

# The Second Chance Student Code of Conduct

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Learning Today.....Leading Tomorrow

The Second Chance School mission is to provide a learning environment that allows middle and high school students to experience behavior success. Our goal is to provide an educational foundation that promotes integrity, self-worth, and lifelong learning that fosters healthy, productive, responsible members of society.

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## **Expectations**

**The Second Chance School acknowledges that conduct is closely related to learning - an effective instructional program requires an orderly school environment and the effectiveness of the educational program is, in part, reflected in the behavior of students.**

**The school and community hold the highest expectations for the conduct of all students in order to create a caring and safe environment that prepares learners for success in school and society. Violence in this school shall not be tolerated and students who engage in violent or criminal acts on school property, on a school bus or other school-sponsored transportation, at a school bus stop or during school-sponsored activities will receive the most severe consequences provided for by this policy.**

**The Second Chance School believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions. The school has zero tolerance of violent, disruptive, or inappropriate behavior by its students.**

**The Second Chance School shall require each student of this District to adhere to the Student Code of Conduct/Student Discipline Code adopted by the Board and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:**

- conform to reasonable standards of socially-acceptable behavior;**
- respect the person and property of others;**
- preserve the degree of order necessary to the educational program in which they are engaged;**
- respect the rights of others;**
- obey constituted authority and respond to those who hold that authority;**
- be in school and learning every day;**
- demonstrate quality and pride in their academic work and co-curricular activities;**
- refrain from any conduct that interferes with another student's opportunity to learn;**
- contribute to a safe and orderly learning environment by respecting themselves and others, their property and school rules and regulations.**

**The Second Chance School and its staff are expected to provide a supportive learning environment with a fair and equitable application of rules and procedures without regard to real or perceived race, religion, color, gender, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference, or disability.**

**Parents/Guardians and the community are expected to support student learning and the maintenance of a positive, safe and orderly learning environment and shall be encouraged to be involved in planning programs for the school or their individual student.**

**Each student while waiting at a school bus stop, during the time he is being transported to or from school, during the time he is attending school, participating in school activities on or off school campus, or is presumed by law to be attending school, and during any time he is on the school premises shall be under the control of the principal in charge of the school, and shall be subject to these provisions.**

**Failure to meet the above expectations, in-school misconduct, or other inappropriate behavior on the part of the students shall require interventions and, when necessary, informal or formal consequences.**

The Student Code of Conduct/Student Discipline Code designates sanctions for the infractions of rules, excluding corporal punishment, which shall:

- relate in kind and degree to the infraction;
- help the student learn to take responsibility for his actions;
- be directed, where possible, to reduce the effects of any harm which may have been caused by the students' misconduct.

This comprehensive discipline plan has been developed following School Board Policy 5500 Student Discipline, and the Principles of Conduct for Leon County Schools' students to deal with day-to-day discipline issues. This plan provides the school with a guide to implement safe, productive, and straightforward solutions that can be administered immediately. It also ensures due process for the students.

Students who violate attendance or disciplinary policies shall receive consequences according to the guidelines and procedures outlined in Leon County Student code of Conduct Handbook and the Second Chance attendance/discipline plan.

The contents of this discipline plan may be revised at any time as necessary and appropriate, based on changes to local, state, and federal statutes and policies.

In addition to any disciplinary action imposed for violation of these policies, the student will receive appropriate counseling from the school guidance counselor and/or intervention given by administration of this school and may request the opportunity to reconcile the existing conflict.

## **Attendance and Supervision**

### **School Hours:**

School begins at 7:30AM and ends at 1:30PM. Before school and after school supervision is provided 30 minutes prior to school starting (7:00AM) and 30 minutes after students are dismissed (2:00PM). Students are considered late if they arrive on or after 9:30AM, and must be signed in by a parent or guardian if they come prior to 9:30AM

### **MIDDLE SCHOOL ATTENDANCE -5200C:**

To establish procedures and guidelines for implementing the middle school attendance policy to be utilized by parents/guardians, students and school and District staff.

- The school principal or designee shall make final decisions regarding the implementation of these procedures to include school record keeping procedures for tracking unexcused absences.
- Parents/Guardians/Students shall be notified of the attendance policy and school procedures in writing during the first month of school. Written notification will be provided whenever the implementation procedures are changed.
- Training regarding the school's attendance implementation procedures and record keeping requirements will be provided to teachers and affected staff during the first two (2) weeks of school and whenever the plan changes during the year.
- All questions related to attendance shall be directed to the school's attendance officials, and if further clarification is needed, to the principal. The decision of the principal regarding attendance issues, including determining whether an absence is excused or unexcused, shall be final.

### Absences/Tardies:

- F.S. 232.10 requires the parent/guardian of a compulsory school attendance age child to contact the school to report and explain any absence. This should be done by noon of the first day of the absence and no later than the day the child returns to school or the third day of the absence, whichever is later.
- An absence in middle school is defined as non-attendance that is, not being physically present at the school or a school sponsored function or activity. Lateness is defined as any arrival more than ten (10) minutes after the school or class starting time.
- A tardy in middle school is defined as any unexcused arrival to school or to a class up to ten (10) minutes after the school or a class starting time.
- Parents/Guardians shall sign in students who are tardy/late or shall contact the school to explain the tardiness/lateness by noon of the day it occurs.
- Parents/Guardians shall sign out students who leave school early and shall provide an explanation.
- Each school should document attempts to notify parents/guardians of unexplained absences through a phone call or other method. However, failure to successfully notify parents/guardians shall not negate the attendance policy.
- Absences/Tardiness shall be excused only for the following documented reasons:
  - illness and/or medical care;
  - death in the family;
  - legal reasons;
  - approved religious holidays;
  - financial and/or other insurmountable circumstances
- Pre-arranged absences/tardies for educational purposes approved by the administration. For approval the following criteria must be met:
  - The absence must be pre-approved at least one (1) week in advance.
  - There must be stated and written educational objectives for the trip that are related to the performance standards for each course in which the student is enrolled and include at least one (1) objective for each course. This information shall be attached to the prior approval request form when it is turned in to the attendance office and initialed by the teacher of each course.
  - The pre-arranged absence request will be reviewed by the attendance administrator and/or the attendance committee. The absences may then be pre-excused pending the completion of Absence/Tardies items 7.a-f.
  - Upon return from the trip the student and parent will present a student prepared paper and other appropriate exhibits to the attendance committee documenting the completion of each written objective. The committee shall determine whether the absences are to be excused.
  - All educational experience absences must be excused within ten (10) calendar days of the student's return to school following the trip.
  - Students with excused absences may make-up work according to the school's guidelines.
  - The principal/designee shall notify the parent/guardian of the school's concerns and penalties to be imposed upon accumulation of five (5) unexcused absences/tardies in a grading period or ten (10) unexcused absences in a ninety (90) day calendar period. Parents may grieve academic penalties following School Board Policy 5710.
  - The principal/designee shall notify the school social worker to take steps under Board Policy 5200 upon accumulation of five (5) unexcused absences/tardies in a calendar month or ten (10) in a ninety (90) calendar day period. The report will indicate that attendance is unacceptable and that the student will receive a failing grade for the grading period or other academic penalty and that "no" shall be marked on the report card statement that "the students attendance is acceptable".

