

# **Brevard County, Florida**



## **Elementary and Secondary Code of Student Conduct 2022-2023 School Year**

**Approved by the School Board on September 8, 2022**

**NON-DISCRIMINATION NOTICE**

**SCHOOL BOARD OF BREVARD COUNTY**

Educational Services Facility  
2700 Judge Fran Jamieson Way  
Melbourne, FL 32940-6601

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**For concerns involving the public or students, including IDEA and 504 matters contact:**

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**For concerns involving employees or job applicants contact:**

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**MISSION STATEMENT**

Our Mission is to serve every student with excellence as the standard

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## **Introduction**

Welcome to Brevard Public Schools. This handbook has been prepared to provide elementary and secondary students and their parents/legal guardians with some of the rules and guidelines concerning Brevard County Schools. The Code of Student Conduct covers school attendance, responsibilities and rights, as well as rules of conduct for students, and is applicable to every student under the jurisdiction of the school district. For example, the Code of Student Conduct applies to students while on school grounds, while participating in virtual, while being transported to or from school at public expense, during school-sponsored events, such as field trips, athletic functions, and similar activities.

It is the responsibility of the school principal, faculty, and staff to help students and parents/legal guardians understand and follow the rules of conduct. Parents/legal guardians are urged to read and discuss this handbook with their children in order to help them adjust more successfully at school.

Parents/legal guardians are encouraged to keep in close contact with their child's school. Also, your school may have additional guidelines which are specific to the local school activities and facilities. The active support and involvement of parents/legal guardians is needed continuously as we provide a safe and friendly place for children to learn.

## **Handbook Disclaimer**

The Code of Student Conduct contains School Board policies and other documents pertaining to the rules and regulations of Brevard Public Schools. The District reserves the right to revise any of these documents during the school year. For the most current version of any of these documents, please check the District website at: <https://www.brevardschools.org/>.

## ADA Accessibility

To ensure equal access in accordance with the Americans with Disabilities Act (ADA) of 1990, the School Board of Brevard County, Florida will provide appropriate auxiliary aids and services. These auxiliary aids and services for a parent/legal guardian may include, but are not limited to the following:

- Sign Language Interpreter
- Braille
- Mobility Access
- Assistive Listening System
- Large Print

These accommodations are available upon request for Parent-Teacher Organization meetings, school plays, teacher conferences, etc. Please notify your child's school. This information is also requested (voluntarily) on the Student Registration Form.

## Athletic Eligibility

The School Board of Brevard County, Florida follows all rules, regulations and guidelines set forth by the Florida High School Athletic Association's (FHSAA) Bylaw 9 in reference to interscholastic athletics and student eligibility. For additional information, please refer to [Board Policy 2431 – Interscholastic Athletics](#). Participation in interscholastic and intrascholastic extra-curricular activities is a privilege and not a right. Therefore, the School Board authorizes the Superintendent, principals, assistant principals, and other authorized personnel employed by the District to supervise or coach a student activity, to prohibit a student from participating in extra-curricular activities of the District if the student fails to meet eligibility standards or for offenses or violations of the Student Code of Conduct/Student Discipline Code for a period not to exceed the remainder of the school year in which the offense or violation of the Code of Student Conduct took place.

- A. A student not currently suspended from interscholastic or intrascholastic extra-curricular activities, or suspended or expelled from school, pursuant to Board policy and Florida law, is eligible to participate in interscholastic and intrascholastic extra-curricular activities.
- B. A student may not participate in a sport if the student participated in that same sport at another school during that school year unless the student meets the criteria in Policy 2431.01 - Participation by Transfer Students.
- C. A student's eligibility to participate in any interscholastic or intrascholastic extra-curricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to F.S. 1006.20.
- D. Students who participate in interscholastic and intrascholastic extra-curricular activities for, but are not enrolled in, a public school in the District, are subject to Board's Code of Student Conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.
- E. Students prohibited from participation in all, or part of any extra-curricular activity are not entitled to further notice, hearing, or appeal rights.



## **Bullying, Cyberbullying, Harassment, and Dating Violence and Abuse**

In accordance with Board Policy 5517.01- Bullying and Harassment the Board is committed to providing an educational setting and workplace that is safe, secure, and free from bullying and harassment for all students and employees.

The Board will not tolerate unlawful bullying, cyberbullying, and harassment of any type. Conduct that constitutes bullying, cyberbullying, and harassment, as defined herein, is prohibited:

- A. During any education program or activity conducted by the District;
- B. During any school-related or school-sponsored program or activity;
- C. On a school bus of the District, or at a District school bus stop;
- D. 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;
- E. 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 complainant'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 and reviewed in consultation with District students, parents/legal guardians, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies as prescribed in [Section 1006.147, Florida Statutes](#), and in conformity with the Florida Department of Education (FLDOE) Revised Model Policy (September 2019).

Pursuant to State law, District students, parent/legal guardians, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies shall be involved in the review of this policy. This review process shall be conducted not less than every three (3) years thereafter.

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

- A. Teasing
- B. Threats
- C. Intimidation
- D. Stalking

- E. Cyberstalking
- F. Physical violence
- G. Theft
- H. Sexual, religious, or racial harassment
- I. Public or private humiliation
- J. Destruction of property
- K. 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 webpage or blog 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:

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

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 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).

**“Bullying”, “cyberbullying”, and “harassment”** also encompass:

- A. 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.
- B. 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:
  - 1. Incitement or coercion.
  - 2. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, or computer network within the scope of the District school system; or

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

### **“Sexual Cyberharassment”**

Pursuant to Florida law, “sexual cyberharassment” means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person’s consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Sexual cyberharassment may be a form of sexual harassment as outlined in the Title IX section of this Code of Student Conduct.

“Within the scope of the District” means regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.

### **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, parent/legal guardians, staff, and community members, 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, bullying, or cyberbullying.

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.

### **Consequences**

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

Consequences and appropriate remedial action for a school employee found to have committed an act of bullying, cyberbullying, and/or harassment or found to have wrongfully and intentionally accused another as a means of bullying, cyberbullying, and/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. 6A-10.081)

Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying, cyberbullying, and/or harassment or found to have wrongfully and intentionally accused another as a means of bullying, cyberbullying, and/ 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 Board designates the principal, or designee, as the person responsible for receiving all alleged acts of bullying, cyberbullying, and/or harassment. Any student or student's parent/legal guardian who believes they have been or is the complainant of bullying, cyberbullying, or harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent or designee. 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, cyberbullying, and harassment 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.

All other members of the school community, including students, parent/legal guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.

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 parent/legal guardians the procedure for reporting bullying and how such a report will be acted upon. A complainant of bullying, cyberbullying, and/or harassment, anyone who witnessed the act, and anyone who has credible information that an act of bullying, cyberbullying, and/or harassment has taken place may file a report.

### **Procedure for Investigation**

The investigation of a reported act of bullying, cyberbullying, or harassment is deemed to be a school-related activity and begins with a report of such an act. All reports of sexual or gender-based bullying, cyberbullying, or harassment shall first be screened by the school Title IX Coordinator any potential for Title IX violations. Any sexual or gender-based bullying, cyberbullying, or harassment claims that could meet the federal Title IX definitions must be processed through the Title IX procedures as outlined in Board Policy 2266 (Nondiscrimination on the Basis of Sex in Education Programs and Activities). All other complaints about bullying, cyberbullying, and/or harassment that may violate the Board's bullying and harassment policy shall be promptly investigated by an individual, designated by the principal, who is trained in investigative procedures. Documented interviews of the complainant, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the respondent or complainant. At no time shall the respondent and complainant be interviewed together. The investigator shall collect and evaluate the facts including, but not limited to, the following:

- A. A description of the incident, including the nature of the behavior, and the context in which the incident occurred;
- B. How often the conduct occurred;
- C. The characteristics of the parties involved;
- D. The identity of the respondent, including whether the individual was in a position of power over the individual allegedly subjected to bullying and harassment;
- E. The number of alleged bullies/harassers;

- F. The age of the alleged bully/harasser;
- G. Where the bullying, cyberbullying, and/or harassment occurred;
- H. Whether there have been other incidents in the school involving the same or other students;
- I. Whether the conduct adversely affected the student's education or educational environment;
- J. The date, time, and method in which the parent/legal guardian(s) of all parties involved were contacted.

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

If, during an investigation of reported acts of bullying, cyberbullying, 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 race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively "protected classes"), the principal or his/her designee will report the act of bullying, cyberbullying, and/or harassment to the appropriate Compliance Officer 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 policy, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:

- A. A recommendation of remedial steps necessary to stop the bullying, cyberbullying, and/or harassing behavior; and
- B. A written report to the principal.

A maximum of fifteen (15) school days should be the limit for the completion of the investigative procedural steps and submission of the incident report. While fifteen (15) school 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 fifteen (15) school days. The highest level of confidentiality possible shall be provided regarding the submission of a complaint or a report of bullying, cyberbullying, 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.

Pursuant to section [1002.40, Florida Statutes](#), the Hope Scholarship Program provides a public school student who was subjected to a qualifying incident with the opportunity to transfer to another public school with capacity (within the school district or another school district) or request a scholarship to attend an eligible private school. Upon receipt of a report of an incident, the school principal (or designee), is required to notify the parents of the reported incident and to investigate the incident to determine if it must be reported in SESIR, as required by s. [1006.09\(6\), F.S.](#) After the investigation is completed, or within 15 days after the incident was reported to the principal, whichever comes first, the school district must notify the parent of opportunity to transfer to another school under the Hope Scholarship Program.

## 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, cyberbullying, 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, cyberbullying, 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/legal guardians of all minor parties.

### **Parent/Legal Guardian Notification**

The principal, or designee, shall report the occurrence of an incident of bullying as defined by District policy to the parent/legal 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 under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) 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.

The principal or principal's designee shall report the occurrence of an incident of bullying, cyberbullying, and harassment as defined herein to the parent/legal guardian of students known to be involved in the incident. Notification shall be by telephone and in writing by first-class mail or email 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 complainant's parents/legal guardian 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, cyberbullying, and/or harassment incident.

If the bullying, cyberbullying, and/or harassment incident results in the respondent being charged with a crime, the principal shall inform by first class mail or by telephone the parent/legal guardian of the identified complainant(s) involved in the bullying, cyberbullying and/or harassment 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 respondent, 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, cyberbullying, and/or harassment is suspected or when a bullying incident is reported. The procedure will include:

- A. A process by which the teacher or parent/legal guardian 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.

- B. A referral process to provide professional assistance or services that may include a process by which school personnel or parent/legal 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/legal guardian involvement is required at this point); 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/legal guardian is required at this point).
- C. A school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
  - 1. Counseling and support to address the needs of the complainant(s) of bullying, cyberbullying, and/or harassment;
  - 2. Interventions to assess the behavior of students who bully, cyberbully, and/or harass others (e.g. empathy training, anger management, social skills etc.);
  - 3. Interventions which include assistance and support for parents/legal guardians, 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 alleged incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding such incidents.

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, cyberbullying, 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. Complainants of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

## **Training and Instruction**

Students, parents/legal guardians, 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, cyberbullying, and harassment. The instruction shall include evidence-based methods of preventing bullying, cyberbullying, and harassment, as well as information about how to effectively identify and respond to bullying, cyberbullying and harassment in schools. Instruction regarding bullying, cyberbullying, 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, cyberbullying, and harassment and taking appropriate preventative action based on those observations. The programs of training and instruction authorized by the District shall include, but not be limited to:

- A. Creating a Safe and Respectful Environment in the Nation's Classrooms;
- B. Creating a Safe and Respectful Environment on the Nation's School Buses;

C. [www.stopbullying.gov](http://www.stopbullying.gov)

D. School-Based Bullying Prevention – OJJDP Model Programs Guide - OJJDP Model Programs Guide;

E. National Center on Safe Supportive Learning Environment;

F. The ABCs of Bullying: Addressing, Blocking, and Curbing School Aggression;

G. National Registry of Evidence-based Programs and Practices: Anti-bullying curriculum for K-12 students;

H. Monique Burr Foundation: Prevention Education Programs

## **Policy Publication**

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 District contractors.

Each principal shall implement a process for discussing, at least annually, the District policy on bullying, cyberbullying, 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, student, parent/legal guardian, or other person who promptly reports in good faith an act of bullying, cyberbullying, and/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, cyberbullying, 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/legal guardian, or other person determined to have made an intentionally false report about harassment, intimidation, cyberbullying, 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 with 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.

## **Retaliation/False Charges**

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry under this policy is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.



Suspected retaliation should be reported in the same manner as aggressive behavior, bullying, cyberbullying, and/or harassment.

### **Change of Address and/or Telephone**

Parent/legal guardians must notify the school immediately of any change in address or telephone number. Proof of residency is required for any change of address. Unlisted numbers will be held in confidence when requested.

### **Character Education**

Pursuant to 1003.42 schools are responsible for developing or adopting a K-12 curriculum for character development. This curriculum should stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

The curriculum for grades 9 through 12 should, at a minimum, include instruction on developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

The character development curriculum for grades 11 and 12 shall include instruction on voting using the primary and general election ballot described in FS 101.159 (9).

### **Child Custody**

The primary purpose of the school district is to educate children. As such, school personnel are not arbiters of custody disputes; schools will comply with custody orders to the extent possible but will not and cannot enforce said orders. Pursuant to the Eighteenth Judicial Circuit's [Administrative Order 15-10-B](#), a parent who is party to a pending Domestic Relations action shall include the other parent's name on the school contact list when registering or enrolling a child in school unless that parent has a specific court order relieving the parent of this obligation. The parent shall include the other parent's name and contact information, along with any other necessary information required by the school. Should a parent fail to comply with this requirement, the other parent may supplement the contact list with the child's school to indicate the names of both legal parents as contact persons. A copy of this Administrative Order is available in the school's front office. Please be advised that complete custody documents signed by a Judge must be presented to the school at the time of enrollment and at any time court action has been taken that modifies the custody document. Incomplete or partial documents will not be accepted.

### **Child Find**

Brevard Public Schools is responsible for Child Find identification and evaluation for all students residing in Brevard County suspected of having a disability. This includes children birth through 21 years of age who are in public schools, private schools, are being home schooled or are kindergarten eligible, but not enrolled. Early identification and intervention is essential to help ensure school success. If your child is having significant difficulty with vision, hearing, speech, or behavior, is experiencing slow development typical for his or her

age, physical impairments, or learning difficulty, he or she may be a child with a disability. Through partnerships with community agencies, discretionary projects and strong system wide supports, Brevard Public Schools provides ongoing resources and interventions to children suspected of having a disability. If you have any questions, please contact your school's ESE Support Specialists or Principal.

## Compulsory School Attendance

### Attendance Policy

In accordance with [Board Policy 5200 – Attendance](#), the educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. In the event that a school(s) is directed to close by the Superintendent due to communicable illness, every effort will be made to transition to distance or eLearning. A student who is not present for his or her instructional classes or program at school on a school day is marked absent.

Absences shall be reported to the school by the parent/legal guardian or eligible student as soon as practical.

In accordance with statute, the Superintendent shall require, from the parent/legal guardian of each student of compulsory school age or from an eligible student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each single absence.

In addition, educators shall have the responsibility of encouraging regular attendance of students, maintaining accurate attendance records, and following reporting procedures prescribed by the Superintendent as follows:

- A. Teachers shall record absentees each period of the school day and report absences as required by the school;
- B. Parent/legal guardians should be notified each time their child is absent in so far as possible;
- C. When a student has been absent three (3) consecutive days and the school has been unable to ascertain the reason for the absences, the absences shall be investigated or at any other time if deemed necessary by the school principal;
- D. Absences must be reported in writing to the school by the parent/legal guardian or eligible student as soon as possible. Failure to report and explain the absence(s) shall result in an unexcused absence(s). The final authority for determining acceptability of the reason for the absence(s) shall rest with the Principal.

Each school should establish procedures to insure good attendance. A student who is absent more than nine (9) days within a semester or more than four (4) days within a 9-week period for schools on a block schedule may not receive a passing grade for the semester.

**A student is considered to be present at school if away from school on a school day and engaged in an educational activity that constitutes a school approved instructional program or activity.**

Absences **not** counted in the 9 days/4 days attendance policy are:

- A. Court Dates
- B. Religious holidays (with prior written request)
- C. Illness with medical documentation
- D. Chronic and extended illness for which proper documentation, provided by a licensed physician

pursuant to Florida statute and board policy has been reviewed by the Brevard Department of Health and accepted by the principal.

### **Absence for Religious Holidays**

Absences from school for observance of a religious holiday or because the tenets of a student's religion forbid secular activity during a school day or portion thereof shall be excused subject to compliance with policy 5225.

### **Absence from School for Religious Instruction**

It is the policy of the School Board to cooperate with those parents/legal guardians who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements set forth in the State-mandated Student Progression Plan.

Upon receipt of a signed, written request from the parent/legal guardian or adult student, the Board will grant permission and allow exceptions to the student's attendance at school for religious instruction outside the school building by a religious group, church, or denomination. The signed, written request shall include the following:

- A. A statement attesting that the religious instruction is not provided at a time that does not conflict with the student's attendance at school.
- B. A statement of acceptance by the parent/legal guardian or adult student for any liability that might arise as a result of the student's conduct while on this release.
- C. A statement indemnifying and holding harmless the District and District personnel for any liability arising from conduct by the student that does not occur on property under the District's control.

Upon receipt of the signed, written request and provided the religious group, church, or denomination responsible for the religious instruction submits evidence, in writing, of the student's registration for religious instruction, as well as written weekly records documenting the student's attendance at such instruction for each day of release, the student shall be considered to have an excused absence during such release for religious instruction.

Prior to approving the request, the principal shall confirm that the student is enrolled in sufficient courses to allow for promotion or graduation and that the student's grades are adequate for promotion or graduation.

The principal may terminate the student's permission for non-attendance. The parent/legal guardian or adult student may appeal the principal's decisions to terminate permission for the student to be released for religious instruction to the Superintendent. The religious instruction shall be the responsibility of the religious group, church, or denomination and transportation shall be the responsibility of the parent/legal guardian, adult, student or the religious institution.

No solicitation for attendance at religious instruction shall be permitted on District premises. No staff member shall encourage or discourage participation in any religious instructional program.

### **Absences Related to Treatment of Autism Spectrum Disorder**

Appointments for a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy are considered excused absences with the

provision of proper documentation. Parent/Legal guardians must request and be granted approval prior to the treatment.

### **Release of Students**

Students are released to the parent/legal guardian of record only. A parent/legal guardian must give advance written notice to the school when requesting a child be released to other designated persons. School personnel will require persons who are requesting to pick up children from school to show proper identification.

### **Make-Up Work**

Students may be able to make up any work missed for grade or credit within the nine (9) days per semester or the (4) days within a 9-week period for schools on a block schedule. All educational requirements for the course shall be met before a passing grade and/or credit is assigned. The student shall have a reasonable amount of time, left up to the discretion of the teacher, to complete make-up work. Principals may grant extensions to make up time limit for extenuating circumstances.

The Principal shall determine, in consultation with teachers, when appropriate, whether the student should be given the opportunity to make-up schoolwork and course requirements missed while absent due to out-of-school suspension.

If this privilege is given, the student shall have a reasonable amount of time left up to the discretion of the teacher following suspension to complete the schoolwork missed and shall do so on his or her own initiative.

### **Attendance Appeal Committee**

Each school shall establish an Attendance Appeal Committee to implement the appeals process. Each student is entitled to an appeal once the student has been absent more than nine (9) days within a semester or more than four (4) days within a 9-week period for schools on a block schedule. Individual schools will publicize the availability of the appeals process.

### **Tardiness**

Each school should establish a tardy policy to ensure prompt arrival to school and class. Chronic tardiness to school and/or class may result in referral to the appropriate administrator or designee.

### **Habitual Truant**

As defined in [Section 1003.01\(8\), Florida Statutes](#), a "habitual truant" is a student who has fifteen (15) or more unexcused absences within ninety (90) calendar days with or without the knowledge or consent of the student's parent/legal guardian, and who is subject to compulsory school attendance.

Any student who accumulates a total of fifteen (15) days of unexcused absences in a period of ninety (90) calendar days will be considered habitually truant. The student and his/her parent/legal guardian shall be informed of excessive absences as well as the district's intent to file a complaint with the Circuit Court Juvenile Division or State Attorney's Office and notify the Department of Highway Safety and Motor Vehicles (DHSMV), if applicable.

