



Pemayetv Emahakv Charter School

Code of Student Conduct

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TABLE OF CONTENTS

Student’s Role and Responsibility.....3

Parent’s Role4

Classroom Teacher’s Role.....4-5

Staff and Principal’s Role.....5-6

Positive Behavior Support/Corporal punishment/suspension/expulsion.....6-8

Discipline for ESE/504 Students.....8-9

Alternative Disciplinary Program.....9

School Related Crimes..... 9-10

Bullying and Harassment.....10

School Attendance.....11

Child Abuse.....11

Student’s Rights and Responsibilities, Free Speech and Expression..... 12

Search and Seizure.....13

Sexual Harassment.....13

Grievance.....14

Student Records.....14

Parental Rights.....14-16

Guide to Violation Chart..... 16

Violation Charts/Consequences.....17-32

Authority of School Bus..... 33

Responsibilities of Transported Students..... 33-34

Technology Acceptable Use Policy.....34

STUDENT'S ROLE AND RESPONSIBILITY

<u>Students have the Right to:</u>	<u>Students have the Responsibility to:</u>
Be informed of all school rules and the consequences of breaking those rules.	Observe all school rules or suffer the consequences of unacceptable behavior. Students will be familiar with the Code of Student Conduct and the school Student Handbook.
Be shown personal respect by all other students and school personnel.	Show respect to all other students and adults.
Make appropriate use of school facilities, properties, and materials.	Respect and protect school facilities, properties, and materials.
Attend school and benefit from quality educational opportunities.	Participate in educational opportunities, completing classroom assignments and homework to the best of their abilities.
Have access to an appropriate education including instruction and use of materials and tests at a level that allows an opportunity for success.	Consider and respect the divergent point of view of others. Be sure that personal expressions (speech, written or symbolic) do not infringe on the rights of others.
Hear, examine, and express divergent points of view, including freedom of speech, written expression, and symbolic expression.	Understand the teachers' grading systems, monitoring their own progress in each class.
Know in advance how grades in a class will be determined.	Keep their persons and property free of dangerous or illegal objects, materials, and substances.
Enjoy a reasonable degree of personal privacy.	Keep their persons and property free of dangerous or illegal objects, materials, and substances.
Participate in extracurricular activities and clubs if their conduct and academic record qualify them. Student may not be excluded on the basis of sex (except as allowed under Title IX), color, race, ethnic origin, religion or handicap.	Abide by the rules of extracurricular activities-display school spirit and good sportsmanship. All school rules are applicable when attending school-sponsored activities on or off campus.
Choose whether or not to participate in patriotic or religious activities.	Respect the rights of others to participate in patriotic or religious activities.
Receive personal, academic and career counseling.	Seek personal, academic, and career counseling.
Dress comfortably in a way appropriate to a school setting.	Dress in a way not offensive to others and in compliance with specific school rules.
Assemble peacefully on school grounds.	Assemble so as not to disrupt the educational process.
Participate in school government based on a democratic process.	Take an active interest in student government.
Receive due process by knowing the charges made against him/her, giving an explanation of his/her actions, presenting his/her view in all disciplinary actions and by presenting evidence. He/she may also appeal a disciplinary decision.	Cooperate with school personnel in cases involving disciplinary actions, following prescribed steps for an appeal and accept final decisions.
Remain in the school program if married, parent, or pregnant.	
Have access to records and/or transcripts as provided by statute.	Seek regular medical advice regarding school attendance.
	Provide the school with all information relevant to making educational decisions.

PARENT'S ROLE

If the Pemayetv Emahakv Charter School system is to do its job, the home and the school must cooperate. The school's responsibility is to provide a quality education in a safe environment for all students. The parents' responsibility includes the following:

- 1. Understand, support and discuss the code of conduct with your child.**
2. Teach your child self-respect, respect for the law, respect for the authority in the school, and respect for the rights and property of others.
3. Show a positive attitude toward the school and toward your child's learning process.
4. Make certain your child attends school all day, every day unless the child is ill.
5. Know your child's school, its staff, and its curriculum.
6. Work closely with school personnel to solve any disciplinary or academic problems.
7. Teach your child to dress properly and neatly, and to be clean and well groomed.
- 8. Make sure the school has your correct home and work telephone numbers, home address, and an emergency contact person and the telephone number.**
9. Supervise young children attending extracurricular school activities, especially athletic events. Although the school will provide crowd control and proper supervision, the care of younger children attending an event is the responsibility of the parent. Students under ninth grade must be accompanied by an adult when attending any high school function.
10. Recognize that Florida Statute states students are considered under the control and supervision of the school when they are on the premises during a reasonable time before and after school and while attending or participating in a school-sponsored activity at the school site. Reasonable time is defined as 30 minutes before and after school or an event. (Prior to and after 30 minutes, supervision will not be provided by the school.)

CLASSROOM TEACHER'S ROLE

The teacher will inform every student of the classroom rules to be used in that teacher's room. The rules will be compatible with the school rules and the school Code of Student Conduct.

Within the framework of this Code of Student Conduct, teachers and other instructional personnel shall have the authority to undertake any of the following alternatives in managing student behavior and ensuring the safety of all students in their classes and school:

1. Establish classroom rules of conduct.
2. Establish and implement consequences, designed to change behavior, for infractions of classroom rules.
3. Have violent, abusive, uncontrollable, or disruptive students temporarily removed from the classroom for behavior management intervention.
4. Assist in enforcing school rules on school property, on school-sponsored transportation, and during school-sponsored activities.
5. Request and receive information as to the disposition of any referrals to the administration for violation of classroom or school rules.
6. Request and receive immediate assistance in classroom management if a student becomes uncontrollable or in case of emergency.

7. Request and receive training and other assistance to improve skills in classroom management, violence prevention conflict, conflict resolution, and related areas.
8. Press charges if a crime has been committed against the teacher or other instructional personnel on school property, on school-sponsored transportation, or during school-sponsored activities.
9. Use reasonable force, according to standards recommended by the Education Standards Commission and the Education Practices Commission and adopted by the State Board of Education, to protect himself or herself or others from injury.

STAFF MEMBER'S ROLE FOR DISCIPLINE OUTSIDE OF THE CLASSROOM

All school personnel shall be informed and are responsible for all school board administrative rules concerning discipline. All school personnel including teacher, custodians, paraprofessionals, cafeteria staff, office staff, etc., shall become involved in the discipline process anywhere on campus or at school functions off campus. All adults are expected to provide reasonable direction to students and report discipline problems. Misbehavior observed outside the classroom is usually referred directly to an administrator.

Any staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board Rules. No student shall be temporarily detained longer than is reasonably necessary.

PRINCIPAL'S ROLE

1. The administrators at each school will, with the assistance of faculty and staff, develop rules consistent with the Code, the age of the student body, and the school's philosophy. Emphasis will be placed on teaching respect. These rules shall be published in the Student-Parent Handbook of the school.
2. Principals have statutory powers which permit their determining disciplinary action appropriate to student misconduct (see F.S. 1006.09). Principals must protect the student's rights of due process and appeal.
3. The principal or the principal's designee shall give strong consideration to the recommendation for discipline made by a teacher, other members of the instructional staff, or a bus driver when making a decision regarding a student's discipline.
4. The principal or the principal's designee may recommend to the School Board the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of his or her staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school. Any recommendation of expulsion shall include a detailed report by the principal or the principal's designated representative on the alternative measures taken prior to the recommendation of expulsion.
5. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent or guardian by telephone of a student's suspension and the reasons for the suspension.
6. Principals must release a student to law enforcement officers when a warrant has been issued for the student's arrest.
7. It is understood that disciplinary decisions are based on the judgment of the individual administrator, according to the details of each specific case. Any disciplinary or prosecutorial action taken against a student who violates a zero tolerance policy may be based on the particular circumstances of the student's misconduct.
8. This Code defines minimum punishments to be assigned for certain serious violations of the rules, but the punishment is determined by the principal or his/her designee. The principal or designee may assign more than the minimums indicated in the Code.
9. The student's record may be considered. **Punishment will be increasingly severe if rules are broken repeatedly or habitually. Repeated disruptive behavior may constitute "defiance of authority."**

10. The principal is required to report certain infractions to law enforcement authorities and may press charges with the State Attorney if the violation warrants such action. In addition, certain infractions may be reported to the Seminole Tribe Family Services and The Department of Children and Families if conditions warrant.