### Excessive Unexcused Absences/Tardies/Leaving Early:

- Following the third unexcused absence/tardy or leaving early the principal or his/her designee shall take the following steps in attempting to bring about compliance with compulsory attendance laws and policies:
- Written notice shall be sent to parent/guardian informing them of required compliance (registered mail suggested).
- If non-compliance continues, written notice is sent to parent/guardian informing them of a required meeting with school officials to discuss compliance. Parent/Guardian refusal to attend meeting must be documented.

- If non-compliance continues, written notice shall be sent to parent/guardian informing them of educational counseling to determine if a curricular change or an alternative placement is indicated. Parent/Guardian refusal to attend educational counseling must be documented.
- If non-compliance continues, written notice shall be sent to parent/guardian informing them educational that an evaluation, which may include a psychological evaluation, will be conducted and request their approval. Parent/Guardian refusal to allow educational evaluation must be documented.

**Truancy:**

- For the purpose of these regulations, a "truant" is one who is not in attendance, with or without approval of the parent or other person having charge of the student, and whose absence has not been excused under Absences/Tardies above.
- A habitual truant is one who has had at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for with the reasons are unknown, within a ninety (90) calendar day period.
- Upon each unexcused absence, or absence for which the reason is unknown, the school principal or designee shall attempt to contact the student's parent or guardian to determine the reason for the absence. If the absence is an excused absence, as defined by Board policy, the school shall provide opportunities for the student to make up assigned work and not receive an academic penalty unless the work is not made up within a reasonable time.
- If a student has had at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) day calendar period, the student's primary teacher shall report to the principal or designee. Unless there is clear evidence that the absences are not a pattern of nonattendance, the principal or designee shall refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or unexcused, a meeting with the parent or guardian shall be scheduled to identify remedies or attempts documented if the parent or guardian fails to respond. The principal shall notify the Superintendent and the School District contact for home education programs that the referred student is exhibiting a pattern of non-attendance.
- If an initial meeting does not resolve the problem, the child study team shall implement interventions that best address the problem. The interventions may include, but need not be limited to:
  - frequent communication between the teacher and the family;
  - changes in the learning environment;
  - mentoring;
  - student counseling;
  - tutoring, including peer tutoring;
  - placement into difference classes;
  - evaluation for alternative education programs;
  - attendance contracts;
  - referral to other agencies for family services; or
  - other interventions, including, but not limited to, a truancy petition pursuant to F.S. 984.151.
- The Intervention team shall be diligent in facilitating proactive measures and intervention strategies as needed. They shall report the case to the Superintendent through the Office of Intervention, Equity and Support Services only when all reasonable efforts to resolve the non-attendance behavior are exhausted and documented.
- If a child, parent or guardian will not comply with attempts to enforce school attendance, the Superintendent or Prevention, Intervention, Equity and Support Services Department shall refer the case to the District and CINS/FINS provider committee pursuant to F.S. 984.151.

## HIGH SCHOOL ATTENDANCE-5200B

To establish procedures and guidelines for implementing the high school attendance policy to be utilized by parents, students and school and District staff.

- All questions relating to the attendance policy are to be directed to the school. The concerned party should contact the school attendance office for clarification first and then, if not satisfied, the school principal.
- Each of the schools will document attempts to notify parents of each absence through an automatic dialer or other methods. However, failure to successfully notify parents/guardians shall not negate the attendance policy.

### Tardies

- A student who arrives unexcused to class up to ten (10) minutes after the scheduled beginning time will be recorded as tardy for that class.
- A student more than ten (10) minutes unexcused tardy to class is to be marked "late" for that class.
- Consequences for an unexcused tardy in a class include:
  - First tardy: verbal or written warning.
  - Second tardy: detention during lunch ( OFI)
  - A student with four (4) tardies shall be required to attend in-school detention .Fourth and subsequent tardies will be marked as "late" for that class. An unexcused tardy marked late will be considered an unexcused absence.
- The current FOCUS attendance report, signed by the teacher and the teacher's grade book, will be the final authority in determining the number of tardies for each student. However, it is the right of the school principal to excuse any student from any consequence arising from recorded tardies.

### Absences

- Students are to sign in/out through the front office when missing a class for excusable appointments or emergencies and are to comply with the individual school procedures established with the school attendance office. Failure to sign out may result in an unexcused absence and the consequences thereof.
- Excused absences/tardies may be used only for the following legitimate, documented reasons:
  - illness and/or medical care;
  - death in the family;
  - legal reasons;
  - religious holidays (see Policy 5225);
- financial or other insurmountable circumstances;
- School-sponsored field trips or school-approved activities or prearranged absences/tardies approved by the school administration as described in Policy 5200.
- Parents/Guardians are not required to contact the attendance office regarding the first three (3) absences of a grading period. If a fourth and/or subsequent absence(s) occurs in a class for the nine (9) week grading period, an attendance conference may be held for all absences to be designated as excused for that grading period.
- For each class in which the student has accumulated four (4) or more unexcused absences - a grade of "F" will be assigned for that grading period.
- The current **FOCUS** attendance report, signed by the teacher and the teacher's grade book will be the final authority in determining the number of absences for each student.

### Attendance Conference:

- In order to appeal an unexcused absence, the student and parent must request a hearing by completing and submitting an Attendance Conference Application available at the school.
- Written documentation of absences from a doctor or recognized agency, legal proceedings or other relevant information may be attached to the application when it is submitted and may be accepted in lieu of an attendance conference provided all absences are included.