## **Driver's License**

Pursuant to [Section 322.091, Florida Statutes](#), the 1997 Florida Legislature enacted requirements that schools report to the Department of Highway Safety and Motor Vehicles (DHSMV) the name, birth date, sex, and social security number of any minor who attains the age of 14 and accumulates fifteen (15) unexcused absences in a period of ninety (90) calendar days. The legislation further provides that those minors who thus fail to satisfy attendance requirements will be ineligible for the driving privilege.

## **Married and/or Pregnant Students**

Married and/or pregnant students shall not be prohibited from attending school. Teenage parents/legal guardians shall receive the same educational instruction or its equivalent as other students, but may voluntarily be assigned to a class or program suited to their special needs.

Students participating in Teenage Parent Programs (TAP) shall be exempt from minimum attendance requirements for absences relating to pregnancy or parenting but shall be required to make up the work missed due to the absence pursuant to [Section 1003.54, Florida Statutes](#), before a passing grade and/or credit is assigned. Make up work should be completed as soon as possible.

The School District prohibits the discrimination against pregnant and parenting students, as required by the Title IX of the Education Amendments Act of 1972 and implementing its regulations. Students have the right to contact the Title IX Coordinator for any pregnancy or parenting related complaints or accommodations.

## **College Visits and Military Recruitment**

Trips for college/military should be scheduled when school is not in session. The administration may make an exemption if the college or military facility has a planned program agenda for a specific day or if the student has a specific appointment with a college or military official that is validated in writing. These trips are limited to junior and senior students, for three (3) school days per school year.

## **Adult Students**

An eligible student (18 years of age) who is not residing with a parent or legal guardian shall not be prohibited from remaining in school. All eligible students are required to follow all school board rules, policies and procedures, and shall be under the authority of the Principal as it relates to leaving school grounds, attendance and discipline procedures.

## **Regular School Attendance**

- A. Regular school attendance shall be the responsibility of parent/legal guardians and students. In addition, the parent/legal guardian shall be required to justify each absence of the child by providing the reasons and explanations for the child's absence to the school.
- B. Each school shall continually encourage and promote regular school attendance of students. Furthermore, each school shall maintain accurate attendance records, track absences, and follow attendance reporting procedures prescribed by the Superintendent.
- C. Teachers shall record absentees each period of the school day and report absences as required by the school. Parent/legal guardians should be notified each time their child is absent insofar as possible.
- D. After three days of absence for which the reason is unknown, the Principal or designee shall contact the student's parent or legal guardian to determine the reason for the absence. The final authority for

determining acceptability of the reason for the absence(s) shall rest with the Principal.

- E. Any student who fails to attend any regularly scheduled class and has no excuse for the absence shall be referred to the appropriate school administrator. Disciplinary action shall include notifying the student's parent/legal guardian. Chronic truancy, deliberate nonattendance, or students with at least five (5) unexcused absences shall result in a referral to the Problem- Solving Team (PST).
- F. Students identified as physically or mentally impaired and eligible under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 and are exhibiting a pattern of non-attendance shall be referred to the Problem-Solving Team to review the attendance record and make appropriate recommendations.

### **Absence of Student for Work**

Students may not be given excused absences to remain out of school for the purpose of working unless the job is an integral part of the student's instructional program.

### **Leaving School Grounds and Early Dismissal**

No student shall be permitted to leave school prior to dismissal at the request of or in the company of anyone other than a school employee, a police officer with judicial authority, a court official, or the parent/legal guardian of the student unless the permission of the parent or legal guardian of record be first secured. Parent/legal guardians may have access to the student or may grant permission to allow the student to leave school prior to dismissal unless the school has been provided with evidence that there is a legally binding instrument or court order governing such matters as divorce, separation, or custody, which provides to the contrary.

### **Non-Resident Students**

Students who are not residents of Brevard County may attend Brevard County Schools upon compliance with Florida Laws governing admission of students to the schools of the state. Such students may be assigned to schools by the Superintendent.

### **Parents' Responsibility for School Attendance**

Each parent of a child within the compulsory attendance age shall be responsible for such child's school attendance as required by law. Parents will not be held responsible for their child's nonattendance at school due to insurmountable conditions. The term insurmountable condition is defined as follows:

- A. Extreme weather conditions such as, but not limited to, floods, hurricanes, tornadoes which make it impracticable or inadvisable for the safety of the student to attend school.
- B. Communicable disease outbreaks such as, but not limited to, measles and chicken pox, which the state health officer or county health medical director indicates a student should be excluded from school for reasons of health and safety.
- C. Local conditions determined by the school district which, after taking into account the material circumstances, would render impracticable a student's attendance at school.

The school district shall provide a parent with a reasonable opportunity to be heard before referring a case for enforcement pursuant to Section 1003.27, F.S.

## Copying Fees

Brevard Public Schools follows [Chapter 119, Florida Statutes](#), when outlining fees for copying public records. Please contact the Office of Government and Community Relations at (321)633-1000, extension 11796.

## Damage by Students

Any malicious or willful act which destroys, injures, damages, mars, defaces, or otherwise alters any schoolbuilding, grounds material, equipment, or other school property by a student enrolled in any school shall cause parent, legal guardian, or person standing in loco parentis of the offending student to restore or replace such damaged property to the satisfaction of the Superintendent or be assessed to pay all costs to restore or replace such damaged property as determined by the true value established by the Superintendent.

### Damage Fees

When school property, equipment or supplies are damaged or lost by a student, a fine will be assessed. The fine will be reasonable, seeing only to compensate the school for the expense or loss incurred.

## Dress Code

### [Board Policy 5511 – Dress and Grooming](#)

The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents/legal guardians to make decisions regarding their appearance, however, the standards of appearance for students shall ensure that the student be clean, neat, and properly dressed. They shall observe modes of dress and standards of personal grooming which are in conformity with the studious atmosphere and good personal hygiene necessary in schools. Furthermore, it is the responsibility of the principal to see that the dress or appearance of no student shall be extreme to the point of creating a disturbance or is hazardous to oneself, others, or school property.

The following procedures are established to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. These procedures should not be used to replace the specificity that schools currently have in place in their school site dress codes:

#### A. Head

1. No hats, curlers, bandanas, or sunglasses (unless prescribed by a physician) are to be worn in the school building or hallways.
2. Extreme hair styles or hair colors that create a disruption are prohibited.

#### B. Upper Garments

1. Garments must be of a length and fit that are suitable to the build and stature of the student. The cut of sleeveless garments must not expose undergarments or be otherwise immodest.
2. Strapless garments are prohibited. Straps of permitted garments must be a minimum of 1 1/2 inches in width. (Tube tops and halter tops are prohibited.)

3. Necklines of all upper garments must be modest. Low cut necklines are prohibited.
4. Excessively large or baggy clothes, which may conceal dangerous items or be a safety hazard, shall not be worn.
5. Upper garments must adequately cover the waistline and must not expose the midriff while the student is performing normal school-related activities (studying, retrieving books, raising hands, etc.).

#### C. Lower Garments

1. Pants shall conform to the build and stature of the student, shall be worn at the waist, and shall not extend below the heel of the shoe in length. Pants shall have no holes or rips. (Tights, spandex, leggings, bike shorts, etc., are not permitted.)
2. Under garments shall not be visible. (Sports bras are considered undergarments.)
3. Dresses and skirts must reach mid-thigh or below in length with the waistband of skirts worn at waist level.
4. Shorts must have clearly discernable inseams of reasonable length and cover the buttocks. Short shorts are prohibited.
5. Garments must be of a length and fit that are suitable to the build and stature of the student.

#### D. Footwear

Students in K-6 must wear shoes that are safe and appropriate for recess and physical education. Students in grades 7-12 may wear footwear commonly considered as beachwear (for example: flip flops, thongs, etc.) unless a course of instruction requires them to wear safe and appropriate footwear to protect the student from injury (i.e. athletic shoes in physical education class).

#### E. Accessories

1. Clothing, jewelry, and accessories shall not convey messages that are crude; vulgar/profane; violent/death-oriented; gang related; sexually suggestive; and/or promote alcohol, drugs, or tobacco.
2. Dog collars, tongue rings, wallet chains, large hair picks, chains that connect one part of the body to another, or other jewelry/accessories that pose a safety concern for the student or others shall be prohibited.

### **Administrators Advocating a Stricter Dress Code for Their School**

If school administrators have concerns that certain types of clothing or jewelry normally allowed under the guidelines (as set forth above) represent a specific health and safety danger to students in the school, the administrators may form a committee. The purpose of the committee is to discuss and prepare a more stringent dress code than listed above. The committee will submit a recommendation for change to the Superintendent in writing for evaluation. If approved, the recommendation will be submitted to the School Board. Detailed procedures and requirements for submitting a change in the student dress code are outlined in [Administrative Procedures 5511 – Dress and Grooming](#).

### **Enforcement of the Policy**

The following key procedures will serve as the foundation for the enforcement of the dress code guidelines

- A. All staff members are to be aware of the approved dress code guidelines and are responsible for



- making the administration aware of any possible violation;
- B. All staff members should refer any student that is not in compliance with the dress code to an administrator.
  - C. All decisions on appropriateness of attire will be made by administration in order to minimize any disruption of the educational process.
  - D. Any student who violates the dress policy is subject to the following disciplinary actions per 1006.07 (2)(2) F.S.:
    - 1. For a first offense, a student shall be given a verbal warning and the school principal shall call the student's parent or guardian.
    - 2. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal shall meet with the student's parent or guardian.
    - 3. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to s. 1003.01(5) for a period not to exceed 3 days, the student is ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities.

### **Objections to the Policy**

- A. The principal is the arbiter of student dress and grooming in his/her building;
- B. The principal shall instruct staff members to demonstrate by example and precept wholesome attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;
- C. The principal shall ensure that all rules implementing this policy impose only minimum and necessary restrictions on the exercise of the student's taste and individuality; and
- D. Should any student communicate a written allegation that enforcement of this policy would represent a willful violation of their federally protected rights; the principal shall communicate with their supervising Director, Assistant Superintendent of Student Services, and risk management for further instructions.

### **Educational Location Option (ELO)**

In addition to the array of Educational Program Opportunities, parents and legal guardians have the option to complete an Educational Location Option for their child to attend a school other than the zoned school of attendance, as long as the chosen school is not on the list of frozen schools, and continues to meet statutory class size amendment requirements, and parents are able to provide the transportation.

#### **Who can apply?**

- 1. Educational Location Options assignment is for kindergarten through 12<sup>th</sup> grade; and
- 2. Students who wish to attend a school other than their zoned school of attendance must submit an online application with a \$30 nonrefundable application fee. The online application can be found on the BPS website.

#### **Where can you get the application?**

The application is available on the Elementary Leading & Learning – Choice website.

#### **What do I need to know?**

1. If you have applied and were granted an Educational Location Option in years past, you MUST reapply annually.
2. Approval/Denial for an Educational Location Option placement is subject to criteria including space availability and the observance of the Class Size Amendment.
3. Two proofs of residency will be required at the time of application and registration thereby allowing schools to assign student numbers during the registration process for new incoming students.
4. All students approved for Educational Location Option placement must provide their own transportation.

**If I move during the school year and want to stay at my school, what do I need to do?**

You must notify the school of your new address. If applicable, you must complete an “Just Moved” Educational Location Option application in order to be able to stay at the school you are currently attending for the -remainder of the school year.

**Who should not apply?**

Educational Location Option applications are not required for students who wish to attend Educational Program Opportunities (international, choice, CTE, academy) as this is a different application process. Other scholarship opportunities are available through a separate process. The information for these scholarships are available on the Office of Student Services/Exceptional Student Education and Elementary Leading and Learning: Open Enrollment – Parental Choice.

**Other**

1. If you are an Active Duty Military Family in Transition, you must complete the Active Duty Military Family in Transition Verification form and upload it to your Educational Location Option application.
2. Students seeking to participate in interscholastic competition will be subject to the policies established by BPS and the Florida High School Athletic Association (FHSAA).
3. A student’s Educational Location Option assignment may be revoked if he/she fails to exhibit appropriate academic effort, compliance with BPS attendance policy, and/or acceptable behavior per Policy 5121.
4. Out of district transfers into Brevard County Schools (including students of Brevard County School Board Employees) will be approved on a case- by-case basis. The requested school must have available capacity, meet class size compliance and maintain diverse enrollment.
5. This application is for one (1) school year and will require a renewal application each year a student desires to remain at the school. No student may transfer before receiving approval.

**Verification of Residence**

Verification of a parent/legal guardian’s residence shall be required at the time the child registers in a Brevard County School, as part of the open enrollment processes and each year thereafter. Verification of residence may also be required at any other time at the discretion of the Superintendent or designee.

**In Loco Parentis**

In some cases, a parent/legal guardian(s) may find it necessary for their child to live at another residence

temporarily and may arrange for an adult to stand *in loco parentis* to the child in order to be admitted or continue in school. The Notification of In Loco Parentis Form should be completed to inform the school of the arrangement. In Loco Parentis forms are valid for not more than 30 days.

## **Electronic/Wireless Devices**

In accordance with [Board Policy 5136 – Wireless Communication Devices](#), the School Board is aware that wireless communication devices (WCDs) are used by students and parents/legal guardians to communicate with each other. However, the use of WCDs on school grounds must be appropriately regulated to protect students, staff, and the learning environment. This policy sets forth the District's policy with respect to WCDs.

Pursuant to State law, students shall not operate a motor vehicle owned or leased by the District on or off school property, or personal motor vehicle on District property, while manually typing or entering multiple letters, numbers, symbols, or other characters into a personal communication device or while sending or reading messages on such a device, for the purpose of non-voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, instant messaging, and snap chatting. While students may possess WCDs in school, on school property, during after school activities (e.g., extra-curricular activities), and at school-related functions, they either must be powered completely off or placed into vibrate/silent mode) and stored out of sight during school hours.

When authorized and approved by the site principal or site leadership team, students may use WCDs before and after school, during their lunch break, in between classes, during after school activities (e.g., extra-curricular activities), and at school-related functions, as long as they do not create a distraction, disruption, or otherwise interfere with the educational environment. Use of WCDs, except those approved by a teacher or administrator, at any other time is prohibited and WCDs must be either powered completely off (or placed into vibrate or silent mode) and stored out of sight.

Technology including, but not limited to, WCDs intended and actually used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the classroom teacher or the building principal. However, the use of a WCD to engage in non-education-related communications is expressly prohibited. Students may not use WCDs on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school. Students may use WCDs while riding to and from school on a school bus or other Board-provided vehicles or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated. Also, when directed by the administrator or sponsor, WCDs shall be powered completely off during after school activities (not just placed into vibrate or silent mode) and stored out of sight. Under certain circumstances, a student may keep his/her WCD "on" with prior approval from the principal or teacher.

Except as authorized by a teacher, administrator, or IEP Team, students are prohibited from using WCDs during the school day, including while off-campus on a field trip, to capture, record or transmit the words or sounds (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member, or other person in the school or while attending a school-related activity, without express prior notice and explicit, written consent for the capture, recording, or transmission of such words or images. Using a WCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.

Students who violate this provision and/or use a WCD to violate the privacy rights of another person may have their WCD confiscated and held until the end of the school day and/or until a parent/legal guardian picks it up

and may be directed to delete the audio and/or picture/video file while the parent/legal guardian is present. If the violation involves potentially illegal activity the confiscated WCD may be turned over to law enforcement. The prohibitions herein also include using a WCD or any other device to covertly listen-in or make a recording (audio or video) of any meeting or activity in school. This includes placing a WCD or other device with one- or two-way audio and video communication technology (i.e. technology that allows a person to listen to live conversations and sounds taking place in the location where the device is located), within a student's book bag or other property of the student or on the student's person without express written consent from an administrator, IEP Team, or Section 504 Team.

"Sexting" is prohibited at any time on school property or at school functions. As set forth in State law, "sexting" is the knowing transmission or distribution to another minor by a computer or similar device any photograph or video of any person that depicts nudity and is harmful to minors. Sexting also includes possessing a photo of any person that was transmitted or distributed by another minor that depicts nudity. Such conduct not only is potentially dangerous for the involved students but can lead to unwanted exposure of the messages and images to others and could result in criminal violations related to the transmission or possession of child pornography. Such conduct will be subject to discipline and possible confiscation of the WCD.

WCDs, including, but not limited to, those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and the principal are authorized to determine other specific locations and situations where use of a WCD is absolutely prohibited. Students shall have no expectation of confidentiality with respect to their use of WCDs on school premises/property.

Students may not use a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. See [Policy 5517.01 – Bullying and Harassment](#). In particular, students are prohibited from using WCDs to: (a) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex (including sexual orientation/transgender identity), disability, age, religion, ancestry, or political beliefs; and (b) engage in "sexting" - i.e., sending, receiving, sharing, viewing or possessing pictures, text messages, e-mails, or other materials of a sexual nature in electronic or any other form. As set forth in State law, "sexting" is the knowing transmission or distribution to another minor by a computer or similar device any photograph or video of any person that depicts nudity and is harmful to minors. Sexting also includes possessing a photo of any person that was transmitted or distributed by another minor that depicts nudity and is harmful to minors. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a WCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using WCDs to receive such information.

Possession of a WCD by a student at school during school hours and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The building principal may also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a

warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it will be released/returned to the student's parent/legal guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the WCD may be turned over to law enforcement. In particularly egregious offenses involving the invasion of another person's privacy, the Board reserves the right to confiscate the WCD and hold it until the end of the school year. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/legal guardian or turned over to law enforcement. School officials will not search or otherwise tamper with WCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rule. Any search will be conducted in accordance with [Policy 5771 – Search and Seizure](#). If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for a designated length of time or on a permanent basis. A person who discovers a student using a WCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of WCDs brought onto its property, or the unauthorized use of such devices.

Parents/Legal guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use the school's phone to contact their parents/legal guardians during the school day.

## **Enrolling in School**

### **Mandatory School Age**

[Section 1003.21, Florida Statutes](#) requires that a child who will be six (6) years old by February 1<sup>st</sup> of the school year, must attend school regularly during the school term. Therefore, the child must begin school at the beginning of the school year.

### **Evidence of Date of Birth**

A legal birth certificate or other authentic proof of a child's age, as required by law, must be submitted prior to a student's initial entry into kindergarten. Kindergarten and first grade students, who are transferring to a Brevard County school, must also furnish proof of age in order to comply with state and district transfer requirements.

### **Initial Entry to Kindergarten**

Children entering kindergarten in Brevard County schools for the first time must comply with [Section 1003.21, Florida Statutes](#) regarding entry age. A child must be five (5) years old on or before September 1 of the school year in order to meet the Florida age requirements for kindergarten.

### **Initial Entry to First Grade**

Children entering first grade in Brevard County schools for the first time must comply with [Section 1003.21, Florida Statutes](#). Any child who has attained the age of six (6) years on or before September 1 of the school

year and has satisfactorily completed the requirements for kindergarten in a public or non-public school, shall be eligible to enter first grade. A public or nonpublic school must provide written documentation of satisfactory completion of kindergarten. The nonpublic school must be one from which the district school board accepts transfer of academic credit. Students participating in a kindergarten home education program will be assessed at the public school in which the child is enrolled prior to determining placement. The principal will determine final placement. Placement in kindergarten will occur if a child does not demonstrate readiness for first grade.

### **Underage Transfers to Kindergarten and First Grade**

Kindergarten and first grade students transferring to Brevard County schools must meet the Florida age requirements and must comply with rules established by [Administrative Rules 6A-1.0985](#): Public and Private School Transfer Students K-6.

Elementary grade placement of transfer students shall be on a probationary basis until academic records are validated on the basis of official evidence of pupil achievement or competence and made available to the school principal. Academic placement of a transfer student will consider State, District and teacher assessments, as well as classroom performance when making the final placement decision. The principal may reassign a student to the grade level at which the student can best perform academically.

### **Initial Enrollment**

Children entering Brevard Public Schools for the first time must comply with Florida Statutes and with the Brevard County School District Student Progression Plan. Students must have an immunization record on file at the school. All beginning kindergarten students must have a valid certificate of immunizations **unless** they have a valid certificate of exemption prior to starting school.

Any student who does not have the immunization form shall be temporarily excluded from attendance until full compliance is achieved.

As a part of the enrollment process, it is necessary for a parent or legal guardian to accompany their child to school for initial entry or transfer to a new school.