POSITIVE BEHAVIOR SUPPORT (PBS)

PECS uses Positive Behavior Support (PBS) as our approach to positive discipline in both schools. We are working to develop effective environments in which positive behavior is more effective than problem behavior. It emphasizes the use of preventative, teaching and reinforcement-based strategies to achieve meaningful and lasting behavior and lifestyle outcomes. You will see clearly stated expectations for everyone and positively stated rules for each area of the school. As with any group of people, school rules are necessary in order to provide a safe, nurturing and stimulating place in which all students learn and grow academically, socially, and emotionally. To reinforce students for displaying behavior consistent with the expectations and rules, the faculty and staff provide many types of student recognition. Students can attend "PBS events", earn prizes or bank their tokens to "buy" their choice at a school store. All of the events and incentives help students to immediately learn that living up to the expectations and following rules makes school a positive place for everyone.

CORPORAL PUNISHMENT

1. Corporal punishment is the moderate use of physical force of physical contact as may be necessary to maintain discipline or to enforce school rules.
2. The punishment must be administered by a parent or guardian in the presence of an administrator or his/her designee and under conditions not calculated to hold the student up to ridicule or shame.
 - a. The punishment must be reasonable.
 - b. Corporal punishment shall be limited to a maximum of three swats for any one offense.
 - c. The type of punishment, the severity of punishment, and the number of swats administered when paddling a student must be determined in every case.
 - d. In administering corporal punishment, an instrument designed to minimize possible physical injury should be utilized.
3. In every case of corporal punishment, the student, parent, and witness are to be told beforehand of the seriousness of the offense and the reason for the punishment as well as the number of swats he/she is to receive.
4. Under no circumstances shall a student be struck about the head or shoulders. Corporal punishment shall be administered posteriorly.
5. The principal or his designee will maintain a record of all instances where corporal punishment is administered. This record will contain the date, time, number of swats administered, the offense and adult witness.

DETENTION

Detention is an option a school may choose as a discipline measure. It consists of having a student stay after school hours for a set time in a designated place, usually working on academic work. Students may be directed to perform school service work.

WITHHOLDING PRIVILEGES

It is appropriate to withhold privileges at the elementary and middle school levels as a disciplinary consequence. Such privileges can include, but are not limited to: participation in field trips, Grad ventures, and prom.

TIME OUT, SECLUSION AND PHYSICAL RESTRAINT

To provide for the physical safety and security of students and staff when students pose a threat to themselves and/or others, trained staff may implement use of the least restrictive but effective intervention(s) for each student such as time out, seclusion or physical restraint. If using these interventions, FS. 1003.573 shall be followed.

IN-SCHOOL SUSPENSION (ISS)

In-School Suspension is an option a school may choose as a discipline measure. In-School Suspension is used at times in place of Out-of-School Suspension. During In-School Suspension, students will be provided academic work and/or lessons that focus on improving behavior.

Note: If the student does not carry out the discipline assigned above, a harsher disciplinary measure will be implemented.

OUT-OF-SCHOOL SUSPENSION (OSS)

The principal or his/her designee may suspend a student for up to nine school days. Each suspension and the reasons for it shall be reported immediately if possible, by telephone and in writing, delivered personally or by mail to the parents. The length and conditions of the suspension may vary depending on the seriousness of the misconduct and the student's record. Suspension prohibits any student from attendance at schools programs and activities, including sporting events.

Out-of School Suspension is an unexcused absence.

No student shall be suspended for unexcused tardiness, lateness, absence, or truancy (F.S. 1006.09(1)(b)).

EXPULSION

Florida Statutes define expulsion as the removal of the right and obligation of a student to attend school for a period of time not to exceed the remainder of that term or school year and one additional year of attendance.

The school principal may recommend to the School Board that a student be expelled for a serious breach of conduct or repeated violations of the Code of Student Conduct. In most instances and unless special circumstances exist, such as special educational services requirements, students who commit offenses or accumulate offenses leading to an expulsion recommendation after the progress report date in the 3rd nine week grading period will be recommended for expulsion for the remainder of the school year plus the first semester of the following year.

- (1) The following procedures shall be observed when a student is suspended with a recommendation of expulsion:
 - (a) The School Board shall receive and review the recommendation for expelling a student from the school principal or designee who is directly charged with the supervision of the student concerned. A recommendation shall be submitted in writing to the School Board and shall indicate the grounds for the recommendation. The student's parent(s) or legal guardian(s) or the adult student shall be notified in writing of the recommendation and the specific charges the recommendation is based upon, shall be provided a reasonable opportunity to meet with the principal to discuss the recommendation and shall receive a copy of the recommendation submitted to the School Board. Such notification shall be sent by certified mail or by regular mail if the parent(s) or legal guardian(s) or the adult student has been notified in person.
 - (b) The School Board shall review the school's investigation and determine whether to recommend expulsion of the student to the school board.
 1. All interested parties shall be immediately informed in an appropriate manner when the School Board investigation reveals that insufficient evidence or reasons exist to support an expulsion recommendation. The student shall immediately be readmitted to school with no penalty imposed for absences related to the investigation; this does not include the initial school suspension if reasonable in nature. Record of the expulsion recommendation shall be expunged.
 2. If the principal recommends to the School Board that the student be expelled, the principal may extend the student's suspension until such time that the school board acts on the recommendation. The student's parent(s) or legal guardian(s) shall be notified in writing of the right to an administrative hearing.
 - (C) Expulsion hearings are conducted under section 120.57 (2),
Florida Statutes.
1. All parties shall have an opportunity to present evidence and argument on all issues, to conduct cross-examination and to submit rebuttal evidence. The student may also use the services of legal counsel at no expense to the School Board. The student's identity will remain confidential within the provisions of statute unless the student's parent(s) or guardian(s) request a public hearing.

2. The hearing officer shall accurately and completely preserve all testimony in the proceeding(s) by tape recording. On the request of any party, the School Board shall make a full or partial transcript available at actual cost. If either party desires a court reporter, they shall make arrangements for such court reporter and bear the expense.
3. Following the hearing, the hearing officer will prepare a report detailing findings of fact. If the hearing officer concurs with the Principal's recommendation, the hearing officer will prepare a proposed final order which shall include Findings of Fact and Conclusions of Law for the School Board to consider at the next regular scheduled meeting. If the hearing officer finds that insufficient evidence or reasons for expulsion exists, no proposed final order will be prepared and upon receiving the hearing officer's report, the principal will notify all interested parties as in (b) (1) above.
4. When the principal notifies the parent of the decision to recommend expulsion, the parent in some cases will also be informed of the opportunity for their child to attend the Alternative Disciplinary Program in lieu of expulsion. Situations where the eligibility of Alternative Placement in lieu of expulsion may be withheld:
 - Zero Tolerance Violations
 - Failure of the parent and student to:
 - (1) Agree to alternative placement and,
 - (2) Agree to follow the rules of the alternative placement program.
 - Previous withholding of expulsion from the student record due to an alternative program.

The intent of offering the Alternative Disciplinary Program in lieu of expulsion is to allow students the opportunity to continue their education in the Alternative Disciplinary program in a safe environment away from the home school during the time they would otherwise be expelled and allow the student to avoid having the expulsion entered in the permanent record. Both the student and parent must agree to abide by the rules of the Alternative Disciplinary program in order to be granted placement in lieu of expulsion. It shall be understood that failure of the student to abide by Alternative Disciplinary program rules, including failure to attend the program, may result in an immediate recommendation for expulsion or extended placement in the program.

The student and parent may elect to avail themselves of their right to a hearing prior to consideration of this option.
5. The principal will notify the parent(s) or legal guardian(s) of the date, time and place of the meeting in which the School Board will consider approval of the hearing officer's proposed final order.
6. The School Board shall review the hearing officer's report and approve or reject the proposed final order.
7. The principal shall notify the student's parent(s) or legal guardian(s) of the official school board action by certified mail and include a copy of the school board's final order.

**DISCIPLINE PROCEDURES FOR
EXCEPTIONAL EDUCATION STUDENTS AND 504 STUDENTS**

Discipline for exceptional education and disabled (under Section 504) students shall be accomplished in accordance with the Glades County Code of Student Conduct. Parents of these students shall receive a copy of this manual annually, and the document will contain a reference to this section of the District Procedures for Providing Special Education for Exceptional Students. The policy and Federal Law (IDEA) requires that records be reviewed prior to carrying out formal consequences. The IEP Team or 504 Team will review the ESE Individual Education Plan or 504 Accommodation Plan to determine appropriate action which may include suspension, alternative placement or expulsion.

