educational Rights and Privacy Act (FERPA), F.S. 1002.22, F.S. 1002.221, and SB Policy 5100.1 afford parents, guardians or eligible students (students over 18 years of age or attending a postsecondary institution) certain rights with respect to the student's education records maintained by the District. These rights are:

(1) *The right to inspect and review a student's education records within 30 days of the day the District receives a request for access.* Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. When the educational records contain information about more than one student, parents may review the information related only to his or her child. E-mails not maintained in a student's file folders kept by the schools or District departments are not educational records. In addition, records created and maintained by Broward District Schools Police (the District's law enforcement unit) are not educational records.

Recommended Changes

Recommendation: Change (p. 36)

Rationale: Clarifying Language and Alignment to 64D-3, F.A.C.

Proposed Language:

“Directory Information” is personally identifiable information that would not generally be considered harmful or an invasion of privacy if disclosed. The School Board of Broward County designates the following as “directory information”: student’s name, parent’s name, residential address, telephone number(s), date and place of birth, major field of study, participation in school-sponsored activities and sports, height and weight of athletic team members, school grade level, dates of school attendance, degrees and awards received, and the name of the most recent previous school or program attended. The School Board reserves the right to release Directory Information to only (a) to colleges, universities or other institutes of higher education in which the student is enrolled, may seek enrollment or may be recruited, (b) for school publications instructional materials and other school communication tools (including, but not limited to, yearbooks, athletic programs, graduation programs, and theatrical programs), ~~or~~ (c) to agencies that provide food, shelter or clothing to students and their families, as determined by District family counselors, District guidance counselors and District social workers, or (d) to Broward County health officials for purposes of communicating with parents and to address conditions of public health importance as determined by Florida Department of Health (64D-3, F.A.C.), including information to meet or to prepare for a potential or confirmed health threat; or (e) to class reunion committees (and the like) for purposes of class reunion activities.

Recommended Changes

Recommendation: Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) NOTICE

THE SCHOOL BOARD OF BROWARD COUNTY FLORIDA'S NOTICE OF
PRIVACY PRACTICES RELATED TO STUDENTS & FAMILY MEDICAL/MENTAL
HEALTH RECORDS PROTECTED BY HIPAA

This notice describes how ~~protected health~~ medical information about you
and/or your child may be used and disclosed and how you can get access
to this information.

PLEASE REVIEW IT CAREFULLY

Effective Date of Notice: ~~September 16, 2013~~ TBD

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

PHI is information the school district has received from outside health care providers, such as a report from your child's doctor. If a school or District department conducts any transactions electronically in connection with health care (for example, Medicaid billing), the information transmitted is covered by HIPAA.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

Your or your child's PHI may be used or shared by the school district for purposes of medical and/or mental health treatment ~~and/or~~ payment for services, and health care operations.

(Health care operations are activities compatible and directly related to treatment and payment, including day-to-day office business, administrative, and customer service activities.)

Health care professionals may use this information in the clinics, schools, and/or hospitals to take care of you or your child.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

It is important for you to be aware that this law allows the school district to share your and your child's PHI without your consent under the following circumstances:

- To ~~With~~ another health care provider for purposes of your or your child's treatment;
- To ~~With~~ insurance companies, Medicaid, or local, state, or federal agencies to pay for the services provided to you or your child;
- To ~~Report~~ abuse of children, adults, or disabled persons;
- For ~~Investigations~~ related to a missing child;

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

- For ~~i~~Internal investigations and audits by the school district or any grant funding body;
- For ~~i~~Investigations and audits by the State's Inspector General, Department of Education, or Auditor General;
- For ~~p~~Public health purposes including vital statistics, disease reporting, and regulation of health professionals;
- For ~~m~~Medical examiner investigations;
- For ~~r~~Research approved by the school district;
- To ~~r~~Respond to ~~e~~Court orders and/or subpoenas (SBBC will make reasonable efforts to provide notice to you for an opportunity to seek a protective order); ~~and~~
- For ~~j~~Judicial and administrative proceedings; and
- When and as required by law. Restrictions by the most protective law (whether state or federal) will be met.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

Unless specified above, ~~the~~ The school district will not ~~may~~ share your and/or your child's PHI ~~at other times~~ unless you provide with your written authorization. This authorization will have an expiration date. Additionally, you may revoke the authorization in writing at any time. Certain uses and sharing of psychotherapy (counseling) notes may also require your written authorization, except when required by a subpoena or court order. Uses and disclosures of PHI for marketing purposes as well as disclosures that constitute a sale of PHI require written authorization.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