### **Maximum Age for High School Students**

High school students pursuing a standard high school diploma must be able to graduate from high school prior to their 20th birthday. Permission for students to attend high school to pursue a regular high school diploma after their 20th birthday will be made on an individual basis at the Superintendent's or designee's discretion. The provisions of this paragraph shall not apply to students who are classified as exceptional education students.

### **Maximum Age Limit for Re-entry to High School**

In order to provide reasonable consistency of maturity levels among students in the regular high school program, no one shall be permitted to attend the regular high school program after attaining the age of twenty (20) if he or she has had an interruption in schooling.

In order to protect the safety and welfare of younger students, principals shall have the authority to accept or not accept in the regular high school program a student who has filed a formal declaration of intent to

terminate enrollment with the District School Board, in accordance with statute, and is seeking to reenroll in school. This principal's decision shall be based on factors such as age of student, credits earned and discipline history. If the student is not accepted to re-enroll in the regular high school, the person shall be afforded the opportunity to pursue a high school diploma through the Adult High School or General Educational Development (GED) programs of the District. The provisions of this paragraph shall not apply to students who are classified as exceptional education students.

### **School Entry Physical Examination**

Within thirty (30) school days of a child's initial entry to a Brevard County school, the Principal shall require evidence of a physical examination performed within one year prior to the date of entry. Students transferring into Brevard County schools from a school within the state of Florida who have a completed physical examination form as part of their school record need not be re-examined.

A child may be exempt from the required physical examination and/or immunization upon written request of the parent or legal guardian of such child stating objection to the examination and/or immunization on religious grounds or for a medical reason certified by a competent medical authority.

Beginning kindergarten students should have immunizations and school entry physical examination completed prior to starting school.

### **Home Language Survey**

Any student entering a Brevard County school for the **first time** must complete a Home Language Survey. Part of the student registration packet, the mandatory survey form has three (3) questions regarding the student's language and the possible utilization of a language other than English at home ([Section 1003.56, Florida Statutes](#)). If a parent/legal guardian answers "yes" to any one of the three questions on the survey, the school must follow approved procedures, within mandated time, to assess the student's English proficiency level and determine eligibility for the English for Speakers of Other Languages (ESOL) program.

As mandated by the Florida Consent Decree, the district ensures that all English Language Learners (ELLs) have access to educational programs and services which are equal and comparable in amount, scope, sequence, and quality to those provided to English proficient students. For additional information on the ESOL program, forms and procedures, visit: <https://www.brevardschools.org/Page/18195>

### **Social Security Numbers**

[Section 1008.386, Florida Statutes](#), requires school district personnel to request the Social Security Number from each student enrolling in a Florida public school beginning with the 1990-91 school year.

[Section 1008.386, Florida Statutes](#), also specifically states, "However, a student shall not be required to provide his Social Security Number as a condition for enrollment or graduation."

School personnel should continue to diligently request Social Security Numbers from students as a part of the registration process, keeping in mind that providing the Social Security Number by the parent/legal guardian or student is strictly voluntary. Staff shall not make copies of the student's Social Security cards for any reason.

## **Grades K-12/Adult Registration Form Addendum**

All students, grades K-12/Adult receive a copy of the Grades K-12/Adult Registration Form Addendum (drug addendum).

The form includes information and rules on the following:

1. Control of students
2. Weapons
3. Policy 5500 Student Conduct
4. Policy 5530 Drug Prevention

### **Foreign Students Fee**

A fee covering the annual unsubsidized per capita cost shall be paid by each foreign student with F-1 immigration status or any foreign student who is otherwise required to reimburse the Board in accordance with the Immigration and Nationality Act. Payment of the fee shall be made annually in advance of the foreign student's enrollment and one-half of such fee may be refunded if the student's actual attendance is one semester or less. The annual fee shall be determined annually by the Office of Financial Services.

### **Proof of Residence**

Two proofs of verification of a parent or legal guardian's residence shall be required at the time the child registers in a Brevard County school and each year thereafter. Verification of residence may also be required at any other time at the discretion of the Superintendent or designee.

Proof of residence may include the following with one (1) from each tier:Tier 1

1. Current driver license: [Section 322.19\(2\), Florida Statutes](#), requires that you update your address information on your driver's license within thirty (30) days of moving
2. Purchase Contract (with expected closing date within 90 days of school) or Warranty Deed
3. Lease/rental agreement (with parent/legal guardian name as the renter)

#### Tier 2

1. Current utilities statement (within the last 30-45 days)
2. Florida Voter Registration Card
3. Florida Vehicle Registration or Title
4. A utility hook up or work order dated within 60 days
5. Medical or health card with address listed
6. Current homeowner's insurance policy or bill
7. Current automobile insurance policy or bill
8. A letter from a homeless shelter, transitional service provider, or a half-way house verifying they receive mail

### **Immunization Requirements 2022-2023**

The presence of any of the communicable diseases for which immunization is required by the Department of Health in a Florida public or private school shall permit the county health department director or administrator



or the State Health Officer to declare a communicable disease emergency. The declaration of such emergency shall mandate that all students in attendance in the school who are not in compliance with the provisions of this section be identified by the district school board or by the governing authority of the private school; and the school health and immunization records of such children shall be made available to the county health department director or administrator. Those children identified as not being immunized against the disease for which the emergency has been declared shall be temporarily excluded from school by the district school board, or the governing authority of the private school, until such time as is specified by the county health department director or administrator. If no immunization exists for the disease for which the emergency has been declared, the District Response Team, in consultation with the Department of Health, will evaluate the extent of the student exclusion or possible school closure.

Children not vaccinated for chicken pox and measles will be excluded from school for three weeks or longer should a child at their school be diagnosed with chicken pox or measles.

The provisions of policy 5320: Immunizations and Health Examination shall not apply if:

- A. The parent/legal guardian of the child objects in writing that the administration of immunizing agents conflicts with his/her religious tenets or practices;
- B. A physician licensed under the provisions of F.S. Chapter 458 or Chapter 459 certifies in writing, on a form approved and provided by the Department of Health, that the child should be permanently exempt from the required immunization for medical reasons stated in writing, based upon valid clinical reasoning or evidence, demonstrating the need for the permanent exemption;
- C. A physician licensed under the provisions of F.S. Chapter 458, Chapter 459, or Chapter 460 certifies in writing, on a form approved and provided by the Department of Health, that the child has received as many immunizations as are medically indicated at the time and is in the process of completing necessary immunizations;
- D. The Department of Health determines that, according to recognized standards of medical practice, any required immunization is unnecessary or hazardous; or
- E. The principal issues a temporary exemption, for up to thirty (30) school days, to permit a student who transfers from another district or school system to attend class until his/her records can be obtained. Children and youths who are experiencing homelessness and children who are known to the department, as defined in F.S. 39.0016, shall be given a temporary exemption for thirty (30) school days.

## Immunizations 2022-2023

GRADE Level	SHOTS Required
Pre K	4 DTaP 3 Polio 1 MMR 1-4 HIB (age appropriate) 3 Hep B 1 Varicella (or certification of disease)
Kindergarten	4-5 DTaP* 3-5 Polio (last dose must be after age 4) MMR Hep B 2 Varicella (or certification of disease)
1 – 6	4-5 DTaP* 3-4 Polio* MMR Hep B 2 Varicella (or certification of disease)
7 – 11	4-5 DTaP* 1 Tdap3-4 Polio* MMR Hep B 2 Varicella (or certification of disease)
12	4-5 DTaP* 1 Tdap3-4 Polio* MMR Hep B 1 Varicella (or certification of disease)

Notes of Exception:

- A child who commenced vaccination after 7 years of age would have only 3 Tdap/TD doses.
- DTP is acceptable for DTaP.
- \* 3 Polio doses are accepted only if the last dose is given after 4 years of age and 6 months after the 2<sup>nd</sup> dose
- 4 DTaP doses are accepted only if the last dose is given after 4 years of age and 6 months after the 3<sup>rd</sup> dose

**Florida Department of Health**  
**In Brevard County- School Health Program**  
 2575 North Courtney Pkwy. Merritt Island, Fl.  
 32953 PHONE: 321-454-7134/FAX: 321-454-7135  
**FloridaHealth.gov**



**Accredited Health Department**  
 Public Health Accreditation Board

## **Field Trips**

Field trips are planned to extend and enhance classroom experiences when opportunities and resources permit. Each participating student must have a permission form signed by the parent or legal guardian. Transportation is usually provided by school buses. When private automobiles are used, the drivers must be approved volunteers and special insurance forms must be signed by the owner of the vehicle. Students are supervised and chaperoned by adults who are approved volunteers while on field trips. Additional information on field trips may be found at your local school site. You may also refer to [Board Policy 2340](#), Field Trips and Other Student Travel, located on the Brevard Public Schools website.

### **Misbehavior on Field Trips**

Students are required to follow school rules and guidelines while on a field trip, the same as in the classroom at school. Students shall at all times follow the instructions and directives of teachers, sponsors, or chaperones in charge of the field trip. Whenever a student misbehaves on a field trip, disciplinary action will be taken which may include a warning, in-school suspension, out-of-school suspension, or expulsion.

## **Grading Scale**

The following grading scale has been established by Florida Statute and is used in all Brevard County secondary in grades 3-12 schools:

**90-100 = A**

**80-89 = B**

**70-79 = C**

**60-69 = D**

**0-59 = F**

## **Graduation Ceremony**

In order to participate in a high school graduation ceremony a student must have completed the Requirements for Graduation, Grades 9-12 prior to the ceremony. A senior who has been enrolled at the Alternative Learning Center and who is not attending the referring (home) school at the time of graduation, will not participate in school's graduation ceremony.

## **Home Education Programs**

The following guidelines refer to children from Home Education Programs who enroll or re-enter a public secondary school in the Brevard County School District.

1. A child will be enrolled if he/she meets district and state entrance requirements the same as any other student.
2. Academic credit and grade placement of the child for the current school term will be made by the school in accordance with Student Transfer Requirements in the current Brevard

County Student Progression Plan. The specific topic references are: [Rule 6A-1.09941](#) State Uniform Transfer of Students in Middle Grades and High School.

## **Homeless/Students in Transition**

### **McKinney-Vento Act**

The McKinney-Vento Act is federal legislation that was passed to address growing concerns about the plight of individuals experiencing homelessness. Educational issues and requirements related to homelessness are addressed in the law and [Board Policy 5111.01](#).

### **Definition of Homeless Students**

Children or youth who lack a fixed, regular, and adequate nighttime residence. Homeless living situations include:

1. Share the housing of other persons due to loss of housing, economic hardship, or similar reason; or
2. Live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations; or
3. Live in emergency or transitional shelters; or
4. Are abandoned in hospitals; or
5. Have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or
6. Live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

### **Definition of Unaccompanied Homeless Youth**

An "unaccompanied homeless youth" is an individual who is 16 years of age or older and is not in the physical custody of a parent or guardian, including a youth who has run away from home, who has been forced to leave his or her home, or whose parents have left the area and left the youth behind.

### **School District Services**

The District will provide services to homeless students that are comparable to other students in the District, including:

- A. Transportation services;
- B. Public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
  1. Programs for children with disabilities
  2. Programs for English learners (ELs) (i.e., students with Limited English Proficiency (LEP))
  3. Programs in career and technical education
  4. Programs for gifted and talented students
  5. School nutrition programs
  6. Before-and-After school programs
  7. Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education.

The District Homeless Student Liaison may be contacted at the Office of Student Services at (321) 633-1000

ext. 11294 or 11557.

### **Enrollment Requirements for Homeless Students**

1. Immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment such as previous academic records, birth certificate, medical records, proof of residency, or other documentation. Homeless students must be given a temporary exemption of up to 30 school days.
2. Immediately contact the prior school the student attended to obtain relevant academic and other records.
3. Immediately refer the parent or legal guardian of the student or the unaccompanied youth to the District Homeless Liaison to assist in obtaining necessary immunizations, or medical and immunization records, if needed.

### **Transportation of Homeless Students**

The District shall promptly provide homeless students with transportation services that are comparable to those available to non-homeless students. At the request of the parent or guardian, or the liaison in the case of an unaccompanied youth, the District shall provide, or arrange for, transportation to and from the student's school of origin.

### **Impact Information**

Federal installations such as Kennedy Space Center and Patrick Space Force occupy thousands of acres of Brevard County land. Such property is removed from the tax rolls of the county, resulting in the loss of a substantial source of revenue through ad valorem taxes. To compensate partially for this loss of revenue, legislation providing aid to impacted areas was enacted by Congress. To qualify for these funds, it is necessary that employment-survey questionnaires be completed by parents/legal guardians of students each year. The information requested is brief and does not violate any security regulations.

Parent/legal guardian cooperation is appreciated in the completion and return of the questionnaire when it is taken home by the child.

### **Insurance**

Accident insurance is available to students at a reasonable price. Specific information regarding the plan will be supplied during registration and the first week of school. Parents/legal guardians are encouraged to purchase this insurance as the school accepts no financial responsibility for accidents occurring on school grounds. More information can be found at [School Insurance of Florida | Student Insurance](#).

### **Library Media Program**

Each school has a wonderful room that houses information on lots of topics, with something special for everyone. That room is the library media center. It provides materials and services that meet academic, technical, personal and social needs of the school community.

In meeting these needs, the media selection policy makes available a wide range of materials on varying levels of difficulty, with something to appeal to everyone. Many religious, ethnic, and cultural groups are represented in the school library, and specific criteria are used in considering items to be included. The district school board has adopted procedures for developing library media center collections and post the procedures on the website for each school within the district. The procedures must: Require that book selections meet the

selection criteria in section (s.) 1006.40(3)(d), Florida Statutes (F.S.):

- Require consultation of reputable, professionally recognized reviewing periodicals and school community stakeholders; and
- Provide library media center collections be based on reader interest, support of state academic standards and aligned curriculum, and the academic needs of students and faculty; and
- Provide for the regular removal or discontinuance of books based on, at a minimum, physical condition, rate of recent circulation, alignment to state academic standards and relevancy to curriculum, out-of-date content, and required removal pursuant to s. 1006.28(2)(a)2., F.S.

Many of these books are on various reading program lists, such as Sunshine State Young Readers' Awards, Accelerated Reader, Florida Teens Read, and Young Adult Choices. Some of these lists also include recommended reading levels. These reading levels are determined by the companies that are selling the book and, while they may indicate the level of vocabulary and grammar that your child may understand, they do not necessarily reflect the appropriate chronological age, developmental age, maturity level, or family values for all students. As with all other aspects of a student's education, parents or legal guardians are encouraged to be involved in a student's book selections which is made available through the schools' website. The books in the media center, whether part of a specific reading program or not, are available for the review of all patrons, but are not necessarily recommended for everyone.

Since reading is vital to success in our world, and since we know that many of the best readers are those whose parents/legal guardians are involved in their education, we encourage parents/legal guardians to read and review the books your student selects.

Students are taught to take proper care of books or materials. Lost or damaged books or materials are the financial responsibility of the parents/legal guardians and students.

## **Meal Service**

The Office of Food and Nutrition Services (FNS) is committed to providing nutritious, well-balanced meals that meet or exceed the United States Department of Agriculture's nutrition standards. Our mission is to fuel student success by providing nutritious meals at an affordable price while promoting sound eating habits that foster good health and academic achievement. FNS is a self-funded department, using only federal funds, grants and monies generated from the sale of school meals to provide nutritious, low-cost school breakfast and lunches to BPS students. We are proud to offer a variety of entrees, fruits, vegetables, and side items daily. Menus can be found on the BPS website.

### **Breakfast**

FNS recognizes the importance of starting each day by consuming a healthy breakfast. FNS is pleased to offer a no cost breakfast to every student each school day. Breakfast service begins 20 minutes prior to the start of school and features a variety of healthy options.

### **Lunch**

FNS offers an array of nutritious lunch entrées, sides, and a la carte items daily, as well as a "Lighter Side" menu featuring fresh salads. Lunch service times vary by school and are determined by the school administration.

For your convenience, every student is automatically set-up with a cafeteria account when they enroll at BPS. It is the responsibility of the parent/legal guardian to ensure their child has adequate funds for lunch.

Students may qualify for free or reduced-price lunch meals based on the Federal Income Eligibility Guidelines. Parents/legal guardians must reapply for meal benefits for their child each school year. Information regarding free and reduced meals can be found on the [BPS website](#) and the application may be completed online.

FNS understands how busy life can be, and that there may be times that you forget to fund your child's lunch account, or your child may leave their lunch money at home. To ensure our students are prepared to learn, FNS allows students to charge two lunch meals to their cafeteria account when they have insufficient funds. This extension of credit only applies to lunch meals and does not include a la carte items. Parents/legal guardians are responsible for repaying all charges accrued. If a negative balance has been reached, a phone call or message is sent to the parent/legal guardian requesting replenishment of the student's account. Elementary students only will be provided an alternate meal when they have reached their charge limit and do not have money or funds to pay for lunch.

FNS has several convenient ways for you to manage your child's cafeteria account through [MyPaymentsPlus](#). Parents/legal guardians can check account balances online, sign up for free low-balance e-mail reminders, make payments using a credit or debit card, and set up auto-pay for when your child's account reaches a low-balance threshold. This service is free and eliminates the worry of lost or forgotten lunch money. In addition, the cafeteria accepts cash and check payments. Should your student graduate or move, funds may be transferred to a sibling's account, the hardship fund, or a refund can be requested from FNS. Funds remaining in an inactive account for more than 90 days will be donated to the hardship fund to be utilized by students who have reached their charge limit.

The school cafeterias are staffed with food service professionals who are dedicated to providing students quality meals, an engaging atmosphere, and service with a smile.

## **Nondiscrimination Policy and Grievance Procedures**

The School Board of Brevard County, Florida does not discriminate on the basis of race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information or any other factor protected under applicable federal, state, or local law. The district also provides equal access to its facilities to the Boy Scouts and other patriotic youth groups, as required by the Boy Scout of America Equal Access Act. The School Board of Brevard County is in compliance with the Americans with Disabilities Act of 1990 (ADA) and the Amendment Act of 2008 (ADAA), the Florida Education Equity Act of 1984, Age Discrimination Act of 1967 and Section 504 of the Rehabilitation Act of 1973, Civil Rights Act of 1964 including: Title II, Title VI, and Title VII, United States Education Amendments of 1972 - Title IX, Age Discrimination in Employment Act (ADEA), and Individuals with Disabilities Act (IDEA). If you have questions, concerns, or wish to report possible violations involving any of the above or below items, please contact either individual below for assistance:

**For concerns involving the public or students, including IDEA and 504 matters contact:**

Jackie Saxenmeyer  
2700 Judge Fran Jamieson Way Melbourne, FL 32940  
(321) 633-1000, Ext. 11280  
[SaxenmeyerJ@brevardschools.org](mailto:SaxenmeyerJ@brevardschools.org)

Director of Professional Standards and Labor Relations  
Karyle Green  
2700 Judge Fran Jamieson Way Melbourne, FL 32940  
(321) 631-1000 Ext. 11265

Educators are required to follow the Principles of Professional Conduct of the Education Profession in Florida (State Board of Education Rule 6B-1.006, FAC). To report alleged educator misconduct, contact the Director of Professional Standards and Labor Relations at (321) 633-1000, ext. 11265.

## **Student Grievance Procedure**

Grievance under this policy concerns alleged violation(s) of Title IX Education Amendments of 1972, which prohibit sex discrimination in education or alleged violation(s) of the Florida Educational Equity Act, [Section 1000.05 Florida Statutes](#), which prohibits discrimination in public education. Please refer to School Board of Brevard County, Florida [Policy 2260.01](#). In addition, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against students with a disability, see [Section 504 Procedural Safeguards](#).

### **Step 1.**

If the individual public school student (or parent/legal guardian on behalf of the student) believes that an action, or inaction, by the school, school representative, or school employee has violated his/her rights under Title IX, the Florida Educational Equity Act, Section 504 of the Rehabilitation Act of 1973, or the ADAAA, the student is encouraged to seek a resolution through appropriate informal discussion with the individual or individuals alleged to have committed the violation or other appropriate school personnel.

### **Step 2:**

If the informal discussion does not satisfactorily resolve the issue, the aggrieved student (or parent/legal guardian on behalf of the student) shall submit a written statement of his/her grievance to the school principal, or his/her designee, within thirty (30) school days of the informal discussion. This statement shall include a specific description of the alleged discriminatory denial of opportunity to the student, name(s) of the person or persons causing the alleged violation, the date of the alleged violation, the resolution sought by the student, and the signature of the student and his/her parent or legal guardian. Failure of the student to timely submit such written complaint shall not impact the student's legal rights under Title IX or the Florida Educational Equity Act, Section 504 of the Rehabilitation Act of 1973 or the ADAAA.