- The attendance conference may not be necessary if written documentation for each absence is submitted to the attendance office. Other circumstances made known to attendance office may also make the conference unnecessary. This decision will be made by the principal or his/her designee and the school will notify the parents if the conference is not necessary.
- The school will make every effort to schedule conferences at a time convenient to parents, including evening hours when necessary.

#### Noncompliance with Attendance Requirements for Students Under Sixteen (16) Years of Age.

- The principal/designee shall notify the attendance specialist, or school social worker and Intervention Services to take steps under Board Policy 5200 upon accumulation of five (5) unexcused absences/tardies in a grading period, or ten (10) in a semester. The report will indicate that attendance is unacceptable and that the student will receive a failing grade for the grading period or other academic penalty and that "no" shall be marked on the report card statement that "the students attendance is acceptable."
- Following the third and prior to the fifteenth unexcused absence, the principal or his/her designee shall take the following steps in an attempt to bring about compliance with compulsory attendance laws and policies:
  - Written notice is sent to parent/guardian informing him/her of required compliance (registered mail suggested).
  - If noncompliance continues, written notice is sent to parent/guardian informing him/her of a required meeting with school officials to discuss compliance. Parent/Guardian refusal to attend meeting must be documented.
  - If noncompliance continues, written notice is sent to parent/guardian informing him/her of educational counseling to determine if a curricular change or an alternative placement is indicated. Parent/Guardian refusal to attend educational counseling must be documented.
  - If noncompliance continues, written notice is sent to parent/guardian informing him/her that an educational evaluation, which may include a psychological evaluation, will be conducted and requesting his/her approval. Parent/Guardian refusal to allow educational evaluation must be documented.
- The principal/designee shall refer the student and family to district staff and Intervention Services and CINS/FINS provider upon accumulation of fifteen (15) or more unexcused absences in ninety (90) calendar days and that the school has met the criteria as set forth in Board Policy 5200.
- The principal/designee shall refer the student and family for the Superintendent to initiate possible criminal prosecution when it has been determined that school resources have not been sufficient to bring about compliance.

#### Other Considerations and Adult Students:

- Any student sixteen (16) years of age or older who accumulates ten (10) unexcused absences in any one (1) semester for any course may fail such course for the semester and may receive a recommendation to withdraw from class or school for the remainder of the semester.
- Students eighteen (18) or older are responsible for notifying the school of their absence. It shall not be the responsibility of the school to notify the adult student's parents of absences or class cutting.
- At or after the date a student attains the age of sixteen (16), s/he may file a formal declaration of intent to terminate school enrollment. The declaration shall be on a form that requires the student and the parent to acknowledge in writing that terminating school enrollment is likely to reduce his potential earning power.



## **Special Note Regarding Suspensions -5550**

Any Leon County student who is suspended or expelled from school and school functions shall be prohibited from entering upon the premises or grounds of any Leon County School center at any time during the period of their suspension or expulsion. Violators of this regulation shall be regarded as trespassing, and are subjected to disciplinary procedures as described in policy and the Student Code of Conduct and criminal penalties prescribed by law.

The components of this plan are in compliance with current statute and policy. Nothing in the plan shall prohibit school staff in consultation with the principal to modify the contents. All infractions, regardless of how minor, will be documented. All components of the discipline plan are applicable to exceptional education students, and 504 students based on accommodations and or modifications made to individual IEPs.

By LCS Board Policy-5500, students should be removed from the school environment immediately following a suspension. Under extenuating circumstances, students may be allowed to remain at school through the end of the day with the following understanding:

- conform to reasonable standards of socially-acceptable behavior;
- respect the person and property of others;
- preserve the degree of order necessary to the educational program in which they are engaged;
- respect the rights of others;
- obey constituted authority and respond to those who hold that authority;
- be in school and learning every day;
- demonstrate quality and pride in their academic work and co-curricular activities;
- refrain from any conduct that interferes with another student's opportunity to learn;
- contribute to a safe and orderly learning environment by respecting themselves and others, their property and school rules and regulations.
- students will not be sent back to the class where the referral originated.
- referring teacher will make contact with parent or guardian.
- Students are expected to comply with the Student Conduct Code for the remainder of the day

**Before suspensions/expulsions are administered, the following will be implemented:**

- Warning/Counseling (guidance)
- Assignment to the Intervention Room (OFI)
- Parent Conference (guidance, teacher, parent, student and administration)
- Assigned for support with MTSS
- Pre-Expulsion Conference
- Referral to School Resource officer

## Level One - Minor Offenses

Minor offenses, whenever possible, should be dealt with by the classroom or supervising teacher utilizing appropriate procedures consistently applied to all students. If repetition of these offenses occurs, a formal discipline referral will be necessary. These offenses include, but are not limited to the following:

| Offenses   | Explanations  |
|--|---|
| <b>Tardiness</b>   | Students are considered tardy when arriving after the first bell has sounded.   |
| <b>Not on Task</b>   | Not participating in classroom assignments or projects.   |
| <b>Inappropriate Comments/ Profane Language</b>  | Comments that disrupt the learning environment.   |
| <b>Sleeping in Class</b>   | Head down on desk and not participating in classroom activities.  |
| <b>Cheating or Plagiarism</b>  | To commit literary theft; to steal, or pass off the ideas or words of another as if they were your own.   |
| <b>Eating, Drinking, or Chewing Gum in Class</b>   | All food should be labeled (your name) and consumed in the cafeteria only. (candy, gum, drinks etc.).   |
| <b>Minor Classroom Disruptions</b>   | Causing a minor disturbance and stopping immediately when asked.  |
| <b>Minor Defiance/Disrespect/Non-Compliance.<br/>Inappropriate Public Display of Affection</b> | Not following verbal commands initially. Expressing Inappropriate Public Display of Affection Kissing, hugging, hand-holding, or touching others. Remorse or apologizing for his actions. |

