

# STUDENT CODE OF CONDUCT 2023-2024

Revised 10/2023



## Pasco County Schools

Providing a world-class education for all students

**Kurt S. Browning, Superintendent of Schools**

## A MESSAGE FROM THE SUPERINTENDENT



Dear Parents/Guardians:

Welcome to the 2023-2024 school year. The mission of Pasco County Schools is to provide a world-class education for all students. By working together, parents and the school community can reach this goal and prepare students for success in college, career, and life.

Parent involvement also is an essential element in ensuring student safety. Student academic achievement depends on students and staff feeling safe and secure in their schools. Parents play a crucial role in promoting safety on our school campuses by supporting the district's *Student Code of Conduct (SCOC)*. By reviewing the SCOC with your child, you can help us reinforce the guidelines and rules students are expected to follow.

Preventing bullying and harassment is vital to establishing the safe, caring, respectful environment necessary for teachers to teach and students to learn. Please review with your student the definitions of bullying and the different types of harassment, as well as the consequences students could face if they engage in such behavior. I want to eliminate uncivilized, disrespectful behavior in our schools, but I need your help to make sure students understand that we will not tolerate bullying, harassment, or uncivilized behavior.

We also need your help reinforcing with your student the consequences they face if they make a threat against a school. This issue is an increasing problem with more students on social media. Threatening violence against a school is never a joke; it is always taken seriously, and the consequences could include felony charges and expulsion from school. A new Florida law that went into effect on October 1, 2016, makes threatening violence with a firearm a 2<sup>nd</sup> degree felony.

Our dedicated teachers, administrators, and support staff strive for a safe, productive school year with you and your child. We welcome your active involvement in your child's school and education.

Sincerely,

A handwritten signature in black ink that reads "Kurt S. Browning". The signature is written in a cursive, flowing style with a large initial "K".

Kurt S. Browning  
Superintendent of School

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The District School Board of Pasco County does not discriminate on the basis of race, color, sex, religion, national origin, marital status, disability, or age in the programs, services, and activities or in its hiring and employment practices. To report violations of this policy, contact:

District School Board of Pasco County Equity Manager/Title IX Coordinator:

Office for Employee Relations (813) 794-2322

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Parent and legal notices may be found at: [http://www.pasco.k12.fl.us/ssps/parent\\_notices](http://www.pasco.k12.fl.us/ssps/parent_notices)

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The Student Code of Conduct (SCOC) shall be in force twenty-four (24) hours a day, seven (7) days a week, on all school campuses, school transportation and at all school functions, whether on or off school campuses. This document is intended for the use of students, school district staff, and parents. We all share responsibility for the safety and security of our students. Any and all threats of harm should be immediately

reported to school staff. The school will work to protect the confidentiality of all involved within the limits of law.

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### **Supervision of Students Before and After School or During School Activities**

School authorities are charged with the responsibility of supervising students no longer than thirty (30) minutes before or after school hours while such students are on campus, or thirty (30) minutes before or after authorized school sponsored activity. Parents are not to rely on school supervision outside the time limits set forth above (F.S. 1003.31).

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### **Vision**

The vision of the District School Board of Pasco County is that all our students achieve success in college, career and life.

### **Introduction**

The District School Board of Pasco County is committed to creating a respectful, caring community that supports college, career and life readiness for all students. Every school year represents a fresh start for our students to have the opportunity to do their very best, to learn new things, to progress academically and make positive behavioral choices.

Our central goal is to teach students to engage in positive behaviors that promote hope, engagement and wellbeing so that all students develop the social-emotional skills to be successful post-graduation. In order to accomplish this goal, it is essential that all members of the school community know and support expectations for student conduct.

As part of our multi-tiered system of supports, the District School Board of Pasco County offers a continuum of positive behavior supports, which are integrated with academic goals and include increasing levels of intervention in response to student needs. Whenever possible, prevention approaches and teaching strategies are considered prior to implementing consequences for behavior.

The Student Code of Conduct (SCOC) communicates minimal requirements for student behavior and summarizes the policies of the District School Board of Pasco County. The SCOC:

- Defines the responsibilities and rights of students
- Defines the rules of conduct and the behavioral expectations for students
- Establishes consequences for violations of the rules of conduct
- Describes the process for handling disciplinary infractions

### **Fresh Start**

Each new school year is considered a “fresh start” for students to make positive behavioral choices. In order to promote learning and behavioral change, consequences should be assigned and implemented as soon as possible after an infraction. Disciplinary actions should be assigned within the same school year that the offense occurred. In very limited cases, such as an investigation that extends into summer, a pattern of bullying behavior that carries over from one year to the next, expulsion, disciplinary reassignment in lieu of expulsion or disciplinary reassignment, assignment of disciplinary consequences may extend into the new school year. Other disciplinary consequences will not carry over year-to-year.

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## **Progressive Discipline and Supports**

The District School Board of Pasco County engages in the practice of progressive discipline.

Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate student behavior and build upon strategies that promote positive behaviors. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that also includes corrective and supportive measures.

Progressive discipline is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline, in accordance with the Discipline Matrix. The previous disciplinary history of the student and all other relevant factors will be taken into account.

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## **Definitions**

- The term “parent” wherever used in this document shall include a student's parent or parents, legal guardian, legal custodian, or adult recognized by the student’s school as acting “in loco parentis”.
- The term “Superintendent” shall include the Superintendent’s designees including Assistant Superintendents, hearing officers, and/or other administrators as is appropriate within the context of the provision.
- SESIR refers to School Environmental Safety Incident Reporting

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## **Respect and Civility Policy (Board Policy 8380)**

The education of a child happens only through a partnership between the student, School and District personnel, parent(s) or guardian(s), and the community. Partnership is an active state that includes sharing responsibilities, having meaningful communication, and welcoming participation. People will not always agree, and that can make partnerships difficult. Partnerships are most powerful when we agree on how to disagree. All stakeholders must remain civil in their discourse.

The purpose of this policy is to provide rules of conduct for students, employees, parents, and visiting members of the public which permit and encourage effective communication between all stakeholders, while at the same time enabling the Board to identify and deal with those behaviors that are inappropriate and disruptive to the operation of a school or other District facility. It is not the intent of the Board to deprive any person of his/her right to freedom of expression, and nothing contained in this policy is intended to restrict or chill an individual’s free speech rights as determined by the forum in which the speech occurs. Public participation at school board meetings shall continue to be governed by Board Policy 0169.1 – Public Participation at School Board Meetings.

(F.S. 1001.41(2), 1006.145, 20 U.S.C 1681 et seq., 29 U.S.C. 621 et seq., 29 U.S.C. 794 et seq., 41 U.S.C. 1983, Civil Rights Act, 42 U.S.C. 2000 et seq., 42 U.S.C. 12101 et seq)

## **Student Rights and Responsibilities**

Students shall have:

- The right to be informed of all school rules and regulations, the consequences of breaking those rules and regulations, the responsibility to know and observe all school rules and accept the consequences of acceptable and unacceptable behavior. Students and parents are expected to be familiar with the Student Code of Conduct.
- The right to due process as described in School Board Policy and this document, including an appeal procedure, and the responsibility to cooperate with school personnel in cases involving disciplinary action, following the prescribed process for appeal and accepting final decisions and consequences. (SB 5611)
- The right to receive an appropriate education, which will include instruction using texts and materials at a level which allows an opportunity for success and the responsibility to participate in educational opportunities and complete classroom assignments and homework to the best of their abilities.
- The right to know in advance how grades in a class will be determined and the responsibility to understand the teacher's grading system and to monitor their own progress in each class.
- The right to hear, examine and express divergent points of view; this shall include freedom of speech, written expression, and symbolic expression; and the responsibility to consider and respect the divergent points of view of others; they should also be sure that their personal expressions (speech, written, or symbolic) are not damaging to or infringe on the rights of others and/or otherwise materially and substantially disrupt the learning environment.
- The right to decide whether or not to participate in symbolic (e.g., flag salute) or religious activities and the responsibility to respect the rights of others to participate in symbolic or religious activities.
- The right to nondiscrimination in regard to participation in extracurricular activities and clubs for which they are eligible; students may not be excluded from such activities on the basis of gender (except as allowed under Title IX), color, race, ethnic origin, disability, or religion, and the responsibility to abide by the rules and guidelines which govern extracurricular activities and clubs; they should show good school spirit and sportsmanship.
- The right to participate, to the extent eligible and otherwise qualified, in a student council process which provides channels of communications as a means for solving problems in a democratic process; and providing input into school rules and curriculum within the context of student government, and the responsibility to support and take an active interest in student government.
- The right to dress and groom in a way that expresses personal preferences within the guidelines of the school dress code and the responsibility to know and observe school rules of dress and appearance.
- The right to, consistent and in accordance with school board policy, compose and make available printed, audio and/or video materials for reasons that are not commercial; this shall include freedom of the press for all student publications, and the responsibility to ensure that all published materials made available to the school are free from obscene or offensive material in adherence to journalistic ethics and reflect school and community standards, as determined by the principal or designee.
- The right to enjoy reasonable degrees of personal privacy, in accordance with the school board search and seizure policy.

- The right to be free from bullying, hazing, name calling, or harassment. It is the responsibility of the student to avoid and discourage such behavior and to report said behavior to school staff when observed.

## **Rules of Student Conduct**

The following behaviors are considered inappropriate for students and may result in student discipline as outlined herein and in the discipline matrix.

### Level 1 Offenses

- Inappropriate public display of affection (1B)
- Running, tripping, pushing, hitting or similar aggressive acts (1C)
- Tardiness (1E)
- Unauthorized possession or use of toys, audio or wireless communication devices, collectibles, or other items or materials that are inappropriate for an educational setting (1I)
- Violation of dress and appearance code (1K)
- Unauthorized location (1L)
- Violation of traffic, parking, bus or bicycle regulations (1M)
- Failure to comply with classroom, school or bus rules (1P)
- Disrespect toward student or staff (1Q)

### Level 2 Offenses

- Disruptive behavior (2B)
- Skipping or leaving class without permission (2C)
- Failure to comply or complete previously assigned intervention strategies (2E)
- Fighting (Non-SESIR), physical confrontation or physical aggression (2F)
- Verbal altercation, instigating a fight, harassment (Non-SESIR) or unwanted teasing or taunting of others (2G)
- Defacing and/or destroying school or personal property resulting in damages of less than \$1,000 (2H)
- Distribution of objects, literature, or materials that are obscene or inappropriate for an educational setting (2I)
- Leaving school grounds without permission (2J)
- Academic dishonesty, cheating, plagiarism, violation of copyright laws or similar acts (2M)
- Misrepresentation, providing false information to school personnel, or lying about a school staff member (2N)
- Having a toy/imitation weapon (2O)
- Violation of campus or bus safety rules (2Q)
- Defying, disobeying, or disrespecting school personnel (2R)
- Having and/or using unauthorized items to include, but not limited to: matches/lighters, fireworks, smoke/stink bombs, laser pens and/or similar contraband items (2S)
- Violation of Over-The-Counter medication (OTC) policy, to include but not be limited to: distributing, dispersing, or sharing of OTC, carrying or possessing OTC in a package other than the original manufacturer's packaging, or ingesting or utilizing OTC in a way that is not specifically directed or authorized by the manufacturer, as directed on the original packaging. (2S)
- Theft or accessory to theft of property worth less than \$750.00 (2T)



- Profane, obscene or provocative language or gestures (2U)
- Gang related disruption; may include materials, dress or hand signs (2V)
- Improper use of technology (2W)
- Gambling (2X)

Level 3 Offenses (Must match corresponding SESIR code)

- Mutual altercation that requires physical intervention or results in injury requiring medical attention (3D, FIT)
- Simple battery – intentionally causing bodily harm (3E, PHA)
- Aggravated battery intentionally causing great bodily harm (3E, BAT)
- Using, possessing, selling, purchasing, or distributing alcohol, controlled substances, drugs, drug related items, or substance represented to be a drug (3F, ALC, DRU, DRD)
- Weapons possession (3G, WPO)
- Theft or accessory to theft of property without threat or violence, \$750.00 or more (3H, STL)
- Sexual harassment (3I, SXH)
- Major disruption on campus; taking part in a riot (3K, DOC)
- Arson (3L, ARS)
- Bomb threats, false fire alarms, hoaxes or threatening the use of a firearm (3M, DOC)
- Extortion or robbery including force, threat of violence or putting the victim in fear (3N, ROB)
- Intimidating school staff or students or threatening them with violence or sexual assault (3O, TRE, SXA)
- Bullying, harassment or hazing of staff or students (3P, BUL, HAR, HAZ)
- Violations of other criminal laws (3R, OMC, HOM, KID, SXB, BKR, TRS)
- Habitual or serious breach of bus rules (3S)
- Possessing or using tobacco products or look-alikes (3T, TBC)
- Willfully defacing and/or destroying school or personal property resulting in damage of \$1,000 or more (3U, VAN)
- Sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Must involve law enforcement (3V, SXO)
- Dangerous objects: razor blades, box cutters, common pocket knives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items (3W)
- Refusing, preventing, or otherwise attempting to prevent search of their person, possessions, vehicle or similar search requests (3X)
- Possessing look-alike drugs (3Y)

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**Interventions/Consequences/Reporting Elements**

Interventions for students found to be in violation of the school rules encompass multi-tiered behavioral supports and may include, but are not limited to:

- Conference with student (30)
- Conference with a parent (31)
- Assignment of reflective written work, work detail, and/or restitution (i.e.: property/damages) (32)
- Behavioral or student self-improvement agreement (33)

- Loss of privileges (34)
- Peer mediation (35)
- Daily or weekly report to parents (36)
- Referral to Guidance Counselor, School Nurse, School Psychologist, School Social Worker, School Resource Office, Behavior Specialist, School-based Intervention Team (S-BIT), Community Agency/Services or similar resource (37)
- Detention (38)
- Bicycle privilege revoked (39)
- Parking privilege revoked (40)
- Referral to Dept. of Highway Safety and Motor Vehicles (41)
- In-school suspension (ISS). (The student will report to school at the stipulated time but will not be able to follow the regular schedule or to attend extracurricular activities.) (42)
- Bus suspension (The student will not access school transportation, for any reason, during the period of suspension. The student is required to attend school during the period of bus suspension.) (43)
- Out-of-school suspension (OSS) (The student will not be permitted on any school board property during the period of suspension) (44)
- Referral to law enforcement agency (investigation or arrest) (46)
- Recommendation for bus expulsion (47)
- Recommendation for expulsion (48)
- Alternative to suspension (ATS) (49)
- Change of placement (ESE only, 45-day rule) (50)
- Threat assessment (51)
- Functional Behavioral Assessment/Behavioral Intervention Plan (52)
- Confiscation of items or devices (53)
- Recommendation for alternative placement (57)

#### Reporting Elements

- Mechanical restraint (54)
- Physical restraint (55)
- Seclusion (56)
- Bath (99)

*Grades: Teachers shall not give or threaten to give grades lower than those the student actually earned. Academic dishonesty (cheating or plagiarism), however, will result in a lower grade on that particular assignment. Also, failure to properly complete assignments will naturally result in lower grades. Grades may **not** be lowered as a consequence and/or form of discipline.*

#### **Extracurricular, Co-curricular Activities and Student Organizations**

Extracurricular activities should be scheduled to maximize student access while minimizing conflict with instructional time.