Within seven (7) days of receipt of the written grievance, the school principal or his/her designee shall investigate and render written response to the grievance of the aggrieved student and parent or legal guardian. This response shall either uphold, modify, or deny the resolution sought.

### **Step 3:**

If the student, parent, or legal guardian is not satisfied with the response issued in Step 2, the student may, within seven (7) school days of the date of the response, resubmit the grievance in writing to the Board's Compliance Officer. The Board Compliance Officer is the Title IX Coordinator.

For the grievance procedures for all alleged violations of Title IX, please refer to the Title IX section of this Code of Student Conduct.

Within seven (7) school days, the Board's Compliance Office shall issue a written response to the aggrieved student and parent or legal guardian. The decision of the Board's Compliance Office shall be final except as provided by law or Board policy which includes the right of the parent/legal guardian or student to request an impartial due process hearing in regard to the student's identification, evaluation or placement under Section 504 of the Rehabilitation Act of 1973 and the ADAAA.



# **Riding the School Bus**

## **School Buses**

Students whose homes are **two (2) miles** or more from the school serving their attendance area to which they are assigned have the right to free transportation. All students have the responsibility to abide by prescribed standards of conduct while waiting at the school bus stop, or while being transported at any time on school-sponsored transportation.

## **School Bus Stop**

Violation of district transportation policies, rules, or standards of conduct, including disruptive behavior on a school bus or at a school bus stop, by a student is grounds for suspension from riding the school bus. Such violations may also be grounds for in-school suspension, out-of-school suspension, expulsion, or other disciplinary action that may result in criminal charges being filed.

## **Penalty for Misbehavior**

Whenever a student misbehaves on the bus, disciplinary action will be taken which may include warning, suspension from riding the bus, in-school suspension, out-of-school suspension, or expulsion.

## **Students May be Videotaped at any time while on the School Bus**

School bus videotapes may be shown for discipline purposes to individuals with a need to know at the discretion of the Principal or the Principal's designee.

## **Standards of Conduct for Riding the School Bus**

1. Parents/legal guardians shall ensure the safe travel of their students during portions of each trip to and from school and home when the students are not under the custody and control of the school district, including during each trip to and from home and the assigned bus stop when the school district provides bus transportation.
2. The parents/legal guardians shall ensure that when the physical disability of the student renders the student unable to get on and off the bus without assistance, the parent or legal guardian shall provide the necessary assistance to help the student get on or off at the bus stop, as required by district policy or the student's individual education plan. (FAC 6A-3.0121)
3. The driver is in full charge of the bus and students. Students must obey the driver at all times and follow the posted rules for riding the school bus.
4. Students must be at the bus stop on time. The bus will not wait for students who are tardy. Plan to be at the bus stop no less than five (5) minutes prior to bus arrival.
5. Never chase after a bus that has pulled away from the bus stop or has pulled away in the bus loop.
6. Always stand five (5) feet off the roadway while waiting for the bus. Avoid horseplay at the bus stop and always respect the privacy and property of others. A student's parent/legal guardian has responsibility for the control and direction of students at the bus stop.

## **Safety Drills**

Safety drills are integral to student safety and required by law at every school site throughout the district. Drills may occur at any time of the day. Students are expected to participate and respond, as directed by staff, to the designated safe area or exit and/or evacuation location if called upon. Student knowledge of safety procedures

will greatly enhance their readiness should a critical event occur. Students taking ownership will know how to react and help others in the absence of staff should the need arise. Student prescribed conduct will be adhered to during all drills. Upon completion of the drill, an all-clear signal will be given at which time regularly scheduled school activities will resume. Students are encouraged to speak with appropriate staff if they have any questions or need clarification about procedures.

## **School Health Program**

### **School Health Program**

[Section 381.0056, Florida Statutes](#) defines the school health services program as those activities which should be carried out to appraise, protect and promote the health of students and “to encourage use of the services of their physician, dentist, and community health agencies.”

Health appraisal and screening programs which include periodic review and analysis of health-related records, observations, and screening tests consistent with sound health practices will be carried out as a requirement of Florida State Law. Screening shall include vision, hearing, growth and development, nutrition, dental health, mental health, and communicable diseases. Parents will have the opportunity to consent to these services annually.

### **Notice to Parents**

At the beginning of the school year, the District will notify parents of each healthcare service offered at their student’s school and of the option to withhold consent or decline any specific service.

### **Accidents and Illness**

The school clinic, located in the administrative area of the building, is staffed by Department of Health (DOH) trained staff. If a DOH staff member is unavailable, two school staff members in each school are trained to dispense medication. Necessary information must be on file in the school office in order that school personnel may be in touch with the parents/legal guardians during school hours, should an illness or accident occur.

If the nature of the illness is such that the child should go home, every effort will be made to notify parents/legal guardians. Students will not be released to anyone except parents/legal guardians or their designees. Students with temperatures over 100.4 F, or other signs or symptoms of contagious illness, may be isolated from their peers until such time as they can be picked up by a parent/legal guardian.

### **Chronic Health Conditions**

Parents/legal guardians are urged to inform the school if a child has unusual or chronic health conditions, such as asthma, diabetes, etc. Parents/legal guardians may request a Chronic Health Condition form from the school nurse that will be filled out by the student’s medical provider. The form is not mandatory but if requested parents/legal guardians must give approval for medical information to be shared with the school and designated Brevard County Health Department medical staff.

Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they may be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity so they have the same access to an education as students without disabilities. Such

accommodations/modifications/interventions maybe provided pursuant to a Section 504 plan.

### **Controlling Head Lice (*Pediculus capitis*)**

(Adopted from the recommendations of American Academy of Pediatrics, Centers of Disease Control, and Harvard School of Public Health).

The following procedure will be used by clinic staff/school administration when a student at school is observed to be infested with live head lice:

- A. The parent/legal guardian will be notified by the end of the school day.
  - 1. A fact sheet on education and treatment of head lice will be sent home. This will include a statement to be signed by the parent/legal guardian that treatment was done.
- B. For a student to be re-admitted to school following live lice infestation, he/she must be checked, have no live lice, and have a statement signed by the parent/legal guardian that treatment was done.
  - 1. If no nits are found, further, rechecking will not be done.
  - 2. If nits are found, the student will be admitted and rechecked in 8-10 days.
  - 3. If live lice are found, the student will not be readmitted, and the entire procedure will need to be repeated.

### **Assisting with Medication**

- A. Parent/legal guardian permission forms are to be completed for ALL medication to be given at school.
- B. All medication coming to the school must be in the original container with the manufacturer/pharmacy label in place. This includes all over-the-counter medications.
- C. Over-the-counter medications can only remain at school for 10 days. If a longer time period is needed, then a written physician's authorization is requested.
- D. Clinic staff will administer over-the-counter medications as directed by manufacturer label.  
Any changes in administration must have written physician's approval.
- E. Please do not send loose medication (cough drops, pills, etc.) to school in plastic bags. Clinic staff will be unable to administer these medications to your child.
- F. Clinic staff will not give a medication if the container label has been altered in any way.
- G. When completing Parent/Legal Guardian permission forms, please make sure that your instructions match the label on the medication container, or the medication will not be given.
- H. PLEASE DO NOT ALLOW YOUR CHILD TO TRANSPORT MEDICATION TO AND FROM SCHOOL. This recommendation is for your legal safety.
- I. All medication will be counted upon arrival at school. A second signature will be required to verify a correct count.
- J. Clinic staff will complete a daily medication log for each student when medication is administered.
- K. A student may carry and self-administer a metered dose inhaler, epinephrine auto-injector, prescribed pancreatic enzyme supplement and/or may carry diabetic supplies and equipment to manage and care for their diabetes provided the student's parent or legal guardian provides the following:
  - 1. For self-administration of a metered dose inhaler, the parent or legal guardian must provide the District with a written authorization that is signed and dated by both the parent or legal guardian and physician. The written approval by the physician must include the following:

- Name of the medication in the metered dose inhaler;
  - The prescribed dosage;
  - The times of the special circumstances under which the medication is to be administered; and
  - Any other special related information regarding the administration of the metered dose inhaler.
2. For self-administration of an epinephrine auto-injector, the parent or legal guardian must provide the District with a written authorization that is signed and dated by both the parent or the legal guardian and the physician. The written approval by the physician must include:
    - The times or the special circumstances under which the medication is to be administered; and
    - Any other special related information regarding the administration of the epinephrine auto injected.
  3. For self-administration of prescribed pancreatic enzyme supplements, the parent or legal guardian must provide the District with a written authorization that is signed and dated and provide the prescription label containing the following:
    - Name of the medication;
    - The prescribed dosage;
    - The times or the special circumstances under which the medication is to be administered; and
    - Any other special related information regarding the administration of the medication.
  4. For the use of diabetic supplies and equipment, the parent or legal guardian must submit written authorization from the student’s physician, containing the following:
    - An identification of the diabetic supplies and equipment the student is authorized to carry;
    - A description of which activities the child is capable of performing without assistance;
    - The times or the special circumstances under which the medication is to be administered;
    - Any other special related information regarding the administration of the medication.

In-service programs directed by the Brevard County Health Department in conjunction with the school district will be conducted for those authorized to administer medication.

The School District and its employees are not liable for damages as a result of any injury arising from a student's self-administration of prescribed pancreatic enzyme supplements and/or for the use of diabetic supplies and equipment.

### **Asthmatic Students**

An asthmatic student may carry a metered dose inhaler on his/her person at school. The student’s parent/legal guardian and physician must provide written approval to the schoolPrincipal.

### **Health Screenings**

Vision and Hearing screenings are provided for students in grades K, 1, 3, 6, and to students new to the state in grades K-12, or any student with a new vision or hearing concern. The purpose of the screenings is to identify students who may have a vision or hearing problem and need a professional medical exam.

Students who do not pass the vision or hearing screening will have a letter sent home to the parent or the legal guardian. A school vision and hearing screening is not an examination and should not be substituted for routine medical care.

### **Direct Contact Communicable Diseases**

The Board seeks to provide a safe educational environment for students and staff. This can be accomplished by assuring that all persons within the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease. Student instruction will be developmentally appropriate.

For purposes of this policy, these diseases shall include:

- A. HIV (Human Immunodeficiency Virus)
- B. AIDS (Acquired Immune Deficiency Syndrome);
- C. AIDS related complex (condition);
- D. HAV, HBV, HCV (Hepatitis A, B, C);
- E. other diseases that may be specified by the State Department of Health as contact communicable diseases.

The Board recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

With this in mind, the Board directs the Superintendent to develop programs/procedures for students and staff for the purpose of understanding the manner in which these diseases may be prevented and how they are transmitted.

### **Admissions and Attendance**

Admission shall not be denied to a qualified student solely on the ground that the student is an infected individual\*.

A student shall not be required to cease attending school solely on the basis of a diagnosis of infection. Such decisions shall be made only after reasonable accommodations have been made and an examination of the facts on a case-by-case basis demonstrates that the student can no longer perform as required, or that the student presents a health risk to himself or the school community.

\* For the purpose of these guidelines, an infected individual means:

- A. An individual who is diagnosed as having a direct contact communicable disease; or
- B. An individual who is determined to test positive for a direct contact communicable disease but has not yet developed symptoms of the disease.

### **Accommodations and Restrictions When Necessary**

Schools will make “reasonable efforts” to accommodate the special needs of students with a direct contact communicable disease unless the accommodation places “undue burdens” on the school.

Any student with a direct contact communicable disease, whose personal behavior and/or medical condition poses imminent risk to the school community, may be requested to provide an evaluation by the individual's private medical provider (physician) or by the Brevard County Department of Health. The physician or health department will determine if restricting contact and/or activities or if continuing attendance at the school is in the best interest of the student and the school community.

### **Confidentiality**

An infected individual shall be provided rights of privacy and confidentiality in accordance with Federal and State laws and Board rules. The only individual who can disclose that a student has a direct contact communicable disease is the parent/legal guardian of the infected student.

### **Instructional Program for District Contact Communicable Diseases**

The primary purposes of instruction in direct contact communicable diseases are to inform students of the threat of the diseases and to provide them with appropriate information to avoid risky situations and to make appropriate decisions. Content will focus on the epidemiology of the diseases and provide students an up-to-date report of medical advances being made in the area of these diseases. The instruction will be presented in developmentally appropriate curriculum.

### **School Visitation**

Parents/legal guardians, visitors, may visit the school office during normal operations. Volunteers are welcome for planned and purposeful supports to the school. Exclusions might include, but not be limited to, during safety drills or when health guidelines prohibit full access. It is necessary for you to identify yourself to the school principals or his/her designee by scanning your state issued identification through the district chosen computer program prior to contacting a child or entering school grounds. This is done for the protection of the children, the parents/legal guardians, and the school district. Children who are not enrolled in the school are not permitted to come to school with other students. Any visitor's parent/legal guardian who wishes to schedule a conference or enter a classroom must have prior arrangements with the classroom teacher. All visitors must always be escorted by a school employee.

### **Search and Seizure**

The Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner.

The Board acknowledges the need for in-school storage of student possessions and may provide storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board and in accordance with law, may be the subject of a search upon reasonable suspicion that a prohibited or illegally possessed substance or object is contained therein. Where lockers are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principal or designee to conduct a routine inspection at least annually of all such storage places.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person, property, or vehicle of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the training and experience of the school authority, their personal observations, the reliability of witness information, anonymous information, previous experiences with the student to be searched, the

knowledge of the student's age, reputation, and discipline record; the prevalence and/or seriousness of the suspected violation of law or the Code of Student Conduct, and the urgency to protect the health and safety of students, school personnel, and/or others.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Administrators are permitted to conduct a random search of any student's locker and its contents at any time, providing proper notice has been posted in the locker areas of each building.

Search of a student's person or intimate personal belongings shall be conducted in the presence of a staff member and/or a law enforcement officer, and if feasible, one should be of the same gender as the student.

The Board also authorizes the use of canines, trained in detecting the presence of drugs and paraphernalia. The means of detection shall be used only to determine the presence of drugs in places where such substances can be concealed. Canine detection will be conducted by law enforcement with specific training in the field of canine handling and detection. The Board has adopted the use of specially trained single purpose canines to be utilized for this purpose around students and/or staff. District Security reserves the authority to request canines specifically trained in explosive detection, search and rescue, or other disciplines when circumstances justify the need.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal or designee who shall first seek the freely offered consent of the student to the inspection. However, consent is not required for search subject to reasonable suspicion. Whenever possible, a search will be conducted by the principal or designee, in the presence of the student, another staff member, and/or a law enforcement officer. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property and consent is not a requirement. If the search is for weapons, the District's Active Assailant Response Procedures shall be relied upon as a guide. Refusal of a reasonable suspicion search will be presumptive confirmation of violation to be handled pursuant to the disciplinary guidelines of the Code of Student Conduct.

The principal or designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the witness, if known; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The principal or designee will make a reasonable attempt to notify the parent/legal guardian(s) of a student subject to search and will document these attempts. The school resource officer or local law enforcement officer shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The principal or designee may arrange for a breath test for blood-alcohol to be conducted on the student whenever the principal or designee has individualized reasonable suspicion to believe the student has consumed alcoholic beverages.

## **Student Conduct**

### **Staff Involvement**

All school personnel shall be informed and responsible for all school board administrative rules concerning discipline. All school personnel shall become involved in the discipline process anywhere on campus or at school functions off campus. A good faith effort shall be made by the Principal to employ parental/legal

guardian assistance or other alternative measures prior to suspension.

## **Guidelines**

The following guidelines shall be used to govern student conduct at all school-sponsored activities and at any time the student is under school jurisdiction. It is students' responsibility to become knowledgeable of these conduct policies at the beginning of each school year and to abide by them throughout their time in Brevard Public Schools. Violation of law shall be reported to proper legal authorities.

## **Notice to Law Enforcement**

School administrators shall ensure that the appropriate law enforcement agency is notified as soon as possible when an adult or a student commits any of the following offenses on school property, on school-sponsored transportation, or during a school-sponsored activity: homicide (murder, manslaughter); sexual battery; armed robbery; aggravated battery; battery or aggravated battery on a teacher or other school personnel; kidnapping or abduction; arson; possession, and use, or sale of any firearm; possession, use, or sale of any explosive device, or any other offense, though not listed above, the nature of which is such that it impacts the safety of the school or the community.

## **Civil Citation**

The criteria for recommending to law enforcement that a student who commits a criminal offense be allowed to participate in a civil citation or similar pre-arrest diversion program as an alternative to expulsion or arrest includes being a first-time juvenile misdemeanor offender or those who have violated a county or municipal ordinance. This may include those involved in non non-serious incidents occurring on school property. Administration is encouraged to offer any recommendations to law enforcement during the course of the investigation. In all cases, the law enforcement officer investigates and determines eligibility based on set criteria.

## **General Offenses**

Violation of any other law by students while on the school campus or at a school function will result in corrective action. The student may be suspended or recommended for expulsion and referral to proper law enforcement agencies.

## **Detention of Students**

A student may be detained at school for a specified period of time either before, during, or after the regular school day or on Saturday. A reasonable effort shall be made to notify a student's parent/legal guardian prior to the detention. Transportation of students following detention is the responsibility of the parent/legal guardian.

## **Corporal Punishment-Control of Students**

A teacher or other member of the certificated staff shall assume such authority for the control of students who are assigned to him/her by the Principal or designee and shall keep good order in the classroom. The use of corporal punishment is prohibited. Alternative disciplinary procedures, which may include time-out, peer review, or other forms of positive reinforcement, should be used to bring about appropriate student classroom behavior.

## **Rules of Discipline for Disabled Students**



Individual Educational Plans (IEPs) and 504 Accommodation Plans must be reviewed when a student commits a disciplinary infraction that can lead to a recommendation for expulsion. Please refer to the [Brevard County ESE Policies and Procedures](#) plan.

### **Alternative Learning Centers**

The School Board of Brevard County, Florida provides for Alternative Learning Centers that are available to provide educational instruction for students that:

- A. Commit expellable infractions of school rules at school or at a school function;
- B. Are charged with/convicted of a felony; and/or
- C. Are on community control/probation due to a felony charge or conviction.

The decision to place a student at an Alternative Learning Center is made by a team of individuals to include appropriate school district personnel, parent/legal guardian, and the student. A student who is being recommended for expulsion for a bomb threat or for possession of any firearm at school or at a school function, to include a rifle or shotgun, is not allowed to participate in the Alternative Learning Center program - refer to [Board Policy 5500](#).

The Alternative Learning Center operates at two (2) sites:

#### **Pathways at Gardendale**

(321) 633-3489  
801 Grove Blvd.  
Merritt Island, FL. 32653

#### **Pathways at Pinegrove**

(321) 242-4770  
2175 North Wickham Road  
Melbourne, FL 32935

### **Definitions of Student Behavior**

Student behavior occurring on a school campus, school board bus/bus stop, at a school or school board sponsored function, while participating in eLearning, distance learning or a field trip, or while at other School Board facilities, which is considered to be a violation of the Code of Student Conduct, is defined and described in this section. When a student commits an infraction, the behavior is classified according to the definition that best describes it.

School Environmental Safety Incident Reporting (SESIR) definitions were developed to enable school districts to correctly code data used to report incidents that are against the law or represent serious breaches of the Code of Student Conduct. Data is collected and reported at the state level and submitted to the US Department of Education. SESIR codes are indicated by a three (3) letter abbreviation.