SUSPENSION

Suspension of identified exceptional education or disabled (under Section 504) students will be monitored by the Exceptional Student Department. School principals will forward to the E.S.E. department a copy of all Suspension Notices of any exceptional education or disabled (under Section 504) student suspended. The student may be suspended for up to ten (10) days. Suspension for additional days may be identified as an appropriate form of discipline in the goals and objectives section of the IEP or accommodation plan. If any suspension is the fifth occurrence and/or results in the student being suspended more than ten (10) days cumulatively in a year, an ESE-IEP or 504 staffing committee shall convene to consider changes in the student's educational program pursuant to Rules of the State Board of Education and Federal Law (IDEA). A Behavioral Intervention Plan (BIP) shall be developed or reviewed and modified.

EXPULSION

For major infractions of school policy (those for which expulsion is a possibility), the following procedures will be followed:

Any identified exceptional education or disabled (under Section 504) student who has committed an offense for which expulsion could be a consequence will have an I.E.P. (Individual Educational Plan) placement review by the E.S.E. (Exceptional Student Education) or 504 staffing committee. This committee will review the student's current placement, previous staffing decisions and any additional documentation concerning a relationship between the behavior exhibited and the handicapping condition, in order to recommend modification for the present educational placement or to determine an alternative placement to appropriately meet the student's educational needs. If a parent should disagree with the recommended placement, the parent may immediately request mediation or an impartial due process hearing to determine an appropriate placement. The student shall be retained in his current educational placement pending the outcome of the administrative hearing provided by law. If it is determined that the student's behavior could result in a serious disruption of the educational process, or in physical harm to the student himself, or others, the district may request the court or a hearing officer to order a change in placement to an appropriate interim alternative educational setting for not more than 45 days.

ALTERNATIVE DISCIPLINARY PROGRAM

The Alternative Disciplinary program allows eligible students to earn grades, credits, and promotion in a safe environment while removing these students from their home campuses so that all students can learn in an environment that is both safe and conducive to learning. Students must meet one of the following criteria to be eligible for the program:

1. Has been recommended by the principal for alternative placement.
2. Has been recommended by the principal for alternative placement in lieu of expulsion**
3. Has been recommended as an Exceptional Education student for alternative placement in lieu of expulsion.
4. Has been recommended as an Exceptional Education student for alternative placement for violation of the Gun Free Schools Act or violation of the district alcohol and drug policy.
5. Has been released from incarceration, the regional detention center, or a residential Juvenile Justice program and the Disciplinary Action team has decided that placement in the Alternative Disciplinary Program is in the best interest of the individual student or the general student population.
6. Has transferred from another district or state and was in a mandatory alternative program for disciplinary reasons.

**Students who commit Zero Tolerance offenses may not be served in the Alternative Disciplinary program without principal approval. In these cases, the principal must first determine that the student may be served while maintaining safe conditions for students and staff in the program before offering the program.

SPECIAL NOTE: School districts have no obligation, according to Florida law, to provide any educational services to an expelled student. Since the Pemaquid School Board attempts to educate all children, an alternative school placement will, in many cases, be offered. Parents of students enrolled in such alternative school programs may need to provide extra tutoring or other services in order to help their child to be fully prepared to re-enter the regular school program.

ZERO TOLERANCE FOR SCHOOL-RELATED VIOLENT CRIMES

The Pemaquid School Board fully supports Florida Statutes 790 and 1006.13 regarding Zero Tolerance for school violence, crime, and the use of weapons and directs all employees to comply fully with these statutes. In compliance with these statutes, the board directs that:

Students who are found to have committed one of the following offenses shall be expelled, for a period of not less than one full year with or without continuing educational services and be referred for criminal prosecution:

- a. BRINGING A FIREARM OR WEAPON, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.
- b. MAKING A THREAT OR FALSE REPORT, as defined by SS 790.162-790.164, respectively, involving school, school personnel or school personnel's property, school transportation, or a school-sponsored activity.

The Pemayetv Emahakv School Board hereby adopts, pursuant to section 1006.13 Florida Statutes, a policy of zero tolerance that:

1. Requires reporting to a law enforcement agency any act that poses a serious threat to safety whenever and wherever students are under the jurisdiction of the school. Serious acts include but are not limited to weapons possession, threats of violence, hate related crimes, robbery, etc.
2. Minimizes the victimization of students, staff, or volunteers, including all steps necessary to protect the victim of any violent crime from further victimization.
3. Excludes zero tolerance for petty offenses such as minor physical aggression and minor violations against property, yet applies appropriate consequences in an attempt to change behavior.

The most serious consequences provided for in the Code of Student Conduct shall be invoked in dealing with students who engage in violent criminal acts on school property, on school-sponsored transportation, or during school-sponsored activities as found in Florida Statute 1006.13 (6)(a).

The principal has established a process for facilitating active communication and cooperation between schools, law enforcement agencies, and the Seminole Tribe of Florida Family Services Department in sharing information that will help school officials make the best decisions regarding students' educational services and placement.

The principal and other administrative staff will assist teachers and other school personnel, consistent with board policies and the Code of Student Conduct, to act decisively and effectively when dealing with violent and disruptive youth.

BULLYING AND HARASSMENT

Pemayetv Emahakv School Board will not tolerate bullying and harassment of any type. Florida State Statute 1006.147 outlines very specific procedures that must be documented in our efforts to stop bullying and harassment. These procedures include instruction on the policy for parents, students and staff; reporting, investigating and assignment of consequences; and referral of victims and perpetrators of bullying/harassment for counseling. Any and all acts of bullying and harassment should be reported to school administration. Please note that allegations can be made anonymously, however, formal disciplinary action cannot be based solely on an anonymous report. For information on Bullying and Harassment, see Section N. Violence in this Code of Student Conduct or The Glades County Schools Policy Against Bullying and Harassment.

PEMAYETV EMAHAKV CHARTER SCHOOL BULLYING HOTLINE

1-844-635-1110

COMPULSORY SCHOOL ATTENDANCE LAW FLORIDA STATUTE CHAPTER 1003.27

A parent who refuses to or fails to have a child who is under his or her control attend school regularly, or who refuses to or fails to comply with the requirements in subsection (3) is guilty of a misdemeanor of the second degree, punishable as provided by law. The continued or habitual absence of a child without the consent of the principal or teacher in charge of the school he/she attends or should attend, or of the tutor who instructs or should instruct him/her, is prima facie evidence of a violation of this chapter; however, the court of the appropriate jurisdiction, upon finding that the parent has made a bona fide and diligent effort to control and keep the child in school, shall excuse the parent from any criminal liability prescribed herein and shall refer the parent and child for counseling, guidance or other needed services. Absence must be explained whenever a student is absent. The parent shall report the cause of such absence to the teacher or principal of the school.

EXCUSED ABSENCES ARE THOSE COVERED BY THE REASONS THAT FOLLOW:

1. Illness or injury of the student.
2. Illness or injury of the student's immediate family necessitating the student's absence.
3. Death to a member of the student's family necessitating the student's absence.
4. Recognized religious holidays.
5. Doctor and dental appointments.
6. Pre-arranged absences of educational value and with the principal's prior approval.
7. Subpoena or forced absence by any law enforcement agency.
8. Major disaster that would justify absence in the judgment of the administration.
9. Head lice, a maximum of two days per incident.

FLORIDA STATUTE CHAPTER 1003.24(4): A student must provide medical verification of illness after a set number of days. The Pemaquid Charter School Board requires verification of illness by a medical source after nine absences in 9 weeks or after 3 consecutive absences in 9 weeks for grades K-8. Without verification the absences will be unexcused and addressed by the truancy policy as stated in the Code under Violations, Section A. Absenteeism.

**Please note that any student referred to truancy will require an excuse for each subsequent absence following the truancy referral.

EACH PUBLIC SCHOOL PRINCIPAL IS REQUIRED TO REPORT EACH HABITUALLY TRUANT STUDENT TO THE APPROPRIATE AUTHORITIES

CHILD ABUSE

CHILD ABUSE AND NEGLECT:

There shall be posted in each school and in all main offices in the Glades County Schools a notice of the duties of all employees of the system with respect to child abuse and neglect. This notice shall read:

CHILD ABUSE

1. ALL EMPLOYEES HAVE AN AFFIRMATIVE DUTY TO REPORT ACTUAL OR SUSPECTED CASES OF CHILD ABUSE OR NEGLECT.
2. ALL EMPLOYEES ARE IMMUNE FROM LIABILITY IN REPORT IN SUCH CASES IN GOOD FAITH.
3. IT IS THE DUTY OF ALL EMPLOYEES TO COMPLY WITH CHILD PROTECTIVE INVESTIGATIONS.