#### Student Being Arrested and Charged (Involved in Extracurricular Activities)

If a student is found to have been arrested on or off campus and/or charged with a felony or delinquent act that would be a felony if that student were an adult, even if adjudication is withheld, then the student will be suspended from and deemed ineligible to participate in extracurricular activities. The student shall be suspended/deemed ineligible to participate in extracurricular activities, including athletics, for no less than

ninety (90) school days from the date the school becomes aware of said violation. After the days of suspension from participation are completed, the principal or designee will review the suspension and make a decision concerning the eligibility of the student to resume participation in extracurricular activities. Results of this decision may not be appealed. The suspension may be lifted should the charges be dropped or a 'not guilty' be entered into the court records. (F.S. 1006.15)

**Note:** Participation in extracurricular activities and athletics is a privilege, not a right, and may be revoked by the principal for violations of the Student Code of Conduct including, but not limited to actions that result in in-school-suspension, out-of-school suspension and/or a recommendation for expulsion or disciplinary reassignment. Suspension or dismissal from extracurricular activities may be utilized as a disciplinary consequence in addition to or in lieu of other disciplinary actions.

**Note:** A student's grade should not be lowered if they are excluded from extracurricular or co-curricular activities due to disciplinary reasons.

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### **Student Eligibility – Interscholastic Activities**

HB 7029 mandates each school district establish and publish eligibility standards for extracurricular activities in its Student Code of Conduct. Per F.S. 1006.195, the following apply to all students participating in a interscholastic program sponsored by the district. The district has established, through its Student Code of Conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and interscholastic extracurricular activities.

In compliance with HB 7029, the district has established the following:

- A student not currently suspended from interscholastic or interscholastic extracurricular activities, or suspended or expelled from school, pursuant to a district schools board's suspension or expulsion powers provided by law, including 1006.07, 1006.08 and 1006.09 is eligible to participate in interscholastic and interscholastic extracurricular activities
- A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in 1006.15
- A student's eligibility to participate in any interscholastic or interscholastic extracurricular activity may not be affected by any alleged recruiting violation until the final disposition of the allegation pursuant to 1006.20

The following includes a list of FHSAA district athletics eligibility criteria, including but not limited to:

- 2.0 GPA required for academic eligibility. A middle/junior high student must have a 2.0 GPA, or the equivalent of a 2.0 GPA based on a 4.0 scale, at the conclusion of each semester. A high school student must have a cumulative 2.0 GPA on a 4.0 unweighted scale, or its equivalent, at the conclusion of each semester to be academically eligible during the next semester (1006.15)
- Athlete cannot turn nineteen (19) before July 1<sup>st</sup> of the current year
- The eligibility limit for High School students is 8 consecutive semesters.
- Students are not eligible during a retention year during Middle School.
- Any other district or FHSAA policy that would remove or prevent a student from participating

Good Cause Participation

- A student who transfers schools and wishes to continue participating in the same sport at the new school may seek good cause authorization
- The following includes a list of examples, such as, but not limited to, which may be considered for “good cause authority”
  - Move to a new residence that makes it necessary to attend a different school
  - Reassignment by school board or charter school board
  - Transfer of school within the first twenty (20) days (i.e., acceptance into a previously applied for magnet program or career academy)

**Declaration of Intent to Terminate School Enrollment**

A student who is sixteen (16) or seventeen (17) years of age who is choosing to withdraw from school must sign a “Declaration of Intent to Terminate School Enrollment” form. Students may obtain the form by speaking with school guidance counselors or a member of the school administration staff. This form requires parent signature/consent unless the student is legally classified as independent.

**Attendance**

State statute requires that “All children who have attained or will have attained the age of six (6) years by February 1<sup>st</sup> of any school year and have not yet attained the age of sixteen (16) years, except as otherwise provided, are required to attend school regularly during the entire school term.” (F.S. 1003.21)

It is the belief of the District School Board of Pasco County that academic success requires continuity of instruction and active classroom participation. Attendance shall be required of all students enrolled in school during the days and hours that the school is in session. School attendance shall be the responsibility of parents and students.

School Attendance: Students are to be counted in attendance only if they are actually present or engaged in a school-approved educational activity, which constitutes a part of the instructional program for the student.

Class Attendance: Students are to be counted in attendance if they are physically present in class or have been excused by the teacher on a class-related assignment or have been requested by a member of the school support staff for an approved school activity.

Florida Law 1003.26(1)(b) provides that if a student has at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the school must take action. The school may require documented medical and legal excuses for a pattern of non-attendance.

- Attendance shall be counted period by period (Secondary only)
- A student, whose parent or legal guardian is an active-duty member of the armed forces and has been called to duty, is on leave from, or has immediately returned from deployment, shall be granted additional excused absences, at the discretion of the school district’s superintendent or designee, to spend time with said student’s parent/guardian, relative to such leave or deployment
- After three (3) unexcused absences the school shall contact the home (or workplace) of the parent/guardian to determine the reason for the absence

Attendance Procedures

All elementary, middle and high school students who are absent will be marked “unexcused” (U) until the parent/guardian notifies the school in writing and justifies the absence with one of the acceptable reasons as defined below:

- Failure to do so within three (3) school days will cause the absence to be recorded as “unexcused”
- In the case of excessive or extended absences, which are claimed to be due to illness, upon request of the principal or designee, a parent must provide documentation (doctor’s statement) of a student's illness
- Excessive or extended absences are considered five (5) in one calendar month or ten (10) in one semester, or a history of excessive absences per period as defined below under Student Consequences for Unexcused Absences. Absences that meet this threshold as defined above will require a doctor’s note. If doctor’s notes are not provided, absences will be marked as unexcused

Reasons for acceptable (excused) absences include but are not limited to:

- Illness of student
- Major illness in the immediate family of the student (immediate family is determined as parents, brothers, sisters, grandparents, aunts, uncles, legal guardians or persons “in loco parentis,” or a member of one’s own household)
- Death in the immediate family of the student
- Religious holiday of the student’s faith (including Yom Kippur, Rosh Hashanah, Epiphany, etc.)
- Religious instruction (including Bar/Bat Mitzvah, Confirmation, etc.)
- Religious institutes, conferences, workshops, provided that the principal or designee approves the absence in advance
- Absences for trips or other parental requests.
  - Requests must be approved at least one (1) week in advance
- In-school or out-of-school suspension
- Subpoena or forced absence by any law enforcement agency, a copy of the subpoena or court summons must be submitted to the school
- For purposes of attendance, school related activities would not be counted as absences from school
- Issues and occasions specific to military families

### Tardiness and Early Checkout

Students need to arrive on time and stay through dismissal so they will receive important directions, class instruction and avoid disrupting other students. Parents can set a good example by encouraging students to follow the school’s time schedule and to follow the procedures found in the school handbook. All parents must report to the front office when picking up their child prior to the regular dismissal time. Make-up Work

Students may make up any and all assignments, tests or related work assigned on the day(s) of any excused or unexcused absence at full credit provided that the student makes arrangements with teachers within three (3) days of the student’s return to school.

The student is responsible for asking the teacher(s) for tests, assignments and related work that were missed due to an absence. Students will be given a minimum of two (2) calendar days per day or class period of absence to make up all tests, assignments and related work. The teacher(s) has the discretion as to when to schedule tests and other assignments that need to be made up that were missed due to an absence.

Students may be given additional time based on teacher discretion or as stipulated on their IEP. /504. Work due to be turned in on the day of the absence will be turned in upon return and be given full credit.

Students who have been assigned out-of-school suspension (OSS) may make up all tests, assignments and related work for full credit based on the timelines outlined above.

### Referrals for Intervention and Support

If the initial parent/guardian meeting/contact does not resolve the problem and the person responsible for all non-attendance determines that an early pattern of non-attendance is developing, interventions that best address the problem will be developed. The interventions may include but need not to be limited to:

- Attendance agreements
- Referral to the school-based intervention team

If the attendance agreements and the referral to the school-based intervention team are not successful, then a referral to the school social worker is initiated.

Once referred to the school social worker, a student and/or parent may be referred to the Office of the State Attorney's Truancy Intervention Program (TIP) or to Children in Need of Services/Families in Need of Services (CINS/FINS).

### Truancy Prosecution

The Truancy Intervention Program (TIP) may prosecute through the State Attorney's Office (SAO) via the school attendance statute. A truancy referral through Youth and Family Alternatives (YFA) may also lead to prosecution via the CINS statute. (F.S. 1003.12, F.S. 984.03)

### Driver License Penalty

Student who accumulate fifteen (15) unexcused absences or absences for which the reasons are unknown, in a period of ninety (90) calendar days may face suspension of their driver's license, or for students who are under age sixteen (16), having their application for licensure denied. Please see section on Driver License Law below. (F.S. 322.091)

### Public Assistance Penalty

Truancy may impact public assistance the family receives through the Learnfare program. (414.1251)

### Intervention Systems

It is the expectation that schools will design and implement an attendance incentive program where students may earn additional rewards and privileges. School administrators may elect to exclude the following consequences for unexcused absences from their attendance plan.

### Student Consequences for Unexcused Absences

At the secondary level, attendance is marked per period. If a student has at least five (5) unexcused absences, or absences for which the reasons are unknown, in any one course within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, in any one course within a semester, the student may lose privileges as described below.

At the elementary level, attendance is marked per day. Students who accumulate excessive absences, which is defined as five (5) unexcused absences, or absences for which the reasons are unknown, in any one

calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, in any semester, tardies or early dismissals may lose privileges as described below.

#### Loss of Privileges Due to Unexcused Absences

- May be excluded from attendance reward activities as defined at the school level
- Lose the privilege of participating in extracurricular activities. They include but are not limited to dances, special events, club activities and athletics, until the end of the following grading quarter. **Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year**
- Lose the privilege to drive to campus until the end of the following grading quarter. **Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year**

The principal or designee may review extenuating circumstances resulting in a loss of privilege(s). The principal's decision is final. Principal review is only intended to reinstate privileges that have been lost as described above. It is not intended to impose harsher discipline than what is outlined herein and in another district policy.

#### Athletics and Extracurricular Activities

Students must be present for the majority of the school day to participate in extracurricular activities unless otherwise approved by school administration. These include but are not limited to dances, special events, club activities and athletics.

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#### **Early Warning System: On-Track/Off-Track Systems**

The Early Warning System was designed to identify students who are at-risk for not graduating and need additional supports and interventions. Best practice would indicate that any On-Track/Off-Track system be utilized for this purpose as well as a motivational tool where students can earn additional privileges as opposed to a punitive and consequence-based system.

Any loss of privileges for attendance relating to On-Track/Off-Track status must also match the Loss of Privileges policy as stated in the Attendance section above.

Parents may appeal loss of privileges relating to the On-Track/Off-Track System by contacting the school principal. The appeal may be initiated verbally and followed up in writing or email.

#### Appeal Process

Any school implementing an "on-track" or similar program must include an appeal process. During the appeal process, in the event the student is a student with a disability under Section 504 or the IDEA or suspected of having a disability (i.e., open evaluation or parent request for an evaluation), when assessing whether a student is to be afforded an exemption under the program, so as to allow the student to engage or participate in the requested extracurricular activity or activities or privileges, the administrator (or other person hearing the appeal) shall include the following:

- Take into consideration that a student with a disability, depending on their circumstances, may not be able to make progress at the same rate as a student without a disability

- Contact school-based members of the student’s 504 or IEP team(s) to obtain information as to whether the student has made appropriate and sufficient progress, in light of the student’s disabilities and needs. (For the purposes of this section, a 504 or IEP team meeting does not need to be conducted, but instead, the administrator may speak with several school-based members of the team on an individual basis to obtain information)
- Take into consideration whether or not the student’s off-track status, or lack of sufficient progress under the program, is a manifestation of the student's disability. In doing so, you must also ensure there is evidence that the components of the IEP (i.e. FBA/BIP, accommodations) have been implemented with fidelity
- If the student’s off-track status, or lack of sufficient progress under the program, is a manifestation (direct result) of the student's disability (or a product of failing to implement the plan with fidelity), and if the student has made appropriate and sufficient progress, in light of the student's disabilities and needs, then the student should have the opportunity to engage in the relevant activity or privilege (with the exception being that a student must meet graduation requirements to engage in any graduation-related ceremonies)

School administrators may consider any of the following when determining Attendance/On-Track incentives:

Reserved premium parking spots, AM/PM school announcer, spirit gear (lanyards, shirts, hoodies, mini locker mirrors, keychains, drawstring bags, magnetic locker items), event passes, reward store gift cards, snacks, school supplies, miscellaneous donated items (coupons, gift cards, etc.) and lunch game video rental. Student designed lounge where students can earn/purchase a pass with reward points. This area could be open before school and during all lunch and would be supervised by volunteer staff. The lounge could feature air hockey, table tennis, cornhole, Xbox, Jumbo Jenga, Legos, refreshment bar, board games, bean bag seating, etc.

**Tardy Hall/Detention (Secondary Only)**

Principals or designees shall have the authority to establish tardy halls where students serve immediate detention for unexcused class tardies. Principals or designees may also assign other interventions and/or consequences for tardies consistent with what is detailed herein and on the discipline matrix.

**Skipping/Leaving Class Without Permission**

Per Pasco County Schools Attendance Policy: It is the belief of the District School Board of Pasco County that academic success requires continuity of instruction and active classroom participation. Attendance shall be required of all students enrolled in school during the days and hours that the school is in session. It is the expectation that students are present in classrooms during scheduled class periods under the supervision of staff in order to maximize learning and to maintain a safe environment. Students may only leave class with staff permission and must follow school protocols for passes and transitions. Students must be in designated areas for scheduled lunch breaks or school sponsored activities.

Approved reasons to leave the classroom

- with permission from the classroom teacher or administration
- when utilizing systems put in place for specialized plans
- attending school sponsored activities
- transition time-by bell or announcement



- when requested by front office or non-instructional staff
- emergency – As practiced in Active Threat or Crisis Drills

Violations may result in the following interventions and consequences

- First Offense
  - behavior referral
  - student conference
  - reteach of school expectations and protocols
  - notice of the consequences for a second offense
  - parent notification by phone
- Second Offense
  - behavior referral
  - parent/teacher/student conference
  - reteach of school expectations and protocols
  - notice of the consequences for a third offense
  - student reflection sheet or skipping module
  - loss of privilege – classroom pass restriction
  - detention – lunch or afterschool
- Third Offense
  - behavior referral
  - parent/student meeting with administrator or designee
  - reteach of school expectations and protocols
  - referral to School Intervention team
  - behavior agreement
  - loss of privilege – classroom pass restriction, escorted passing
  - detention – lunch, afterschool, Saturday

\*Continued offenses may result in additional referrals for (2E) failure to comply or complete previously assigned intervention.

### **Driver License Law (Secondary Only)**

The Florida Legislature has enacted F.S. 322.09(1), which provides that minors (ages 14-18) satisfy school attendance requirements in order to apply for or maintain their driving privileges. In accordance with F.S. 1003.27, the principal or designee will notify the district office of those students who accumulate fifteen (15) unexcused absences or absences for which the reasons are unknown, in a period of ninety (90) calendar days. The school superintendent or designee is then required to submit to the Department of Highway Safety and Motor Vehicles (DHSMV) the names of the students along with their date of birth, sex, and Social Security Number. For the purposes of maintaining the right to drive, days of suspension from school will not be forwarded to the DHSMV as unexcused.