#### **The following definitions shall apply when addressing student behaviors:**

1. Aggravated Battery with More Serious Injury (BAT): A battery where the attacker intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or where the attacker knew or should have known the victim was pregnant or an attack on any other individual when the force or violence is carried out against a person who is not fighting back; the attack must be serious enough to warrant consulting law enforcement and result

in more serious bodily injury, more seriously bodily injury is defined as death or bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

2. Alcohol Possession/Sale/Use/Distribution (ALC): possession, sale, purchase, or use of alcoholic beverages by any student while such student is upon a school campus, a schoolbus/bus stop, at a school or School Board sponsored function, or while at other School Board facilities; use means the person is caught in the act of using, admits to use, is discovered to have used in the course of an investigation, or is found to be under the influence of alcohol as determined by appropriate law enforcement or other official entity. If a student arrives at school or a school activity in a vehicle that contains alcoholic beverages or there is evidence that the student knew about the alcoholic beverages in the vehicle, then the student is considered in possession of the alcoholic beverages. Alcohol incidents cannot be drug related.
3. Ammunition Possession (063): possession of a fixed metallic or nonmetallic hull or casing containing a primer; one or more projectiles, one or more bullets or shot; and/or gunpowder.
4. Arson (ARS): 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. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.
5. Assault (TR2): an intentional threat on an employee, student, or volunteer by word or act to do violence to another person, coupled with an apparent ability to do so, or doing some act that creates a well-founded fear in another person that such violence is imminent without subjecting the person to physical attack.
6. Bomb Threat (DO1): behavior that poses a serious threat to the learning environment, health, safety, welfare, or property of others (major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation); intentionally making a false, verbal or written, report to any person, including school personnel concerning the placement or possessing, using, selling, storing, distributing, constructing, or detonating any combustible substance, or a destructive device such as a bomb, letter bomb, pipe bomb, grenade, rocket, or similar device that is designed to explode. Note: Pursuant to Section 790.162, Florida Statutes, it is a second-degree felony for a person to threaten to throw, project, place, or discharge a destructive device with the intent to do bodily harm. Pursuant to Section 790.163, Florida Statutes, it is a second-degree felony to make a false report concerning the placement of a bomb or destructive device.
7. Bullying (BUL): (intimidating behaviors) systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or school employees; it is further defined as 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 intimidating, hostile, or offensive educational environment; to cause discomfort or humiliation; or to unreasonably interfere with the individual's school performance or participation; and may involve, but is not limited to: teasing, social exclusion, threat, intimidation, stalking, physical violence, theft, sexual, religious, or racial/ethnic harassment; public and private humiliation, destruction of property. Bullying includes instances of cyberbullying.

Bullying also encompasses:

- A. 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.
- B. Perpetuation of conduct listed in the definition of bullying 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; and/or
  - Acting in a manner that has an effect substantially similar to the effect of bullying or
  - Harassment (see School Board Policy 5517.01, Bullying, Harassment and Dating Violence and Abuse)
8. Burglary (BRK): Unlawful entry into or remaining in a dwelling, structure, or conveyance owned or operated by Brevard Public Schools with the intent to commit a crime therein.
9. Bus/Transportation Procedure Violation-Major (OM2): A violation of school bus/transportation rules that results in a report of misconduct from the bus driver that is not already defined by district behavior infractions. These include, but are not limited to, tampering with bus equipment, throwing any object out the windows, and other offenses that may create a major safety hazard.
10. Bus/Transportation Procedure Violation-Minor (064): A violation of school bus/transportation rules that results in a report of misconduct from the bus driver that is not already defined by district behavior infractions. These include but not limited to jumping out of the back of a stationary bus, misuse of seat belt, or getting off unassigned bus stop.
11. Cheating (069): use of unauthorized assistance with intent to deceive an instructor or another person assigned to evaluate the student's work in meeting course or graduation requirements.
12. Chemical Spray Misuse (068): the unsafe use of any spray or aerosol item and/or failure to follow school procedures related to such sprays.
13. Chronic Misconduct (011): multiple and frequent serious violations of the Code of Student Conduct.
14. Classroom Disruption (Minor) (070): engaging in conduct that interferes with the process of teaching and/or learning.
15. Classroom Disruption (Major) (111): major disruption of all or significant portion of classroom activities that interferes with the process of teaching and/or learning; disruptive behavior that poses a serious threat to the classroom learning environment, health, safety, or welfare of others.
16. Counterfeit (071): to knowingly produce, use, or distribute an imitation of something genuine with the intent to deceive or defraud including, but not limited to, authentic school documentation.
17. Cyberbullying (BU1): 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 webpage or weblog in which the creator

assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated 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.

18. Cyberstalk (TR1): as defined in Section 784.048(1)(d), Florida Statutes, 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.
19. Disengaged Behavior (072): conduct that demonstrates a lack of engagement or attention in school or class, lessons or activities, including but not limited to, non- participation, putting head down on desk, napping, or sleeping in class.
20. Disruption on Campus-Major (DOC): major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation; disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others; example: inciting a riot, initiating a false fire alarm. Do not use this code for students defying authority, disobeying, or showing disrespect to others, using inappropriate language or gestures, or classroom disruption.
21. Dress Code Violation (004): failure to comply with the established dress code policy.
22. Drug Sale/Distribution (DRD): The sale/distribution of controlled substances, as defined in Chapter 893, Florida Statutes, by any student while such student is on any school campus, a school bus, at a school or School Board sponsored function, or while at other School Board facilities is prohibited. The manufacture, cultivation, student sale or distribution of hallucinogenic drugs or combinations of drugs, or substances having hallucinatory effects, marijuana, other drugs or combinations of drugs or drug paraphernalia is expressly prohibited by federal, state, or local laws, including prohibited substances which shall include those substances sold and/or distributed that are held out to be, or represented to be, narcotics, controlled substances, illegal substances, or counterfeit in any respect illegal or controlled substances, at any school campus, a school bus, at a school or School Board sponsored function or while at other School Board facilities is prohibited.
23. Drug Use/Possession (DRU): Possession, use, or under the influence of controlled substances, as defined in Chapter 893, Florida Statutes, by any student while such student is on any school campus, a school bus, at a school or School Board sponsored function, or while at other School Board facilities is prohibited. Student possession of, use of, or being under the influence of, hallucinogenic drugs, or combinations of drugs, or substances having hallucinatory effects, marijuana, or under the influence as determined by appropriate law enforcement or other official entity of glue or other drugs, or combinations of drugs, or drug paraphernalia is expressly prohibited by federal, state, or local laws, including prohibited substances which shall include those substances possessed, sold, and/or used that are held out to be or represented to be controlled substances, narcotics, illegal substances, or counterfeit in any respect illegal or controlled substances, at any school campus, a school bus, at a school or School Board sponsored function, or while at other School Board facilities is prohibited. If a student arrives at school or a school activity in a vehicle that contains controlled substances or illegal drugs or there is evidence that the student knew about the controlled substances or illegal drugs in the vehicle, then the student is considered in possession of the controlled substances or illegal drugs.

24. Electronic/Telecommunications Device Misuse (Major) (073): any unauthorized audio, video or photograph(s) that can be used to degrade, threaten, intimidate, or dehumanize.
25. Electronic/Telecommunications Device Misuse (Minor) (075): display or use of cellular phone or other telecommunication devices or electronic equipment, unless for an approved activity; unauthorized use of an electronic device or camera to record school related events or activities on campus.
26. Explosives (WP1): manufacturing, transporting, possessing, using, selling, storing, distributing or detonating any combustible substance or destructive device such as a bomb, pipe bomb, mine, grenade, rocket, or similar device that is designated to explode (examples could include, but are not limited to, fireworks) (Sections 552.22 and 790.001 Florida Statutes).
27. Failure to Serve a Teacher Detention (078): not attending a teacher assigned detention.
28. Failure to Serve an Administrative Detention (031): not attending an administratively assigned detention.
29. Failure to Serve an Extended Detention (066): not attending an assigned extended detention (includes Saturday school/detention).
30. Failure to Report Criminal Offenses (076): students who are aware of serious offenses, which include but are not limited to, the possession of weapons, firearms, and drugs, and failed to report that information to a teacher or administrator at their earliest opportunity.
31. False Accusation Against a Staff Member (079): the intentional publication (electronic, oral, or written) of untrue, injurious allegations that jeopardize the professional reputation, employment, or professional certification of a teacher, administrator, or other School Board personnel.
32. False Reporting (113): intentionally providing false or misleading information to or withholding valid information.
33. Felony (Off Property) (024): when a currently enrolled Brevard Public School or transfer student is formally charged by a proper prosecuting attorney with a felony or with a delinquent act which would be a felony if committed by an adult for an incident occurring off School Board property.
34. Fighting (FIT): mutual combat, mutual altercation; when two (2) or more persons mutually participate in use of force or physical violence that requires either physical restraint or results in injury requiring first aid or medical attention; this does not include lower-level fights involving pushing, shoving, or altercations that stop upon verbal command and are not required to be reported in SESIR.
35. Fighting (Non-SESIR) (005): two (2) or more individuals participating in physical conflict with both parties engaged.
36. Forgery (061): falsely making or changing a written paper or signing someone else's name.
37. Gambling (081): any participation in games or activities of chance for money, profit, or items of value.
38. Harassment (HAR): 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 their person or damage to their 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 or School Board function including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

Harassment also encompasses:

- A. 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.
  - B. Perpetuation of conduct listed in the definition of bullying 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; and/or
    - Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
39. Hazing (HAZ): any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission or affiliation with any school-sanctioned organization; hazing includes, but is not limited to: pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the element.
40. Homicide (HOM): the unjustified killing of a human being by another.
41. Horseplay (067): engaging in reckless, rowdy, or rough behavior that interferes with the safe or purposeful order of a school or school-related activity.
42. Inciting (059): engaging in any behavior (by electronic, word, or act) as an individual or as a member of a group or crowd that encourages or instigates threatening, aggressive, or unsafe acts.
43. Kidnapping (KID): abduction of an individual; forcibly, or by threat, confining, abducting, or imprisoning another person against the student's will and without lawful authority.
44. Larceny/Theft \$750 or Greater (STL): (taking of property from a person, building, or a vehicle) the unauthorized taking, carrying, riding away with, or concealing the property of another person including motor vehicles, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally defined incidents according to district policies.
45. Larceny/Theft Less than \$750 (006): (taking of property from a person, building, or a vehicle) the unauthorized taking, passing, carrying, or concealing the property of another person.
46. Leaving School Campus Without Permission (033): leaving a school campus without staff or parent(s)/guardian(s) permission and/or not following the established procedures for checking out of school; this also includes elopement.

47. Medication Policy Violation (107): failure to comply with the guidelines for possessing or administering prescription and/or non-prescribed (over the counter) drugs (see School Board Policy 5330).
48. Network/Internet Misuse (Major) (082): misuse of a computer/technology with malicious intent; examples could include, but are not limited to: “system hacking” or making unauthorized changes to operating systems; breaking into restricted accounts or networks; modifying or destroying files without permission; illegally copying software; etc.
49. Network/Internet Misuse (Minor) (084): violation of the student network and internet safety acceptable use and safety School Board Policy 7540.03; examples could include, but are not limited to, accessing non-instructional and/or inappropriate content.
50. Other Major Offense (OMC): (major incidents that do not fit within the other definitions) any serious, harmful incident resulting in the need for law enforcement consultation not previously classified; examples: student producing or knowingly using counterfeit money, participating in gambling activities, possessing child pornography, or possessing drug paraphernalia. This includes any drug or weapon found unattended and not linked to any individual; such incidents must be coded with the appropriate related element (such as Drug related or Weapon-related) and incident involvement must be reported as unknown.
51. Out of Assigned Area (040): not reporting to or leaving an assigned class, activity, or area without receiving proper prior approval; this may also include being present in an area not open to student access during all or portions of a day; this also includes elopement.
52. Pantsing (110): the action of pulling down or removing a person’s trousers (this could rise to a more severe behavior depending on the circumstances).
53. Physical Attack (PHA): An actual and intentional striking of another person against his or her will, or the intentional causing of bodily harm to an individual; the attack must be serious enough to warrant consulting law enforcement and result in less serious bodily injury; “less seriously bodily injury” is defined as bodily injury which requires immediate first aid or subsequent medical attention; 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.
54. Physical Aggression, One-sided (109): an individual participating in a non-mutual inappropriate and/or aggressive physical contact with aggressive intent towards another student or School Board employee.
55. Plagiarism (085): the practice of taking someone else’s work or ideas and passing them off as one’s own.
56. Pornographic Materials (Student) (086): possession of pornographic materials.
57. Possession of a Potentially Dangerous Object (Minor) (009): a device, object, material, or substance, animate or inanimate, that is capable of causing bodily injury. These include, but are not limited to: stun guns, air guns, BB guns, a common pocket knife (knife less than four (4) inches, blunt bladed table knife or plastic knife (see Section 790.001, Florida Statutes), self-defense chemical spray containing not more than two (2) ounces of chemical, or lighter/matches. Intent of use should be considered.

58. Possession of a Potentially Dangerous Object (Major) (112): a device, object, material, or substance, animate or inanimate, that is capable of causing bodily injury with intent to use or intimidate. These include, but are not limited to: stun guns, air guns, BB guns, a common pocket knife (knife less than four (4) inches, blunt bladed table knife or plastic knife (see Section 790.001, Florida Statutes), self-defense chemical spray containing not more than two (2) ounces of chemical, or lighter/matches. Intent of use should be considered.
59. Possession of a Stolen Item(s) (087): a student's possessing or passing of property that is not their own.
60. Profane, Obscene, or Vulgar Language (Major) (100): the use of either oral or written language, electronic messages, gestures, objects, or pictures which are aggressive and targeted toward another; considered to be offensive, derogatory, inflammatory, and subversive and are inappropriate for the school setting or which tend to disrupt the orderly school environment, a school function, or extracurricular/co-curricular activity; this may include the sending or receiving any inappropriate texts, emails, messages, etc. of a sexual nature.
61. Profane, Obscene, or Vulgar Language (Minor) (101): the use of either oral or written language, electronic messages, gestures, objects, or pictures which are considered to be offensive, derogatory, inflammatory, and subversive and are inappropriate for the school setting.
62. Public Display of Affection (088): engaging in intimate displays of affection that are not suitable for an educational setting or inappropriate for grade level.
63. Robbery (ROB): (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 putting the victim in fear. A key difference in robbery and larceny/theft is that robbery involves a threat or assault.
64. Sexting (089): a minor commits the offense of sexting if he or she knowingly: (a) uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to any minor any photograph or video of any person which depicts nudity and is harmful to minors and/or (b) possesses a photograph or video of any person which is transmitted or distributed by another minor which depicts nudity and is harmful to minors (see Section 847.0141, Florida Statutes).
65. Sexual Assault (SXA): an incident that includes threatened rape, fondling, indecent liberties, child molestation. All students can be a victim of sexual assault. The threat must include all of the following elements: intent, fear, and capability.
66. Sexual Battery (SXB): (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. All students can be victims of sexual battery.
67. Sexual Harassment (SXH): (undesired sexual behavior) unwanted verbal or physical behavior with sexual connotations 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 (Rule 6A- 19.008, Florida Administrative Code).



68. Sexual Offenses (SXO): (lewdness, indecent exposure) other sexual contact, including intercourse, without force or threat of force; subjecting an individual to lewd sexual gestures, comments, sexual activity, or exposing private body parts in a lewd manner (law enforcement must be notified to investigate).
69. Student Conflict (108): disruptive behavior (verbal, written, electronic) that may pose a threat to the health, safety, or causes psychological distress of a student (examples could include, but are not limited to: name calling, teasing, starting rumors, etc.).
70. Tardy to Class (062): late arrival to class.
71. Tardy to School (090): late arrival to school.
72. Threat/Intimidation (TRE): An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.
73. Threat to Property (091): a threat (electronic, written, or verbal) to cause harm to another person's or entity's property.
74. Threat to School, Staff or Student (118): a threat (electronic, written, or verbal) implied or actual to cause harm or school disruption.
75. Tobacco (TBC): (cigarettes or other forms of tobacco) the act of possessing, using, distributing, or selling of tobacco, or nicotine products represented to be a tobacco product, or device associated with tobacco, including but not limited to: electronic cigarettes or smokeless tobacco on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be drug related.
76. Transfer Student to ALC (023): Another district's student serving an alternative placement in lieu of a recommendation for expulsion transfers to a Brevard Public Schools.
77. Trespassing (TRS): (illegal entry onto campus) to enter or remain on school grounds, school transportation, or at a school-sponsored event on or off campus, without authorization or invitation and with no lawful purpose for entry.
78. Unauthorized Entry (115): the unauthorized entry or aiding in the admittance of any person(s) onto any school board property without following school and district entry/ health and safety procedures.
79. Unauthorized Possession of Item(s) (093): the possession or storage of items, without administrative authorization, that have the potential of interfering with teaching or learning, such as, but not limited to: skates, skateboards, radios, toys, and/or video games as well as items or merchandise brought to school for the purpose of sale or distribution.
80. Unauthorized Publication(s) (094): the unapproved posting or distribution of printed words, petitions, electronic messages, or graphic representations as set out in School Board Policy 5722.
81. Unsubstantiated Bullying: After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the

incident meets the criteria of a prohibited act under the definition of bullying as listed in the Jefferey Johnston Stand Up for all Students Act (Section 1006.147.F.S.).

82. Unsubstantiated Harassment: After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under the definition of harassment as listed in the Jefferey Johnston Stand Up for all Students Act (Section 1006.147.F.S.).
83. Vandalism Less Than \$1000 (007): (destruction, damage, or defacement of school, school bus or personal property) the intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of it.
84. Vandalism \$1000 or Greater (VAN): (destruction, damage, or defacement of school, school bus or personal property) the intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of it. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally defined incidents according to district policies.
85. Verbal Confrontation (098): engaging in behavior that provokes, promotes, or encourages hostility or disruption.
86. Vehicle/Parking Violation (097): failure to follow established rules and regulations concerning the privilege of driving and parking vehicles on a school campus or on School Board property.
87. Violation of Safety Drill Procedures (116): The intentional disruption of any school or district-initiated safety drill on school board property that potentially jeopardizes the health and safety of students and/or any BPS employee.
88. Willful Disobedience/Insubordination (103): the refusal or failure to follow a direction or order from a School Board staff member, bus driver, or any other adult in authority at school; this may include failure to identify one's self by name.
89. Weapons Possession (WPO): possession of firearms and other instrument or objects/object as defined by Section 790.001, F.S., 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 a common pocketknife is exempted from state zero tolerance expulsion requirement in Section 1006.07(2), Florida Statutes; however, law enforcement should be notified of any weapon or knife, including pocketknives, for investigation. If a student arrives at school or a school activity in a vehicle that contains a weapon or there is evidence that they knew about the weapon in the vehicle, then they are considered in possession of the weapon. Incidents involving toys and simulated firearms, or weapons are subject to the limitations defined in Section 1006.07(2)(g), F.S.).

## **Definitions of Corrective Strategies**

Corrective strategies are administrative responses to a disciplinary referral meant to prevent a recurrence of an inappropriate or problem behavior. This is not an exhaustive list. The following definitions shall apply when applying corrective strategies:

1. **Administrative Detention (001-004):** a student detained by an administrator at school for a specified period of time not to exceed one (1) hour, either before, during, or after the regular school day.

2. **Alternative Classroom Placement (005):** assignment of a student to another classroom for a specified period of time not to exceed one (1) class period.
3. **Bicycle or Skateboard Privilege Staggered/Suspended/Revoked (009):** a student's ability to ride his/her bike to a school campus is staggered or suspended for a specified period of time or revoked for the remainder of the school year
4. **Bus Suspension (Short Term) (012):** a student's privilege to ride the school bus is suspended for a specified period of time not to exceed three (3) days
5. **Bus Suspension (Long Term) (011):** a student's privilege to ride the school bus, with approval from the Superintendent or designee, may be suspended for more than three (3) days but not to exceed ten (10) days (Board [Policy 5610](#))
6. **Check-In/Check-Out with Identified Staff Member\* (013):** student check-in and/or check-out with a school counselor, resource teacher, school psychologist, school social worker, coach, or adult who has a relationship with the student
7. **Classroom Reassignment (014):** assignment of a student to another classroom for a specified period of time
8. **Conference with Student (016):** face-to-face communication with the student about the behavior(s) and anticipated outcome(s)
9. **Confiscation of Item(s) or Device(s) (018):** removing an item(s) or device(s) from a student's possession
10. **Daily or Weekly Report to Parent/Legal Guardian(s) (024):** written communication to the parent/legal guardian(s) on a daily or weekly basis
11. **Extended Detention (026-029):** a student detained by an administrator at school for a specified period of time (exceeding one (1) hour) either before, during, or after the regular school day or on a Saturday
12. **Financial Restitution (031):** the financial reimbursement owed as a result of damage or loss of property
13. **Referral for Functional Behavior Assessment/ Behavior Intervention Plan\* (045):** a Functional Behavior Assessment (FBA) gathers information about student's behaviors of concern and determines approaches that a school team takes to correct or manage student behavior.  
  