## Level One - Minor Offense Consequences Discipline Guidelines and Procedures

| Offense         | Consequences  |
|-----------------|---|
| 1 <sup>st</sup> | <b>First Level I referral:</b> <ul style="list-style-type: none"> <li>• The student will be referred to the discipline office for a review of the Second Chance Discipline Plan. This may also include time spent in the intervention room (OFI). Students will be required to participate in behavior modification session. The referring teacher will make parent contact.</li> </ul>           |
| 2 <sup>nd</sup> | <b>Second Level I referral:</b> <ul style="list-style-type: none"> <li>• The student will complete prescribed classroom assignment(s) in the intervention room (OFI).</li> <li>• The referring teacher will make parent contact.</li> </ul>   |
| 3 <sup>rd</sup> | <b>Third Level I referral:</b> <ul style="list-style-type: none"> <li>• The discipline staff will make parent contact and report the student’s behaviors, and outline probable future actions if misbehaving continues.</li> <li>• The student will complete prescribed classroom assignments in the intervention room for a certain length of time.</li> </ul>                                   |
| 4 <sup>th</sup> | <ul style="list-style-type: none"> <li>• The student will be referred to our guidance counselor who will schedule a mandatory parent/teacher conference. Internal staff will be invited as appropriate.</li> <li>• The student’s name will be sent to the response to intervention team (MTSS) for further assessments.</li> <li>• OSS will follow for continued level one infraction.</li> </ul> |

***NOTE: Lack of cooperation in the Intervention Room (OFI) will elevate the Level I offense to a Level II offense. Final authority to modify the number of days of suspension will rest with the Principal and or his/her designee***

## Level Two - Intermediate Offense

| Offenses  | Explanations   |
|---|--|
| <b>Dress Code Violation *</b>   | Any violation of the dress code policy.  |
| <b>Gross or Repeated Classroom Disruptions</b>  | Blatant disruption or obstruction of the orderly educational process, such as but not limited to being physically removed from the classroom by the SRO, multiple requests from a school administrator to leave.   |
| <b>Insubordination, Defiance of School Officials, and Continued Violation of School Rules</b> | Defiance or disrespect shown toward school officials, which results in the disruption of the learning process. The defiance/ insubordination requires the administrator to give multiple requests before the student cooperates or the SRO had to physical remove the student from the area. |
| <b>Skiping</b>  | Unauthorized absence from class. Violation of School Board Policy 3.03.  |
| <b>Leaving Class Without Permission</b>   | Leaving class without the teacher’s authorization  |
| <b>Threats, Bullying, Hazing, Harassment or Intimidation of Students</b>                      | The intentional or unlawful threat by word or act to do violence to another student, coupled with an apparent ability to do so, which creates a well-founded fear in the person that such violence is imminent.  |

|   |   |
|---|---|
| Possession of Electronics/Jewelry*                            | Radios, compact disc players, cell phones, iPods, mp3 players, cameras, etc. (must be pick up by parent or guardian)  |
| Offensive and/or Inappropriate Touching of Another Person     | Touching of another person in an inappropriate and intimate manner.   |
| Written or Verbal Proposition                                 | Written or verbal propositions to engage in sexual acts.  |
| Possession or Control of Tobacco Products*                    | Having tobacco products in your possession and/or bringing them on campus.  |
| Stealing, Larceny, Petty Theft                                | The intentional, unlawful taking and/or carrying away of property valued at less than \$100 belonging to or in the lawful possession or custody of another.   |
| <b>FIGHTING</b><br>(mutual combat, mutual altercation)        | When two or more persons mutually participate in use of force or physical violence that requires either:<br>a) Physical restraint<br>b) Results in injury requiring first aid or medical attention.<br>c) Lower level fights such as pushing, shoving, or altercations that stop upon verbal command may result in other actions. |
| Group Disruptions   | Inciting or participating in group incidents that disrupt, but do not result in destruction or damage.  |
| Illegal Organizations   | Alleged participation in gangs and other unlawfully motivated organizations. ( <i>Displaying colors or signs are not permitted</i> ).   |
| <b>Forgery</b>  | Unlawfully falsifying documents or signatures.  |
| <b>Intervention Room Infraction*</b>                          | Defiance toward the policy and procedures set forth in the Intervention Room (OFI).   |
| <b>Miscellaneous Violations*</b>                              | Any other violation that administration deems to fall within this category.   |
| <b>Property- Violation*</b><br><b>Mis-Use/Technology*</b>     | Viewing inappropriate websites such as but not limited to Google, I tunes, music, tattoos. Destroying consumable or non-consumable supplies (this will result in financial restorations).   |
| <b>Pornography*</b>   | Viewing of pornography content, images, and graphics.   |
| Use of Obscene or Profane Language to a School Board Employee | Gross and excessive profane language directed at a staff member or fellow students.   |

Offenses involving intermediate consequences are those that may result in suspension or possible expulsion from school. The school principal or his/her designee will suspend and/or recommend expulsion of a student to the superintendent when his/her presence has or tends to substantially disrupt or interfere with the educational process. These offenses include, but are not limited to the following:

**Level Two - Intermediate Offense Consequences  
Discipline Guidelines and Procedures**

| Offenses        | Consequences   |
|-----------------|--|
| 1 <sup>st</sup> | Student may receive a 5-day out-of-school suspension or other consequences as deemed appropriate.<br><b>(Administration Discretion)*</b>       |
| 2 <sup>nd</sup> | Student may receive a 10-day out-of-school suspension which may be partially rescinded pending a successful conference with a parent/guardian. |
| 3 <sup>rd</sup> | Student may receive a 10-day out-of-school suspension and recommended for expulsion.   |

**Level Three - Major Offenses**

**Offenses that occur on school property, school sponsored transportation, including infractions at the bus stops, or during a school sponsored activity shall receive the most severe consequences provided for by School Board Policy. These infractions will be reported to the appropriate law enforcement agency. These offenses include, but are not limited to, the following:**

| Offenses  | Explanations  |
|---|---|
| <b>ALCOHOL</b><br>Possession, use, or sale                          | Possession, sale, purchase, or use of alcoholic beverages. Use should be reported only when the person is caught in the act of using or is discovered to have used in the course of an investigation.                           |
| <b>ARSON</b><br>(intentionally setting a fire on school property)   | To damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents.   |
| <b>BATTERY</b><br>(physical attack/harm)                            | The physical use of force or violence by an individual against another. (To distinguish from Fighting, report an incident as Battery only when the force or violence is carried out against a person who is not fighting back.) |
| <b>SEXUAL BATTERY</b><br>(attempted or actual)                      | Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object.                                |
| Breaking and entering/Burglary (illegal entry into a facility)      | Unlawful entry with force, or unauthorized presence in a building or other structure or conveyance with evidence of the intent to damage or remove property or harm a person(s).  |
| <b>ROBBERY</b><br>(using force to take something from another)      | The taking or attempted taking of anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear.    |
| <b>TRESPASSING -</b><br>(illegal entry onto campus while suspended) | To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry.  |

| Offenses   | Explanations   |
|--|--|
| WEAPONS POSSESSION (possession of firearms and other instruments which can cause harm) | Possession of any instrument or object, as defined by Section 790.001, Florida Statutes, or district code of conduct that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm. (Possession of common pocketknife is exempted from state zero tolerance expulsion requirement 1006.07(2) F.S.; however, law enforcement should be notified of any weapon or knife, including pocketknives, for investigation.)   |
| VANDALISM<br>(destruction, damage, or defacement of school or personal property)       | The intentional destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it. (Damage must be \$1000 or more to report in SESIR.)   |
| THREAT/INTIMIDATION/BULLYING<br>(instilling fear in others)                            | A threat to cause physical harm to another person with or without the use of a weapon that includes all of the following elements:<br>(1) <u>Intent</u> – an intention that the threat is heard or seen by the person who is the object of the threat;<br>(2) <u>Fear</u> – a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and<br>(3) <u>Capability</u> – the ability of the offender to actually carry out the threat directly or by a weapon or other instrument that can easily be obtained. |