If a student's name is sent to the DHSMV for lack of attendance, then the student is in danger of having the current privilege to drive suspended, or for students who are under age sixteen (16), having their application for licensure denied. Hardship waiver hearings will be available in cases where the driver has been notified by DHSMV that the license will be suspended. Following a license suspension by DHSMV, the driving privilege may be reinstated if the student submits written verification to DHSMV that the student has completed thirty (30) days of attendance in school without an unexcused absence.

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### **Student Parking Policy (Secondary Only)**

Parking in a school lot is a privilege. All vehicles must be registered to park in a school parking lot. Proof of insurance must be presented at the time of registration and the registration is non-transferable. Vehicles that are not registered, that are inappropriately or illegally parked, or parked so as to cause a safety hazard, may be warned, booted, or towed at the owner's expense.

Students who drive inappropriately or dangerously, or are found to be truant or have excessive absences (see attendance policy) are subject to having their parking privileges suspended or revoked.

There will be no refunds for loss of hang tags/parking privileges. If a student regains his or her driving/parking privilege, it is subject to space availability.

A vehicle, upon reasonable suspicion, may be searched for weapons, drugs, other illegal items, or items prohibited by school board policy, (e.g., alcohol, stolen property, or other contraband.) If any of these are found in the car, appropriate disciplinary and/or legal action will be taken and the parking permit will be revoked.

In addition, each school may specify additional conditions for parking on school grounds at the time of vehicle registration.

When parking or otherwise utilizing a car on school grounds, the student shall be responsible for the control of the vehicle, and the contents contained therein. It is the duty of the student to ensure that no illegal items, weapons or other items prohibited by the School Board Policy, are placed, stored or otherwise contained in such vehicle. Students shall be subject to discipline and legal action when illegal items, weapons or other items prohibited by School Board Policy are contained in the vehicle being utilized or parked on school grounds by the student.

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### **Judicial "No Contact" Orders**

The Department of Juvenile Justice will report to the school district all court orders in which a Pasco County student is mandated by the Department of Juvenile Justice to have "no contact" with his or her victim or victim's family members.

Upon notification by the DJJ Transition Coordinator, the principal or designee of the school where the offender attends will determine if measures can be taken within the existing school of attendance to ensure that the "no contact" order can be followed. If the principal or designee feels the order cannot be accommodated at the school, consultation with the Division of Student Services will determine how the "no contact" order will be enforced.

A "no contact" order may be issued by a circuit judge at or before the time of adjudication, withholding of adjudication, or plea of guilty or nolo contendere for the following offenses: homicide, assault, battery, culpable negligence, kidnapping, false imprisonment, luring or enticing a child, custody offenses, sexual

battery, lewdness and indecent exposure, abuse of children, robbery, robbery of sudden snatching, carjacking, or home-invasion/robbery. (F.S. 1006.13)

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### **Student Felony Reports**

F.S. 1006.08(2) requires law enforcement agencies and courts to notify schools when a student is accused or convicted of felony-level crimes. The principal or designee must share the information with school staff that work with the student. The informed staff must maintain appropriate levels of confidentiality. The information regarding the felony report is not kept in the student's cumulative record.

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### **Student Placement Review Committee**

F.S. 1003.32 gives teachers the authority to remove a student from a class for the remainder of the school year under any of the following circumstances:

- Who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn
- Whose behavior the teacher determines is so disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn
- Who has threatened personal harm or property damage against the teacher or teacher's family

Within five (5) days of the teacher's removal of the student, the principal or designee will either return the student to the teacher's class with the teacher's agreement or will determine a more appropriate placement of the student. If the teacher and principal or designee cannot agree on a decision, a Placement Review Committee will determine the appropriate class for the student. The placement review committee may return the student to the original class if they determine that such placement is the best or only alternative. The teacher may appeal the committee's decision to the Superintendent.

Program eligibility requirements, School Board policies, and state and federal laws limit placement options. In no instance shall a student's right to due process be compromised.

### **Use of Reasonable Force**

The safety and welfare of the students is of utmost importance. It is sometimes necessary to use a range of conduct management efforts to control student behavior. These efforts include the use of reasonable force. Florida Statutes 1006.11 and 1012.75 allow such force to be used by school personnel in maintaining a safe and secure learning environment. While use of reasonable physical force may be needed, that force may not be excessive, cruel or unusual in nature, and alternatives to the use of such force should be attempted, time permitting. Any use of reasonable physical force must cease upon the restoration of a safe and orderly environment.

Use of reasonable force is permitted to protect students from:

- Conditions harmful to learning
- Conditions harmful to students' mental health
- Conditions harmful to students' physical health
- Conditions harmful to safety

- Harmful and/or injury to self, school personnel and others

### **Self-Defense and the Defense of Others**

A victim or a person protecting a victim (hereinafter, collectively, “victim/protector”) are justified in using or threatening reasonable force against an attacker when and to the extent the victim/protector reasonably believes that such conduct is necessary to defend the victim against the attacker’s wrongful use of force.

To the extent that a victim/protector has a reasonable means to avoid the danger posed by the attacker by escaping or otherwise leaving the area, and such retreat or withdrawal was capable of being performed without a threat of harm to the victim/protector, then the victim/protector has a duty to do so.

To the extent that a reasonable means of escape or withdrawal does not exist, or that an attempt to do so could subject the victim/protector to potential harm, then the victim/protector may use reasonable force to defend themselves.

A victim/protector’s right to utilize reasonable force to defend themselves ends when the attacker no longer poses a serious threat to the victim/protector or has otherwise withdrawn their attack as evidenced by verbal communication and a discontinuance of physical aggression.

When a student rightfully engages in self-defense, as set forth above, they are not subject to discipline.

In a disciplinary action against a protector (as identified above), there is a rebuttable presumption that the actions of the protector, using only the reasonable amount of force necessary to stop a violent act against a victim were necessary to restore or maintain the safety of others. (F.S. 1006.13(2)(d)).

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### **Search and Seizure (Board Policy 5771)**

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property, including vehicles of a student, with or without the student’s consent, whenever they reasonably suspect that a violation of law or school rules has occurred or is occurring. The extent of the search will be governed by the seriousness of the alleged infraction and the student’s age. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Administrators are permitted to conduct a search of any student’s locker and its content at any time, providing there is a reasonable suspicion the contents of the locker are illegal, possessed illegally, or otherwise violate the Student Code of Conduct. Proper notice is to be posted in the locker areas of each building, readily seen by students, notifying students that their lockers or storage areas are subject to search upon a reasonable suspicion, as set forth herein. See below for rules regarding canine search.

Search of a student’s person shall be conducted by a person of the student’s biological sex, whenever possible. Searches conducted by a person of the opposite sex will only be conducted under emergency circumstances and when a person of the same sex is not available. In such instances, another person will witness the search.

The School Board also authorizes the use of mechanical detection devices and specially trained law enforcement canines, trained in detecting the presence of drugs or devices to conduct random or

administrative searches for contraband in classrooms, student lockers, other common areas of school buildings, and vehicles parked on school grounds. Searches will be conducted in conjunction with law enforcement and a school administrator shall accompany the handler and canine during all searches conducted on school property. This means of detection shall be used only to determine presence of drugs or other contraband in locker areas and other places on school property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search. If a dog indicates that contraband is present on school property, school administrators may conduct a further search.

Administrators are authorized to arrange for the use of a breath-test instrument for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level since the Board has established a zero tolerance for alcohol use.

Whenever possible, a request for the search of a student or a student's possessions will be directed to an administrator who shall seek the freely offered consent of the student to the inspection, and the search will be conducted by an administrator in the presence of the student and an additional staff member. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect people and property.

Any search of a student's personal belongings, including a purse, backpack, or bookbag, will be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds will be immediately returned to the student's personal belongings. (PCSB 5771, F.S. 1006.09 (09), F.S. 1006.09 (10))

Students who refuse, prevent, or otherwise attempt to prevent search of their person, possessions, vehicle or similar search requests may receive consequences as detailed in the discipline matrix.

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### **Questioning Students**

If school officials have a reasonable suspicion that a student has violated the Student Code of Conduct, or has otherwise engaged in activity that disrupts or adversely impacts the school environment, then school officials may question the student immediately, without first contacting the student's parents. Because school officials have a vested interest in protecting all students and maintaining the efficient, secure, and uninterrupted workings of school environment, the student does not have the right to be accompanied by their parents, or represented by an attorney, when the student is questioned by school officials. However, to the extent that disciplinary action is taken as a result of the subject violation or acts, the student will be afforded the rights to due process, as set forth in School Board Policy and the Student Code of Conduct.

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### **Unauthorized Use of Restrooms or Changing Rooms**

In accordance with the "Safety in Private Spaces Act" (F.S. 553.865), Pasco County Schools provides females and males with restrooms and changing facilities for their exclusive use, respective to their sex, in order to maintain public safety, decency, decorum, and privacy.

Any student who willfully enters a restroom or changing facility designated for the opposite sex on School-Board owned property or during a School Board/school-sponsored event and refuses to depart when asked to do so by: instructional personnel, administrative personnel, a safe-school officer or any

other designee of the Superintendent or school principal shall be subject to discipline for Unauthorized location (1L).

Students shall not be disciplined for entering a restroom or changing facility designated for the opposite sex when they have done so for the sole purpose of:

Accompanying a person of the opposite sex for the purpose of assisting or chaperoning:

- a child under the age of 12
- an elderly person as defined in s. 825.101
- a person with a disability as defined in s. 760.22
- a developmental disability as defined in s. 393.063
- Rendering emergency medical assistance;
- Assisting in any other emergency situation where the health or safety of another person is at risk

If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.

For students requiring a restroom or changing facility that is not designated for their sex, access to a private, accommodative, sex-neutral location shall be provided, which can include, but is not limited to a unisex restroom, a unisex changing facility, or another private location that meets such needs. For the purposes of this section, the following definitions apply:

- “Female” means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs.
- “Male” means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm.
- “Sex” means the classification of a person as either female or male based on the organization of the body of such person for a specific reproductive role, as indicated by the person's sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.
- “Restroom” means a room that includes one or more water closets. This term does not include a unisex restroom.
- “Unisex restroom” means a room that includes one or more water closets and that is intended for a single occupant or a family, is enclosed by floor-to-ceiling walls, and is accessed by a full door with a secure lock that prevents another individual from entering while the room is in use.
- “Changing facility” means a room in which two or more persons may be in a state of undress in the presence of others, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room.
- “Unisex changing facility” means a room intended for a single occupant or a family in which one or more persons may be in a state of undress, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room that is enclosed by floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the changing facility is in use. (HB 1521, F.S. 553.865(9)(a-e))

### **Rules of Dress and Appearance**

Each district school board shall adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment. (F.S. 1006.07)

The principal, or designee, shall determine the appropriateness of dress and appearance in accordance with the guidelines distributed by the school, school board policy and guidelines contained herein. The principal, or designee, will make the decision if a student's appearance meets school and community standards. The principal's decision on the appropriateness of dress is final as long as it does not contradict official district policy listed herein or elsewhere.

Principals may add additional dress code guidelines unique to their school. These changes must be reasonable in scope, consistent with guidelines contained herein and elsewhere in district policy and the school must give parents/guardians adequate notice of said changes. Parents should be provided notice beginning-of-year or at least three weeks prior to the initiation of any new policy.

These guidelines are in effect while on any District School Board of Pasco County school or campus, at any school function or on any school-sponsored transportation.

- Students must wear clothing that has fabric on the front, back and on the sides (under the arms) and shoes
- Shirts and dresses must have fabric on the front, back and on the sides (under the arms)
- Shirts must have straps
- Clothing must cover undergarments (this includes straps and waistbands)
- Fabric covering chests, genitals and buttocks must be opaque
- Clothing must be suitable for all scheduled classroom activities including physical education, science labs, wood shop and other activities where unique hazards exist
- Specialized courses may require specialized attire, such as sports uniforms or safety gear

The following types of clothing, items, accessories and apparel are considered inappropriate for the school environment:

- Any clothing that exposes underwear, body parts and/or skin in an indecent or vulgar manner
- Any clothing that substantially disrupts the school environment or causes safety concerns
- Any clothing that depicts profanity, drugs or alcohol, violent images or vulgarity in any form
- Any clothing that depicts sexually implicit or explicit images
- Any clothing that depicts gang-related images, indicates gang affiliation or antisocial group affiliation
- Wallet chains, spiked jewelry, dog collars or similar items
- Slippers or similar shoes
- Pajamas or costumes (unless approved by school administration for special events, etc.)
- Hats, bandanas or head coverings (unless preapproved administratively for medical, religious reasons and/or for special school activities)

Wearing clothing or accessories that depict a firearm or weapon or express an opinion regarding a right guaranteed by the Second Amendment to the United States Constitution is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system under this section or F.S. 1006.13.

Violations of these provisions of the dress code are subject to the following consequences as defined by F. S. 1006.07(2)(d1) and F.S. 1006.07(2)(d2):

- For a first offense, the student shall be given a verbal warning and the school principal or designee shall call the student's parent or guardian
- For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal or designee shall meet with the student's parent or guardian

- For a third or subsequent offense, the student shall receive an in-school suspension for a period not to exceed three (3) days, the student is ineligible to participate in any extracurricular activity for a period not to exceed thirty (30) days, and the school principal or designee shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities. (F.S. 1006.07, 1003.01)

Students in violation of the dress code:

- Will be required to change into appropriate clothing, contacting the parent/guardian as needed
- Students may be required to remain in the front office until the above condition is met per principal or designee discretion
- May receive a discipline referral and receive consequences as appropriate for repeated breaches of the policy

#### Regulations Regarding the Wearing of Items and/or Clothing that Conceal Identity

- A student's identity must be readily recognizable by school staff at all times during the school-day, or when the student is engaged in a school-sponsored activity
- No items or clothing, or any combinations of such, may be worn in a manner that conceals the wearer's face. Face coverings such as ski masks, gas masks, Halloween masks, costume masks, ninja masks, pantyhose, full face masks, hoods (including hoods from sweatshirts or jackets commonly referred to as "hoodies" or other face coverings that obstruct a wearer's vision or face or identity are not allowed absent a legally protected right that has been approved in writing by the school's Principal or the District's Equity Officer
- Students may utilize an appropriate face-covering (such as medical mask, surgical mask, scarf, bandana, neck buff, and other items made of a suitable and safe material that will cover the wearer's nose and mouth and prevent or reduce the release of respiratory droplets from the wearer's mouth or nose) for the purposes of health-related concerns
- Students must comply with the directive of all school staff members to remove any and all items of clothing set forth above so that the student's identity can be readily revealed and recognized. This would include the temporary removal of an appropriate face covering being utilized for health concerns so that a student's identity can be confirmed
- During times of inclement weather, a principal may modify or suspend application of these provisions when doing so is in the best interest of the student body's health, safety and welfare.
- Failure to comply with the above policy and provisions may result in disciplinary action as detailed herein and/or elsewhere in district policy

#### **Academic Integrity**

Students at all levels are expected to pursue their studies with integrity and honesty in all school settings. All work that a student submits will be the original and authentic work of the individual student unless otherwise specified in the assignment.

Students have the responsibility to:

- Uphold the highest standards of academic integrity in the student's work own work
- Refuse to participate in or tolerate violations of academic integrity in the school community
- Foster a high sense of integrity and social responsibility in the school community



The following examples of academic dishonesty will result in disciplinary action. These are examples for guidance purposes and do not constitute an exhaustive list.