The information from the FBA is then used to develop a Behavior Intervention Plan (BIP). A BIP offers preventative, teaching, and reinforcement-based strategies designed by a school team to reduce behaviors of concern and increase replacement skills.
14. **Home Visit\* (032):** The purpose of conducting home visits is to establish a relationship with parents/legal guardians and their children. Visiting families in their homes shows them that you are genuinely interested in their child and demonstrates your commitment to building a relationship with them in order to help their child be successful. These visits also allow you the opportunity to get to know the child in his/her natural and familiar setting
15. **In-School Suspension (I):** a suspension that prevents a student from attending all or some classes

where the student is assigned to an alternative educational setting on a school campus

16. **Loss of Privilege (s (033)):** loss of a student's right to access a privilege that occurs during the school day or beyond the school day excluding co-curricular activities
17. **Mentoring\* (034):** assigning the student a Mentor (coach, teacher, tutor, community member, counselor or trusted advisor) who is willing to spend his or her time and expertise to guide the student behavior
18. **Out-of-School Suspension (1-3 days) (01):** the student shall not be allowed to attend their regular classes or school-sponsored activities for a prescribed number of days not to exceed three (3)
19. **Out-of-School Suspension (4-5 days) (04):** the student shall not be allowed to attend their regular classes or school-sponsored activities for a prescribed number of days ranging from four (4) to five (5)
20. **Out-of-School Suspension (up to 10 days pending investigation) (OPI):** the student shall not be allowed to attend their regular classes or school-sponsored activities for a prescribed number of days not to exceed ten (10)
21. **Parent/Legal Guardian Conference (017):** meeting with the parent/legalguardian(s) at a scheduled time/place concerning student's behavior
22. **Parking Privilege Suspended/Revoked (036):** a student's ability to park on school campus is suspended for a specified period of time or revoked for the remainder of the school year
23. **\*Peer Mediation (037):** employing a form of conflict resolution in which students serve as mediators and help their peers deal with and develop solutions to conflicts
24. **Phone Conference (038):** contacting the parent/legal guardian(s) by phone concerning student's behavior
25. **Plan Meeting (504, ELL, IEP, or IPST) (039):** a 504, ELL, IEP and/or an IPST/IEP meeting to address student concerns
26. **Reassigned Bus Seat (042):** relocation of a student's assigned seat on the bus
27. **Recommendation for Alternative Placement (030):** in lieu of expulsion or felony suspension a student may be recommended by building administrator(s) for placement in an alternative learning center
28. **Recommendation for Expulsion:** the removal of the right and obligation of a student to attend public school for a specified period of time not to exceed the remainder of the current school year and one (1) additional year of attendance
29. **Reflective Assignment\* (050):** an assignment required of the student to reflect on behavior(s) and reinforce correct behavior(s)
30. **Referral to Certified School Counselor/ School Social Worker\* (047):** referring a student to meet with the Certified School Counselor or School Social Worker.
31. **Referral to Community Based Organizations\* (048):** referring a student for a variety of services,

which could include, but are not limited to: after-school programming, mental health services pursuant to section 1012.584(4), Florida Statutes, individual or group counseling, leadership development, conflict resolution, medical services, and/or tutoring

32. **Report to Law Enforcement:** referral to the local law enforcement agency
33. **Restorative Practice\* (051):** A corrective action on the continuum of Restorative Practices may include informal processes, such as Restorative Questions/Conversation, to more formal practices such as Problem-Solving Circles and Formal Restorative Conferencing. Training is required prior to facilitating this corrective strategy
34. **Reverse Suspension (052):** when a parent/legal guardian spends a defined period of time during the school day by their child's side; all confidentiality procedures must be followed
35. **Safety Plan (053):** development of a plan to ensure that a student involved in a report of being the target of bullying or harassment (whether substantiated or unsubstantiated) remains physically and emotionally safe
36. **School Service Work (054):** supervised task that the student performs as assigned by administration with parent/legal guardian permission
37. **Seating Change (055):** relocation of a student's assigned seat
38. **Social/Academic Instructional Groups\* (056):** an instructional group aligned to student's needs that targets academic, behavioral, and/or social skills
39. **Stay Away Contract (057):** development of a contract for a student that limits or eliminates contact with another student(s)
40. **Student Behavior Contract\* (058):** correcting inappropriate or disruptive student behavior through a formal plan designed by school staff to offer positive behavioral interventions, strategies, and supports
41. **Suspension Pending Parent/Legal Guardian Conference (064):** student is suspended from school, not to exceed three (3) school days, until the parent/legal guardian(s) attends a scheduled conference with an administrator; every day the student is not in school is defined as an out-of-school suspension
42. **Suspension/Revocation of Network/Internet Access (059):** users who disregard Board Policy 7540 - Computer Technology and Networks and its accompanying procedures may have the use privileges suspended or revoked, and disciplinary action taken against them\***Teach/Reteach Student Expectations (065):** the student is provided instruction in the expected behavior
43. **Wardrobe Change (066):** dress code violation is corrected by allowing the student the opportunity to change their attire

\*Part of the multi-tiered framework to support social-emotional learning, behavior, and mental health

## Discipline Plan Elementary PreK – 6<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<i>Student Behavior (Incident)</i>	<i>Range of Corrective Strategies (Action)</i>
<p><b>Level 1 Behaviors:</b> relatively minor behavior or general disruption that affects the orderly operation on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 1</b></p> <ul style="list-style-type: none"> <li>• Cheating (069)</li> <li>• Disengaged Behavior (072)</li> <li>• Dress Code Violation (004)*</li> <li>• Electronic/Telecommunications Device Misuse (Minor) (075)</li> <li>• Failure to Serve a Teacher Detention (078)</li> <li>• Failure to Serve an Administrator Detention (031)</li> <li>• Failure to Serve an Extended Detention (066)</li> <li>• False Reporting (113)</li> <li>• Horseplay (067)</li> <li>• Leaving School Campus Without Permission (033)**</li> <li>• Medication Policy Violation (107)</li> <li>• Network/Internet Misuse (Minor) (084)</li> <li>• Out of Assigned Area/Elopement(040)</li> <li>• Physical Aggression, One-sided (PreK and KG only) (114)</li> <li>• Plagiarism (085)</li> <li>• Public Display of Affection (088)</li> <li>• Student Conflict (108)</li> <li>• Tardy to Class* (062)</li> <li>• Tardy to School* (090)</li> <li>• Unauthorized Possession of Item(s) (093)</li> <li>• Willful Disobedience/Insubordination (PreK and KG only) (103)</li> </ul> <p>*See page 25 for mandatory enforcement of dress code violations</p> <p>**Per Florida State Statute 1006.09; No student shall be suspended for unexcused tardiness, lateness, absence, or truancy.</p>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 1. Repeated Level 1 incidents may be advanced to Level 2 with approval from the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 1</b></p> <ul style="list-style-type: none"> <li>• Administrative Detention</li> <li>• Check-In/Check-Out with Identified Staff Member</li> <li>• Classroom Reassignment</li> <li>• Conference with Student</li> <li>• Confiscation of Item(s) or Device(s)</li> <li>• Daily or Weekly Report to Parent/Guardian</li> <li>• Extended Detention</li> <li>• Financial Restitution</li> <li>• Home Visit</li> <li>• In-School Suspension (1-3 days)</li> <li>• Loss of Privilege(s)</li> <li>• Parent/Guardian Conference</li> <li>• Peer Mediation</li> <li>• Phone Conference</li> <li>• Reassigned Bus Seat</li> <li>• Referral to Certified School Counselor/Social Worker)</li> <li>• Reflective Assignment</li> <li>• Restorative Practice Conference</li> <li>• Reverse Suspension (PreK only)</li> <li>• School Service Work</li> <li>• Seating Change</li> <li>• Social/Academic Instructional Groups</li> <li>• Student Behavior Contract</li> <li>• Teach/Reteach Student Expectations</li> <li>• Wardrobe Change</li> </ul>
<p><b>Special Considerations</b></p> <ul style="list-style-type: none"> <li>- Good faith attempt must be made immediately to contact parent(s)/guardian(s). If the behavior is related to gangs, weapons, retaliation or hate speech or hate crimes, then next level corrective strategies may be necessary. Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- For PreK students, consider the developmental needs and age of the student.</li> <li>- All corrective strategies listed above may not be available at all schools.</li> </ul> <p><b>Students with Disabilities (IEP/Section 504):</b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	

## Discipline Plan Elementary PreK – 6<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<b><i>Student Behavior (Incident)</i></b>	<b><i>Range of Corrective Strategies (Action)</i></b>
<p><b>Level 2 Behaviors:</b> more serious than Level 1 behaviors and significantly interfere with the learning and/or the well-being of self and/or others on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 2</b></p> <ul style="list-style-type: none"> <li>• Ammunition Possession (063)</li> <li>• Bus/Transportation Procedure Violation (Minor) (064)</li> <li>• Chemical Spray Misuse (068)</li> <li>• Classroom Disruption (Minor) (070)</li> <li>• Electronic/Telecommunications Device Misuse(Major) (073)</li> <li>• Fighting (Non-SESIR) (005)</li> <li>• Forgery (061)</li> <li>• Gambling (081)</li> <li>• Larceny/Theft Less Than \$750 (006)</li> <li>• Pantsing (110)</li> <li>• Pornographic Material (Student) (086)</li> <li>• Possession of a Stolen Item(s) (087)</li> <li>• Profane, Obscene or Vulgar Language (Minor) (101)</li> <li>• Tobacco (TBC)</li> <li>• Trespassing (TRS)</li> <li>• Unauthorized Publication(s) (094)</li> <li>• Verbal Confrontation (098)</li> <li>• Willful Disobedience/Insubordination (1-6) (103)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 2. The use of corrective strategies from Plan 1 may also be used to address Level 2 behaviors. Repeated Level 2 incidents may be advanced to Level 3 with approval from the Office of Leading and Learning.</p> <p style="text-align: center;"><b>LEVEL 2</b></p> <ul style="list-style-type: none"> <li>• Administrative Detention</li> <li>• Bicycle/Skateboard Privilege Staggered/Suspended/Revoked</li> <li>• Bus Suspension (Short Term)</li> <li>• Extended Detention</li> <li>• Financial Restitution</li> <li>• In-School Suspension (1-3 days)</li> <li>• Mentoring</li> <li>• Out-of-School Suspension (1-3 Days)</li> <li>• Plan Meeting (504, ELL, IEP or IPST)</li> <li>• Referral to Community Based Organizations</li> <li>• Referral for Functional Behavioral Assessment/Behavior Intervention Plan</li> <li>• Report to Law Enforcement</li> <li>• Restorative Practice</li> <li>• Reverse Suspension (K-6)</li> <li>• Safety Plan</li> <li>• Stay Away Contract</li> <li>• Suspension Pending Parent/Guardian Conference (up to 3 days)</li> </ul>
<p><b><u>Special Considerations</u></b></p> <ul style="list-style-type: none"> <li>- Good faith attempt must be made immediately to contact parent(s)/guardian(s). If the behavior is related to gangs, weapons, retaliation hate speech or hate crimes, then next level corrective strategies may be necessary. Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- For PreK students, consider the developmental needs and age of the student.</li> <li>- All corrective strategies listed above may not be available at all schools.</li> </ul> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	

## Discipline Plan Elementary PreK – 6<sup>th</sup> Grades Student Behaviors and Range of Corrective Strategies

<i>Student Behavior (Incident)</i>	<i>Range of Corrective Strategies (Action)</i>
<p><b>Level 3 Behaviors:</b> more serious than Level 2 behaviors that include serious disruption of school order and/or threats to the health, safety and well-being of self and/or others and/or property of others on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 3</b></p> <ul style="list-style-type: none"> <li>• Bullying (BUL)</li> <li>• Counterfeit (071)</li> <li>• Cyberbullying (BU1)</li> <li>• Inciting (059)</li> <li>• Network/Internet Misuse (Major) (082)</li> <li>• Physical Aggression, One sided (1-6)(109)</li> <li>• Possession of a Potentially Dangerous Object (Minor) (009)</li> <li>• Profane, Obscene or Vulgar Language (Major) (100)</li> <li>• Sexting (089)</li> <li>• Threat to Property (091)</li> <li>• Threat to School, Staff or Student (118)</li> <li>• Vandalism Less Than \$1000 (007)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 3. The use of corrective strategies from Plans 1 and 2 may also be used to address Level 3 behaviors. Repeated Level 3 incidents may be advanced to Level 4 with approval from the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 3</b></p> <ul style="list-style-type: none"> <li>• Extended Detention</li> <li>• Financial Restitution</li> <li>• In-School Suspension (1-3 days)</li> <li>• Out-of-School Suspension (1-3 days)</li> <li>• Out-of-School Suspension (4-5 Days) with approval from the Office of Leading and Learning</li> <li>• Report to Law Enforcement</li> <li>• Suspension/Revocation of Network/Internet Access</li> <li>• Suspension Pending Parent/Guardian Conference (up to 3 days)</li> </ul>
<p><b><u>Special Considerations</u></b></p> <ul style="list-style-type: none"> <li>- Good faith attempt must be made immediately to contact parent(s)/guardian(s). If the behavior is related to gangs, weapons, retaliation hate speech or hate crimes, then next level corrective strategies may be necessary. Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- For PreK students, consider the developmental needs and age of the student.</li> <li>- All corrective strategies listed above may not be available at all schools.</li> </ul> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	



## Discipline Plan Elementary PreK – 6<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<i>Student Behavior (Incident)</i>	<i>Range of Corrective Strategies (Action)</i>
<ul style="list-style-type: none"> <li>• <b>Level 4 Behaviors:</b> the more serious acts of unacceptable behaviors that seriously endanger the health and well-being of self and/or others and/or cause significant damage to property on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.               <ul style="list-style-type: none"> <li>• <b>LEVEL 4</b></li> </ul> </li> <li>• Alcohol Possession/Sale/Use/Distribution (ALC)</li> <li>• Arson (ARS)</li> <li>• Assault (TR2)</li> <li>• Burglary (BRK)</li> <li>• Bus/Transportation Procedure Violation (Major) (OM2)</li> <li>• Chronic Misconduct (011)</li> <li>• Classroom Disruption (Major) (111)</li> <li>• Cyberstark (TR1)</li> <li>• Disruption on Campus (DOC) – Major</li> <li>• Drug Sale/Distribution (DRD)</li> <li>• Drug Use/Possession (DRU)</li> <li>• Explosives (WP1)</li> <li>• Failure to Report Criminal Offenses (076)</li> <li>• False Accusation Against a Staff Member (079)</li> <li>• Felony (Off Property) (024)</li> <li>• Fighting (FIT)</li> <li>• Harassment (HAR)</li> <li>• Hazing (HAZ)</li> <li>• Larceny/Theft \$750 or Greater (STL)</li> <li>• Other Major Offense (OMC)</li> <li>• Physical Attack (PHA)</li> <li>• Possession of a Potentially Dangerous Object (Major) (112)</li> <li>• Robbery (ROB)</li> <li>• Sexual Assault (SXA)</li> <li>• Sexual Harassment (SXH)</li> <li>• Sexual Offenses (SXO)</li> <li>• Threat/Intimidation (TRE)</li> <li>• Vandalism \$1000 or Greater (VAN)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 4. The use of corrective strategies from Plans 1, 2, and 3 may also be used to address Level 4 behaviors. For all Level 4 behaviors, contact the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 4</b></p> <ul style="list-style-type: none"> <li>• Bus Suspension (Long Term) with Office of Leading and Learning Approval</li> <li>• Financial Restitution</li> <li>• In-School Suspension</li> <li>• Out of School Suspension (1-5 Days) with approval from the Office of Leading and Learning</li> <li>• Out-of-School Suspension (up to 10 days pending investigation)</li> <li>• Recommendation for Alternative Placement</li> <li>• Recommendation for Expulsion</li> <li>• Report to Law Enforcement</li> <li>• Transfer student to ALC</li> </ul>
<p><b>Special Considerations</b></p> <ul style="list-style-type: none"> <li>- Immediately contact parent(s)/guardian(s). Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- For PreK students, consider the developmental needs and age of the student.</li> </ul> <p><b>Students with Disabilities (IEP/Section 504):</b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities ACT (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards</p>	

**Discipline Plan Elementary PreK – 6<sup>th</sup> Grades  
Student Behaviors and Range of Corrective Strategies**

<b><i>Student Behavior (Incident)</i></b>	<b><i>Range of Corrective Strategies (Action)</i></b>
<p><b>Level 5 Behaviors:</b> the most serious acts of unacceptable behaviors that seriously endanger the health and well-being of self and/or others and/or cause significant damage to property on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 5</b></p> <ul style="list-style-type: none"> <li>• Aggravated Battery with More Serious Injury (BAT)</li> <li>• Bomb Threat (DO1)</li> <li>• Homicide (HOM)</li> <li>• Kidnapping (KID)</li> <li>• Sexual Battery (SXB)</li> <li>• Weapons Possession (WPO)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 5. All Level 5 behaviors <u>must</u> be reported to law enforcement and to the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 5</b></p> <ul style="list-style-type: none"> <li>• Financial Restitution</li> <li>• Out-of-School Suspension (Up to 10 days pending investigation)</li> <li>• Recommendation for Alternative Placement</li> <li>• Recommendation for Expulsion</li> <li>• Referral to Mental Health Services Pursuant to Section 1012.584(4), Florida Statutes*</li> <li>• Report to Law Enforcement</li> </ul>
<p><b><u>Special Considerations</u></b> Immediately contact parent(s)/ guardian(s).</p> <p>For PreK students, consider the developmental needs and age of the student.</p> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p> <p>*Mandatory for all Level 5 behaviors.</p>	

## Discipline Plan Secondary 7<sup>th</sup>-12<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<b><i>Student Behavior (Incident)</i></b>	<b><i>Range of Corrective Strategies (Action)</i></b>
<p><b>Level 1 Behaviors:</b> relatively minor misbehavior or general disruption that affects the orderly operation on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 1</b></p> <ul style="list-style-type: none"> <li>• Cheating (069)</li> <li>• Disengaged Behavior (072)</li> <li>• Dress Code Violation (004)*</li> <li>• Electronic/Telecommunication Device Misuse (Minor) (075)</li> <li>• Failure to Serve an Admin Detention (031)</li> <li>• Failure to Serve an Extended Detention (066)</li> <li>• Failure to Serve a Teacher Detention (078)</li> <li>• Horseplay (067)</li> <li>• Leaving School Campus Without Permission** (033)</li> <li>• Network/Internet Misuse (Minor) (084)</li> <li>• Out of Assigned Area* (040)</li> <li>• Plagiarism (085)</li> <li>• Profanity, Obscene, or Vulgar Language (Minor) (101)</li> <li>• Public Display of Affection (088)</li> <li>• Student Conflict (108)</li> <li>• Tardy to Class* (062)</li> <li>• Tardy to School* (090)</li> <li>• Unauthorized Possession of Item(s) (093)</li> <li>• Unauthorized Publication(s) (094)</li> <li>• Vehicle/Parking Violation (097)</li> </ul> <p>*See page 25 for mandatory enforcement of dress code violations  **Per Florida State Statute 1006.09; No student shall be suspended for unexcused tardiness, lateness, absence, or truancy.</p>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 1. Repeated Level 1 incidents may be advanced to Level 2 with approval from the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 1</b></p> <ul style="list-style-type: none"> <li>• Alternative Classroom Placement (1 period)</li> <li>• Administrative Detention</li> <li>• Bicycle or Skateboard Privilege Staggered/Suspended/Revoked</li> <li>• Check-in/Check-Out with Identified Staff Member</li> <li>• Conference with Student</li> <li>• Confiscation of Item(s) or Device(s)</li> <li>• Daily or Weekly Report to Parent/Guardian</li> <li>• Extended Detention</li> <li>• Financial Restitution</li> <li>• Home Visit</li> <li>• In-School Suspension (1-3 days)</li> <li>• Loss of Privilege(s)</li> <li>• Mentoring</li> <li>• Parent/Guardian Conference</li> <li>• Parking Privilege Suspended/Revoked</li> <li>• Peer Mediation</li> <li>• Phone Conference</li> <li>• Plan Meeting (504, ELL, IEP, or IPST)</li> <li>• Reassigned Bus Seat</li> <li>• Referral to Community Based Organizations</li> <li>• Referral for Functional Behavioral Assessment/Behavior Intervention Plan</li> <li>• Referral to Certified School Counselor/Social Worker</li> <li>• Reflective Assignment</li> <li>• Restorative Practice</li> <li>• School Service Work</li> <li>• Seating Change</li> <li>• Social/Academic Instructional Groups</li> <li>• Stay Away Contract</li> <li>• Student Behavior Contract</li> <li>• Teach/Reteach Student Expectations</li> <li>• Wardrobe Change</li> </ul>
<p><b><u>Special Considerations</u></b></p> <ul style="list-style-type: none"> <li>- Good faith attempt must be made immediately to contact parent(s)/guardian(s). If the behavior is related to gangs, weapons, retaliation, hate speech or hate crimes, then next level corrective strategies may be necessary. Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- All corrective strategies listed above may not be available at all schools.</li> </ul> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	