**STATE'S ABUSE REGISTRY
TOLL FREE TELEPHONE NUMBER 1-800-962-2873**

STUDENT RIGHTS & RESPONSIBILITIES

It is the intent of the Student Rights and Responsibilities expressed in this document that students have the greatest amount of freedom allowable under law, commensurate with the school's responsibility for student health, safety, and welfare. The rights and responsibilities presented reflect the need for controlled experimentation in meeting the aspirations of our students for greater opportunities to serve themselves and society. Nowhere is it stated in this document, nor even implied, that the school should relinquish its authority and responsibility. Within every school, the principal inevitably has the responsibility and authority for maintaining the orderly educational process. This document suggests a reassessment of philosophy, emphasis, and techniques by administration, faculty, parents, and students.

These rights and responsibilities are not intended and should not be interpreted as the enactment of controlling regulations to govern the conduct of students or school authorities in specific circumstances. It is a statement in summary form of board policies, evidencing the school board's recognition and support of the concept of students' rights and their correlative responsibilities. The application of these principles in practice and the procedures to be followed to guide both students and responsible school officials in specific situations are beyond the scope and intent of this document.

FREE SPEECH/EXPRESSION

PHILOSOPHICAL BASIS:

One of the basic purposes of education is to prepare students for responsible self-expression in a democratic society. Citizens in our democracy are permitted self-expression under the 1st and 14th Amendments of the U.S. Constitution. Full opportunity should be provided for students to inquire, to question, and to exchange ideas. They should be encouraged to participate in discussions in which many points of view, including those which are controversial, are freely expressed.

RIGHTS	RESPONSIBILITIES
The Pledge of Allegiance is a statement of American ideals, and every student shall be protected in his right to affirm his identity with these ideals; however, students who, because of religious convictions, do not wish to participate in the Salute to the Flag shall not be compelled to do so.	Students have the responsibility to act in a manner that preserves the dignity of the occasion.
Students have the right to refrain from any activity that violates the precepts of their religion.	Students have the responsibility to respect the religious beliefs of others.
Students have the right to petition and survey student opinion in accordance with the procedures established by the principal.	Students initiating a petition or survey have the responsibility for the reasonableness of the request and the accuracy of the content.
Students have the right to form and express their own opinion on controversial issues without jeopardizing their relationship with their teacher or school	Students have the responsibility to make efforts to become informed and knowledgeable about controversial issues and express their opinions in a manner that is suitable for the forum in which the discussion is taking place.

SEARCH AND SEIZURE

PHILOSOPHICAL BASIS:

Students possess the right of privacy of person as well as freedom from unreasonable search and seizure of property guaranteed by the 4th Amendment of the U.S. Constitution. That individual right, however, is balanced by the school's responsibility to protect the health, safety, and welfare of all its students.

RIGHTS	RESPONSIBILITIES
Students have the right to privacy in their personal possessions unless the principal has a reasonable cause to believe that the student is concealing materials which are prohibited by law or student codes.	Students have the responsibility not to carry or conceal any such material that is prohibited by law or would detract from the educational process.
Students have the right to be informed of the state statutes which pertain to search of lockers.	Students have the responsibility to accept the consequences for the contents stored within their lockers.
Students have the right to be informed of district & state policies which pertain to parking privileges and search of vehicles.	Students and others parking on school board property imply consent to a search of their vehicle, with or without cause, by a school official. A search may include passenger compartments, engine compartments, trunk & all containers, locked or unlocked, in or on the vehicle.

SEXUAL HARASSMENT

The school district has the responsibility to provide a school environment that protects the student's health, safety, and civil rights; that is threat free; and presents a friendly, caring atmosphere conducive to learning and growing. As part of this total responsibility, the district supports a no tolerance approach to sexual harassment in the schools or any activity sponsored by a school. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written, or physical conduct of a sexual nature when 1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education; 2) submission to or rejection of such conduct by an individual is used as the basis for an academic decision affecting that individual; or 3) such conduct substantially interferes with a student's academic performance, or creates an intimidating, hostile, threatening, or offensive school environment. Sexual harassment, as defined above, may include, but is not limited to, the following: 1) verbal harassment or abuse; 2) pressure for sexual activity; 3) repeated remarks to a person with sexual or demeaning implications; 4) unwelcome or inappropriate touching; 5) suggesting or demanding sexual involvement accompanied by implied or explicit threats. To clarify, sexual harassment occurs when a student or adult subjects an individual to any unwelcomed conduct of a sexual nature. Students who engage in such conduct shall be subject to actions listed in this Code of Conduct.

RIGHTS	RESPONSIBILITIES
Students have the right to receive an education in a threat free atmosphere conducive to learning and growth.	Students have the responsibility to participate in the educational setting in a way that supports the learning and growth of all individuals.
Students have the right to access educational activities in an atmosphere free from sexual harassment.	Students have the responsibility to ensure an atmosphere free from sexual harassment for themselves and others. Students will not support or condone unwanted or unwelcomed remarks or activities of a sexual nature.
Students have a right to a recourse that allows for reporting of alleged activity of a sexual harassment nature that is threat free, confidential, and readily available to all students.	Students have the responsibility to report activities which are or appear to be of a sexual harassment nature. All students must accept the responsibility for providing an atmosphere conducive to positive individual growth and development.

GRIEVANCE

PHILOSOPHICAL BASIS:

A grievance is defined as a claim by a student, with respect to that student's rights, that there has been a violation, misinterpretation, or misapplication of Federal Statutes, State Statutes, or Board policy as defined in those statutes or policies. Copies of grievance procedures shall be available upon request and shall be on file in the office of the superintendent and the office of each principal.

RIGHTS	RESPONSIBILITIES
Students have the right to a standard procedure for the resolution of grievances.	Students have the responsibility to discuss their grievances informally with the personas involved prior to invoking formal grievance procedures.
Students have the right to participate in the formulation of the grievance procedures with the school administration through procedures established in school rules.	Students have the responsibility to state the grievance clearly and concisely, to follow the established procedures, and to accept the decision that is the outgrowth of this process.

RECORDS

PURPOSE

State Statute 1003.25 mandates that each principal maintain a permanent record for each student enrolled in a public school. Such records shall be maintained in the form and contain all data prescribed by regulations of the State Board of Education. Student records are used for planning instructional programs, for guidance of students, for preparation of state and federal reports, and for research.

WHO HAS ACCESS TO STUDENT RECORDS?

Those persons having access to student records are the school board, the superintendent and his/her staff, the professional staff of the school, the parent or guardian of the student, a court of competent jurisdiction, and other persons as the parent or guardian may authorize in writing. These records are accessible under the direction of the school principal in each school center.

WHAT INFORMATION IS IN A STUDENT'S RECORDS?

Educational records are maintained in accordance with policies and administrative guidelines of the School Board of Glades County and contain identifying data (student and parent name, address, birth date, sex, race), academic record, standardized test results, attendance records, and health data. The educational record also may contain family background information, verified reports of serious or recurrent behavior patterns, record of extracurricular participation and participation in special programs, diagnostic reports, and anecdotal records of professional staff. The principal may maintain a separate disciplinary file for students involved in misconduct to include, but not limited to, description of misconduct, suspension notice(s), record of disciplinary action(s) taken, etc. These records are updated annually.

WHAT ARE THE RIGHTS OF A PARENT?

Parents or legal guardian(s) have the right to review records maintained on their child, right to a copy of the record, and a right to contest information contained in the record. Requests for appointments to review or to contest student records should be made to the principal or his/her designee. Copies of a student record may be sent to a school outside of Glades County Public School System upon receipt of a written official school request. Parents are hereby notified that such requests will be honored by the schools and that they have a right to inspect records sent to other schools. Requests for records from all other sources require written permission of the parent or guardian.

NOTE: Whatever rights are vested in the parent or guardian shall pass to the student whenever the student has attained eighteen (18) years of age or is attending an institution of post-secondary education. Parents shall have access to their dependent children's records regardless of age and shall have the right of signing for the release of dependent children's records.

WHAT INFORMATION IS RELEASED WITHOUT PARENT PERMISSION?