- Cheating
- Altering or interfering with grading
- Using or consulting any materials or personal electronic devices/wireless communication devices not authorized by the teacher during a test or assignment
- Submitting an assignment purchased or otherwise obtained from a third party
- Plagiarism
- Lack of proper academic citation (e.g., APA, MLA, Chicago AP)
- Distributing test questions, homework questions, assignments and other school testing or evaluation materials, or answers thereto in a manner that enables or advances the examples of Academic Dishonesty set forth herein
- Willfully or knowingly taking an online course or examination on behalf of another person, or allowing someone to take an online course or examination for you

Consequences are detailed on the Discipline Matrix and may also include the following:

- Reduced credit on assignment
- Confiscation of electronic device
- Proctored assessments
- Withdrawal from course (eSchool/FLVS)
- Schedule change
- Completion of an Academic Integrity Module
- Repeated infractions may also be coded as 2R-Defiance

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### **Wireless Communication Devices (WCDs) and Digital Citizenship (Board Policy 5136)**

The Board is aware that WCDs are used by students and parents to communicate with each other. However, the use of WCDs on school grounds must be appropriately regulated to protect students, staff, and the learning environment. Whether intentional or not, WCDs can remove students socially, intellectually, and emotionally from being present while at school or when involved with school-related activities. The District wants all students to have the greatest opportunity for face-to-face engagement with their teachers and peers, as not being presently focused can increase social and academic isolation issues. In addition, while the use of social media can be intentional and positive, it can also be used in a way that causes others to feel left out, judged, anxious, and targeted. Unfortunately, WCDs can also be used by students to initiate and perpetuate inappropriate and/or unlawful conduct that can disrupt the orderly operation of schools and jeopardize the health, safety, and welfare of others in the school community. Therefore, to help promote the in-person academic and social engagement of our students while at school and at school-related activities, the District has established the following expectations regarding the use of WCDs by students:

**Grades Pre-K through 5** – Students in grades Pre-K through 5 who bring WCDs to school must ensure that they remain in silent mode and completely out of view for the entire school day. Classroom teachers may also provide, and student may utilize, a cell phone storage area in their classroom.

**Grades 6 through 8** – Students in grades 6 through 8 who bring WCDs to school must ensure that they remain on silent mode and completely out of view for the entire school day except for the student’s lunch period or as expressly authorized by the classroom teacher for specific instructional activity. Classroom teachers may also provide, and student may utilize, a cell phone storage area in their classroom. These

expectations also apply to extracurricular and co-curricular activities that occur before or after the school day.

**Grades 9 through 12** – Students in grades 9 through 12 who bring WCDs to school must ensure that they remain on silent mode and completely out of view for the entire school day except for the student’s lunch period, in between class periods, or as expressly authorized by the classroom teacher for a specific instructional activity. Classroom teachers may also provide, and student may utilize, a cell phone storage area in their classroom. These expectations also apply to extra-curricular and co-curricular activities that occur before or after the school day.

The District will utilize its existing IEP, Section 504 plan, and student medical processes and procedures to evaluate requests for accommodation that are supported with the needed documentation.

With the approval of their respective Assistant Superintendent and based on the specific facts and circumstances at their school, a school principal may impose more restrictive conditions at their school.

Unauthorized Use of a WCD:

- Engaging in non-educated-related communications and/or usage during instructional time
- Capturing, recording or transmitting the words or sounds, audio, images, pictures and/or video of any staff member or other person in the school or while attending a school-related activity without expressed prior notice and explicit written and/or verbal consent of said party and/or as indicated by a student’s Individual Education Plan (IEP)
- Capturing, recording or transmitting the words or sounds, audio, images, pictures and/or video of any student, in the school or while attending a school-related activity without expressed prior notice and explicit written and/or verbal consent of said party and/or as indicated by a student’s Individual Education Plan (IEP)
- Capturing and/or recording fights or similar events, and/or subsequent posting of said recording/images to social media and similar outlets
- Distracting use/behavior that creates an unsafe environment
- Taking pictures, recording video or any similar activity in locker rooms, shower facilities, and/or rest/bathrooms
- Capturing, recording and/or transmitting test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty or using a WCD to receive such information
- Using WCDs in any manner that otherwise violates the Student Code of Conduct

Devices may be confiscated for the following reasons:

- Repeated violations of the WCD policy contained herein
- Capturing, recording and/or transmitting audio and/or pictures/video of an individual without proper consent
- If the WCD is confiscated, it will be released/returned to the student’s parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the WCD may be turned over to law enforcement.

Additional corrective actions:

- Any student capturing, recording and/or transmitting audio, pictures, video or similar acts without proper consent may be directed to delete said audio, picture and/or video file in the presence of a parent/guardian

- Any potentially illegal activity regarding WCD may lead to the confiscation of said device and delivery of said device to law enforcement and/or referring the issue to Child Protective Services as appropriate

### **Responsible Electronic Use Rules for Students**

I have access to the Internet, school networks, district provided electronic accounts, email, and electronic devices and other “electronic resources” so I can:

- Expand my learning
- Communicate with others about what I am learning
- Research topics for class projects or for my personal learning
- Create products highlighting my learning
- Learning how to be a responsible and productive digital citizen

#### Students Acknowledge That:

- Electronic devices include but are not limited to computers, netbooks, iPads, iPods, tablets, cell phones, cameras, wearable devices, and other electronic devices that allow me to create and communicate.
- I am responsible for all my online activities that take place through the network connection with my school’s devices, electronic accounts, email, or through access with my own personal electronic devices.
- I am responsible for obeying all laws, including copyright. This also means I may not use the district logo or other district-owned content on my personal posts.
- I do not have the right of privacy when accessing the Internet or network while at school.
- Communicating electronically includes using my camera and cell phone to communicate visually.
- When communicating electronically, I should ask myself: Do I have permission? Is it safe? Is it kind? Is it respectful? Is it appropriate?
- I do not have an absolute right to take, publish/post photographs or videos of others at school, as it may impact their individual rights of privacy.
- Bullying or harassing someone either in person or electronically is wrong, violates the Student Code of Conduct, and is against the law.
- Information I find on the Internet is not necessarily true or accurate.
- There are filters to prevent access to inappropriate information, but no filter is perfect. Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites, content and communication.
- The district reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of internet, school networks, district issued electronic accounts, email and electronic devices. Students should have no expectation of privacy over matters sent or received through such electronic resources.
- I can learn more about being a responsible digital citizen at <http://www.safeflorida.net/safesurf>.

#### I agree as a responsible and productive digital citizen:

- I will follow all school rules and laws when using electronic devices at school.

- I will not damage equipment, upload harmful files, damage files, delete files, or access someone else’s account or files because it impacts others.
- I will keep my password to myself and will not share it with others.
- I will not search for or try to access obscene, harmful, or inappropriate material.
- If I accidentally access inappropriate materials, I will close the window and tell a responsible adult.
- I will not post or send hurtful, offensive or inappropriate material.
- I will behave honestly, fairly, and with integrity when posting online, including my social networks.
- I will follow rules of network etiquette, and I will be polite when communicating with others electronically.
- I will not use bad language or access messages from others who use bad language.
- I will not post or share pictures of others without their knowledge and approval.
- I will stay safe and will never meet or give out personal information such as my name, phone number, or address to someone I meet on the Internet without the express permission of my parents and/or teachers.
- I will discuss my online activities with my parents, so they understand how I am learning to be a digital citizen.
- My teachers and administrators have the right to access whatever I do online while in school if they are concerned about my safety or the safety of others.
- I will not use other’s work without permission or without citing their work according to copyright laws.
- If I’m not sure how to do something or whether something is okay to access or do, I will ask a responsible adult.

Violation Procedures

Violations of these rules will result in disciplinary action according to the Student Code of Conduct.

**Conduct While Engaging in Virtual Instruction and Access**

The School Board of Pasco County offers the use of virtual communication and online, virtual instruction platforms (hereinafter collectively referred to as “virtual instruction”) to permit students to gain access to their education in an online format, outside of a traditional brick and mortar school. Participation in virtual instruction is a part of the School Board’s Controlled Open Enrollment School Choice Program (hereinafter, Choice Program), which means that parents and students electing to enroll in virtual instruction must comply with the Choice Program requirements. Failure to comply with the Choice Program requirements, failure to make adequate educational or behavioral progress, or failure to comply with the Student Code of Conduct may result in the revocation of a student’s choice to utilize the virtual instruction options offered by the School Board.

The Student Code of Conduct applies in whole to students that participate in virtual instruction. When a student is engaging in any activity that is related to, or arises out of virtual instruction (including but not limited to attending a virtual class) then the student is engaging in a school-sponsored event, and is treated as being on School Board-owned property for the purposes of application of the Student Code of Conduct and School Board Policy, regardless of where the student is physically present during the online appearance or participation. For example, a student that utilizes tobacco or a vape during a virtual class may be disciplined in accordance with the Student Code of Conduct to the same extent as if the student were utilizing the same on School Board-owned property.

When participating in a classroom or conference, all students must have their audio and video activated during the class or conference to permit the teacher or staff to visibly see and audibly hear the student. Failure to do so is a disciplinable offense with a first offense being coded as disrespect toward student or staff (1Q), and a second and subsequent offenses being coded as defying, disobeying or disrespecting school personnel (2R), or as otherwise permitted in the Student Code of Conduct. Teachers and staff may, as they deem appropriate, permit students to turn off their video or audio for limited and specific purposes. Teachers and staff may also disable the video and audio for a student when that student is engaging in actions that are disruptive to the learning environment. When a teacher or staff member deems it appropriate to disable the video or audio of a disruptive student, then such teacher or staff is to discipline that student in accordance with the Student Code of Conduct for such disruption. Teachers and staff may not disable the audio or video of a student for a period exceeding five (5) days without approval from the Office of Student Support Programs and Services.

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### **Bullying, Harassment, Hazing and Teen Dating Violence/Abuse**

Harassment or bullying of students or staff is an extremely serious violation of the Student Code of Conduct. It can also be a violation of criminal law. The district will not tolerate unlawful bullying and harassment in schools or school campuses, school sponsored buses, school-related or school-sponsored events, or through the use of data or computer software that is accessed through a computer, computer system, or computer network of the district. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

#### Bullying

“Bullying” means *systematically* and *chronically* inflicting physical hurt or psychological distress on one or more students or school employees. It is unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates an intimidating, hostile, or offensive educational environment; causes discomfort or humiliation; is carried out repeatedly and is often characterized by an imbalance of power; or unreasonably interferes with the individual’s school performance or participation; and may involve but is not limited to:

Unwanted teasing or taunting	Physical violence
Social exclusion	Theft
Threat	Sexual, religious, or racial/ethnic harassment
Intimidation	Public humiliation
Stalking	Destruction of property

Violations of this policy should be immediately reported to the principal or designee as soon as possible after the alleged incident. The principal or designee will promptly investigate reports of bullying or harassment. If the investigation finds an instance of bullying or harassment has occurred, it will result in prompt and appropriate remedial and/or disciplinary action.

#### Cyberbullying

“Cyberbullying” means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo, electronic system, or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying includes the creating of a webpage or

weblog in which the creator assumes the identity 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 by the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

### Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of date or computer software, or written, verbal or physical conduct (including slurs, nicknames implying stereotypes, epithets and negative references related to that characteristic) directed at a student or employee based upon legally protected characteristics against a student or employee that:

- Places a student or employee in reasonable fear of harm to this person or damage to his property;
- Has the effect of substantially interfering with a student's educational performance opportunities, or benefits; or
- Has the effect of substantially disrupting the orderly operation of a school

Harassment also means electronically transmitted acts that a student(s) or a group of students exhibits toward another particular student(s) or employee and the behavior both causes mental and physical harm to the other student or employee is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

### Harassment may also encompass

- Retaliation against a student by another student or school employee for asserting or alleging an act of unlawful harassment. Reporting an act of unlawful harassment that is not made in good faith is considered retaliation.
- Retaliation against a student by another student or school employee for participating as a witness in an unlawful harassment investigation.
- Filing a malicious or knowingly false report or complaint of unlawful harassment.
- Perpetuation of conduct listed in the definition of unlawful harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
  - incitement or coercion
  - accessing or knowingly and willingly causing or providing access to data or computer software within the scope of the District school system; or

### Unlawful Harassment

The District School Board of Pasco County does not tolerate unlawful harassment on any of the prohibited bases, including sex/gender, race, color, national origin, religion, age, marital status and disability. Any student who believes he or she has been subject to unlawful harassment, including sexual assault, gender-based harassment, or other sex-based harassment should immediately report the unlawful harassment to the principal or designee. The District is committed to taking immediate action to eliminate the harassment, prevent its recurrence, and reduce its effects. Students found to have engaged in acts of unlawful harassment will be subject to prompt disciplinary action. Students, parents, and staff are encouraged to work together to prevent unlawful harassment. Please contact District School Board of Pasco County Equity Manager/Title IX Coordinator: Office for Employee Relations at (813) 794-2322 with concerns.

(F.S. 1006.147)

### Hazing

The District School Board of Pasco County prohibits hazing activities of any type and at any time, whether in school facilities, on school property, and/or off school property, if the misconduct is connected to activities or incidents that have occurred on school property.

Hazing is defined as any action or situation that endangers the mental or physical health or safety of a student at a school for purposes including, but not limited to:

- Initiation into any organization operating under the sanction of a District school
- Admission into any organization operating under the sanction of a District school
- Affiliation with an organization operating under the sanction of a District school
- The perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a District school

Hazing includes, but is not limited to pressuring, coercing or forcing a student into violating State or Federal law; any brutality of a physical nature, such as whipping, beating, branding or exposure to the elements, or forced consumption of any food, liquor, drug or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student. Further, hazing includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.

Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

Acts of hazing, unlawful harassment, teen dating violence, bullying and harassment shall be addressed and may result in disciplinary action and/or civil and criminal penalties in accordance with the law. If the principal or designee determines that a student has committed such an act, violation of this policy may result in disciplinary action, which may include suspension, assignment to another school or program, recommendation for expulsion, or referral to law enforcement as defined in the Discipline Matrix and elsewhere in district policy and procedure. (F.S. 1006.135)

#### Teen Dating Violence and Abuse

Dating violence and abuse shall be defined as emotional, verbal, sexual, or physical abuse of a student who is in a current or was in a past dating relationship by the other person in that dating relationship. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats and/or acts of mental, physical or sexual abuse. It may also be a pattern of demeaning, coercive, abusive actions that amount to emotional or psychological abuse. Dating violence and abuse may also include harassment and stalking via electronic devices such as cell phones and computers, as well as harassment through a third party.

Any student who is the victim of an act of dating violence and abuse or has cause to believe that they are in immediate danger of becoming the victim of an act of dating violence and abuse, should report the matter to the principal or to any member of the school staff.

Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse is encouraged to report the matter to a school administrator. These reports can be made either in person or anonymously to Crime Stoppers of Tampa Bay at <http://crimestopperstb.com> (1-800-873-TIPS).

The Board reserves the right to investigate a report of dating violence and abuse regardless of whether the student who is allegedly the victim of the dating violence and abuse wants to pursue the matter. Further, the Department of Children and Families shall be notified if the student who is found to have perpetrated

the act of dating violence and abuse is eighteen years of age or older and the student who was the victim of the act of dating violence and abuse is a minor. (F.S. 1003.42, 1006.148)

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### **Discipline of Students with Disabilities**

The Board shall abide by Federal and State laws regarding suspension, expulsion, alternative placement and discipline of students with disabilities (SWD). A student with a disability (SWD) is any Exceptional Student Education (ESE) Student, non-inclusive of Gifted only students, or a student with a 504 plan. Students who are suspected to have a disability are also protected as described below.