INDIVIDUAL RIGHTS

You have the right to request the school district to restrict the use and with whom your and/or your child's PHI may be shared. You have the right to request restrictions or limitations on the PHI used and disclosed for treatment, payment or health care operations. You also have the right to request a limit on the PHI the school district Plan discloses to someone involved in your care or the payment of your care, like a family member or friend. To request a restriction, you must make your request in writing to the department providing the service, or you may send the request to the SBBC Privacy Officer at 600 S.E. 3rd Avenue, 11th Floor, Fort Lauderdale, FL 33301. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure, or both; and (3) to whom you want the limits to apply. The school district will consider any of your requests but is not required to agree to them.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

You have the right to review and receive a copy of your PHI, except as limited by law. Your review of the PHI will be supervised and will be at a time and place that is convenient to you and a representative of the school district. You may be denied access as specified by law. This might occur if your child consented to care and the parent's consent was not required by law or if your child is receiving care at the direction of a court or a person appointed by the court. If access is denied, you have the right to request a review by a licensed health care professional who is not involved in the decision to deny access. The licensed health care professional will be designated by the school district. If you request a copy, you may be charged a reasonable fee. We will provide you access to the PHI in the form and format requested by you if it is readily producible in such form and format, or if not, in a readable hard copy form. We will provide access (review and/or copy) requested within 30 days or notify you of a one-time 30-day extension, if necessary, and the reason for the extension and the date by which the information will be provided.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

You have the right to receive a list of the individuals and/or agencies with which the school district has shared your PHI. All requests for this list (also known as an accounting of disclosures) must state a time period that may not include a date earlier than ~~within~~ six (6) years prior to ~~from~~ the date of the request, ~~except for those listed below.~~ The first list you request within a 12-month period will be provided free of charge. For additional lists, we may charge you for the costs of providing the list. The list will **not** include:

- Information shared to carry out treatment, payment, or health care operations;
- Information shared with you;
- Information incidental to otherwise permitted or required disclosures, pursuant to applicable regulations.
- Information you authorized to be shared;

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

- Information shared with individuals involved with your care;
- ~~Information you authorized to be shared;~~
- ~~Information shared to carry out treatment and/or payment;~~
- ~~Information shared for public health purposes~~
- ~~Information shared for the purposes of research, other than those you authorized in writing;~~
- ~~Information shared for health professional regulatory purposes;~~
- ~~Information shared to report abuse of children, adults, or disabled persons; and~~
- ~~Information shared in response to court orders and/or subpoenas.~~
- Information disclosed for national security or intelligence purposes;

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

You have the right to be notified of a breach. If a breach of your unsecured PHI occurs, meaning your private information was disclosed without the required authorization, you have a right to be notified.

You have a right to a paper copy of this notice upon request.
To obtain a paper copy, contact the school or District department providing the service. ~~SBBC Privacy Officer at (754) 321-1914.~~

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

The law requires the school district to give this Notice of Privacy Practices to you. The school district is required to do what the notice currently in effect says it will do. SBBC is required to provide you with notice of its legal duties and privacy practices with respect to PHI, and to notify affected individuals following a breach of unsecured PHI. SBBC reserves the right to change the terms of this notice and to make the new provisions effective for all PHI that it maintains. If the school district changes how it handles your or your child's PHI records, you will be informed. The most current notice will be posted on the SBBC website, www.browardschools.com.

Recommended Changes

Recommendation: Continued - Change (p. 38-42)

Rationale: Alignment to HIPAA Law (45 CFR Part 164.520)

Proposed Language:

COMPLAINTS

If you believe your HIPAA privacy rights have been violated, you may file a complaint with the SBBC Privacy Officer at 600 S.E. 3rd Avenue, 11th Floor, Fort Lauderdale, FL 33301/ Telephone (754)321-1914 and/or Region IV, Office for Civil Rights, U.S. Department of Health and Human Services, Sam Nunn, Atlanta Federal Center, Suite ~~3B7016T70~~, 61 Forsyth Street, SW, Atlanta, GA 30303-8909 / HIPAA Privacy Hotline: Voice Phone ~~(404) 562-7886~~ (800) 368-1019; Fax: (404) 562-7881; TDD: (404) 331-2867 (800) 537-7967. Please be advised the SBBC will not retaliate against you or your child for filing a complaint.