## Discipline Plan Secondary 7<sup>th</sup>-12<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<i>Student Behavior (Incident)</i>	<i>Range of Corrective Strategies (Action)</i>
<p><b>Level 2 Behaviors:</b> more serious than Level 1 behaviors and significantly interfere with the learning and/or the well-being of self and/or others on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 2</b></p> <ul style="list-style-type: none"> <li>• Ammunition Possession (063)</li> <li>• Bus/Transportation Procedure Violation (Minor) (064)</li> <li>• Chemical Spray Misuse (068)</li> <li>• Classroom Disruption (Minor) (070)</li> <li>• False Reporting (113)</li> <li>• Forgery (061)</li> <li>• Gambling (081)</li> <li>• Larceny/Theft Less Than \$750 (006)</li> <li>• Medication Policy Violation (107)</li> <li>• Pantsing (110)</li> <li>• Pornographic Materials ( Student ) (086)</li> <li>• Possession of Stolen Item(s) (087)</li> <li>• Threat to Property (091)</li> <li>• Tobacco (TBC)</li> <li>• Trespassing (TRS)</li> <li>• Unauthorized Entry (115)</li> <li>• Violation of Safety Drill Procedures (116)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 2. The use of corrective strategies from Plan 1 may also be used to address Level 2 behaviors. Repeated Level 2 incidents may be advanced to Level 3 with approval from the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 2</b></p> <ul style="list-style-type: none"> <li>• Alternative Classroom Placement (1 period)</li> <li>• Bus Suspension (Short Term)</li> <li>• Classroom Reassignment</li> <li>• Extended Detention</li> <li>• Financial Restitution</li> <li>• In-School Suspension (1-3 days)</li> <li>• Mentoring</li> <li>• Out-of-School Suspension (1-3 Days)</li> <li>• Report to Law Enforcement</li> <li>• Restorative Practice</li> <li>• Reverse Suspension</li> <li>• Safety Plan</li> <li>• Suspension Pending Parent/Guardian Conference (up to 3 days)</li> <li>• Suspension/Revocation of Network/ Internet Access</li> </ul>
<p><b><u>Special Considerations</u></b></p> <ul style="list-style-type: none"> <li>- Good faith attempt must be made immediately to contact parent(s)/guardian(s). If the behavior is related to gangs, weapons, retaliation, hate speech, hate crimes, then next level corrective strategies may be necessary. Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- All corrective strategies listed above may not be available at all schools.</li> </ul> <p><b>Students with Disabilities (IEP/Section 504):</b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	

## Discipline Plan Secondary 7<sup>th</sup>-12<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<i>Student Behavior (Incident)</i>	<i>Range of Corrective Strategies (Action)</i>
<p><b>Level 3 Behaviors:</b> more serious than Level 2 behaviors that include serious disruption of school order and/or threats to the health, safety and well-being of self and/or others and/or property of others on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 3</b></p> <ul style="list-style-type: none"> <li>• Bullying (BUL)</li> <li>• Counterfeit (071)</li> <li>• Cyberbullying (BU1)</li> <li>• Electronic/Telecommunication Device (Major) (073)</li> <li>• Fighting (Non-SESIR) (005)</li> <li>• Inciting (059)</li> <li>• Physical Aggression, One-sided (109)</li> <li>• Possession of a Potentially Dangerous Object (Minor) (009)</li> <li>• Profanity, Obscene or Vulgar Language (Major) (100)</li> <li>• Sexting (089)</li> <li>• Threat to School, Staff or Student (118)</li> <li>• Vandalism Less Than \$1,000 (007)</li> <li>• Verbal Confrontation (098)</li> <li>• Willful Disobedience/Insubordination (103)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 3. The use of corrective strategies from Plans 1 and 2 may also be used to address Level 3 behaviors. Repeated Level 3 incidents may be advanced to Level 4 with approval from the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 3</b></p> <ul style="list-style-type: none"> <li>• Alternative Classroom Placement (1 period)</li> <li>• Extended Detention</li> <li>• Financial Restitution</li> <li>• In-School Suspension</li> <li>• Out-of-School Suspension (1-3 days)</li> <li>• Out-of-School Suspension (4-5 days) with approval from the Office of Leading and Learning</li> <li>• Report to Law Enforcement</li> <li>• Suspension Pending Parent/Guardian Conference (up to 3 days)</li> </ul>
<p><b><u>Special Considerations:</u></b></p> <ul style="list-style-type: none"> <li>- Good faith attempt must be made immediately to contact parent(s)/guardian(s). If the behavior is related to gangs, weapons, retaliation, hate speech or hate crimes, then next level corrective strategies may be necessary. Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> <li>- All corrective strategies listed above may not be available at all schools.</li> </ul> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	

## Discipline Plan Secondary 7<sup>th</sup>-12<sup>th</sup> Grades

### Student Behaviors and Range of Corrective Strategies

<i>Student Behavior (Incident)</i>	<i>Range of Corrective Strategies (Action)</i>
<p><b>Level 4 Behaviors:</b> the more serious acts of unacceptable behaviors that seriously endanger the health and well-being of self and/or others and/or cause significant damage to property on a school campus, a school bus/bus stop, at a school/school board sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 4</b></p> <ul style="list-style-type: none"> <li>• Alcohol Possession/Sale/Use/Distribution (ALC)</li> <li>• Arson (ARS)</li> <li>• Assault (TR2)</li> <li>• Burglary (BRK)</li> <li>• Bus/Transportation Procedure Violation (Major) (OM2)</li> <li>• Chronic Misconduct (011)</li> <li>• Classroom Disruption (Major) (111)</li> <li>• Cyberstalking (TR1)</li> <li>• Disruption of Campus - Major (DOC)</li> <li>• Drug Sale/Distribution (DRD)</li> <li>• Drug Use/Possession DRU)</li> <li>• Explosives (WP1)</li> <li>• Failure to Report Criminal Offense (076)</li> <li>• False Accusation Against a Staff Member (079)</li> <li>• Felony (Off Property) (024)</li> <li>• Fighting (FIT)</li> <li>• Harassment (HAR)</li> <li>• Hazing (HAZ)</li> <li>• Larceny/Theft \$750 or Greater (STL)</li> <li>• Network/Internet Misuse (Major) (082)</li> <li>• Other Major Offense (OMC)</li> <li>• Physical Attack (PHA)</li> <li>• Possession of a Potentially Dangerous Object (Major) (112)</li> <li>• Robbery (ROB)</li> <li>• Sexual Assault (SXA)</li> <li>• Sexual Harassment (SXH)</li> <li>• Sexual Offense (SXO)</li> <li>• Threat/Intimidation (TRE)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 4. The use of corrective strategies from Plans 1, 2, and 3 may also be used to address Level 4 behaviors, for all Level 4 behaviors, contact the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 4</b></p> <ul style="list-style-type: none"> <li>• Bus Suspension (Long Term) with Office of Leading and Learning approval</li> <li>• Financial Restitution</li> <li>• Out-of-School Suspension (1-5 Days) with Approval from the Office of Leading and Learning</li> <li>• Out-of-School Suspension (up to 10 days pending investigation)</li> <li>• Recommendation for Alternative Placement</li> <li>• Recommendation for Expulsion</li> <li>• Report to Law Enforcement</li> <li>• Transfer student to ALC</li> </ul>
<p><b><u>Special Considerations</u></b></p> <ul style="list-style-type: none"> <li>- Immediately contact parent(s)/guardian(s). Report to law enforcement any criminal conduct.</li> <li>- <b>When a behavior(s) exhibited by a student amplifies a potential medical risk for students or staff, the behavior(s) in question may be disciplined at a higher level in consultation with Leading &amp; Learning (L&amp;L).</b></li> </ul> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p>	

**Discipline Plan Secondary 7<sup>th</sup>-12<sup>th</sup> Grades**  
**Student Behaviors and Range of Corrective Strategies**

<b><i>Student Behavior (Incident)</i></b>	<b><i>Range of Corrective Strategies (Action)</i></b>
<p><b>Level 5 Behaviors:</b> the most serious acts of unacceptable behaviors that seriously endanger the health and well-being of self and/or others and/or cause significant damage to property on a school campus, a school bus/bus stop, at a school/school board-sponsored function, or while at other school board facilities.</p> <p style="text-align: center;"><b>LEVEL 5</b></p> <ul style="list-style-type: none"> <li>• Aggravated Battery with More Serious Injury (BAT)</li> <li>• Bomb Threat (DOC)</li> <li>• Homicide (HOM)</li> <li>• Kidnapping (KID)</li> <li>• Sexual Battery (SXB)</li> <li>• Weapons Possession (WPO)</li> </ul>	<p>The principal or designee <u>must</u> select at least one (1) of the following strategies from Plan 5. All Level 5 behaviors <u>must</u> be reported to law enforcement and to the Office of Leading and Learning.</p> <p style="text-align: center;"><b>PLAN 5</b></p> <ul style="list-style-type: none"> <li>• Financial Restitution</li> <li>• Out-of-School Suspension (up to 10 days pending investigation)</li> <li>• Recommendation for Alternative Placement</li> <li>• Recommendation for Expulsion</li> <li>• Report to Law Enforcement</li> <li>• Referral to Mental Health Services Pursuant to Section 1012.584(4), Florida Statutes*</li> </ul>
<p><b><u>Special Considerations</u></b>            Immediately contact parent(s)/ guardian(s).</p> <p><b><i>Students with Disabilities (IEP/Section 504):</i></b> Disciplinary action(s), as outlined in this document must comply with the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, as well as state and local regulations. For detailed information regarding students with disabilities refer to the IDEA or Section 504 Procedural Safeguards.</p> <p>*Mandatory for all Level 5 behaviors.</p>	

## Student District Network Use

Advances in technology have fundamentally altered the ways in which information is accessed, communicated, and transferred in our society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. The District is pleased to provide Internet services to its students.

The District encourages students to utilize the Internet in order to promote educational excellence in our schools by providing them with the opportunity to develop the resource sharing, innovation, collaboration, and communication skills and tools which will be essential to life and work. The instructional use of the Internet will be guided by the Board's policy on instructional materials.

The Internet is an electronic highway connecting computers and users in the District with computers and users worldwide. Access to the Internet enables students to explore thousands of libraries, databases, and bulletin boards, while exchanging messages with people throughout the world. Access to such an incredible quantity of information and resources brings unique challenges.

First, and foremost, the District may not be able to technologically limit access to services through the District's Internet connection to only those that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness, access to the Internet, because it serves as a gateway to any publicly available file server in the world, will open classrooms and students to electronic information resources which have not been screened by educators for use by students of various ages.

The District has implemented technology protection, utilizing software and hardware measures which monitor, block, and filter Internet access to visual displays that are obscene, child pornography, or harmful to minors. Nevertheless, parents/legal guardians are advised that a determined user may be able to gain access to services on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents/legal guardians may find inappropriate, offensive, objectionable, or controversial. **Parents/Legal Guardians assume risks by consenting to allow their child to participate in the use of the Internet.** All students will by default have internet access. An internet access Opt Out Form is available upon request ([Form 7540.03 F1](#)). Parents/Legal Guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Pursuant to Federal law, students shall receive education about the following:

- A. Safety and security while using email, chat rooms, social media, and other forms of electronic communications;
- B. The dangers inherent with the online disclosure of personally identifiable information; and,
- C. The consequences of unauthorized access (e.g., "hacking") cyberbullying and other unlawful or inappropriate activities by students online.

Site managers are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Internet. All Internet users (and their parents/legal guardians if they are minors) are required to sign a written agreement annually, or at the time of enrollment to abide by the terms and conditions of this policy and its accompanying procedures.

Students shall not access social media for personal use from the District's network, but shall be permitted to



access social media for educational use in accordance with their teacher's approved plan for such use.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the District's computers assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by this Board policy and its accompanying procedures.

The Board designates the Superintendent as the administrator responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to the use of the Internet for instructional purposes.

Please become familiar with the Student Computer and Internet Acceptable Use and Safety Procedures (Board [Policy 7540.03](#)) located [here](#).

## **Student Records**

### **Privacy**

The Family Educational Rights and Privacy Act (FERPA) affords parents/legal guardians and students over 18 years of age (*eligible students*) certain rights with respect to the student's educational records. The student's school records are private and confidential. A student's parents or legal guardians, eligible students, school officials with legitimate educational interests, or other individuals or organizations as permitted by law are the only ones who may see student records without the parent's or legal guardian's written permission. School records of eligible students, eighteen (18) years of age or older, require the written permission of the eligible student.

### **Maintenance of Student Records**

Each school shall maintain a permanent cumulative record for each student enrolled in the school which shall contain the data as prescribed by Rule [6A-1.0955, FAC](#). Each student's cumulative record shall contain the following types of data:

#### **A. Category A Records, Permanent Information**

1. Student's full legal name.
2. Authenticated birth date, place of birth, race and sex.
3. Last known address of student.
4. Name(s) of student's parent(s) or legal guardian(s).
5. Name and location of last school attended.
6. Number of days present and absent, date enrolled, date withdrawn.
7. Courses taken and record of achievement, such as grades, credits, or certification of competence.
8. Date of graduation or date of program completion.
9. Records of requests for access to and disclosure of personally identifiable information from the student's educational records.

#### **B. Category B Records, Temporary Information**

1. Health information, family background data, standardized test scores, student discipline records, educational and vocational plans, honors and activities, work experience reports, teacher/counselor comments.
2. Reports of student services or exceptional student eligibility meetings including all information required by [Section 1001.42, Florida Statutes](#).

3. Correspondence from community agencies or private professionals.
4. Driver education certificate.
5. A list of schools attended.
6. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
7. Written requests to waive access to confidential records.
8. Written requests to restrict the release of directory information.
9. Court orders of relevance.
10. Records of major student discipline actions, suspension, and/or expulsion records.
11. Home language survey.
12. Student Limited English Proficiency (LEP) Plans.
13. Such other records of educational importance as the school shall deem necessary.

**Florida Department of State in General Records Schedule GS7 for Public Schools**

A and B records shall be maintained in compliance with the approved district records retention schedule.

Individual exceptional student records shall be kept separate from regular cumulative records. These records shall be sent to each succeeding school the student attends in the district and shall be maintained in accordance with the approved district records retention plan.

Periodic review for elimination of outdated information in student records by the custodian or designees shall be made in accordance with [Section 1001.52, Florida Statutes](#), and the approved district records retention plan. Such review shall be made on a regular basis. The custodian of the student records shall be responsible for maintaining the accuracy of information. All records of expulsions will be expunged by the custodian of the record upon graduation of the student or the date the student would have graduated unless an outstanding request to inspect and review the record has been made. Explanations placed in the education record and the record of access shall be maintained for as long as the education record to which it pertains is maintained. This procedure must be implemented before records are released to any vocational- technical centers, community colleges, or institutions of higher learning in which the student or student’s parent or legal guardian seeks or intends to enroll.

<b>Type Record</b>	<b>Location</b>	<b>Custodian</b>	<b>Address</b>
Active and inactive student records as specified in the current Records Management Manual for the district	Last school attended	Principal of last school attended	As shown in local directory
Inactive student cumulative records (Category A as specified in the office current Records Management Manual for the district)	Central District Office	Superintendent or designee Educational Services Facility	District Communications
Individual exceptional student education records as specified in the current Records Management Manual for the district	Last school attended	Principal of last school attended	As shown in local directory
Individual student psychological records as specified in the current Records Management Manual for the district	Last school attended	Principal of last school attended	As shown in local directory

## **Fingerprints**

No report or record relative to a student which includes a copy of the student's fingerprints will be maintained by the district.

## **School District Access to Student Records**

- A. Student records shall be available only to students and their parents/legal guardians, eligible students, designated school officials and personnel, to such other persons as the parent/legal guardian or eligible student authorizes in writing, a court of competent jurisdiction, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- B. Schools may, without consent of parents, legal guardians, or eligible students, provide access to school officials to perform an administrative, supervisory or instructional task, or to perform a service or benefit for the student or the student's family and psychologists within the School district providing they have legitimate educational interest.
- C. Classified employees may be designated by the Principal for the purpose of doing clerical work and maintaining student records. However, such persons shall receive in-service training concerning the confidentiality of student records and work under the supervision and control of a professional staff member.

## **Parent or Legal Guardian Access to Student Records**

- A. The district presumes that the eligible student or either parent/legal guardian of the student has the right to inspect and review the educational records of the student or
- B. eligible student unless the School Board, its staff, or the individual school has been provided a legally binding instrument or court order governing such matters as divorce, separation, or custody which provides to the contrary.
- C. In instances where records are opened to parents, legal guardians or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies, at the current district copy rate, upon request.
- D. Parents, legal guardians, and eligible students may waive their right of access to confidential letters or statements of recommendations or evaluations. Such waiver shall be made in writing to the custodian of the records and shall be signed by the parent, legal guardian, or eligible student. Such waiver shall apply to recommendations or evaluations only if:
  - The parent, legal guardian, or eligible student is, upon request, notified of the names of all persons submitting confidential letters or statements; and
  - Such recommendations or evaluations are used solely for the purpose for which they were specifically intended.
  - The waiver of right of access may be revoked in writing with respect to actions occurring after the revocation.

## **Disclosure of Student Record Information**

- A. Students Eighteen (18) Years of Age or Older

Whenever a student has attained eighteen (18) years of age, the permission and consent required of and rights accorded to the parents/legal guardians of the student as to student records, shall thereafter be required of and accorded to the eligible student only, unless the eligible student is a dependent eligible student of such parents or legal guardians as defined in [Title 26 U.S.C. Section 152 of the Internal Revenue Code of 1954](#). The school district may, in this instance, disclose personally identifiable

information from the education records to parents or legal guardians without the prior consent of the dependent eligible student.

Please see School Board of Brevard County, Florida [Policy 8330](#), Student Records, for more specific information regarding FERPA and student records.

#### B. Disclosure—Health or Safety Emergencies

Disclosure of personally identifiable student information may be made by school officials in the event of a health or safety emergency. Such emergency situations shall be declared in writing to the Superintendent by a recognized legal official with authority to declare such an emergency. The declaration of a health or safety emergency shall include the need for specific personally identifiable student information, the time requirements for the information, and the parties to whom the information is disclosed who are responsible for utilizing the information to deal with the emergency.

#### C. Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Brevard Public Schools, with certain exceptions, obtain a parent/legal guardian's written consent prior to the disclosure of personally identifiable information from a child's education records. However, Brevard Public Schools may disclose appropriately designated "directory information" without written consent, unless parents/legal guardians have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow Brevard Public Schools to include this type of information from a 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.

#### D. 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/legal guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. Directory information can be released without consent of parents/legal guardians, but the district uses extreme discretion when releasing any information to an outside source.

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/legal guardian have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If a parent/legal guardian does not want Brevard Public Schools to disclose directory information from their child's education records without prior written consent, a parent/legal guardian must notify the District in writing by 15 business days after enrollment in a school. The opt-out form for notifying the district that you want to restrict the release of directory information may be obtained at a school or on the district's website. If the signed form is not received by a school within 15 business days after enrollment, it will be assumed that Brevard Public Schools has your permission to use a child's information as described in this notice. This permission will remain in effect at a school until a parent/legal guardian completes an opt-out form or the student is withdrawn.

Brevard Public Schools, as outlined in [Board Policy 8330](#) Student Records, has designated the following information as directory information:

- Student's name
- Address
- Telephone number, if it is listed
- Participation in officially recognized activities and sports
- Height and weight, if a member of an athletic team
- Dates of attendance
- Date of graduation or program completion
- Awards received

#### E. Student photograph, Video, and Original Work

Brevard Public Schools obtains a parent/legal guardian's written consent prior to publicly displaying a student's photograph, image in a video or original work in any media format, including the Internet. The primary purpose of obtaining written consent is to allow Brevard Public Schools to include student images for a variety of purposes in accordance with School Board rules, policies, and procedures.

Examples include:

- Yearbooks
- School Newspapers
- Award Announcements

When created and kept by a school or district, photos, videos, and other media directly related to a specific student are considered part of a student's education records and, therefore, if a school or district discloses these images, they must comply with FERPA.