Family Educational Rights and Privacy Act (FERPA)

Model Notice for Directory Information

The *Family Educational Rights and Privacy Act (FERPA)*, a Federal law, requires that Glades County School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Glades County School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Glades County School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965 (ESEA)* to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want Glades County School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by **[insert date]**. **[School District]** has designated the following information as directory information: **[Note: an LEA may, but does not have to, include all the information listed below.]**

-Student's name	-Participation in officially recognized activities and sports
-Address	-Weight and height of members of athletic teams
-Telephone listing	-Degrees, honors, and awards received
-Electronic mail address	-The most recent educational agency or institution attended
-Photograph	
-Date and place of birth	
-Major field of study	
-Dates of attendance	
-Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)	

These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c)

PARENTS RIGHT TO KNOW

Parents have the right to request the following information:

- Whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

PARENT AND STUDENT RIGHTS TO PRIVACY

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write to the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. [Optional] Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202

GUIDE TO READING THE VIOLATIONS CHARTS

The following charts list the most common serious infractions, but they do not include every possible violation. The principal or his/her designee determines the type of code violation committed by using the definitions in the left hand column of the charts listed below. The minimum consequence assigned is determined by the grade level of the student which is designated at the top of each remaining column. Minimum consequence means the least type of corrective action that may be assigned to the student to attempt to change the unwanted behavior.

When deciding what disciplinary action should be taken, the principal or his/her designee shall consider the student's age, exceptionality, previous conduct, probability of a reoccurring violation, attitude, severity of the offense, and whenever possible, shall impose disciplinary action in a progressive manner. For this reason, punishment may exceed the minimum consequence and is expected to be more of a consequence than assigned before for the same incident. For all levels, any incident that is hate-related shall be grounds to increase disciplinary actions.

A. Absenteeism

Minimum Consequences K-8

1. **(Truancy)** Failure to be in school and on time unless absence is excused as per Florida Statute 1003.01(8) .



After 5 unexcused absences in a school year, a warning letter will be sent.

After 9 absences (excused or unexcused) in a 90-day period (school calendar days), the school Guidance Counselor will schedule a Student Information Team (SIT) meeting.

The School Resource officer visits the home and provides written notice of the state statute and meeting notification.

Any unexcused absences that occur after a SIT meeting has occurred will result in a Truancy Referral being forwarded to the Glades County Truancy Officer or Tribal Truancy Committee.

- a. File a legal charge against the parent/guardian.
- b. Refer the family for intervention services.
- c. Students may be withdrawn from PECS for excessive absences.

**** 5 unexcused tardies or check-outs will equal one unexcused absence.**

B. Alcohol and Drugs	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Possessing (including possession after use when the substance is still in the body) Using and/or procuring, selling or dispensing on school premises, school buses, or at any school activity or school related function of:</p> <ul style="list-style-type: none"> a. Alcohol; b. Any substance controlled by F.S. 893 or 877.1111 (available upon request); c. Prescription drugs for which the student does not have a valid prescription; d. Hallucinogenic drugs or combinations; e. Counterfeit drugs including, but not limited to, prohibited substances possessed, sold and/or used that are held out to be, or represented to be controlled/illegal substances. In addition, counterfeit drugs include substances used in a manner not in accordance to package directions, or substances when combined induce a mind-altering state or condition. f. Paraphernalia for use of controlled substances. 	<p style="text-align: center;"><u>First Offense</u></p> <p>Principal’s discretion; may include Out-of-School Suspension up to 9 days and mandatory parent conference with principal and/or counselor.</p> <p style="text-align: center;"><u>Second Offense</u></p> <p>Principal’s discretion, parent conference, and Out-of-School Suspension (minimum one day).</p> <p style="text-align: center;"><u>Third Offense</u></p> <p>Expulsion or Alternative Placement.</p>	<p style="text-align: center;"><u>First Offense</u></p> <p>Out-of School suspension up to 9 days and Expulsion or Alternative Placement. (First Time Offender Contract)</p> <p style="text-align: center;"><u>Second Offense</u></p> <p>Expulsion or Alternative Placement. (Second Time Offender Contract)</p> <p style="text-align: center;"><u>Third Offense</u></p> <p>Expulsion</p> <p>**All incidents of alcohol and drugs will be reported to law enforcement and may be reported to The Department of Children and Families and The STOF Family Services Program depending on the student’s age.</p>

C. Defiance of Authority	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Disobeying or disregarding school personnel or school rules.</p> <p>NOTE: No gang insignias or clothing is allowed on any campus. Offenses may result in suspension from school, based on the principal's/designee's decision. The principal is the final authority on decisions concerning clothing.</p>	<p><u>First Offense</u> Parent notification and principal's judgment based on severity.</p> <p><u>Second Offense</u> Principal's decision ranging from parent/teacher conference, parent attending school with student, In-School Suspension or Out-of-School Suspension (minimum: 1 day)</p> <p><u>Third Offense</u> In-School Suspension, parent attends school with student or Out-of-School Suspension (Minimum: 2 days).</p> <p>The principal or principal's designee may assign a more severe punishment based on the offense.</p>	<p><u>First Offense</u> Parent notification and principal's judgment based on severity.</p> <p><u>Second Offense</u> Principal's decision ranging from parent/teacher conference, In-School Suspension, or Out-of-School Suspension (Minimum: 1 day).</p> <p><u>Third Offense</u> In-School Suspension, parent attends school with student or Out-of-School Suspension (Minimum: 2 days).</p> <p>The principal or principal's designee may assign a more severe punishment on the first, second, and third offense up to and including expulsion, based on severity of offense.</p>
<p>2. Inappropriate Dress 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)</p> <p>**In all cases students will be required to change clothes or remain in office for the day.</p>	<p><u>First Offense</u> Verbal warning, parent contact</p> <p><u>Second Offense</u> Parent conference and student is ineligible to participate in extracurricular activities for up to (5) days.</p> <p><u>Third and Subsequent Offenses</u> In-School Suspension for up to three days and student is ineligible to participate in extracurricular activities for up to thirty (30) days, parent contact and written letter.</p>	<p><u>First Offense</u> Verbal warning, parent contact</p> <p><u>Second Offense</u> Parent conference and student is ineligible to participate in extracurricular activities for up to (5) days, including school related sports.</p> <p><u>Third and Subsequent Offenses</u> In-School Suspension for up to three days and student is ineligible to participate in extracurricular activities for up to thirty (30) days, parent contact and written letter. Including school related sports.</p>

D. Dishonesty	Minimum Consequences K-8
<p>1. Cheating- Illegally procuring or sharing of work/test responses.</p> <p>2. Lying- Giving false information to school personnel.</p>	<p style="text-align: center;"><u>Any Offense</u></p> <p>Parent notification. The work on which the student cheats will be graded as either the result of the test or 59%, whoever is lower.</p> <p>Second incident on which the student cheats will be graded as zero.</p> <p style="text-align: center;"><u>Any Offense</u></p> <p>Principal's discretion</p> <p>**FLORIDA LAW WARNING: A recommendation of expulsion may also be made for any student found to have intentionally made false, injurious accusations against a teacher or other member of the school staff, according to the school Code of Conduct. Also, the parent or guardian of such student may be liable for any expenses incurred by the falsely accused person</p>

E. Extortion/Robbery	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Obtaining or threatening to obtain something of value through use or threat of force.</p> <p>All incidents will be reported to law enforcement.</p>	<p style="text-align: center;"><u>First Offense</u></p> <p>Out-of-School Suspension (Minimum: 1 day), (Counseling is suggested)</p> <p style="text-align: center;"><u>Subsequent Offenses</u></p> <p>Out-of-School Suspension (Minimum: 3 days)</p>	<p style="text-align: center;"><u>First Offense</u></p> <p>Out-of-School Suspension (Minimum : 3 days) (Counseling is suggested)</p> <p style="text-align: center;"><u>Subsequent Offenses</u></p> <p>Recommendation for expulsion.</p>

STEPS TO FOLLOW IF STUDENT ACCIDENTALLY OBTAINS POSSESSION OF A WEAPON:

- Do not accept a weapon from anyone.
- If a student discovers that he/she accidentally is in possession of a weapon, immediately turn the weapon in to any school employee.
- An explanation must be provided regarding the possession of the contraband weapon.