The purpose of an MDM is to determine whether the conduct was caused by or had a direct and substantial relationship to the child's disability; or if the student's conduct was the direct result of the Local Education Agency's (LEA) failure to implement the student's Individual Education Plan (IEP) or 504 plan.

A Manifestation Determination Meeting (MDM) must be held within ten (10) school days of any significant change to the educational placement of a SWD that is the result of a violation of the Student Code of Conduct. A significant change of placement includes any removal of more than ten (10) consecutive days, a series of removals totaling more than ten (10) or a pattern of removals based on substantially similar behaviors within a school year.

A Manifestation Determination Meeting (MDM) will be held prior to any change of educational placement or disciplinary reassignment for all SWD. If the behavior of a SWD is found not to be a manifestation of their disability, then the SWD may be disciplined to the same extent as their non-disabled peers.

To the extent that the recommended discipline for a SWD (whose behavior was determined not to be a manifestation of their disability or the direct result of a failure to implement an IEP or 504 plan at an MDM) is disciplinary reassignment, then a disciplinary reassignment hearing will be afforded to the student.

#### Interim Alternative Educational Settings (IAES)

School personnel may remove a SWD to an IAES for not more than forty-five (45) school days without holding an MDM and/or hearing and without regard whether the behavior is determined to be a manifestation of the student's disability, if the student:

- Carries a weapon to or possesses a weapon at school, on school premises, or to a school function under the jurisdiction of a state education agency or a school district
- Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state education agency or a school district
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state education agency or school district

More serious bodily injury involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. (18 USC 1365 (h)(3))

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### **Threats Against the Educational Environment:**



Threatening violence against a school, or members thereof, is never a joke. Given unfortunate events within our society, all such threats must be taken seriously, and actions will be taken to protect our schools and to correct the behavior of students that engage in such threats.

Corrective actions can include:

- Disciplinary measures as set forth in the Student Code of Conduct
- A classroom change in accordance with the Student Placement Review Committee process (Section 1003.32 F.S.)
- An educational reassignment in accordance with School Board Policy 5120
- Any other appropriate responses permitted by Board Policy and law

When a student has engaged in behavior that could be considered an actual or false threat against the educational environment, or those therein, then the following disciplinary codes may be considered, depending on the facts:

- Bomb threats, false fire alarms, hoaxes or threatening the use of a firearm (3M, DOC)
- Intimidating school staff or students or threatening them with violence or sexual assault (3O, TRE, SXA);
- Major disruption on campus; taking part in a riot (DOC); or
- Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. This includes any drug or weapon found unattended and not linked to any individual; such incidents must be coded with the appropriate Related element (such as Drug-related or Weapon-related) and incident involvement must be reported as unknown. (OMC)

To the extent that the disciplinary measures, set forth above, are not available or otherwise adequate, then a principal may recommend to the Superintendent a non-disciplinary reassignment in accordance with School Board Policy 5120 when the student has engaged in, made, implied, or otherwise created a reasonable fear and apprehension (regardless of student intent) of a threat to the safety, health, well-being, or life of any member of the educational environment, including students, staff, and visitors. For purposes of this procedure, the educational environment includes any and all School Board-owned property as well as property or facilities that host school or School Board-sponsored events.

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### **Violence Against School Personnel**

- Violence against school personnel is grounds for disciplinary action and may result in criminal penalties
- All students who commit assault or battery on school officials will be recommended for expulsion or placement in an alternative school setting
- Whenever a person is charged with committing assault or aggravated assault or a battery or aggravated battery upon an employee of a school district, when the person committing the offense knows or has reason to know the identity or position or employment of the victim, the offense for which the person is charged shall be reclassified as follows:
  - Aggravated battery – first degree felony
  - Aggravated assault – second degree felony
  - Battery – third degree felony
  - Assault – first degree misdemeanor

(F.S. 748.081)

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## **Zero Tolerance Policy**

It is the intent of the School Board to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a serious threat to school safety, and to encourage schools to use alternatives to expulsion or referral to law enforcement when possible. The Legislature finds that zero tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances.

Zero tolerance policies must require students found to have committed one of the following offenses to be expelled, with or without continuing education services, from the student's regular school for a period of not less than one (1) full year, and to be referred to the criminal justice or juvenile justice system.

- Bringing a firearm or weapon, as defined in chapter 790 to school, to any function, or onto any school-sponsored transportation or possessing a firearm at school
- Making a threat or false report, as defined by 790.163 and 790.164, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity

(F.S. 1006.07, F.S. 1006.13)

### Firearms

A student shall not possess, handle or transport *firearms*.

Students are not to be in possession of any type of firearm on any District School Board of Pasco County school or campus, at any school function or on any school sponsored transportation. A Junior ROTC or color guard, pre-approved activity, exemption may apply.

- Chapter 790.25(5), Florida Statutes, makes it lawful for a person eighteen (18) years of age or older to possess a firearm or other weapon for self-defense within the interior of a private vehicle if the weapon is securely encased. It is the policy of the District School Board of Pasco County, that F.S.790.25(5), SHALL NOT apply to any student bringing any concealed firearm or weapon onto school property. All students are subject to the policies and penalties stated in this Student Code of Conduct. For the purposes of this policy, the word student shall mean, but not be limited to, any preschool, elementary, middle, high, secondary, vocational or post-secondary student of a school maintained and operated by the District School Board of Pasco County.
- Violation of this rule will result in automatic out-of-school suspension and possible expulsion. Criminal prosecution is also likely in these instances.

**Any student who is determined to have brought a firearm as defined in 18 U.S.C.s. 921 (United States Code) to any District School Board of Pasco County school or campus, at any school function, or on any school sponsored transportation, will be recommended for expulsion, with or without continuing educational services from the student's regular school for a period of not less than (one) 1 full year and referred for criminal prosecution.**

The Superintendent, his designee, and/or the School Board may consider extenuating circumstances in determining the length and type of expulsion. (F.S. 1006.07)

### Weapons

A student shall not possess, handle or transport weapons.

- Students are not to be in possession of any type of weapon on any District School Board of Pasco County school or campus, at any school function or on any school sponsored transportation. The state’s zero tolerance policy defines a weapon as any dirk, knife, metallic knuckles, slingshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon. (This does not include a common pocketknife, plastic knife or blunt-bladed table knife.) Violation of this rule will result in disciplinary action, which may include out-of-school suspension and possible expulsion. Criminal prosecution is also likely in these instances. (F.S. 790.001)

#### Making a Threat or False Report

- It is unlawful for any person to threaten to throw, project, place or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person, and any person convicted there of commits a felony of the second degree.
- It is unlawful to make a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive or weapon of mass destruction as defined in 790.166, or concerning the use of firearms in a violent manner against a person or persons. Any person convicted thereof commits a felony of the second degree. (F.S. 790.163, F.S. 790.164)

The zero-tolerance policies described above shall not be rigorously applied to petty acts of misconduct including, but not limited to simple assault and battery, disorderly conduct, defiance, disrespect, cheating, theft and/or behaviors not detailed above. Zero-tolerance policies must apply equally to all students regardless of their economic status, race, or disability.

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#### **Reporting of Weapons on Campus**

Students may be subject to school discipline if they fail to report another student being in possession of a weapon on school grounds, on school transportation and/or at school-related activity to a school administrator or staff member. Students will not be disciplined if there is a preponderance of evidence that said student did not report the weapon possession out of fear of retribution and/or retaliation.

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#### **School Safety and Mental Health Resources**

Students are required to list any and all past and current referrals to mental health services upon initial enrollment with the district.

Any student expelled from another district and allowed to enroll in any Pasco County School may be referred for mental health services as deemed appropriate by the district.

The following offenses will result in the student being referred to for mental health services, evaluation and/or treatment as the district deems appropriate:

- Students that bring a firearm or weapon as defined in Chapter 790 to school or school function
- Students determined to have made a threat or false report involving a school, school’s property, school transportation or school sponsored event

A student who commits breaches of the Student Code of Conduct relating to violence and chronic disruption may be referred for mental health services, evaluation and/or treatment, as the district deems appropriate. (F.S. 7026)

A student that commits a criminal offense may receive a civil citation and/or participate in a pre-arrest diversion program as an alternative to arrest should they meet all applicable criteria for such a citation and/or program.

Students that commit a petty act of misconduct will be subject to the District's Progressive Discipline and Supports policy detailed herein and in other district policy and procedures. Any noncriminal offenses and participation in related school-based intervention programs will not be entered in the Department of Juvenile Justice Information System Prevention Web.

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## **School Bus Rules**

The District School Board of Pasco County provides free transportation to and from school for students who live more than two miles away from school. **Students will be assigned one bus stop.** Parents/guardians are responsible for their child(ren) at the bus stop. Once the bus arrives at the stop, and only at that time, does the student become the responsibility of the District School Board of Pasco County. Such responsibility shall end when the student is delivered to the regular bus stop and the bus has departed, at the close of the school day. Each student using that transportation must abide by the rules which are established to ensure the safety of all passengers.

Parents are not allowed to board any school bus or school sponsored transportation unless for a legitimate reason and with the permission of the driver. Any violations of this directive will be considered trespassing and will be subject to applicable criminal charges and penalties.

When riding, waiting for the bus at designated bus stops, loading or unloading, students must follow the Student Code of Conduct. Bus drivers will report students who violate the Student Code of Conduct and break school bus rules to the school administration for appropriate disciplinary action. Administrators shall investigate and issue discipline accordingly. Behavior not directly observed at bus stops, but reported and confirmed by witnesses, may be acted upon. Violations of the Student Code of Conduct shall result in disciplinary action, suspension of riding privileges, recommended bus expulsion and may result in referral to law enforcement.

Teachers who chaperone bus trips will have the same authority and responsibilities as they have in the classrooms.

Parent conferences are not permitted while the bus is en-route or stopped at a bus stop. Any conference that the parents wish to have with the bus driver must be scheduled with the school's administration. The following bus rules will be obeyed:

- The bus driver is in full authority and must be obeyed
- Students are required to obey driver's hand signals when crossing the road
- Students are required to wear safety restraints, when they are available on the bus
- General school rules will apply on the bus, although quiet talking is permitted
- Students will be at the bus stop five minutes prior to scheduled time
- Students will stand off the roadway while waiting for the bus
- Students will board and leave the bus at their assigned bus stops unless other arrangements are made by written request of the parent and signed by the principal or designee
- Students will not distract the bus driver
- Students will sit properly and remain seated while the bus is in motion

- Students will not throw or project anything inside or out of the bus
- Students will not litter, mark, deface, or damage any part of the bus
- Students will sit in any seat assigned to them
- Students will not eat, drink, or smoke on the bus
- The emergency exit will be used only in cases of emergency
- No animals (dead or alive), glass or glass containers, sharp objects, ball bats, cutting instruments, batons, drumsticks, or other objects that could become dangerous projectiles during a sudden stop or accident will be allowed on the bus without prior permission of the driver
- Large objects (larger than students can safely hold in their laps), including band instruments, which interfere with seating and safety of others, will not be permitted on the bus without prior permission of the driver
- Students will not exit the rear emergency door of the school bus, other than in an emergency situation as determined by the driver
- Students will not engage in behaviors that could negatively impact the safety of those on board the bus

*The above rules will also apply on extracurricular and athletic trips.*

The following procedural interventions are recommended when appropriate:

*First offense:* Parent contact and disciplinary action as decided by the principal or designee

*Second offense:* 3-day bus suspension

*Third offense:* 5-day bus suspension.

At the third referral, there will be a review of the student's behavioral and intervention history, which will culminate in the development of an intervention plan for the student specifically addressing bus behaviors of concern. The parents will be invited to participate in this review.

*Fourth offense:* 10-day bus suspension

A written warning of fourth offense and potential for bus expulsion must be sent to the parents.

*Fifth offense:* Recommendation of bus expulsion

The following may result in a recommendation for bus expulsion at any time:

- Exiting the rear emergency door
- Any action that endangers the safety of anyone on or around the bus
- Continuous disruptive behavior

Severity of the offense, extenuating circumstances, and the attitude of the student and parent will be considered by school administration and may be discussed with the Director of Transportation before a final determination is made.

A representative from transportation will attend bus suspension appeals upon request.

### **In-School Suspension (ISS) Guidelines**

Principals and their designees may assign ISS to a student for violating the Student Code of Conduct as indicated on the Discipline Matrix.

- A student may be assigned no more than ten (10) days per offense.

- Parents must be notified in writing (Student Event and Discipline Report) of any ISS assignment within twenty-four (24) hours.
- Assigned ISS can only be appealed at the school level.
- The principal or designee's decision regarding the appeal of ISS shall be final.
- The person hearing the case cannot have been a witness to, have assigned the original consequence or have been otherwise involved in the incident that resulted in the proposed discipline.

Students will be isolated from the mainstream of the school while in ISS and will be ineligible to participate in extracurricular activities on the day the student serves ISS.

*Students who are placed in Detention/ISS will be entitled to complete make-up work (classwork, homework, assessments, etc.) while in Detention/ISS program for full credit. Any such absence shall be marked as excused.*

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### **Out-of-School Suspension (OSS) Guidelines**

Principals and their designees may suspend a student for violating the Student Code of Conduct as indicated on the Discipline Matrix. Students shall not be suspended for skipping, tardiness, absence, leaving campus without permission or truancy. (F.S. 1006.09)

School personnel shall not be held legally responsible for suspensions and recommendations for expulsion made in good faith.

#### Suspension Guidelines

The principal or principal's designee shall do the following when considering suspension: (F.S. 1006.09)

- Provide verbal notice to the student of the disciplinary infraction and an explanation of the evidence against him or her prior to assigning a suspension.
- Give each student an opportunity to present his or her side of the story and present a written statement.
- Make a good faith effort to immediately inform the student's parents by telephone of the violation(s), and the potential for the student's suspension.
- Make a good faith effort to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions requiring immediate suspension, or in the case of a serious breach of the Code of Conduct.
- Document each suspension and the reason for the suspension on the Student Event and Discipline Report and provide a copy to the parent within 24 hours via US Mail per State Statute.
- Parent notification must:
  - Be in the parent/guardian's primary language, to the extent feasible
  - Explain the alleged misconduct and the school district rule(s) alleged to have been violated
  - Identify the corrective action or discipline being proposed
  - Explain that students who are suspended from school shall be allowed to make up work for full credit and the process they should follow to make up any work
  - Explain the rights of the student and/or his or her parent(s) or guardian(s) to appeal the allegation(s) and the proposed action, and tell them how to make an appeal
  - Explain that the appeal must be in writing and received by the principal within three (3) days

- Students who are serving out-of-school suspension shall be excluded from all District or school sponsored activities taking place at any District School Board of Pasco County school or campus, at any school function or an any school sponsored transportation, including, but not limited to extracurricular, co-curricular, student organizations, graduation ceremonies, dances, and other events. Suspended students may not be on the campus of the zoned school or any Pasco County school at any time for any reason, unless accompanied by a parent for a scheduled meeting with school staff.
- Pasco County Ordinance sec. 66-153(2)(b) provides that a minor who has been suspended or expelled from school may not be or remain in a public place, in any establishment, or within 1,000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day.
- Students who have been assigned out-of-school (OSS) may make up all missed assignments and tests for full credit.
- A student may only be suspended out-of-school for ten (10) days at a time per state statute. (F.S. 1103.01)
- Expulsion or disciplinary reassignment recommendations will override any school-base OSS appeals. The OSS will be considered at the district level appeal for the expulsion or disciplinary reassignment.