Recommended Changes

Recommendation: Change (p.43)

Rationale: Clarifying Language

Proposed Language:

Possible Interventions and/or Consequences of Misbehavior

The district will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior. The vast majority of disciplinary issues should be addressed at the classroom level by teachers. Additionally, students exhibiting serious or chronic behavior issues will be referred to the school's Collaborative Problem Solving Team (CPST) for the development of multi-tiered interventions to address targeted behavior problems. For an overview of the Collaborative Problem Solving and Response to Intervention (CSP/RtI) process, see page 4 of the following link or speak to administration.

<http://www.broward.k12.fl.us/STUDENTSUPPORT/psychologicalservices/pdf/CPS%20RtI%20Manual.pdf>

Recommended Changes

Recommendation: Change (p.45)

Rationale: Alignment to Policy 5006

Proposed Language:

Consequences of Serious Misbehavior Leading to Suspension and/or Expulsion (Sections II-V of SB Policy 5006: Discipline Policy: Suspensions and/or Expulsion)

The Code also includes provisions for action that MUST be taken if there are serious problems involving weapons, drugs (including alcohol), mood-altering substances, steroids, and criminal acts. Specific action, outlined in SB Policy 5006, will be taken as a result of these violations. However, if the principal determines that the student used an instrument or object in self-defense, the student ~~will~~ may not be suspended or expelled. Self-defense is an attempt to “prevent” an attack or a threatened injury or to stop the process of confrontation. It is not self-defense when the student uses an instrument/object to become an aggressor or to continue the confrontation after the original aggressor has retreated.

Note: Florida Statutes 776.012, 776.013 and 776.032, commonly known as the Florida Stand Your Ground law, are not applicable to charges of violations of the Code of Student Conduct and/or Board Policy 5006.

~~Self-defense is an attempt to “ward off” an attack or stop the process of confrontation. It is not self-defense when an object is used in retaliation or when the student uses an object to become an aggressor. SB Policy 5006 outlines all the violations that result in out-of-school suspension and expulsion and/or the consequences. You may view the complete suspension/expulsion policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.~~

Recommended Changes

Recommendation: Addition (p.45-46)

Rationale: Alignment to Policy 5006

Proposed Language:

PREVENTING RECIDIVISM through OPPORTUNITIES, MENTORING, INTERVENTIONS, SUPPORTS and EDUCATION (PROMISE)

The list of PROMISE eligible incidents are outlined below.

1. Disruption on Campus-Major_*
2. Trespassing_*
3. Alcohol-Use/Possession/Under the Influence_*
4. Alcohol Sale/Attempted Sale/Under the Influence_*
5. Drug-Use/Possession/Under the Influence_*
6. Drug Paraphernalia-Possession_*
7. Bullying
8. Harassment
9. Fighting-Mutual Combat_*
10. False Accusation Against School Staff_*
11. Assault/Threat (no harm or injury)_*
12. Theft-Petty <\$300_*
13. Vandalism/Damage to Property <\$1,000_*

Recommended Changes

Recommendation: Continued - Addition (p.45-46)

Rationale: Alignment to Policy 5006

Proposed Language:

PREVENTING RECIDIVISM through OPPORTUNITIES, MENTORING, INTERVENTIONS, SUPPPORTS and EDUCATION (PROMISE)

Note: A student, who has accrued three cumulative incidents from the list above, in a school year, shall be referred to the Behavior Intervention Committee. *Upon the fourth cumulative incident within a school year of any incident denoted with an asterisk in the above list, the student shall be referred to law enforcement, unless the Discipline Matrix requires such a referral sooner.

Recommended Changes

Recommendation: Addition (p.48)

Rationale: Alignment to Policy 2401

Proposed Language:

Note: The use, possession, sale, attempted sale or transmittal of tobacco or tobacco related products on school property, school sponsored transportation, or during a school sponsored activity is prohibited (see Policy 2401: Tobacco-Free for further details or the Discipline Matrix – Appendix A in this policy for consequences).

Recommended Changes

Recommendation: Addition (p.55-56)

Rationale: Alignment to Policy 5006

Proposed Language:

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)). The procedures set forth in State Board Rule 6A-1.0956 F.A.C. shall be followed as applicable.