**Level Three - Major Offense Consequences**

**Discipline Guidelines and Procedures**

| Offense         | Consequence   |
|-----------------|---|
| 1 <sup>st</sup> | Student will receive a 10-day suspension. Student will also be recommended for expulsion to serve the terms of the original expulsion. Parents and appropriate authorities will be contacted. |

Final authority to modify the number of days of suspension will rest with the Principal and or his\her designee

**NOTE: Off-campus felony crimes, including, but not limited to, weapons, personal Injury to others, or possession of drugs with intent to sell may also result in a recommendation for expulsion.**

**Final authority to modify the number of days of suspension will rest with the Principal and or his\her designee.**

**Suspended students returning to school prior to the completion of their suspension are subject to further suspension or arrest for trespassing.**

Dress Code

Discipline Guidelines and Procedures

| Offenses        | Consequences   |
|-----------------|--|
| 1 <sup>st</sup> | Full-day In-School Suspension (OFI) <b>if not corrected.</b> |

Students who are not compliant with the dress code will be given the opportunity to contact a parent/guardian to correct the violation. The student will be sent home after a third violation. Final authority to modify the number of days of suspension will rest with the Principal and or his/her designee.

OFI BEHAVIORAL MODIFACATION SESSION

Students, who are sent out of or removed from class for behavioral reasons, will be required to complete a behavioral modification session. **In addition, Non-Violent Communication (NVC) practices will be used. It is built from research and designed to help students, staff, and schools succeed. NVC is a school-wide program targeted to correct instruction for the identified offense, based on discipline referral and/or maladaptive behavior. If the** students' behavior worsens during this session, he or she will be sent to time-out facilitated by a school administrator. While in time-out students will receive a visit by a counselor or an administrator. If students receive a referral in time-out, he or she has the possibility of being suspended or recommended to be expulsion.

Students will be given two opportunities to correct their behavior through this session. On the third incident or referral, students will not go back through the Behavioral Modification Session, but instead he or she will be escorted directly to time-out. On the first referral while in time-out students will be suspended and possibly recommended to be expelled.

SC Transition Program

The Second Chance Transition Program will be comprised of activities specifically designed to enhance opportunities for Second Chance Students to successfully adjust to their respective school environments. The transition activities will include the following:

- Students scheduled to transition from Second Chance will be identified during the first three weeks of each semester.
- **Personal development sessions along with additional personal development classes will be utilized as needed to support students who have frequent referrals and/or behavioral problems as well as preparation for transitioning back to their home schools.**
- Second Chance Student Project Specialists or staff will meet with students' **regularly** to monitor academic records and discipline referrals. Parents will be updated on their child's status after each session.
- Meetings will be arranged between SC Students and the receiving schools' administration team to help facilitate a smoother transition.

#### **SUSPENSION OF BUS RIDING/TRANSPORTATION PRIVILEGES-5610.04**

Students on a bus or other authorized School Board transportation vehicles are under the authority of and directly responsible to the bus/vehicle driver. The driver has the authority to enforce the established regulations for bus/vehicle conduct. Disorderly conduct or refusal to submit to the authority of the driver will be sufficient reason for refusing transportation service to any student.

A student may be suspended from school bus/vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or for conduct occurring on the bus/vehicle in violation of the Student Code of Conduct/Student Discipline Code.

Before a suspension from bus/vehicle riding privileges is imposed, the Superintendent or other designated District personnel will provide a student with notice of an intended suspension and an opportunity to appear before the Superintendent or other designated District personnel. Disciplinary suspension periods will be commensurate with the infraction(s) committed as determined by the Superintendent or designated District personnel.

Any additional procedures regarding conduct on school buses/vehicles, as well as general information about the school transportation program will be made available to all parents and students and posted in a central location.

#### **Bus Rules of Conduct for Students**

The rules of conduct for students on Leon County Schools' buses are absolutely essential. The rules are set in place with students' safety as priority. In an effort to ensure that students are transported safely, parents are encouraged to explain the bus rules and procedures to their children. Students who are educated about proper bus behavior make the trip to and from school a safe one. Students shall obey the following rules at all times:

- Stand off the roadway while waiting for the bus.
- When crossing the roadway, be sure that the road is clear of traffic in both directions. Do not depend entirely on the bus arm to control traffic; careless drivers occasionally run through the stop area.
- Students must obey the driver at all times.
- Students will remain in their seats at all times.
- Quiet conversation or classroom conduct is to be observed at all times while on the bus. Use of foul language or racial slurs is not permitted. Do not talk to or distract the driver; the driver must focus attention on the road at all times.
- Keep hands, feet, arms, and head to yourself and inside windows at all times.
- Passengers must not throw waste paper or other rubbish on the floor or otherwise litter, mark, deface, or damage any part of the bus.
- Do not throw any objects from the bus. Parents will be charged for any damages caused by their child. Students may also be suspended from riding the bus.
- No gum chewing, eating, drinking, or smoking is permitted on the bus at any time.
- Students must report to the bus stop in a timely manner. The bus cannot wait for those who are tardy.



- The emergency exit must not be tampered with and must not be used for ordinary boarding and exiting.
- No animals will be allowed on the bus.
- Small objects such as bottles that could get underfoot and cause the passengers to trip or fall will not be permitted on the bus.