**Note:** Students with disabilities (ESE and 504) may still request a school level OSS appeal.

For students with disabilities (Section 504 and IDEA, excluding Gifted only), a Manifestation Determination Meeting (MDM) must convene within ten (10) days of any decision to change placement and prior to the 11<sup>th</sup> day of removal of the student from his or her current educational placement. See the Discipline of Students with Disabilities section for more information regarding special considerations for this class of student.

### **Expulsion and Bus Expulsion Guidelines**

Only principals may recommend expulsion of a student.

The principal may recommend expulsion for the following reasons (F.S. 1006.09):

- Certain SESIR events:
 

Arson (ARS)	Homicide (HOM)
Aggravated Battery (BAT)	Kidnapping (KID)
Bomb Threats or hoaxes/threatening use of a firearm (DOC)	Other Major Crimes (OMC)
Major disruption on campus/taking part in a riot (DOC)	Simple Battery (PHA)
False fire alarm (DOC)	Robbery (ROB)
Drug sale/distribution (DRD)	Sexual battery (SXB)
Fighting (FIT)	Weapons possession (WPO)
2F – Fighting (2 <sup>nd</sup> referral same year ONLY)	

See School Bus Rules for bus expulsion qualifiers.

No student shall be expelled from school unless acted upon by the School Board. Likewise, only the School Board can cancel an expulsion. In no case shall an expulsion be for more than the duration of the current school year and one (1) additional school year (F.S. 1003.01).

School administration recommendations for expulsion must meet all guidelines set forth in district policy and procedure.

If the principal recommends expulsion, the principal will immediately:

- Complete the Student Event and Discipline Report
- Suspend the student for ten days
- Notify the parent via phone or in person of the suspension and recommendation for expulsion
- Notify the parent that an appeal will be scheduled at the district office
- Parent/guardians must also be provided with a copy of the Student Event and Discipline Report, district appeal rights and the Parent Notification Letter or copy of the expulsion recommendation packet
  - See also section on OSS regarding notification via US mail as required by state statute
- Submit the expulsion recommendation packet to the district office

Any recommendation for expulsion shall:

- Include the fully completed expulsion packet from the principal detailing the violation(s) of the Student Code of Conduct
- Include positive behavior interventions and supports put into place prior to the recommendation as appropriate
- Include a copy of the Functional Behavior Assessment/Behavior Intervention Plan, witness statements, social media screenshots, pictures of drugs/weapons, police report, etc. as appropriate
- Include current year discipline, attendance and academic information
- Be signed by the principal

A district level appeal will automatically be scheduled for all expulsion recommendations.

The hearing officer may review the file and make a recommendation if the parent/guardian waives their right to appeal, refuses to participate in a hearing or fails to appear for a scheduled meeting. Two (2) attempts to schedule a hearing will be made prior to moving forward due to parental lack of participation.

If a parent/guardian does not agree with the decision reached at a district level discipline appeal hearing regarding the recommended expulsion, the parent/guardian may formally appeal the recommendation for expulsion at the next regularly scheduled meeting of the School Board by requesting an open or closed hearing before the Board. This must be done in writing within three (3) days after receiving the Superintendent or designee's decision at the conclusion of the hearing.

The School Board's decision regarding expulsion without services will be considered **final**.

If the Superintendent's designee recommends a disciplinary reassignment in lieu of expulsion, said decision will be considered **final** and not subject to further appeal, negotiation, or amendment, by any party.

Expelled students may not be on the campus of the zoned school or any Pasco County school at any time, for any reason, unless accompanied by a parent/guardian for a scheduled meeting with school staff.

A minor who has been suspended or expelled from school may not be or remain in a public place (including school bus stops), in any establishment, or within 1,000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day. (Pasco County Ordinance sec. 66-153)

Any student with a disability or suspected of a disability (504 or ESE non-inclusive of Gifted only) must have the proper MDM proceeding prior to being recommended for expulsion discussing said recommendation.



ESE Students Only: The hearing results letter, and the student’s disciplinary reassignment contained herein, are subject to the student’s educational and behavioral rights as set forth by the IDEA and similar Florida statutes and regulations.

School personnel shall not be held responsible for suspensions and recommendations for expulsion made in good faith.

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### **Disciplinary Reassignment**

The District School Board of Pasco County reserves the right to utilize change of placement as a disciplinary measure for any matter the Superintendent deems appropriate thereby preserving the learning environment, or otherwise promoting the health, safety and welfare of those in the learning environment.

A student may be recommended for disciplinary reassignment for one of the following reasons:

- If they were similarly placed in an alternative setting in another district (see Reciprocal Discipline policy)
- If they were formally charged by a proper prosecuting attorney with an off-campus felony that has a demonstrably adverse impact on the school campus (see Off-campus Felony policy)
  - Adverse impact must be proven in a formal disciplinary reassignment hearing
- In lieu of expulsion
- If the student has received five (5) separate out-of-school suspensions
  - OSS must be consistent with discipline matrix
- For continuous disruptive behavior: defined as fifteen (15) or more Level Two or Three referrals (2C and 2J excluded)
- For certain SESIR/discipline events:

Alcohol distribution (ALC)	Sexual harassment (SXH)
Breaking and entering/burglary (BRK)	Sexual offense other (SXO)
Bullying (BUL)	Threats/intimidation (TRE)
Fighting (FIT)	Trespassing (TRS)
Harassment (HAR)	Vandalism (VAN)
Hazing (HAZ)	Drug possession (DRU) 2 <sup>nd</sup> referral same year ONLY
Other Major Crimes (OMC)	Alcohol possession (ALC) 2 <sup>nd</sup> referral same year ONLY
Larceny/theft (STL)	Look-alike drugs (3Y) 2 <sup>nd</sup> referral same year ONLY
Simple Battery (PHA)	2F – Fighting 2 <sup>nd</sup> referral same year ONLY
Sexual assault (SXA)	
- Certain qualifying events will also require evidence of a lack of response to intervention (Multi-Tiered Systems of Support/MTSS) for a reasonable amount of time before the recommendation can be forwarded for consideration
- Students may return to school pending the outcome of the disciplinary reassignment recommendation once their out-of-school suspension has been completed. A student may only be suspended out-of-school for ten (10) days at a time per state statute. (F.S. 1103.01)

School administration recommendations for disciplinary reassignment must meet all guidelines set forth in district policy and procedure.

An administrative hearing will be held to review all disciplinary reassignment recommendations. Placement decisions will be based on the severity of the incident, evidence provided by the school and

student/family and other mitigating factors. The hearing officer may review the file and issue a decision if the parent/guardian waives their right to appeal, refuses to participate in a hearing or fails to appear for a scheduled meeting.

The decision of the Superintendent's designee will be considered **final** and not subject to further appeal, negotiation, or amendment, by any party.

Any student with a disability (504 or ESE non-inclusive of Gifted only) or suspected of having a disability must have the proper MDM proceeding prior to being recommended for disciplinary reassignment discussing said recommendation.

ESE Students Only: The hearing results letter, and the student's disciplinary reassignment contained herein, are subject to the student's educational and behavioral rights as set forth by the IDEA and similar Florida statutes and regulations.

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## **Student and Parent/Guardian Appeal Rights**

Parent/guardian rights during the discipline appeal process include, but are not limited to, the following:

### Appeal Rights

- The parent/guardian and students over the age of eighteen (18) have the right to inspect any written, video or physical evidence that the school has used to make a disciplinary decision, said evidence will be provided to the parent by the school administration upon request
- The school will redact (remove any identifying names and/or information) from any requested evidence prior to providing said evidence to the parent
- Parents/guardians have the right to view any unredacted video evidence at the school with an administrator, parent will incur a cost for redaction if they are requesting a copy of said video evidence
- Parents/guardians have the right to provide a defense including, but not limited to: providing an explanation of the alleged disciplinary infraction, their own witness statements, their own copies of social media, etc.
- Parents/guardians may be represented by an attorney or advocate at their own expense and must notify the school administration, superintendent or designee as soon as possible if they will be represented by an attorney
- The school administration, superintendent or designee has the right to inspect and question any evidence presented by the parent/guardian
- The recording of a non-public meeting involving students (including an EP or IEP team meeting) is prohibited unless a parent, authorized representative of a parent, or team member, is unable to understand or meaningfully participate in the process or planning of the relevant student's education due to a disability, language barrier, or some other impairment. (DSBPC 2461)

### Student Attendance During Appeal

- The student will return to school (OSS), resume normal class attendance (ISS) or resume bus transportation pending the school level appeal
- Students will return to school after their OSS has been completed if a disciplinary reassignment recommendation is still pending

- The Superintendent or designee may only ban a student from campus or the bus during formal appeal if the student's presence poses an imminent threat of danger or risk of a major campus disruption as defined elsewhere in this document, in such cases, the appeal shall be expedited
- Suspension of extracurricular activities and athletics will remain in effect during the appeal

#### School Level Appeals

- Parents/guardians and students over the age of eighteen (18) have the right to appeal any assignment of ISS, OSS or bus suspension that they feel is unfair. Consequences other than ISS, OSS or bus suspension are not subject to appeal
- Appeal requests must be addressed to the school principal, initiated verbally and followed up in writing or email within three (3) days of the assignment of said disciplinary action
- If the appeal is not initiated within three (3) days of the disciplinary action, the disciplinary action will be implemented and there will be no further right of appeal
- The person hearing the case cannot have been a witness to, have assigned the original consequence or have been otherwise involved in the incident that resulted in the proposed discipline
- School principals will review all grievances and hear all appeals
- Upon principal discretion, a neighboring principal or other administrator may hear the appeal if the building principal assigns the original referral
- The principal's decision will be **final** on all appeals regarding ISS, OSS of one (1) to five (5) days
- Any appeals regarding OSS of six (6) to ten (10) days shall be heard at the school level first and may be further appealed at the district level. (see district level appeals)

#### District Level Appeals

- The participants at the hearing will be limited to those with a relevant interest in the matter at hand, as determined by the Superintendent or designee
  - The Superintendent or designee may not limit attendance in cases involving ESE or 504 plan students per state statute
- Only the evidence presented during the hearing will be used to make a decision
- The Superintendent or designee will provide a written decision
- Said decision will be provided at the end of the hearing or sent to the student or parent/guardian within approximately one (1) calendar week, and shall include notice of the right of due process appeal to the school board in cases of an expulsion recommendation
- Any out-of-school (OSS) or bus suspension of six (6) to ten (10) days may be further appealed at the district level
  - Such appeals must **first** be heard at the school level
  - Any requests for a district level appeal must be submitted in writing within three (3) days of the principal's decision
  - If the appeal is not initiated within three (3) days of the principal's decision, the disciplinary action will be implemented and there will be no further right of appeal
  - All district level appeals are held at the district office in Land O' Lakes
  - The Superintendent or designee may uphold, reverse, or modify the suspension
  - The decision of the Superintendent's designee is **final** on any OSS or bus suspension appeals

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#### **Reciprocal Discipline**

The District School Board of Pasco County will uphold and enforce disciplinary proceedings from other public-school districts. If a student was expelled or disciplinarily reassigned in another district, Pasco County will enforce said expulsion or alternative placement. An official disciplinary placement letter or hearing outcome must be presented that details the length of placement or expulsion, conditions for return and other critical information regarding the placement or expulsion. The District School Board of Pasco County will only enforce the original placement duration as stipulated in the sending district's placement letter. (F. S. 1006.07)

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### **Off-Campus Felony**

A student who has been formally charged by a proper prosecuting attorney with a felony, or with a delinquent act which would be a felony if committed by an adult, which allegedly occurred on property other than public school property, or a student who has been adjudicated guilty of a felony, may be subject to suspension, expulsion, alternative placement, and/or exclusion from extracurricular activities if that incident is shown, in an administrative hearing to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Students will not be disciplinarily reassigned due to off-campus criminal activity save for the conditions contained herein and other sections of this document.

(F.S. 1006.09)

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### **Crime and Victimization**

The District School Board of Pasco County reserves the right to place students in an alternative educational setting (alternative school or other district school) who are adjudicated guilty or who are found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere to, a felony violation of homicide, assault, battery, kidnapping, sexual battery, lewdness and indecent exposure, child abuse, robbery, carjacking or home-invasion robbery (see 1006.13 (6) for a full list) who also attends the same school or rides the same school bus as the victim or sibling of the victim. Students will not be disciplinarily reassigned due to off-campus criminal activity save for the conditions contained herein and other sections of this document.

(F.S. 1006.09 & 1006.13)

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### **Discipline Timeline**

In order to promote learning and behavioral change, consequences should be assigned and implemented as soon as possible after an infraction. Disciplinary consequences (including expulsion and disciplinary reassignment recommendations) must be assigned within five (5) school days of the incident. In very limited circumstances involving ongoing investigations or students that require an MDM, a consequence may be assigned beyond said period of time.

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### **Dangerous Objects or Devices**

A student shall not possess, handle or transport dangerous objects or devices.

- Students are not to be in possession of any type of dangerous objects or devices on District School Board of Pasco County school, campus, at any school functions, or on any school sponsored transportation. These may include, but are not limited to, razor blades, box cutters, common

pocketknives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items.

- Possession of a dangerous object or device will result in disciplinary action, which may include out-of-school suspension. Use of dangerous object or device in a careless or threatening manner may result in more.
- Live ammunition is defined as a fixed metallic or nonmetallic hull or casing containing a primer, gunpowder and one or more projectiles, bullets or shot. Any ammunition that is part of jewelry or other decorative item that meets the above definition will also be considered a “dangerous object.” (F.S. 790.001)

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## **Gambling**

Student gambling and similar activities are prohibited on all District School Board of Pasco County campuses.

Gambling is defined as: playing a game for money or property, to bet on an uncertain outcome, to stake something on a contingency.

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## **Alcohol, Drugs, Illegal Substances and Look-alike Drugs**

Students are prohibited from possessing alcohol, hemp, marijuana, THC, and any illegal drug(s), narcotic(s), controlled substance(s) as well as any substance that is represented to contain, mimics, or that looks like the aforementioned items while on a school campus, school bus, at a school sponsored function, or any District School Board of Pasco County property or facility.

Student are prohibited from distributing alcohol, hemp, marijuana, THC, and any illegal drug(s), narcotic(s), controlled substance (s) or any substance that is represented to contain, mimics, or that looks alike the aforementioned items while on a school campus, school bus, at a school sponsored function or any District School Board of Pasco County property or facility.

Hemp and/or other look-alike drug possession will be coded as a 3Y and subject to consequences as detailed in the Discipline Matrix.

See below for TOOLS program information.

## **Prescription and Over-the-Counter Medication**

School Board Policy 5330.01 (Self-Administered Medication) permits the carrying and self administration of certain, limited prescription and non-prescription medications. Please review the above-listed policy for information regarding the permitted medications.

Loss of Privileges and Discipline: As to any and all prescribed medications and over-the-counter medications, the following prohibitions and restrictions apply:

- Students are prohibited from sharing self-administered medication with other students. students.
- Students must carry all medications in the original manufacturer’s packaging.
- Students are prohibited from ingesting or utilizing medication in a way that is not specifically directed or authorized by the manufacturer, as directed on the original packaging.