Recommended Changes

Recommendation: Change (p.56)

Rationale: Alignment to Policy 5006

Proposed Language:

Mandatory Expulsion

Students ~~shall~~ may not be subject to mandatory suspension and expulsion proceedings when the principal determines ~~that the student used an instrument or object in self-defense. was used solely for the purpose of defense against an aggressor.~~ Self-defense is an attempt to “prevent” an attack or a threatened injury or to stop the process of confrontation. It is not self-defense when the student uses an instrument/object to become an aggressor or to continue the confrontation after the original aggressor has retreated.

Note: Florida Statutes 776.012, 776.013 and 776.032, commonly known as the Florida Stand Your Ground law, are not applicable to charges of violations of the Code of Student Conduct and/or Board Policy 5006. ~~A student shall not be subject to mandatory expulsion proceedings if it is determined that the student immediately* returned a firearm to the person who gave it to her or him, or if the student took a firearm to a staff member or was in the process of taking it to a staff member. (*The term “immediately” means without delay.)~~

Recommended Changes

Recommendation: Addition (p.56)

Rationale: Alignment to Policy 5006

Proposed Language:

Offenses Leading to Mandatory Expulsion

Students found to have committed one of the following offenses will be expelled, with or without continuing educational services, from the student's regular school for a period not less than 1 full year, and will be referred to the criminal justice or juvenile justice system:

- (1) Bringing a firearm or weapon, as defined in Chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing, displaying, using, selling or transmitting a firearm at school.

Note: A student may not be subject to mandatory expulsion proceedings if it is determined that the student immediately* reported or delivered the firearm or weapon to a staff member.

*The term "immediately" means without delay as determined by the principal after considering the totality of the circumstances and prior to being reported by another individual.

Recommended Changes

Recommendation: Addition (p.57)

Rationale: Alignment to Policy 5006

Proposed Language:

Note: A recommendation for the Behavior Intervention Program assignment applies when an elementary level student commits an offense, within this section, for which a secondary level student would receive a mandatory expulsion under this policy. However, Class “A” Weapons, Bomb Threat (Placing) and Bomb Threat (False Reporting), shall be treated as expellable offenses for all students, Grades K-12.

Recommended Changes

Recommendation: Change (p.57)

Rationale: Clarifying Language

Proposed Language:

AT NO TIME is it appropriate for any student to possess or bring a weapon of any kind onto a school campus. Federal and state laws require local school districts to notify parents, through the Code of Student Conduct, that any student who is determined to have brought a firearm, projectile device, electric weapon or device, or flare gun to school, to any school function, or on any school-sponsored transportation will be ~~recommended for expulsion~~ expelled, with or without continuing educational services, from the student's regular school for a period of not less than one full year and referred for criminal prosecution.

Recommended Changes

Recommendation: Change (p.61)

Rationale: Alignment to Policy 5006

Proposed Language:

Use/Possession/Transmittal of Class A weapons include, all ~~w~~Weapons and Firearms defined in Chapter 790, Florida Statute, ~~and:~~

This category includes, but is not limited to:

- Firearms, (whether operable or inoperable, loaded or unloaded) including, but not limited to, hand gun, zip gun, pistol, rifle, shotgun, and starter gun
- Projectile devices including, but not limited to BB guns, pellet (hard and soft) guns, and paintball guns
- Explosive propellants or destructive devices (operable or inoperable).
- Dirks
- Brass knuckles and/or metallic knuckles.
- Billy clubs
- Tear gas
- Electric weapon or device including, but not limited to, stun guns and taser guns.
- Slungshot- is a striking weapon consisting of weight or other hard object affixed on a flexible handle or strap
- Chemical weapon or devices with the capacity to hold more than 2 ounces of the chemical
- Flare guns

Recommended Changes

Recommendation: Continued - Change (p. 61)

Rationale: Alignment to Policy 5006

Proposed Language:

- Ice pick
- Knives – ~~All knives, including razor blades, box cutters but excluding, blunt-bladed table knives and common pocketknives. A common pocketknife is defined as a folding knife with a blade measuring not greater than three (3) inches.~~ Any knife that may inflict harm on another person, or could be used to intimidate/threaten another person, including but not limited to, fixed blade knives, regardless of size, switch blade knives, razor blades, or box cutters, but excluding blunt-bladed table knives and common pocket knives (see Class B Weapons for exclusions).