F. Firearms/Knives/Other Dangerous Objects	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Firearms and Destructive Devices: Any weapon (operable or inoperable, loaded or unloaded) which will, is designed to, or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any such weapon; any firearm silencer; any destructive device; or any machine gun. Examples include, but are not limited to: handgun, starter gun, zip gun, pistol, shotgun, rifle, bomb, pipe bomb, grenade and/or missile. (Reported to SESIR as Weapon).</p> <p>2. Weapons: Any dirk, metallic knuckles, slingshot, billie, tear gas gun, chemical weapon or device, electric weapon or other device which can be used to inflict physical harm on another (Reported to SESIR as a Weapon.)</p> <p>3. Dangerous Object: BB gun, air gun, paintball gun pellet gun and martial arts weapons (Reported to SESIR as weapon if used in connection with a threat, otherwise code as Contraband)</p> <p>4. Knives: Knives or objects that can be used to cut, including but not limited to, razor blade, box cutter, or knife. (Reported to SESIR as weapon if used in connection with a threat, otherwise code as Contraband).</p>	<p><u>Any Offense</u> Expulsion- see Zero Tolerance.</p> <p><u>Any Offense</u> Principal's discretion</p> <p><u>Any Offense</u> Principal's discretion</p> <p><u>Any Offense</u> Principal's discretion</p>	<p><u>Any Offense</u> Expulsion- see Zero Tolerance</p> <p><u>Any Offense</u> Expulsion or Alternative Placement</p> <p><u>Any Offense</u> Expulsion or Alternative Placement</p> <p><u>Any Offense</u> Principal's discretion unless displayed or possessed in connection with a threat. If displayed, Out-of-School</p>

<p>5. Hazardous Items: Items including, but not limited to: mace, chemicals and other objects used to threaten, intimidate, or cause a disruption. (Reported to SESIR as weapon if used in connection with a threat, otherwise code as Contraband).</p> <p>6. Contraband: Potentially harmful object including but not limited to cigarettes lighter, lighter fluid, laser pointers and fireworks. (Reported to SESIR as weapon if used in connection with a thereat, otherwise code as Contraband).</p> <p>**Florida law- Warning: Exhibiting a firearm or weapon within 1,000 feet of a school or possessing a firearm on school property or possessing an electric weapon, destructive device or other weapon on school property is a third degree felony.</p>	<p style="text-align: center;"><u>Any Offense (5/6)</u> Principal's discretion</p>	<p>Suspension (minimum: 5 days) to expulsion. If used in connection with a threat-Expulsion or Alternative Placement.</p> <p style="text-align: center;"><u>Any Offense (5/6)</u> Principal's discretion unless possessed in connection with a threat. If used in connection with a threat- Expulsion or Alternative Placement.</p>
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****Firearms Cont..**

The initial determination of whether or not an object constitutes a weapon, knife, or dangerous object will be the responsibility of the principal. For more information or clarification concerning weapons, refer to Florida Statute 790. Weapons, knives and dangerous objects will be confiscated.

A student is responsible for any item brought to school, intentional or unintentional, whether it be in his/her locker, book bag and/or vehicle and to keep their persons and property free of dangerous or illegal objects, materials, and substances.

G. Inappropriate Conduct	Minimum Consequences K-8
<ol style="list-style-type: none"> 1. Language- Using profanity or verbal abuse, including name calling, racial slurs or derogatory statements. 2. Disruptive Behavior- Disrespect, disruptive behavior and minor confrontations. 3. Misuse of School Technology Resources- including computers and school networks. 4. Misuse of Personal Technology- including cell phones, MP3 players, IPODs, PSP and other gaming or listening devices. 5. Conspiracy by a student to assist any other student to violate any of these rules. 6. Other Inappropriate Conduct as determined by the principal or his designee. 	<p style="text-align: center;"><u>Any Offense (1/2)</u> Parent notification and principal's judgment based on severity and number of offenses.</p> <p style="text-align: center;"><u>Any Offense (3/4)</u> Principal's discretion based on severity and number of offenses.</p> <p style="text-align: center;"><u>Any Offense</u> Same as the minimum consequences of the rule actually violated by the other student(s).</p> <p style="text-align: center;"><u>Any Offense</u> Parent notification and principal's judgment based on severity and number of offenses.</p>

Note: A student may possess a wireless communications device (cell phone, pager, etc.) while the student is on school property or in attendance at a school function. However, such devices shall be turned off and shall not be used or displayed during the regular school day. Students are subject to additional school disciplinary action and criminal penalties if the device is used in a criminal act.

Note: Cell phones and other electronic devices are costly pieces of equipment. As with other personal property, Pemayetv Emahakv Charter School cannot be responsible for the theft of or damage to such devices. Students who bring personal electronic devices assume all of the risk associated with the theft of or damage to such devices. Extraordinary steps cannot be taken to search for or return missing items or to investigate their theft or damage. Any device found on school property will be returned to the school administrator.


Note: Offense of Sexting: Provides that minor commits offense of sexting if he or she knowingly uses computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of a person which depicts nudity and is harmful to minors; provides noncriminal & criminal penalties; provides that transmission, distribution, or possession of multiple photographs or videos is single offense if transmission occurs within 24 hr. period, etc.

H. Medication	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Over-the-counter medication or supplement, including aspirin, possessing, accepting or dispensing.</p> <p>2. Prescription drugs other than topical for which the student has a valid prescription, but does not have a valid care plan allowing him/her to carry the medication on their person; ie. Inhaler, epi pen, insulin, etc.</p> <p>Dispensing prescription medication to another student will result in the consequences listed in B.1.c of this code.</p>	<p><u>First Offense</u> Warning/parent notification.</p> <p><u>Second Offense</u> Parent conference.</p> <p><u>Third Offense</u> Parent conference and suspension (minimum: 1 day).</p> <p><u>First Offense</u> Principal's discretion, may include Out-of-School Suspension up to 9 days and mandatory parent conference with principal and/or counseling.</p> <p><u>Second Offense</u> Principal's discretion, parent conference, and Out-of-School Suspension (Minimum: 1 day.)</p> <p><u>Third Offense</u> Recommendation for expulsion or alternative placement.</p>	<p><u>First Offense</u> Principal's discretion, Warning/parent notification</p> <p><u>Second Offense</u> Principal's discretion, Out-of-School Suspension: (Minimum: 2 days.)</p> <p><u>Third Offense</u> Principal's discretion, Out-of-School Suspension up to 9 days; expulsion or alternative placement.</p> <p><u>First Offense</u> Principal's discretion, Out-of-School Suspension up to 9 days and mandatory parent conference with principal.</p> <p><u>Second Offense</u> Expulsion or alternative placement.</p> <p><u>Third Offense</u> Expulsion or alternative placement.</p>

I. Sexual Harassment & Sexual Battery	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Sexual Harassment: Unwelcome conduct of a sexual nature.</p> <p>a. Conduct of a sexual nature may include verbal or physical sexual advances including subtle pressure for sexual activity; touching, pinching patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; sexually-oriented kidding, teasing, or jokes. Such conduct by a student is specifically prohibited.</p> <p>b. Verbal or physical conduct of a sexual nature will constitute sexual harassment where the allegedly harassed individual has indicated, by his/her conduct, that it is unwelcome.</p> <p>c. All victims of sexual harassment are required to report such activity to an administrator, guidance counselor, or teacher.</p> <p>d. Possession and/or distribution of pornographic materials.</p>	<p><u>First Offense</u> Principal's discretion.</p> <p><u>Second Offense</u> Mandatory parent conference and principal's discretion. (Counseling may be suggested).</p> <p><u>Additional Offenses</u> Out-of-School Suspension</p>	<p><u>First Offense</u> Principal's discretion based on severity of the offense.</p> <p><u>Subsequent Offenses</u> Parent notification. Principal may explore any punishment including expulsion based on the severity of the offense. (Counseling may be suggested.)</p>

<p>2. Sexual Harassment- Lewd and lascivious conduct. Any person who handles, fondles, or demonstrates unwelcome conduct of a sexual nature.</p> <p>3. Sexual Battery- Any sexual act or attempt directed against another person, forcibly and/or against the person's will where the victim is incapable of giving consent because of his or her youth, or because of temporary or permanent mental incapacity. This category includes rape, forcible penetration of private body parts of another (either through human contact or using an object).</p>	<p><u>First Offense</u> Principal's discretion</p> <p><u>Second Offense</u> Parent conference and Out-of-School Suspension (Minimum: 1 day). (Counseling may be suggested.)</p> <p><u>Third Offense</u> Principal may explore any punishment up to and including expulsion.</p> <p><u>Any Offense</u> Mandatory expulsion and involvement of law enforcement.</p>	<p><u>Any Offense</u> Parent notification. Principal may explore any punishment including expulsion based on the severity of the offense.</p> <p><u>Any Offense</u> Mandatory expulsion and involvement of law enforcement.</p> <p>**All incidents of a sexual nature will be reported to law enforcement and may be reported to the Department of Children and Families and The Seminole Tribe of Florida Family Services Department, depending on the student's age.</p>
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J. Sexual Offenses	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Consensual sexual misconduct on school property, on school-sponsored transportation, at school-sponsored activities or events:</p> <p>(a) Consensual sexual activity, to include any penetration of private body parts of another person by human contact and such acts prohibitive by Florida Statutes.</p> <p>(b) Consensual sexual activity, as defined under Lewd and Indecent Behavior Violation in Florida Statutes.</p>	<p><u>Any Offense</u> Principal's discretion. Must include a parent conference.</p>	<p><u>Any Offense</u> Parent notification. Minimum of 3-day Out-of-School Suspension. Principal may explore any punishment including expulsion based on the severity of the offense.</p>