- Students are otherwise prohibited from using the medication in a way that is dangerous or disruptive to the educational environment.

Students that engage in any of the prohibited actions listed above are subject to disciplinary action under a 2S level offense. Additionally, the Superintendent, or the Superintendent's designee may revoke the privilege and right for a student to self-carry and self-administer medication when such is necessary to safeguard the subject student or other students. Revocations are subject to a district level appeal before an impartial hearing officer.

### **Secondary Training Orientation and Outcomes for Lifetime Strategies Program (TOOLS)**

The TOOLS Program is an educational intervention for students who are involved in disciplinary action due to substance use, substance/look-alike possession or fighting/physical aggression. The goal of this program is to provide prevention education while allowing students to remain in school by reducing out-of-school suspension.

Students found to have been selling or distributing drugs or alcohol are not eligible for the program.

Students may be referred for TOOLS for the following:

- 2F
- 3D FIT
- 3E BAT or 3E PHA
- 3F DRU or 3F ALC
- 3Y

Students may be assigned to TOOLS multiple times for the above infractions.

Consequences will be assigned as follows if referred to TOOLS:

- 2F (1<sup>st</sup> offense) – 3 days OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 2 days of OSS
- 2F (2<sup>nd</sup> offense) – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS
- 3D FIT – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS
- 3E BAT or 3E PHA – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS
- 3F DRU, 3F ALC or 3Y – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS

### **Elementary (3<sup>rd</sup> – 5<sup>th</sup> grades) Training Orientation and Outcomes for Lifetime Strategies Program (TOOLS)**

- The 3-5 grades TOOLS Program is a voluntary educational intervention for students in grades 3 through 5 who are involved in disciplinary action due to fighting/physical aggression. Code for acts of aggression/fighting (2F, 3D FIT, 3E BAT, 3E PHA)
- The purpose is to provide effective prevention education while helping students remain academically engaged by reducing out-of-school suspension days and providing strategies for avoiding aggressive responses to situations with others. The grades 3-5 TOOLS program requires full participation by the enrolled child and parent/guardian for successful completion.

- TOOLS is optional: OSS consequences will be reduced for successful completion of program

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### **Major Disruption on Campus**

Defined as a major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation, as well as disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others.

Examples:

- Closure of all or part of the school
- Student or making bomb threat that disrupts school function
- Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group
- Student or other causing an incident that results in closing the cafeteria
- Student or other inciting a riot
- Student or other pulling a fire alarm
- Student or other deliberately crashing the school computer system
- Student or other causing an incident that prevents other students from proceeding to the next class or prevents egress

Non-examples:

- Disruption of a single classroom
- Student defying authority
- Student talking loudly on a moving bus

(FLDOE SESIR guidelines)

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### **Student Peaceful Assembly**

Students have the right to peacefully assemble, in accordance with school board policy, on school grounds and the responsibility to assemble in such a way as to avoid disrupting the educational process or conflicting with school rules.

The students engaging in limited walkouts or peaceful assemblies cannot act in a disruptive manner and cannot engage in behaviors that would cause a disruption of the educational environment or otherwise adversely impact the school's operation. For example, the participants cannot be so loud as to disrupt classes. The participants cannot block hallways. The participants will not be allowed in unauthorized areas.

The following considerations and guidelines should be followed:

- Any such peaceful demonstration or walkout should be limited to fifteen (15) minutes or less.
- The place of the peaceful assembly must be a place where students are typically permitted to access and gather (such as courtyard).
- The students may not congregate in unsafe areas (such as parking lots), or other areas that would prevent staff or other, non-participating, students from going about their normal business. For example, demonstrating students cannot crowd hallways or other confined areas that would create blockages or potentially unsafe conditions.

- The school must provide reasonable supervision of the students during peaceful assemblies.
- Pasco County Schools, and its employees, are prohibited from sanctioning, authorizing, or actively participating in the student walkout. Staff must be present to provide reasonable supervision, but staff is not to engage in student demonstrations and/or walkouts.
- At the end of the limited walkout or demonstration, remind students that they must return to their class, or they will be subject to discipline in accordance with the Student Code of Conduct.
- Permitting a limited walkout in no way prevents students from otherwise gathering in a peaceful and non-disruptive manner during their lunch period, their pass period(s), or during other parts of the day when they are not expected to be in a classroom.

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## Vaping and Tobacco

The possession, use, distribution or sale of tobacco or nicotine products are prohibited on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related. A cessation program is available for grades K-12 but may require parental assistance for elementary age participants as appropriate.

Examples:

- A student under 21 possessing and/or smoking cigarettes, cigars, etc.
- A student under 21 possessing and/or using a nicotine dispensing device or electronic nicotine delivery system (ENDS) such as electronic cigarettes, vape pens, hookah pens, etc.
- A student using smokeless tobacco or nicotine products.

Suggested consequence continuum

- 1<sup>st</sup> offense
  - Issue 3T-TBC referral
  - Parent/Student Conference
  - Student is required to complete vaping module or other related coursework/program
- 2<sup>nd</sup> offense
  - Issue 3T-TBC referral
  - Parent/Student Conference
  - Student required to retake module or other related coursework/program
  - Issue 1-2 days ISS or 1-2 days OSS
  - Lower-level consequences may also be assigned
- Additional offenses
  - Issue 3T-TBC referral
  - Parent/Student Conference
  - Issue up to 5 days OSS
  - Lower-level consequences may also be assigned
- Lower-level consequences
  - Student/Parent Conference
  - ISS
  - ATS (detention, etc.)
  - School designed tobacco education interventions

The above is only a suggested continuum, school administration may assign a variety of consequences as long as they are consistent with the SCOC and Discipline Matrix.



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## Discipline Matrix

The Discipline Matrix was created and incorporated into the Student Code of Conduct to increase consistency and equity in District disciplinary practices. The matrix was developed after gathering input from all stakeholders in a variety of settings. The matrix was then reviewed and approved by the Superintendent and his staff as well as the School Board. The Discipline Matrix utilizes a progressive discipline approach. **It is the expectation that each school abide by the Discipline Matrix when assigning disciplinary consequences.**

The designated mandatory and potential actions set forth in the Discipline Matrix are subject to modification by the Superintendent on a case-by-case basis when required to prevent substantial disruption of the educational environment or otherwise promote the health, safety or welfare of students or staff.

**Administrators may assign the following consequences for any behavioral infraction as deemed appropriate:**

- No action taken (00) (age and cognitive ability level considerations may be a consideration)
- Conference with student (30)
- Conference with parent (31)
- Assignment of reflective written work, work detail, and/or restitution (i.e.: property/damages) (32)
- Behavioral or student self-improvement agreement (33)
- Loss of privileges (34)
- Peer mediation (35)
- Daily or weekly report to parents (36)
- Referral to Guidance Counselor, School Nurse, School Psychologist, School Social Worker, School Resource Officer, Behavior Specialist, School-Based Intervention Team (S-BIT), Community Agency/Services or similar resource (37)
- Detention (38)
- Bicycle privilege revoked (39)
- Parking privilege revoked (40)
- Referral to Dept. of Highway Safety and Motor Vehicles (41)
- In-school suspension (ISS). (The student will report to school at the stipulated time but will not be able to follow the regular schedule or to attend extracurricular activities.) (42)
- Bus suspension (The student will not access school transportation, for any reason, during the period of suspension. The student is required to attend school during the period of bus suspension.) (43)
- Alternatives to suspension (49)
- Threat assessment (51)
- Functional Behavioral Assessment/Behavior Intervention Plan (52)
- Confiscation of items or devices (53)

Certain behaviors may lead to higher-level consequences being assigned, even for first offenses.

Incident Code	<h1 style="text-align: center;">Discipline Matrix</h1> <p style="text-align: center;">M= Mandatory   P= Potential Action   X = Prohibited Action</p>	Report to law enforcement	Out-of-School Suspension (1 – 3 Days)	Out-of-School Suspension (4 – 5 Days)	Out of School Suspension (6 – 10 Days)	Referral to law enforcement agency (investigation/arrest)	Recommendation for bus expulsion	Recommendation for expulsion	Threat assessment	Recommendation for alternative placement
			44	44	44	46	47	48	51	57
<b>Level One</b>										
1B	Inappropriate public display of affection									
1C	Running, tripping, pushing, hitting or similar aggressive acts									
1E	Tardiness		X	X	X					
1I	Unauthorized possession or use of toys, audio or wireless communication devices, collectibles or other items or materials that are inappropriate for educational setting									
1K	Violation of dress and appearance code									
1L	Unauthorized location									
1M	Violation of traffic, parking, bus or bicycle regulations						P			
1P	Failure to comply with classroom, school or bus rules						P			
1Q	Disrespect toward student or staff									

<b>Level Two</b>										
2B	Disruptive behavior		P	P						
2C	Skipping or leaving class without permission		X	X	X					
2E	Failure to comply or complete previously assigned intervention strategies		P	P						
2F	Fighting (Non-SESIR), physical confrontation or physical aggression (see note for potential action 48 and 57)		P	P	P		P	P	P	P
2G	Verbal altercation, instigating a fight, harassment (Non-SESIR) or unwanted teasing or taunting of others		P	P			P		P	
2H	Defacing and/or destroying school or personal property resulting in damages of less than \$1000		P	P		P				
2I	Distribution of objects, literature, or materials that are obscene or inappropriate for an educational setting		P	P						
2J	Leaving school grounds without permission		X	X	X					
2M	Academic dishonesty, cheating, plagiarism, violation of copyright laws or similar acts									
2N	Misrepresentation, providing false information to school personnel or lying about a school staff member		P	P						
2O	Having a toy/imitation weapon		P	P		P			P	
2Q	Violation of campus safety rules or bus safety rules		P	P		P	P			
2R	Defying, disobeying or disrespecting school personnel		P	P						
2S	Having or using matches, lighters, fireworks, smoke/stink bombs, laser pens, or other unauthorized items or Violation of Over-The-Counter medication (OTC) policy		P	P						
2T	Theft or accessory to theft of property worth less than \$750		P	P		P				
2U	Profane, obscene or provocative language or gestures		P	P						
2V	Gang related disruption; may include materials, dress or hand signs		P	P		P			P	
2W	Improper use of technology		P	P		P			P	
2X	Gambling		P	P		P				

Incident Code	<h1 style="text-align: center;">Discipline Matrix</h1> <p style="text-align: center;">M= Mandatory   P= Potential Action   X = Prohibited Action</p>	Report to law enforcement	Out-of-School Suspension (1 – 3 Days)	Out-of-School Suspension (4 – 5 Days)	Out of School Suspension (6 – 10 Days)	Referral to law enforcement agency (investigation/arrest)	Recommendation for bus expulsion	Recommendation for expulsion	Threat assessment	Recommendation for alternative placement
			44	44	44	46	47	48	51	57
	<b>Level Three</b> Must match corresponding SESIR code		44	44	44	46	47	48	51	57
3D	Mutual altercation that requires physical intervention or results in injury requiring medical attention (FIT)	M	P	P	P	M		P	P	P
3E	Aggravated Battery includes intentionally or knowingly causing serious injury (BAT)	M	P	P	P	M		P	P	
	Simple Battery including intention striking or the intentional causing of bodily harm to another person (PHA)									
3F	Manufacturing, cultivating, purchasing or distributing drugs, controlled substances, drugs, drug related items or substances represented to be a drug (DRD)	M	P	P	P	M		P		
	Using or possessing drugs, controlled substances, drugs, drug related items or substance represented to be a drug (DRU)	M	P	P	P	M				P
	Using, possessing, selling, purchasing or distributing of alcoholic beverages (ALC)	M	P	P	P	M				P
3G	Weapons possession (WPO)	M			M	M		M	M	
3H	Theft or accessory to theft of property, \$750 or more without threat, violence, or bodily harm (STL)	M	P	P	P	M				P
3I	Sexual harassment (SXH)	P	P	P	P	P			P	P
3K	Major disruption on campus; taking part in a riot (DOC)	M	P	P	P	M		P	P	
3L	Arson (ARS)	M	P	P	P	M		P	P	
3M	Bomb threats or hoaxes, or threatening use of a firearm (DOC)	M				M		M	M	
	False fire alarm (DOC)	M	P	P	P	M		P		
3N	Extortion or theft involving violence, a threat of violence or assault or putting the victim in fear (ROB)	M	P	P	P	M		P		
3O	Intimidating school staff or students or threatening them with violence (TRE)	M	P	P	P	M			M	P
	Sexual assault or threatening another with sexual violence (SXA)									
3P	Bullying, or harassment of staff or students (BUL, HAR)	P	P	P	P	P			P	P
	Hazing of staff or students (HAZ)	M	P	P	P	M			P	P
3R	Violations of other criminal laws (OMC, HOM, KID, SXB, TRS, BRK)	M	P	P	P	M		P	P	P
3S	Habitual or serious breach of bus rules	P	P	P	P	P	P			
3T	Possession or use of tobacco products or look-alikes (TBC)	P	P	P		P				
3U	Criminal mischief includes willfully defacing and/or destroying school or personal property resulting in damage of \$1000 or more (VAN)	M	P	P	P	M				P
3V	Sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Must involve law enforcement. (SXO)	M	P	P	P	M			P	P
3W	Dangerous object: razor blades, box cutters, common pocketknives, airsoft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items	M	P	P	P	M			P	
3X	Refusing, preventing, or otherwise attempting to prevent search of their person, possessions, vehicles, or similar search requests	P	P	P	P	P				
3Y	Possessing look-alike drugs	P	P	P	P	P				P

### **Discipline Matrix Notes**

- Students may not be suspended for skipping, tardiness, absence, leaving campus or truancy
- Students may be recommended for expulsion or alternative placement for the second 2F-Fighting in the same school year.
- Students may be recommended for alternative placement for the second 3F-DRU in the same school year.
- 2M – Academic dishonesty may also result in the following consequences: Reduced credit on assignment, ISS, proctored assessments, withdrawal from course (eSchool/FLVS), schedule change and/or completion of an Academic Integrity Module.
- 2S - Covers most OTC medication issues. May be 3F - DRD if someone is selling OTC medication and representing them as an illegal drug. May be 3F - DRU if someone is using OTC medication in excess to achieve desired effect of impairment.
- Students may be recommended for disciplinary reassignment recommendation for 3F-ALC distribution only or for the second 3F-ALC use/possession in the same school year.
- 3T-TBC included e-cigarettes, vape pens containing nicotine substances, hookah pens and similar devices.
- 3W-This code should not be used if any of these items have been used to threaten, injure, harm or any similar act.
- Notify your School Resource Officer (SRO) or other law enforcement any time a situation gives rise to a potential school safety issue/concern. SROs are also available to discuss potential criminality of situations should need to arise.

## Legal Notices

### **Family Educational Rights and Privacy Act (FERPA)**

In August of 1974, President Ford signed into law a series of legislative amendments known as the Education Amendments. Among them was an amendment sponsored by Senator James Buckley entitled Family Educational Rights and Privacy Act of 1974 (FERPA). Since enacting FERPA, Congress has strengthened privacy safeguards of education records through this law, refining and clarifying family rights and agency responsibilities to protect those rights. FERPA gives parents the right to review and confirm the accuracy of education records. These rights transfer to the student when the student turns eighteen (18) years old or attends a post-secondary institution. At this time, the student is designated as an “eligible student” and holds the same rights as his or her parents held with respect to education records. This and other United States privacy laws ensure that information about citizens collected by schools and government agencies can be released only for specific and legally defined purposes.