**Leon County School Bus Discipline Guidelines and Procedures:**

- Students are expected to obey the driver at all times.
- The driver has the authority to assign students to certain seats.
- The driver shall issue verbal warnings, contact parent or guardian, and issue written bus referrals for violations of bus rules.
- The principal or designee shall consider the bus driver's recommendation for discipline when making a decision regarding the consequences of a bus referral.
- The principal or designee shall suspend a student from riding the bus for constant rule violations and defiant bus behavior.

*School buses will not pick up Second Chance students at neighboring stops. There will be centralized bus stops designated throughout the county. You will be given the closest stop to your address during orientation.*

**Visitors**

The Second Chance School is a restricted access facility.

1. No one enters classrooms without the prior consent of the principal or designee.
2. Off campus counselors and Juvenile Probation Officers (JPOs) are encouraged to visit their clients at times other than scheduled class time. Meeting during the scheduled lunch break is permissible when it is not disruptive to the school, is not invasive on the rights of other students, and does not extend lunch beyond the published times.
3. Friends from other schools are prohibited from visiting.
4. Parents, legal guardians, or those indicated on the parental consent form completed upon enrollment are the only visitors permitted to have contact with students. The parental consent form may be updated as needed but must be done in writing.

### Telephone Use

All student phone calls will be made from the discipline office in the presence of a staff member.

Office telephones are for official business. Telephones in the classrooms are for teacher use only. After school alternative transportation plans should be made prior to coming to school. Staff, with permission from administration, can dial and verify receiver's identity by placing the call using speaker phone. Appropriate phone etiquette will be used at all times or the student will be asked to end the phone call. All calls will be made after 1:00 p.m.

### 2021-2022 Emergency and Medical Information Cards (clinic cards):

Please be advised that all schools are required to have a clinic card on every student enrolled. This is especially important now because of new Medicaid billing rules requiring districts to have written consent from the parent/guardian. That consent is part of the clinic card.

### Cafeteria prices for 2022-2023

The National Lunch Program now requires school districts to reevaluate cafeteria pricing annually to adequately stay current with costs. Failure to reevaluate or stay current with prices can result in fines and penalties. To this end, Nutritional Services has worked with the LCS Finance Department to determine what level of pricing will meet Federal regulations, adequately provide LCS with a solvent School Lunch program and without placing an undue burden on our students and their families. **No charge for Breakfast and Lunch**

### Student Dress and Grooming

Appropriate dress is the primary responsibility of the student and his parent(s) or guardian(s). In order to promote safety, personal hygiene, academic well-being, students shall be expected to comply with reasonable requirements relating to dress, grooming, and personal appearance. Students are expected to come to school with proper attention having been given to personal cleanliness, grooming, and neatness of dress. Students may not wear clothing or footwear that may constitute safety or health hazards, disrupt the school program, or provide distraction from classroom activities. Any interpretation that is required of this policy shall be the responsibility of the principal or his/her designee; otherwise, the policy shall be enforced as written.

#### Appropriate dress shall be defined as:

- Solid white shirts (Polo shirts are encouraged) with right side out with no visible writings, stripes, patterns or adornments. There should be NO INSIGNIA on shirts, jackets, etc.
- No stains or soiled spots may be visible on any article of clothing.
- **Khaki (tan only) pants and shorts with unlimited pockets will be worn by all students at all times.**  
***ALL Pants MUST Have BELT LOOPS With a Belt. NO denim or "jean-like" material is acceptable. \*No more than 4 pockets are allowed, all other pockets must be SEWN CLOSED at home***
- Shorts must come to the knees.
- Belts (plain black or brown only) are required and must be worn at all times above the hips. Belt buckles weighing over two ounces are not acceptable.
- Shoes must be solid colored (black, brown or white) and close-toed and must have the designs, logos or insignias must match the shoe color. Appropriate footwear must be worn at all times. If a student comes to school with inappropriate footwear, the parent/guardian will be called to bring appropriate footwear or to take the student home. Inappropriate footwear shall include, but not be limited to, the following: bedroom shoes, beach shoes, flip flops, and open-toed shoes. BOOTS are not permitted.
- Socks must be worn (solid in color).
- **All jackets should be solid black, navy blue or white and hoodless. Also, pull-over jackets with half-zippers are permitted. They must be white, navy blue or black only. NO HOODIES.**
- **All sweatshirts must be hoodless. They must be solid black or navy blue or white only. NO HOODIES.**
- No extra clothing! Changing clothes in the classroom or on the bus is not permitted. Must be in dress code when on the school premise.

Everything not mentioned in appropriate attire (dress) is **contraband**, and will not be allowed on campus. Second Chance will not be responsible for any clothing (jackets, jewelry, electronics, etc.) Staff is not responsible for non-compliance items confiscated. All items will be placed in a designated location. However, all contraband items are subject to

## disposal! NO Jewelry –NO Jewelry – NO Jewelry!

The following examples are **PROHIBITED** at Second Chance School:

- Any clothes worn inside-out.
- Please do not wear jewelry to school (male or female includes gold mouth piece)
- No jewelry can be worn by students other than watches (earrings, bracelets, necklaces, or rings Gold/silver mouth pieces or “Grillz). This includes, tongue and belly rings or stems for newly pierced body parts.
- All garments (boxers, bras, t-shirts, etc.) must not be visible.
- All garments must be fastened (zippers zipped, buttons buttoned)
- Shirts must be tucked at all times.
- Hats are not permitted on campus.
- No hooded articles of clothing (jackets, sweatshirts, or tops) will be allowed to be worn in the classroom
- Mini-skirts, mini-dresses, spandex and/or lace leggings, short-shorts, (shorts, skirts, and dresses must reach below the fingertips);
- No net or see-through tops or shirts with open sides. No tank tops/muscle shirts (all shirts must have sleeves) pajamas are not allowed.
- Headgear - for use in this section, headgear shall include, but not be limited to: hats, headbands, sock, skull or stocking caps, handkerchiefs, watch caps, baseball caps, head bands, hair netting, balaclava, visors;
- Gang-related clothing or insignia
- Clothing that exposes undergarments
- Shirts must be tucked in, (showing no exposed skin) when arms are raised above the head. Second Chance staff reserves the right to request the student to tuck in his/her shirt.
- Pants must cover buttocks and/or underwear (and other shorts) at all times; pant leg should not be tucked into socks; cuffs cannot be rolled up unless it creates a safety hazard due to length of the pants.
- No double clothing. No second outfit is to be worn under your Second Chance uniform.
- Students with Make-up, or clothing (male or female) determined by the school administration to be revealing or disruptive to the educational process or otherwise inappropriate will be asked to adhere to the dress code.
- **This list in not exhaustive and amendments or adjustments will be included at the discretion of Administration**

## **Book Bags • Backpacks • Purses • Athletic Equipment**

*Second Chance students are provided with all necessary Instructional materials needed for use in the classroom.*

**Book bags, backpacks, purses (feminine products are available in the office) and athletic equipment are not allowed on campus without prior consent of the principal or his/her designee. All book bags, backpacks, purses or athletic equipment brought on campus will be confiscated, and left at your own risk. Second Chance will not be responsible for the safety of items brought on campus illegally.**

### Lunch Containers

No lunch containers are allowed on campus. All food products will be facilitated and served by campus cafeteria staff. All food will be consumed in the cafeteria. No food or drink should be consumed in the classroom.