Recommended Changes

Recommendation: Continued - Change (p.61-62)

Rationale: Alignment to Policy 5006

Proposed Language:

Use/Possession/Transmittal of Class B weapons include: but is not limited to:

- ~~• Possession of a toy gun~~
- ~~• Toys which resemble weapons, when used in a threatening manner.~~
- ~~• Knives—Blunt bladed table knives and common pocketknives. A common pocketknife is defined as a folding knife with a blade measuring not greater than three (3) inches.~~
- Chains, including any chain not being used for the purpose for which it was normally intended that is capable of harming an individual (i.e., household, industrial)
- Pipe—any length of metal or other hard substance not being used for the purpose for which it was normally intended a hollow cylinder or tube made of metal, wood, plastic, or similar material
- ~~• Razorblades of any kind or similar instruments with a sharp cutting edge.~~
- ~~• Ice picks and o~~Other pointed instruments or sharp objects, other than school supplies (i.e., pencil, compass)
- Nunchakus, Chinese stars

Recommended Changes

Recommendation: Continued - Change (p. 61-62)

Rationale: Alignment to Policy 5006

Proposed Language:

- Chemical weapon or device such as P~~pepper spray - a mace~~ or mace device with the capacity to hold two (2) ounces or less of the ~~C~~chemical
- ~~Any tool or instrument when used in a threatening manner, including, but not limited to, scissors, compass, or similar items.~~
- Ammunition and any component thereof, including but not limited to bullets, shotgun shells, bullet casings, magazines, ~~or~~ clips
- Slingshot - a hand-held and hand-powered device consisting of a frame with attached rubber strap/straps, used for shooting objects
- Flammable liquids or combustible materials
- Blunt bladed-table knives and common pocket knives. A common pocket knife is a knife that folds into its handle, with a blade measuring three (3) inches or less
- Any instrument, tool, object or substance used in a threatening manner toward another person

Recommended Changes

Recommendation: Change (p. 62)

Rationale: Alignment to Policy 5006

Proposed Language:

Minor Injury is defined as an injury, which solely requires ~~treatment by a professional medical personnel~~ immediate first aid.

Recommended Changes

Recommendation: Change (p. 64)

Rationale: Clarifying Language and Alignment to Organizational Chart

Proposed Language:

Right to Appeal

2. If the problem still has not been resolved within five (5) school days from receipt of the school's written response, the student/parent may request in writing, an appointment with the Office of School Performance and Accountability's, Chief Service Quality Officer/designee. The letter asking for the appointment must include a copy of the first written statement and the school's response, if one was received.

In the case of Charter Schools: If the problem ~~still~~ has not been resolved within five (5) school days from receipt of the school's written response, the charter school student/parent may request, in writing, a meeting with the Governing Board.

Items 3-5 below do not apply to Charter School students.

3. Upon receipt of ~~the letter~~ such request, the ~~Superintendent's~~ Office of School Performance and Accountability's, Chief Service Quality Officer/designee will schedule a meeting within five (5) school days with the district student and his or her parent. This meeting will include the person(s) involved in the appeal process, the principal, the district student, the parent(s) and ~~anyone else he or she wishes to attend~~ any representative selected by the parent. ~~An attorney may be present to attend as representatives of represent~~ either the district student/parent and/or the school. The ~~Superintendent's~~ Office of School Performance and Accountability's, Chief Service Quality Officer/designee has five (5) school days after the date of the meeting to send a written response to the district student/parent.

Recommended Changes

Recommendation: Continued - Change (p. 64)

Rationale: Clarifying Language and Alignment to
Organizational Chart

Proposed Language:

Right to Appeal

4. If district students/parents ~~still are still~~ not satisfied, they may take the problem to the Superintendent's Office/designee following the above procedures.
4. The Superintendent/designee will schedule another meeting to ~~see how~~ attempt to resolve the matter. ~~can be resolved~~. After the date of this meeting, the Superintendent/designee has five (5) school days to send a written response. The decision of the Superintendent/designee shall be final for the appeal of any ~~penalties~~ penalty that is less ~~fewer~~ than ten (10) days suspension. For appeals of ten (10) days, suspensions, district students have the right to appeal to the School Board by submitting a request to the Superintendent's Office.

Recommended Changes

Recommendation: Change (p. 66)

Rationale: Flowchart Update

Recommended Changes

Recommendation: Addition (p. 70)

Rationale: Discipline Matrix Update

Recommended Changes

Recommendation: Addition (p. 77)

Rationale: Discipline Matrix Update