The primary rights of parents and eligible students under FERPA include the right to:

- Inspect, and review education records.
- Seek and amend education records.
- Have some control over the disclosure of information from education records.

What is an education record? What type of information is maintained in the record?

A permanent cumulative education record and an automated record are maintained for each student from entrance into school through the twelfth grade or its equivalent. The school that initially enrolls a student is responsible for establishing the records. Each school principal has the legal responsibility for maintaining education records. Educational records (automated and nonautomated) are those records, documents, and other materials, which contain information directly related to the student and are maintained by an educational institution or agency. Information contained in the record is classified as follows:

Category A is defined as permanent information of clear educational importance that is retained indefinitely. Category A information includes: student’s full legal name\* date of birth\* place of birth\* race\* gender\* address\* parent/guardian name\* name, location, and dates of schools attended\* days present/absent\* date of enrollment and withdrawal\* courses taken and achievement records (grades, credits, GPA, or certification of program completion)\* graduation date and requirements\* state/district test results (if required for graduation)\* written records of access\* home language survey\* health immunization certification forms.

Category B is defined as temporary information of clear educational importance that will be periodically corrected and/or eliminated as prescribed by law. Category B information includes, but is not limited to: health and immunization information\* family background data\* test scores\* honors/activities\* educational and career plans\* discipline records\* driver education certificates\* correspondence from external agencies\* divorce and/or custody documents/court orders\* written agreements of records deletions or expunctions, records of major discipline or expulsion actions\* student LEP plans.

Upon request, the parent or eligible student shall have the right to:

- Be provided with a list of all records directly related to the student
- Be shown any report on the student
- Receive interpretation of the record
- Be provided with copies of the record (not to exceed actual duplicating costs)

Requests to review student records should be made directly to the school principal or principal’s designee. The school must comply within a reasonable time frame (not in excess of 30 days). In addition to rights of

access, the parent or eligible student has the right to challenge the content and request correction/deletion of records if he/she thinks they are misleading or inaccurate.

These requests should be made to the school principal and may be further appealed to the Superintendent (or designee). Who else has the right to access student records?

An educational agency/institution may disclose personally identifiable information from a student's education record without prior written consent of the parent or eligible student if the disclosure is:

- "Directory Information," which is information contained in the student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes: student's name, address, Sec. 1.07 telephone number (if listed), date and place of birth, dates of attendance at an educational institution, name of most recent previous educational institution attended, major field of study, grade level, diploma, degrees, awards and honors received, participation in officially recognized activities and sports, weight and height of members of athletics teams, and photograph(s). Parents who object to the release of directory information on their child(ren) must notify the school principal, in writing, within fifteen (15) days of receiving this notification. This should be done on an annual basis.
- To school officials, including teachers, who have a legitimate educational interest as determined by school board policy.
- To officials of other schools or post-secondary institutions in which the student seeks to or has enrolled
- To authorized representatives of the Comptroller General of the United States, The United States Secretary of Education, Assistant Secretary for Education, and state educational authorities, in order to comply with state or federal program requirements
- In connection with a student's application for financial aid
- To organizations conducting educational studies for the purpose of developing or validating tests, student aid, or improving instruction
- To accrediting organizations
- In connection with health and safety emergencies
- To a court of jurisdiction in compliance with a court or attorney of record order pursuant to a lawfully served subpoena, upon the condition that the school makes a reasonable attempt to notify the parent or eligible student
- For use as evidence in student expulsion hearings conducted by a school district
- To the Auditor General in connection with official functions
- To the credit bureaus in connection with an agreement for financial aid which the student has executed
- To parties of an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities for the purpose of implementing the Juvenile Justice Act
- To parents of a dependent student as defined by the Internal Revenue Service's Code of 1986
- If a school district initiates legal action against a parent, or if the parent initiates legal action against a school district
- To School Readiness Coalitions and the Florida Partnership for School Readiness in connection with assigned duties. Copies of education records are released only on the condition that the information will not be subsequently transferred to another party without obtaining the proper consent of the parent or eligible student

## **Exceptional Education Students**

The Pasco County School District identifies exceptional educational students and maintains information about those students screened and staffed for special educational services/programs. The term “exceptional student” includes students identified for special education programs/services within the following classifications: Intellectual Disabilities, Speech and Language Impaired, Visually Impaired, Deaf/Hard of Hearing, Specific Learning Disabilities, Gifted, Emotional Behavioral Disabilities, Developmentally Delayed, Established Conditions, Hospital Homebound, Autism Spectrum Disorder, Language Learning Disable, Other Health Impaired, Traumatic Brain Injury, and Orthopedically Impaired. Educational records and reports maintained may include information on the student's psychological, social, physical, academic/intellectual, communication/language abilities, aptitudes and behaviors. This information is used to assist school staff in the development of appropriate educational plans and instructional strategies for students receiving special education services. It is also utilized for required state and federal reports/audits. Exceptional student education records (Category B information) will be destroyed five (5) years after the date of actual or intended graduation (or its equivalent in time). Parents may contact the school and receive a copy of these records prior to their disposal date. These records may be useful or needed to access adult agency services.

Where can copies of school board policy on student records be obtained?

Parents and eligible students may obtain copies of the District School Board of Pasco County records policy at any public-school location or from the Student Support Programs and Services Department at the District Office in Land O’ Lakes, Florida. Parents and eligible students who need assistance or who wish to file a complaint under FERPA should do so by mailing pertinent information concerning any allegations to the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

## **Privacy Rights Under the Health Information Portability Accountability Act (HIPPA)**

Protected health information includes demographic and medical information that concerns the past, present, or future physical/mental health of your student or yourself. Demographic information could include name, address, telephone number, Social Security Number and any other means of identifying you or your child as a specific person. Protected health information contains specific information that identifies a person or can be used to identify a person. You or your child’s protected health information may be used or disclosed for purposes of treatment (emergency care, for example), payments and health care operation. The school district may send medical information to Medicaid, insurance companies, or community agencies to pay for services provided to your child or yourself. Some protected health information can be disclosed without your written authorization, as allowed by law.

- Those circumstances include
  - Reporting abuse
  - Investigations related to missing children
  - Internal investigations and audits or by government agencies
  - Public health purposes, including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals
  - District medical examiner investigations
  - Research approved by the Department of Health or school board
  - Court orders, warrants, or subpoenas

- Law enforcement purposes
- You have the following rights as an individual or as a parent:
  - You can request to restrict the use and disclosure of your or your child’s health information
  - You have the right to be assured that information will be kept confidential
  - You can inspect and receive a copy of yours or your child’s protected health information
  - You have the right to correct yours or your child’s health information
- Disclosure of information to school staff is made with your permission for the purpose of providing maximum safety to you and your child. This would be discussed with the parent prior to any disclosure of health information.

**Notice of Social Security Number Disclosure**

Florida Statute Section 119.071(5)(a)2-4., requires agencies to notify individuals of the purpose(s) that require the collection of Social Security Numbers. The District School Board of Pasco County collects Social Security Numbers (SSNs) for the following purposes:

- The Internal Revenue Service and Social Security Administration require a Social Security Number on a Form W4, that is used to determine how much federal withholding tax is to be collected and Federal Insurance Contribution Act (FICA) tax on wages paid and later reported in a W-2 Wage and Tax Statement.
- The Internal Revenue Service requires a Taxpayer Identification Number on Form W-9, which could be a Social Security or an Employer Identification Number that could be used to generate a 1099 Miscellaneous Income Statement based on expenditures processed through accounts payable. Vendors with Social Security Numbers are captured in the Vendor Application process.
- The Office of Human Resources and Educator Quality/Finance software program requires use of Social Security Numbers as the primary personal identification of employees for wages, leaves, payroll deductions, etc.
- Social Security Numbers are also used as identifiers for processing fingerprints with the Federal Bureau of Investigation and the Florida Department of Law Enforcement.
- Social Security Numbers are requested by the National School Lunch Act from parents on the free or reduced-price meal application and household verification process as part of determining a family’s eligibility for their child(ren) for free or reduced-price meals.
- Social Security Numbers for employees and dependents are required for enrollment in health insurance, life insurance, and other miscellaneous insurances.
- Social Security Numbers are used by the Florida Department of Education as a standardized identification number for the required reporting of yearly certification and training information.
- Social Security Numbers are required by the Florida Division of Retirement to report earnings used to document creditable years of service in the Florida Retirement System.
- The District telephone system requires the use of employee Social Security Numbers to track long distance calls and to allow access for substitutes to use the “sub dialer.”
- Social Security Numbers are used by the Florida Department of Education as a standardized identification number to track students from year to year and when they move from one school or county to another. Social Security Numbers are used for students in grades 10 through 12 as identifiers for colleges and scholarship programs such as Florida Bright Futures. For students in grades Pre-Kindergarten through 12, Social Security Numbers are used as identifiers for enrollment and attendance, funding reports (such as FTE), tracking achievement gains, and standardized testing such as FCAT. Student Social Security Numbers are included in all Florida Department of Education required reporting.



- For adult students and approved GED Exit Option students taking the GED exam for graduation purposes, Social Security Numbers are used by the Florida Department of Education as standardized identification number to track students.
- The District School Board of Pasco County will not use a student's Social Security Number for the purpose of identifying immigration status. The Social Security Numbers of all current and former employees are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

### **Parental Rights and Safeguards Regarding the District's Use of Public Benefits and Insurance**

In 1988, the federal government signed a supplementary Medicaid program called the Medicaid Certified School Match Program into law. This program allows the District to recover certain costs for the provision of health, behavioral and therapy related services to eligible students. This activity will not affect your child's Medicaid insurance coverage in any way. The District has been participating in the program since 2003.

- Federal and state law requires that the District provide written notification to parents before accessing the child's or the parent's public benefits (e.g., Medicaid). The District has elected to provide this notice at all IEP meetings advising parents of their rights.
- A one-time parental consent is required specifying that the parent understands and agrees that the public agency may access the parent's or child's public benefits (e.g., Medicaid) or insurance to pay for services under part 300. [300.154(d)(2)(iv)(A)-(B)] Consent is currently obtained via the student's Emergency Information Card.
- For children with disabilities who are covered by public benefits or insurance (e.g., Medicaid), the public agency may not use a child's benefits if that use would: decrease available lifetime coverage or any other insured benefit; result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside the time the child is in school; increase premiums or lead to the discontinuation of benefits or insurance; or risks loss of eligibility for home and community-base waivers. [300.154(d)(2)(i)-(iii)]
- Parents have the right under 34 CFR part 99 and part 300 to withdraw their consent to disclosure of their child's personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) at any time.
- Withdrawal of consent or refusal to provide consent under 34 CFR part 99 and part 300 to disclose personally identifiable information to the agency responsible for the administration of the State's public benefits or insurance program (e.g., Medicaid) does not relieve the public agency of its responsibility to ensure that all required services are provided at not cost to parents. [34 CFR 300.154 (d)(2)(v)]

### **Students Surveys and Privacy: Parent Notification of the Protection of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment (PPRA) is a federal law that affords definite rights to parents of minor student in relation to surveys that ask questions of a personal nature. The law requires that schools obtain written consent from parents before minor students are required to participate in any U.S.

- Department of Education (U.S.D.O.E.) funded survey or evaluation that reveals information concerning the following protected areas:
  - Political affiliations or beliefs of the student or the student's parent
  - Mental and psychological problems of the student or the student's family
  - Sexual behaviors or attitudes

- Illegal, antisocial, self-incriminating, or demeaning behavior
- Critical appraisals of other individuals with whom respondents have close family relationships
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
- Religious practices, affiliations, or beliefs of the student or the student’s parent
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)
- The District School Board of Pasco County, which receives funds from the U.S. D.O.E., will comply with the requirements of PPRA for the collection and reporting of certain information by means of student surveys, as well as the requirements to protect student privacy.
- The District School Board of Pasco County participates in the Florida Youth Survey (FYS). The FYS is administered on an annual basis by the district in conjunction with the Florida Departments of Education and Health. The FYS collects and reports information relative to student attitudes and behaviors on topics such as school safety, substance use, and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, the surveys collect information on general health practices and human sexuality. The information is collected by survey anonymously on a sampling basis, and no personally identifiable information is obtained from or reported on any individual student.
- Participation in FYS surveys is voluntary. No student shall be required to participate in such a survey if the student, or the student’s parent/guardian if the student is a minor, objects to participation. A parent must provide written notification to opt out of survey participation. If, however, a survey soliciting protected area information is funded in whole or in part by any program administered by the United States Department of Education (U.S. D.O.E.), prior written consent will be obtained from the parent.
- PPRA affords parents certain rights; these include the right to:
  - Consent before students are required to submit to a survey that concerns one or more of the “protected areas” if the survey is funded by a program of the U.S. D.O.E.
  - Receive notice and an opportunity to opt a student out of survey participation.
  - Inspect, upon request, and before administration will use, the protected information student surveys and related materials.
  - These rights transfer from the parents to a student who is eighteen (18) years of age or in an emancipated minor under Florida State rule.

## **Title IX**

Title IX prohibits any person from being excluded from participation in, be denied the benefits of, or be subjected to discrimination on the basis of sex, in any educational program or activity receiving Federal financial assistance. The district has developed the following procedures to respond to allegations of Title IX violations:

- All schools and district departments will provide notice to all students and employees of the complaint/grievance procedures, including where complaints may be filed.
- Title IX prohibits retaliation against any individual who files a complaint in good-faith or participates in a complaint investigation.
- All Title IX complaints should be reported anonymously or in-person to the school Principal or Principal’s designee or Equity Manager.

- Definitions and examples of sexual harassment under Title IX include, but are not limited to:
  - Sexual harassment
  - Gender-based harassment
  - Sexual assault
  - Unwelcome sexual propositions, invitations, solicitations, and flirtations
  - Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls
  - Verbal, non-verbal, or physical aggression, intimidation, or hostility based on gender expression that does not involve conduct of a sexual nature, including harassment predicated on sex stereotyping (e.g., mannerisms, dress, etc.)
- The district will keep all complaints and investigations confidential to the greatest extent possible and all investigations will be completed as outlined in Board Policy 2266.
- Documentation will be maintained related to the investigation and any corrective action by the school site and throughout the district in accordance with applicable State record retention requirements.
- The district will implement Supportive Measures to protect Complainants and Respondents and the school community during the investigation.
- The district will maintain on-going contact with the Complainant and Respondent throughout the investigation.
- The district will take appropriate remedial action to address and resolve any findings of discrimination and to prevent the recurrence of any discrimination, which may include, but is not limited to:
  - Provision of resources
  - Counseling provided to Respondent to prevent future recurrence
  - Disciplinary sanctions as appropriate
  - Provide protections against retaliation for the individual subjected to the harassment and any witnesses
  - Counseling provided to the Complainant
  - Any other necessary steps to address any impact on the Complainant, witnesses and the broader student body
  - Any other necessary steps reasonably calculated to prevent future occurrences of harassment
- Written notification will be provided to all parties involved regarding the outcome of the investigation to the extent authorized by law.
- All parties involved will have the right to appeal the findings of the investigation, including introducing evidence and witnesses. Parties who wish to appeal an outcome must submit a request to the Equity Manager within five (5) business days of being notified of the outcome of the investigation.

*For more information about Title IX, the process for reporting allegations of violations and the school district's responsibilities, please see Board Policy 2266 <https://go.boarddocs.com/fl.pasco/Board.nsf/Public#>*