### Medication

State law and Board Policy require that all medication of any kind be dispensed through the school office. Forms are provided in the application packet and are available at any time they are needed. All medication, including “over the

counter” medications must be in the original container. Any child self-medicating will be subject to discipline under the Leon County Code of Student Conduct. Students who have a need to carry inhalers for asthma must have a medication administration form on file in the school office.

Schools shall not assume the responsibility for assisting in the administration of non-prescription medications unless *pre-authorized by a physician or a written parental order is on file in the school office. Exceptions will be made with a certified doctor’s excuse.* (Administrative Procedure D-10)

### Personal Property

On occasion, there has been confusion related to the giving, loaning, sharing, or trading of personal property items. This practice is prohibited and the school will assume no responsibility for the loss of these items. As always, students should NOT bring any personal items to school (this includes but is not limited to wallets, purses, **cellphones**, jewelry – watches, necklaces, earrings, chap stick, make-up, perfume, etc.). ***“The School Will not be responsible for any items”***

### Parking Privileges:

NO Student parking privileges are allowed on campus. Note: The entrance lanes that lead onto the campus are also NOT to be used, this space is considered campus. Violators will be sanctioned in accordance with the Discipline Plan. In addition, non-approved vehicles are in jeopardy of being towed at the owner’s expense.

### Searches

As part of the daily routine, all students are subject to search without notification by a gender-appropriate staff member. Students refusing to be searched will be subject to disciplinary action. In addition, all items brought on campus are subject to search without notification.

*Note: Second Chance assumes no responsibility for any lost, stolen, or damaged items. Items confiscated by staff will be returned to parents/guardians only. All confiscated items are subject to disposal after 10 working days.*

### Illegal Contraband

Smoking paraphernalia and other illegal contraband shall be destroyed or turned over to law enforcement (SRO) for appropriate legal action. Possession of these items may also result in disciplinary action.

Staff members will not hold personal items for students unless approved before hand by an administrator.

### BULLYING AND HARASSMENT -5517.01

The School Board is committed to providing an educational setting that is safe, secure, and free from bullying and harassment of any kind for all students, employees, and volunteers. The Board will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited:

- during any education program or activity conducted by the District;
- during any school-related or school-sponsored program or activity or on a school bus of the District; or through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the District
- through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by the District or school or substantially disrupts the education process or orderly operation of a school.

This policy has been developed in consultation with District students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies as prescribed in F.S. 1006.147 and in conformity with the Florida Department of Education (FLDOE) revised Model Policy (July 2013).

The Superintendent shall develop a comprehensive plan intended to prevent bullying and harassment and to cultivate the school climate so as to appropriately identify, report, investigate, and respond to situations of bullying and harassment as they may occur on school grounds, at school-sponsored events, and through school computer networks. Implementation of the plan will be ongoing throughout the school year and will be integrated with the school curriculum, District

disciplinary policies, and violence prevention efforts.

### Definitions

"Bullying" includes "cyberbullying" and means systematically and chronically inflicting physical **hurt or psychological** distress on one (1) or more students or employees. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve:

- teasing
- threats
- intimidation
- stalking;
- cyberstalking
- physical violence
- theft
- sexual, religious, or racial harassment
- public or private humiliation
- destruction of property
- social exclusion

"Cyberbullying" means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a web page or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

"Cyberstalking" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

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

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

"Bullying" and "harassment" also encompass:

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

- Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

"Harassment" also means electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless hand-held device) that a student(s) or a group of students exhibits toward another particular student(s) and the behavior both causes mental and physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

### Expected Behavior

The District expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

Such behavior is essential in maintaining an environment that provides each student the opportunity to obtain a high-quality education in a uniform, safe, secure, efficient, and high quality system of education.

The standards for student behavior shall be set cooperatively through interaction among students, parents/guardians, staff and community member, producing an atmosphere that encourages students to grow in self-discipline. The development of such an atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. School administrators, faculty, staff, and volunteers serve as role models for students and are expected to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying.

Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority.

The District shall provide for appropriate recognition and positive reinforcement for good conduct, self-discipline, good citizenship, and academic success.

### Consequences

Consequences and appropriate remedial action for students who commit acts of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Student Code of Conduct.

Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall include discipline in accordance with District policies, administrative procedures, and the collective bargaining agreement. Egregious acts of harassment by certified educators may result in a sanction against an educator's State-issued certificate. (See the Principles of Professional Conduct of the Education Profession in Florida - F.A.C. 6B-1006)

Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

### Procedure for Reporting

The principal or designee is the person responsible for receiving all complaints of bullying. Any student or student's parent/guardian who believes s/he has been or is the victim of bullying or harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

All school employees are required to report alleged violations of this policy and alleged acts of bullying and harassment to the principal or as described above. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above. The alleged violations and acts must be reported by school employees to the principal within twenty-four (24) hours.

Written and oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary

action may not be based solely on the basis of an anonymous report.

The principal shall establish and prominently publicize to students, staff, volunteers, and parents the procedure for reporting bullying and how such a report will be acted upon. A victim of bullying and/or harassment, anyone who witnessed the act, and anyone who has credible information that an act of bullying and/or harassment has taken place may file a report.

If, during an investigation of reported act of bullying and/or harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with Policy 5517 – Anti-Harassment.