K. Tobacco: Possession and/or Use and Dispensing	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Tobacco and Electronic Cigarettes (This refers to all forms of tobacco, including smokeless tobacco. This also refers to all forms of electronic cigarettes.)</p> 	<p><u>First Offense</u> Principal's discretion, mandatory parent notification.</p> <p><u>Second Offense</u> Principal's discretion, Parent conference, and suspension (Minimum: 1 day). (Counseling is suggested).</p> <p><u>Third Offense</u> Suspension days increase.</p>	<p><u>First Offense</u> Principal's discretion, parent notification. (counseling suggested).</p> <p><u>Second Offense</u> In-School-Suspension, Out-of-School Suspension (Minimum: 1 day).</p> <p><u>Third Offense</u> Suspension days increase.</p>

L. Verbal Assault	Minimum Consequences K-8
<p>1. Seriously Threatening to inflict injury and having the ability to do so.</p> <p>No bodily contact is necessary.</p> <p>All incidents may be reported to law enforcement.</p>	<p style="text-align: center;"><u>First Offense</u> Principal's decision ranging from parent's conference, In-School-Suspension or Out-of-School Suspension.</p> <p style="text-align: center;"><u>Second Offense</u> Out-of-School Suspension (Minimum: 1 day).</p> <p style="text-align: center;"><u>Third Offense</u> Principal's judgment including a more severe punishment and parental involvement.</p>

M. Violations Against Property	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Stealing: (Theft, Burglary, Larceny) Illegally taking money or property.</p> <p>NOTE: The item must be \$300 or more to be reported to SESIR. Items of lesser value are reported as Forgery/Theft.</p> <p>2. Destruction Property/Vandalism Willfully destroying or damaging public property or property of others.</p> <p>NOTE: Damage must be \$1,000 or more to be reported to SESIR.</p>	<p style="text-align: center;"><u>First Offense</u> Principal's discretion, parent notification and restitution.</p> <p style="text-align: center;"><u>Second Offense</u> Parent conference and restitution or more. (Counseling may be suggested.)</p> <p style="text-align: center;"><u>Third Offense</u> Out-of-School Suspension (Minimum: 1 day) and restitution.</p> <p style="text-align: center;"><u>Any Offense</u> Principal's discretion ranging from restitution for damages, parent notification or Out-of-School Suspension (min: 1 day).</p> <p style="text-align: center;"><u>Any Offense</u> Principal's discretion up to and including expulsion.</p>	<p style="text-align: center;"><u>First Offense</u> Principal's discretion, parent notification, restitution or more.</p> <p style="text-align: center;"><u>Second Offense</u> Parent conference, restitution and Out-of-School Suspension (Minimum: 3 days).</p> <p style="text-align: center;"><u>Third Offense</u> Out-of-School Suspension (Minimum: 5 days). Up to expulsion and restitution.</p> <p style="text-align: center;"><u>Any Offense</u> Principal's discretion ranging from restitution for damages, parent notification or Out-of-School Suspension (Minimum: 1 day).</p>

<p>Damage of lesser value is reported as Property Damage.</p> <p>3. Bomb Threats and/or Pulling of Fire Alarms when there is no fire violates F.S. 806.101 (Code as Disruption on Campus-Major)</p>		<p><u>Any Offense</u> Principal's discretion up to and including expulsion.</p>
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N. Violence	Minimum Consequences K-5	Minimum Consequences 6-8
<p>1. Bullying/Harassment The incident is bullying if it includes systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile or offensive environment; or unreasonably interferes with the individual's school performance or participation.</p> <p>2. Threat/Intimidation A threat to cause physical harm to another which includes the elements of intent, fear and capability.</p> <p>3. Physical Attack Refers to an actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual. (PHA) (SESIR) SESIR requires a type of suspension: ISS or OSS</p> <p>4. Fighting When two or more persons mutually participate in the use of force or physical violence that</p>	<p><u>First Offense</u> Principal's discretion ranging from parent conference, In-School Suspension or Out-of-School Suspension.</p> <p><u>Second Offense</u> Out-of-School Suspension (Minimum: 1 days).</p> <p><u>Third Offense</u> Out of School Suspension (Minimum: 3 days).</p> <p><u>First Offense</u> Principal's discretion</p> <p><u>Second Offense</u> Principal's discretion, parent conference, detention and/or Out-of-School Suspension.</p> <p><u>Third Offense</u> Out-of-School Suspension (Minimum: 1 day).</p> <p><u>First Offense</u> Principal's discretion, parent conference, possible Out-of-School Suspension.</p>	<p><u>First Offense</u> Principal's discretion ranging from parent conference, In-School Suspension or Out-of-School Suspension.</p> <p><u>Second Offense</u> Out-of-School Suspension (Minimum: 2 days)</p> <p><u>Third Offense</u> Out of School Suspension (Minimum: 3 days).</p> <p><u>First Offense</u> Principal's discretion</p> <p><u>Second Offense</u> Out-of-School Suspension. (Minimum: 2 days) and parent conference.</p> <p><u>Third Offense</u> Out-of-School Suspension (Minimum: 3 days) and parent conference.</p> <p><u>First Offense</u> Out-of-School Suspension (Minimum: 2 days) and parent conference.</p>

<p>requires physical restraint or results in injury. The burden of determining whether physical contact is indeed a “fight” will be the responsibility of the principal.</p> <p>It should be understood that the aggressor in a physical confrontation may receive a more severe consequence.</p> <p>5. Battery The physical use of force or violence by an individual against another. (SESIR’s definition of battery differs greatly from law enforcement’s definition. Battery should only be coded under severe; violent circumstances otherwise code as physical aggression.)</p> <p>6. Assault/Battery on a School employee, as defined in F.S. 784.011, F.S. 784.03 and F.S. 784.081.</p> <p>The principal or the principal’s designee shall recommend to the School Board the expulsion for a minimum period of 1 year of any student found to have committed assault or battery on a school employee.</p>	<p><u>Second Offense</u> Out-of-School Suspension (Minimum: 1 day).</p> <p><u>Third Offense</u> Out-of-School Suspension (Minimum: 3 days). Counseling is suggested.</p> <p><u>First Offense</u> Principal’s discretion, parent conference, detention and/or Out-of-School Suspension.</p> <p><u>Second Offense</u> Out-of-School Suspension (Minimum: 1 day). Third Offense Out-of-School Suspension (Minimum: days). Counseling is suggested.</p> <p><u>Any Offense</u> K-2nd Grade Out-of-School Suspension (Minimum: 2 days).</p> <p>3rd -5th Grade Out-of-School Suspension (Minimum: 5 days) or expulsion.</p>	<p><u>Second Offense</u> Out-of-School Suspension (Minimum: 5 days) and parent conference.</p> <p><u>Third Offense</u> Out-of-School Suspension (Minimum: 9 days) and recommendation for expulsion or alternative placement.</p> <p><u>First Offense</u> Out-of-School Suspension (Minimum: 5 days) and parent conference.</p> <p><u>Second Offense</u> Out-of-School Suspension (Minimum: 9 days) and parent conference and recommendation for expulsion or alternative placement.</p> <p><u>Any Offense</u> Expulsion or alternative placement.</p> <p>**Bullying/harassment and Threat/Intimidation incidents are cumulative. Consequences compound with each offense. Depending on severity, in all cases, incidents may be reported to law enforcement.</p>
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NOTE: Prohibited acts include cyber-bullying and harassment through these of data or computer software that is accessed through a computer, computer-system, or computer network on both school and non-school locations, regardless of the owner of the computer, system or network, if the bullying or harassment substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities or opportunities offered by the school or substantially disrupts the education process or orderly operation of a school.

SIMULATING A FIREARM OR WEAPON WHILE PLAYING or 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. However, a student may be subject to disciplinary action or referral to the criminal justice or juvenile justice system if simulating a firearm or weapon while playing substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm. Disciplinary actions involving student clothing or accessories may be addressed as dress code violations described in F.S. 1006.07 unless the wearing of the clothing item or accessory causes a substantial disruption to student learning, in which case the infraction may be addressed in a manner consistent with consequences of similar disruptions.