#### Procedure for Investigation

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. All complaints about bullying and/or harassment that may violate this policy shall be promptly investigated by an individual, designated by the principal, who is trained in investigative procedures. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the accused perpetrator or victim. At no time shall the accused perpetrator and victim be interviewed together. The investigator shall collect and evaluate the facts including, but not limited to, the following:

- a description of the incident, the nature of the behavior, and the context in which the incident occurred;
- how often the conduct occurred;
- whether there were past incidents or past continuing patterns of behavior;
- the relationship between the parties involved (grade, age, etc.);
- the characteristics of the parties involved;
- the identity of the alleged perpetrator, including whether the individual was in a position of power over the individual allegedly subjected to bullying or harassment;
- the number of alleged bullies/harassers;
- the age of the alleged bully/harasser;
- where the bullying and/or harassment occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment;
- the date, time, and method in which the parent(s) of all parties involved were contacted.

In accordance with State law, District staff may monitor as part of any bullying or harassment investigation any non-school-related activity, function, or program.

If, during an investigation of reported acts of bullying and/or harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

Upon the completion of the investigation to determine whether or not a particular action or incident constitutes a violation of the, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:

- a recommendation of remedial steps necessary to stop the bullying and/or harassing behavior
- a written report to the principal

A maximum of ten (10) days should be the limit for completion of the investigative procedural steps and submission of the incident report. While ten (10) days is the expectation for completion of the investigative procedural steps, more time may be needed based on the nature of the investigation and the circumstances affecting that investigation. The investigator shall document in his/her report the reasons for needing additional time beyond ten (10) days. The highest level of confidentiality possible shall be provided regarding the submission of a complaint or a report of bullying and/or harassment and for the investigative procedures that are employed.

The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

### Scope

The investigator will provide a report on the results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of District authority. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. If the action is within the scope of the District, District procedures for investigating bullying and/or harassment shall be followed. If the action is outside the scope of the District, and believed to be a criminal act, the action shall be referred to the appropriate law enforcement agency. If the action is outside the scope of the District and believed not a criminal act, the principal shall inform parents/guardians of all minor parties.

### Parent Notification

The principal shall report the occurrence of an incident of bullying as defined by District policy to the parent/guardian of all students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone or by personal conference and in writing by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the State Board of Education.

If the bullying incident results in the perpetrator being charged with a crime, the principal shall inform by first class mail or by telephone the parent/guardian of the identified victim(s) involved in the bullying incident about the Unsafe Schools Choice Option (No Child Left Behind (NCLB), Title IX, Part E, Subpart 2, Section 9532) that states, in pertinent part, as follows:

"...a student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

Upon the completion of the investigation and if criminal charges are to be pursued against the perpetrator, the appropriate law enforcement agencies shall be notified by telephone and/or in writing.

### Counseling Referral

The District shall provide a referral procedure for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure will include:

- a process by which the teacher or parent may request informal consultation with school staff (e.g., school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern
- a referral process to provide professional assistance or services

It may include a process by which school personnel or parent/guardian may refer a student to the school intervention team (or equivalent school-based team with a problem-solving focus) for consideration of appropriate services (parent/guardian involvement required) or, if a formal discipline report or formal complaint is issued, a student referral for such school intervention as counseling support or other action (parent/guardian involvement required); or if a formal discipline report or formal complaint is made, the principal must refer the student(s) to the school intervention team for determination of counseling support and interventions (parent/guardian involvement required).

- a school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
- counseling and support to address the needs of the victim(s) of bullying or harassment;
- interventions to address the behavior of students who bully and harass others (e.g., empathy training, anger management, etc.)



- interventions which includes assistance and support for parents, as may be deemed necessary or appropriate.

### Data Report

The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data as prescribed. If a bullying (including cyberbullying) and/or harassment incident occurs it will be reported in SESIR, coded appropriately using the relevant incident code and the related element code. Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System. In a separate section, the District shall include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding such incidents.

The SESIR definition of bullying/harassment is "unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment, cause discomfort or humiliation, or unreasonably interferes with the individual's school performance or participation.

If a bullying and/or harassment incident occurs then it will be reported in SESIR with the bullying/harassment code. If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code AND the related element code entitled bullying-related code. Those incidents are:

- arson
- battery
- breaking and entering
- disruption on campus
- major fighting
- homicide
- kidnapping
- larceny/theft
- robbery
- sexual battery
- sexual harassment
- sexual offenses
- threat/intimidation
- vandalism
- weapons possession
- other incidents that do not fit within the other definitions

Discipline and referral data will be recorded in the Student Discipline/Referral Action Report and Automated Student Information System.

The District will provide bullying incident, discipline, and referral data to the Florida Department of Education (FLDOE) in the format requested, through Surveys 2, 3 and 5 from Education Information and Accountability Services, and at designated dates provided by the Department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

### Training and Instruction

Students, parents, teachers, school administrators, counseling staff, and school volunteers shall be provided training and instruction, at least annually, on the District's policy and administrative procedures regarding bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as information about how to effectively identify and respond to bullying in schools. Instruction regarding bullying, harassment, and the District's violence prevention and school safety efforts shall be integrated into District curriculum at the appropriate grade levels. The training and instruction shall include recognizing behaviors that lead to bullying and harassment and taking appropriate preventative action based on those observations.

### Victim's Parent Reporting

The principal shall report the occurrence of an incident of bullying as defined herein to the parent/guardian of students

known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone and in writing by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). According to the level of infraction, the victim's parents will be notified by telephone and/or in writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident.

#### Policy Publication

At the beginning of each school year, the Superintendent shall, in writing, inform school staff, parents/guardians/other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.

The District shall provide notice to students and staff of this policy in the Code of Student Conduct, employee handbooks, and via the District's official website. The Superintendent will also provide such notification to all District contractors.

Each principal shall implement a process for discussing, at least annually, the District policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages will be displayed, as appropriate, at each school and at District facilities.

#### Immunity

A school employee, school volunteer, students, parent/guardian, or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

Submission of a good-faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any school employee, school volunteer, student, parent/guardian, or other person determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

#### Privacy/Confidentiality

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform to any discovery or disclosure obligations. All records generated under this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

Nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

F.S. 110.1221, 784.048, 1002.20, 1006.13, 1006.147  
Florida Department of Education Revised Model Policy (July 2013)

No Child Left Behind (NCLB), Title IX, Part E, Subpart 2, Section 9532

#### Sexual Harassment- 5517-5517.01

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- Unwanted physical and/or sexual contact.
- Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- Sexually suggestive objects, pictures, videotapes, audio recordings, or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- Remarks speculating about a person's sexual activities or sexual preference, or remarks about one's own sexual activities or sexual orientation.
- Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual harassment includes sexual violence, which means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits or denies an individual's education, or such that creates a hostile or abusive educational environment, or such that is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

**NOTE:** Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of a crime.