WARNING: Whenever any student, parent, or other person is charged with committing an ASSAULT OR BATTERY UPON ANY ELECTED OFFICIAL OR EMPLOYEE OF A SCHOOL DISTRICT OR SPORTS OFFICIAL, regardless of whether he knows or has reason to know the identity, position or employment of the victim, and the elected official or employee is on school property or is away from school property on official school business, the offense for which the person is charge shall be classified:

ASSAULT – First Degree Misdemeanor
BATTERY – Third Degree Felony
AGGRAVATED ASSAULT – Second Degree Felony
AGGRAVATED BATTERY – First Degree Felony (F.S. 784.081)

WHAT DOES PROGRESSIVE DISCIPLINE MEAN? Progressive Discipline – The severity of the consequence should INCREASE every time the SAME incident occurs. If a detention did not keep the student from showing disrespect, the consequence for the second offense should be more than a detention. Example: severity of consequences increase with repeated incidents. (Time between incidents and severity of incidents are considered)

1st Failure to Comply infraction: example: consequence of Administrative Counseling

2nd Failure to Comply infraction: example: consequence of Conference with Parent. A non-example: another Administrative Counseling

3rd Failure to Comply infraction: example: consequence: Detention / ISS / or OSS. A non-example: no increase in consequence.

Vaping THC Will Result in a 3rd Degree Felony!

Vaping F.S. 877.112, “Nicotine dispensing device”, means any product that employs an electronic, chemical, or mechanical means to produce vapor from a nicotine product, including, but not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product, any replacement cartridge for such device, and any other container of nicotine in a solution or other form intended to be used with or within an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product. TB**Under Florida Statute 893.13(6)(A), it is a FELONY to possess ANY amount of THC, a cannabis concentrate, even if the total weight of the cannabis concentrate containing the THC is less than twenty (20) grams. If THC Resin is found, it will constitute a violation of F.S., 893.13.6A, which is a third degree felony**

AUTHORITY OF SCHOOL BUS

1. The school bus driver shall preserve order and good behavior on the part of all students being transported on school buses.
2. The school bus driver shall have the authority to control students during the time students are on the school bus, but shall not have such authority when students are waiting at the school bus stop or when students are enroute to or from the school bus stop unless they are in view of the bus driver.
3. If an emergency should develop due to the conduct of students on the bus, the bus driver may take such steps as are immediately necessary to protect the students on the bus.
4. Bus drivers shall not be required to operate a bus under conditions in which one or more students pose a clear and present danger to the safety of the driver or other students, or the safety of the bus while in operation. The school district shall protect the bus driver from threats or physical injury from students.
5. In the case of a student having engaged in violent or blatantly unsafe actions while riding the school bus, the school principal shall take corrective measure to ensure, to the extent feasible, that such actions are not repeated prior to reassigning the students to the bus.
6. The principal shall delegate to the school bus driver such authority as may be necessary for the control of pupils being transported to and from school, or school functions.
7. Any pupil who persists in disorderly conduct on a school bus shall be reported to the principal by the driver of the bus and may be suspended by the principal of the school from being transported to and from school and school functions.
8. The principal or principal's designee shall give strong consideration to the recommendation for discipline made by a teacher, other members of the instructional staff, or a bus driver when making a decision regarding student referral for discipline.
9. Seat belts are to be worn at all times while riding the school bus.

Responsibilities of Transported Students

Each student who is eligible (who lives over two miles from the school attended, per F.S. 1011.68) to be transported is entitled to free transportation only so long as he/she abides by the rules of safety and behavior necessary for the operation of the system. Serious infraction of these rules may cause students to lose this privilege. It is the responsibility of the parent(s) to see that the pupil abides by rules or to provide for his/her own transportation. Suspension from a school bus does not affect the requirements of attendance laws or rules. Any student transported at public expense shall:

1. Occupy the seat assigned by the driver and shall refrain at all times from moving around while the bus is in motion. In cases where standing is necessary, the student shall stand in the area designated by the driver.
2. Observe at all times classroom conduct (except for ordinary conversation). Absolute silence on the bus shall prevail while the bus is stopped for railroad crossings or for discharging pupils. Singing or other unnecessary noise is prohibited.
3. Obey the driver and report promptly to the principal when instructed to do so by the driver.

4. Wait until the bus has come to a complete stop before attempting to get on or off the bus. Students shall form a line in order to ensure safety in getting on or off the bus.
5. Observe proper rules of conduct while waiting for the bus. The bus will only stop on property in which an established stop has been approved.
6. Enter or leave the bus only at the front door after the bus has come to a complete stop, except in cases of emergency or on instructions from the bus driver.
7. If necessary, cross the highway in the proper manner and as instructed after leaving the bus: Driver will bring bus to a complete stop, stand at the side of the bus in sight and hearing of the driver and look to the right and left before proceeding to cross the highway.
8. Keep head, elbows, and hands inside the bus windows at all times, except in the case of an emergency.
9. Refrain from throwing objects inside or outside the bus at any time.
10. Refrain from the use of profane or objectionable language, and from engaging in any other objectionable conduct. There shall be no pushing, fighting, or any other type of misconduct or disruptive behavior at any time on the bus.
11. Refrain from damaging or defacing the bus or bus equipment. The students shall be responsible for the cost of any such damage.
12. Not bring any weapons or sharp objects on the bus.
13. Be on-time at their bus stop, the bus can not wait on students who are tardy
14. Cross the roadway ten feet in front of the bus.
15. Not talk to the driver, unless it is absolutely necessary.
16. Be absolutely quiet when the driver turns on interior lights on, blows whistle, or raises his/her hand. One of these signals will be used at railroad crossings.
17. Not eat or drink on the bus. (Bus driver's discretion)
18. Bring no animals, such as dogs, cats, snakes, fish, etc..... on the bus – dead or alive except for an approved service animal.
19. Bring nothing in a glass container on the bus, including science specimens, etc....Bring no band instruments which interfere with the seating and safety of others. Instruments must be held by the student while seated. Such instruments that are deemed as a safety hazard will not be allowed.

TECHNOLOGY ACCEPTABLE USE POLICY

Students will be expected to abide by the PECS acceptable use policy at all times. This policy will apply to both the individually issued student devices as well as the use of computers and other devices on the school campus that the student may have access to, including but not limited to computers in the school computer lab(s), library, classroom(s) etc.

ACCEPTABLE USE EXPECTATIONS

- All aspects of the district's Acceptable Use Policy apply when using the devices. ● Students will be allowed to take their devices home in the evening and weekends. ● Students are responsible for any damage that occurs while the device is off the PECS campus. Parents are responsible for monitoring off campus internet access and use.
- These devices are an educational tool and should be primarily used in that capacity. Once issued, students are responsible for taking excellent care and caution in the protection and use of the devices. In the event of a device malfunction or need of repair, students will not attempt repair, but will promptly return it to the school administration office for repair and diagnosis.
- These devices are the property of Pemayetv Emahakv Charter School, all content and use will be monitored, and the device can be remotely accessed at any given time.
- Messages, internet content or any other illegal activities will be reported to appropriate authorities. *Students have **no** expectations of privacy and can expect teachers, support staff, and administrators to conduct reviews and checks of their internet history and device usage, etc. This includes in person inspections or inspections done remotely by a Tech Specialist.*
- The property record and identification tags on the devices must always remain intact and on the devices.
- The student is responsible for the devices throughout the day. The school will not be responsible for damaged devices, nor devices that are left unattended in classrooms, walkways, lockers, etc. ● All passwords must be kept confidential and not shared with any other students. ● "Cyberbullying" will not be tolerated. Cyberbullying of any kind, email, instant messaging, texting, blogs, via social networking, mobile phones, online activities, websites, etc. will not be tolerated. This will result in the loss of privilege of devices and any applicable consequences. ● Students are expected to notify staff whenever they come across information or messages that are inappropriate, dangerous, threatening, or make them feel uncomfortable.
- Work diligently to make the most of your opportunity to enjoy the use of these devices and expand your learning potential.

PLEASE COMPLETE AND RETURN THIS FORM TO YOUR CHILD'S SCHOOL

Notice of Receipt
Code of Student Conduct

Student's Name (please print)

Homeroom Teacher / Grade

Date

STUDENT AGREEMENT:

I have read, understand and will abide by the Terms and Conditions of the Pemayetv Emahakv Code of Student Conduct..

Signature of Student

Date

PARENT AGREEMENT:

I have read the PECS Code of Student Conduct and agree to hold my child accountable to the rules and regulations within.

Signature of parent

Date