Brevard Public Schools exercises extreme caution when displaying information such as identifiable pictures and considers student safety first before publishing any image.

If a parent/legal guardian does not want Brevard Public Schools to publish photographs, videos or original work without prior written consent, a parent/legal guardian must notify the District in writing by 15 business days after enrollment in a school. The **opt-out form**, as mentioned above, may be used by parents/legal guardians to restrict the use of a student's image. The opt-out form may be obtained at a school or on the district's website. If the signed form is not received by a school within 15 business days after enrollment, it will be assumed that Brevard Public Schools has your permission to use a child's image as described in this notice.

This permission will remain in effect at a school until a parent/legal guardian completes an opt-out form or the student is withdrawn.

#### F. Record of Disclosures

Record of any requests or disclosures of personally identifiable student information shall be maintained except for disclosures to parent, legal guardian or eligible student, disclosure of directory information, or to any other school officials with a legitimate educational interest. The record of requests for disclosure shall include the following: the parties who have requested or obtained personally identifiable student information and the legitimate interests of the persons requesting or obtaining the information.

Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
  - a. Political affiliations or beliefs of the student or student’s parent/legal guardian;
  - b. Mental or psychological problems of the student or student’s family;
  - c. Sex behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of others with whom respondents have closefamily relationships;
  - f. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
  - g. Religious practices, affiliations or beliefs of the student or parent/legal guardian; or
  - h. Income, other than as required by law to determine programeligibility.
2. *Receive* notice and an opportunity to opt a student out of:
  - a. Any other protected information survey, regardless of funding;
  - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agents, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. *Inspect*, upon request and before administration or use:
  - a. Protected information surveys of students;
  - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - c. Instructional materials used as part of the educational curriculum.

*Parents/Legal Guardians who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue, SW  
Washington, D.C. 20202

## **Hearing Procedure to Correct Student Records**

### **A. Informal Procedures for Challenging Records**

School officials shall provide requesting parents, legal guardians, or eligible students an opportunity for a hearing to challenge the content of their child’s or the eligible student’s school record, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

1. Whenever a parent, legal guardian, or eligible student believes the content of the student record is inaccurate, misleading, or a violation of their privacy, they may request an informal meeting with the custodian of the record for the purpose of requesting the correction, deletion, or

expunction of any inaccurate, misleading or otherwise, inappropriate data or material in the student record.

2. If the parties at the informal meeting agree to make deletions, to expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties, and the appropriate school officials shall take the necessary actions to implement the agreement.
3. If agreement is not reached, denial of the request and notification of the right to a formal hearing shall be made in writing to the parent, legal guardian, or eligible student by the custodian of the record with a copy to the Superintendent or designee.

#### B. Formal Hearing to Challenge Records

1. Upon request of either party, a formal hearing shall be held. Such hearing shall be requested, in writing, within ten (10) days of the written notice of denial at the informal meeting, to the Superintendent or designee, who shall appoint a hearing officer who shall be an official of the School System with no direct interest in the outcome of the hearing.
2. The hearing officer shall convene and conduct the hearing and shall render a decision in writing to all concerned parties within ten (10) days of the conclusion of the hearing. The appropriate school officials shall take the necessary actions to implement the decision. Such hearing shall be held within a reasonable period but in no case shall be held more than thirty (30) days from the date of the written request.
3. The parents, legal guardian, eligible student, and officials of the school shall be afforded a full and fair opportunity to present evidence relevant to the issues raised. The hearing shall be recorded and available to all parties.
4. If the decision of the hearing officer is that the records are not inaccurate, misleading, or otherwise in violation of privacy rights, the parent, legal guardian, or eligible student shall be allowed to comment in writing on the information in the education record and set forth any reasons for disagreeing with the decision. The written response shall be filed in the education records of the student.

#### **Transfer of Student Records**

When a student previously enrolled in a Brevard County Public School transfers out of the Brevard County School District to another school within the State or out of state, the Principal, upon written request of the Principal of the receiving school, the parent, legal guardian, or eligible student, shall immediately transfer a copy of the student's cumulative record containing Category A and Category B information to the requesting school. The Board authorizes the administration to forward student records on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents/legal guardians be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. The school shall retain the originals of Category A and Category B information in its files. Category B (Exceptional Student Education Audit File) originals will also be retained. Category B health and testing information shall be retained if it is related to a weighted or categorical program placement which is subject to audit.

Original student record files, which are retained, will be held by the Principal, who is the custodian of the records for the period of time specified in the Records Management Manual. Category A student records and Category B (Exceptional Student Education Audit File) beyond the specified time after the student leaves the district will be forwarded to the appropriate district office. When a request comes to the school for student records after the files have been sent to the district office, the written request should be forwarded to the appropriate department. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records. Records Management will make copies of the student's file at the current established rate.

## **Destruction of Student Records**

Brevard Public Schools maintains student records in accordance with the requirements outlined by the Florida Department of Education and the State of Florida's General Records Schedule. The District will maintain permanent student records at the last school the student attended for three (3) years after the student leaves the school district. Following the three-year period, the records are scanned to digital images and stored electronically. The original record is then destroyed as outlined by Board Policy and state law.

## **Exceptional Student Education Records**

Parents/legal guardians are notified regarding the retention time of exceptional student education (ESE) records through the Code of Student Conduct and through the IDEA Procedural Safeguards Notice.

It is administrative procedure in Brevard Public Schools, Florida to maintain ESE student records for five (5) years after the student's transfer out of the ESE program (termination of all exceptional education programs), parental refusal of admittance to the ESE program, graduation with a standard diploma, or withdrawal of the student from the school district. Withdrawal from the school district means that the student is no longer enrolled in any elementary or secondary school in Brevard County (including all elementary and secondary private schools in Brevard County and including students living in Brevard County who are enrolled in a home education/home school program). ESE students who graduate with a standard diploma with access points, will have their ESE records retained through the school year in which they turn 27 years of age.

Exceptional Student Education (ESE) records are maintained by schools in an ESE audit file for each ESE student. ESE records are considered to be Category B records but have a longer retention period than other Category B records. For purposes of records retention, gifted student audit files are considered ESE records. Schools are responsible for annually selecting and destroying the ESE records at their site in compliance with these administrative procedures.

## **Student Rights and Responsibilities**

1. Students have the responsibility to know and follow rules and laws which govern their conduct while at school or at a school sponsored activity and to expect consequences for any inappropriate behavior;
2. Schools must provide opportunities for learning. Students have the responsibility to learn and use the educational experiences provided for them;
3. Students have the responsibility to respect the rights of other persons who may have different points of view on some issues;
4. Students have an obligation to attend school and avail themselves of a free and appropriate public education;
5. Students have a responsibility to respect other persons and the property of others in the school setting and at school activities;
6. Students have the responsibility to conduct themselves so that disciplinary action will not be necessary;
7. Students have the responsibility to take care of the property (e.g., textbooks, equipment, materials) provided to them by the school system; and
8. Students have the responsibility to show respect during the pledge of allegiance to the flag, per Section 1003.44(1), Florida Statutes. Upon written request submitted by his or her parent/legal guardian, a student must be excused from reciting the pledge of allegiance, including standing and placing the right hand over his or her heart. When the pledge is recited, unexcused students must show full respect to the flag by standing at attention, removing any headdress, except when such headdress is worn for religious purposes.



## **Students are Under the Control of the School**

All students are under the control and direction of the school principal or designee and the immediate control and direction of the teacher or another member of the instructional staff or bus driver to whom such responsibility may be assigned by the Principal:

- While being transported to or from school at public expense
- While attending school
- While engaged in a school-sponsored activity on the school premises or away from school premises
- During a reasonable time before and after a student or students are on the premises for attendance at school or for authorized participation in a school-sponsored activity and only when on the premises. (A reasonable time shall mean thirty (30) minutes before the school day or school-sponsored activity is scheduled or actually begins or ends - whichever period is longer.)

## **Guidelines for Student Rights and Responsibilities**

Being a member of a school is like being a part of a family or a nation. In order for everyone to get along and to have freedom, all must share certain duties. Rights and responsibilities go hand in hand.

The following outlines student rights and responsibilities, which will help to guide you, the student, to success while you attend school.

### **Having Respect**

At school, everyone works to make sure that you are safe and well and that your day will be pleasant. District staff, as well as students, are responsible for the following:

- Creating a safe and orderly environment in which to learn;
- Being treated with dignity and respect;
- Expressing opinions and personal points of view in a responsible and constructive manner;
- Being informed of the rules of conduct
- Not hurting other people or their feelings;
- Not taking items that do not belong to you;
- Not damaging other people's property or things;
- Dressing in the right manner for school;
- Helping us keep our school neat and clean; and
- Receiving reasonable and fair treatment.

### **Free Speech**

All students have the right to express themselves as long as it does not hurt others or cause a disruption.

### **Knowing the Rules**

The school has rules for all students, which students must know and follow. If you break a rule, you will be treated fairly. You will be allowed to tell your side of the story to your teacher, an administrator or designee. Corrective strategies are governed by the student discipline plan discussed earlier in the Code of Student Conduct.

### **Learning in School**

Schools will help you grow into a useful and successful adult. To do this, you must take part in all of your classes and other activities to the best of your ability. All school employees are there to help you do your best. If you have any questions or problems, ask for help. Appropriate actions will be taken against a student who negatively impacts the learning environment.

## **Suspected Abuse, Neglect, or Abandonment**

### **Reporting Suspected Cases**

- A. Any person, including teachers, administrators, support personnel and other district and school personnel who knows, or has reasonable cause to suspect that a child or a student has been abused, abandoned, or neglected shall report such knowledge or suspicion to the Department of Children and Families in the manner prescribed by law.
- B. The proper procedure for reporting known or suspected cases of child abuse, abandonment, and neglect is:
  - 1. Report immediately by telephone to the Department of Children and Families central abuse hotline, using the single statewide toll-free telephone number: **1- 800-96-ABUSE (1-800-962-2873)**. School personnel reporting such cases are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report but shall be held confidential as provided by law.
  - 2. School personnel shall report their knowledge or suspicions to the Principal.
  - 3. School personnel are advised that reporting their knowledge or suspicions of suspected abuse to a Principal or supervisor or other school or district personnel does not comply with the mandatory reporting requirements of the law.
  - 4. The Principal, supervisor and other school or district personnel who are informed of suspected abuse, abandonment, and neglect likewise have an obligation to report to the central abuse hotline as required by law.
  - 5. No employee of the District shall be subject to reprisal or discharge because of his actions in reporting abuse or neglect pursuant to the requirements of [Section 415.1034, Florida Statutes](#).

## **Teacher Change Request**

Procedures for parent/legal guardian transfer requests:

- The parent/legal guardian must request in writing to the principal or designee that their child be transferred out of a specific classroom teacher's class;
- The date the parent/legal guardian request is received is noted and logged by the principal or designee;
- The principal or assistant principal may hold a meeting to include the parent/legal guardians, student, teachers, and/or counselors, to discuss the concern related to the request;
- The school administrator must approve or deny the transfer within 2 weeks of receiving the request; and
- If the request is denied, the school must notify the parent/legal guardian and specify the reason for the denial.

Please note the language of this section *does not* give a parent/legal guardian the right to choose a specific classroom teacher. Reference [Section 1003.3101, Florida Statutes](#).

## **Threat Assessment Teams**

The primary purpose of a threat assessment is to minimize the risk of violence at schools. Threat assessment

teams are responsible for the coordination of resources, assessment, and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies and procedures developed by the Office of Safe Schools which addresses early identification, evaluation, intervention, and student support.

The District and other agencies and individuals that provide services to students experiencing, or at risk of, an emotional disturbance or a mental illness and any service or support provider contracting with such agencies may share with each other records or information that are confidential or exempt from disclosure under [F.S. Chapter 119](#) if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.

If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the Threat Assessment Team to engage crisis supports and/or resources.

Mental health referrals are mandatory for all very serious substantive threats and should be considered for transient and substantive threats.

## **Title IX**

### **Sexual Harassment Procedures**

The School Board does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, as required by Title IX of the Education Amendments Act of 1972 and its implementing regulations. Pursuant to BPS Policies 2266 (Nondiscrimination on the Basis of Sex in Education Programs and Activities) and Policy 5517.03 (Dating Violence and Abuse), the Board is committed to maintaining an educational and work environment that is free from all forms of unlawful sex-based discrimination, including sexual harassment.

Title IX implementing regulations and the U.S. Department of Education's Office for Civil Rights define sexual harassment as conduct on the basis of sex that satisfies one or more of the following:

- A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often referred to as Quid Pro Quo);
- B. Unwelcome conduct, on the basis of sex, determined by a reasonable person to be so severe, AND pervasive, AND objectively offensive that it effectively denies a person equal access to the District's education program or activity.
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v); ); which means any sexual act directed against a Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent.
- D. "Dating violence" as defined in 34 U.S.C. 12291(a)(10); "domestic violence" as defined in 34 U.S.C. 12291(a)(8); or "stalking" as defined in 34 U.S.C. 12291(a)(30). "Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- E. "Domestic violence" as defined in 34 U.S.C. 12291(a)(8); which means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person who is cohabitating with, or has cohabitated

with, the Complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Florida; by any other person against an adult or youth Complainant who is protected from that person's acts under domestic violence or family violence laws of Florida.

- F. "Stalking" as defined in 34 U.S.C. 12291(a)(30); which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

The Board prohibits sexual harassment that occurs within its education programs and activities, including all academic, educational, extracurricular, athletic, and other District programs, whether they occur in a school or at an off-campus event the District sponsors. When the District has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Examples of conduct constituting sexual harassment may include but are not limited to:

1. Unwelcome sexual propositions, invitations, or solicitations;
2. Physical and/or sexual assault;
3. Threats or insinuations that a person's employment, wages, promotion, academic grade, classroom performance, academic status, participation in athletic or extra-curricular programs, or other condition of education may be adversely affected by not submitting to sexual advances;
4. Unwelcome verbal expressions of a sexual nature; graphic commentaries about a person's body, dress, appearance, or sexual activities; degrading language, jokes, or innuendoes; or obscene communications whether via phone, text, or social media;
5. Sexually suggestive objects, pictures, videos/audio, or print, placed in the work or educational environment, which may embarrass or offend;
6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
7. 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;
8. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
9. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex; and
10. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space/life.

\*\*Not all behavior involving sexual connotations constitutes sexual harassment unless it meets the Federal Title IX definitions.

Pursuant to its Title IX obligations, the Board is committed to eliminating sexual harassment and shall take appropriate action when an individual is determined responsible for conduct that violates its policies. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit sexual harassment are subject to the full range of disciplinary sanctions set forth by District policies.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, sexual harassment that occurs off school grounds in a private setting, outside the geographic boundaries of the United States, and/or outside the scope of the District's education programs and activities are not within the purview of the District's Title IX responsibility.

The Board designates and authorizes the following individual to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Jacqueline Saxenmeyer  
District Compliance Officer/District Title IX Coordinator  
2700 Judge Fran Jamieson Way, Viera, FL 32940  
321-633-1000 ext. 11280  
[Saxenmeyer.J@brevardschools.org](mailto:Saxenmeyer.J@brevardschools.org)

Additionally, each District school has an identified a site-based Deputy Title IX Coordinator, which is listed on the school website.

### **Timeline and Presumption of Innocence**

The Board is committed to promptly and equitably resolving reports of sexual harassment and endeavors to conclude the process within sixty (60) days of receipt of the Formal Compliant. However, the timeline may be subjected to temporary delays which may include absence of a party, availability of a party’s advisor or witness, concurrent law enforcement activity, complexity and severity of a matter, intervening holidays or school breaks, and the need for language assistance or disability accommodations. The Title IX Coordinator shall provide the parties with reasonable updates on the status of the investigation process.

Consistent with Title IX implementing regulations, the Respondent is entitled to a presumption that he or she is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. As such, the Title IX Investigation process must be completed before imposition of any related disciplinary sanctions or other actions, other than supportive measures and emergency removal actions, to the extent applicable.

### **Supportive Measures**

The Board’s response to allegations of sexual harassment shall treat Complainants and Respondents equitably, including extension of supportive measures relevant to either party, as deemed appropriate by the Title IX Coordinator. The Board shall offer persons who have experienced sexual harassment ongoing remedies, such as supportive measures, as reasonably necessary to restore or preserve access to the District’s education programs and activities.

Examples of supportive measure include but are not limited to:

1. Stay away contract
2. Class change
3. Lunch/recess schedule change
4. Safety planning
5. Referral to counseling, medical, and/or other health services
6. Referral to the Employee Assistance Program
7. Providing school safety escorts
8. Academic support, deadline extensions, tutoring
9. Transportation accommodations
10. Regular check-ins

### **Reporting Process**

Any person may report sex discrimination, including sexual harassment, in person, by mail, by phone, or by electronic email, using the District or school’s Title IX Coordinator’s contact information listed on the website. Reporting forms for students and others are available on via the District webpage: <https://www.brevardschools.org/Domain/3244>. Reports can be made orally or in writing and should be as

specific as possible, identifying parties, witness, details account of the situation, including date, time, and location.

Students, employees, and other members of the School District community are encouraged to promptly report allegations of sex discrimination or sexual harassment to the Title IX Coordinator or to any Board employee, who shall in turn notify the appropriate Title IX Coordinator.

It is a violation of this Code of Conduct and Board policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly make false statements or knowingly submit false information during the investigation process, including intentionally making a false report of sexual harassment or submitting a false Formal Complaint. These violations are subject to appropriate disciplinary action.

Upon receipt of a report or Formal Complaint, whether filed by a student, parent/legal guardian, or other person, the school's Title IX Coordinator having received actual notice shall evaluate the application and determine the appropriateness of conducting a Title IX Investigation. If the Title IX Coordinator determines the reported conduct meets one or more of the Federal Title IX definitions, a Title IX Investigation shall be initiated. However, if the Title IX Coordinator determines that the reported incident does not meet the Federal Title IX definitions to proceed with a Title IX Investigation, it does not preclude the administration from proceeding with a separate process that may result in discipline, such as a bullying/harassment or other Code of Conduct investigation.

Upon the Title IX's Coordinator's receipt of the report of sexual harassment, the Title IX Coordinator shall promptly contact the Complainant, including the parent/legal guardian, to discuss the availability of supportive measures and explain the process for filing a formal complaint. Supportive measures provided to Complainant or Respondent shall be maintained as confidential, to the extent that maintaining confidentiality will not impair the ability of the District to provide supportive measures.

### **Retaliation**

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation. Retaliation against a person for making a report of sexual harassment, filing a Formal Complaint, or participating in an investigation is a serious violation of policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

### **Informal Resolution Process**

On a case-by-case basis, the Title IX Coordinator has discretion to offer the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator will facilitate the informal process that does not involve a full investigation and adjudication. The informal process may be used at any time prior to the Decision-Maker reaching a determination regarding responsibility. However, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the formal investigation process. The informal resolution process is not available to resolve allegations of sexual assault or sexual harassment of a student by an employee or an adult member of the School District community. The informal resolution process may not be appropriate for cases involving violent incidents.

### **Emergency Removal**

Subject to limitations and/or procedures imposed by State and/or Federal law, the District may remove a Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The individual safety and risk analysis should determine whether the Respondent

poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment that justifies removal. If the District determines that Respondent poses such a threat, it will so notify the Respondent, including the student's parent/legal guardian, and the Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 (Removal, Out-Of-School Suspension, Disciplinary Placement, and Expulsion of Students) and Policy 5611 (Due Process Rights).

### **Rights of Parties**

No hearing shall be provided as part of the Title IX determination process. However, both the Complainant and Respondent have the right to present witnesses, submit evidence, and have an Advisor of choice present at all noticed meetings/interviews. The Advisor's role is supportive rather than participatory in nature.

Both parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

### **Investigation Report**

At the conclusion of the investigation, the Title IX Investigator shall create an investigation report that fairly summarizes relevant evidence and sent the report to each party and party's Advisor, if any, for their review and written response. The Title IX Investigator shall send the investigative report in an electronic format or hard copy, at least ten (10) calendar days prior to the Decision-Maker issuing a determination regarding responsibility.

### **Determination of Responsibility**

After the Title IX Investigator sends the investigation report to the parties, and before the Decision-Maker reaches a determination regarding responsibility, the Decision-Maker shall afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The Decision-Maker shall explain to the party posing the questions any decision to exclude a question as not relevant.

If the Decision-Maker determines that Respondent is responsible for violating policy and/or law by engaging sex discrimination or sexual harassment, the Decision-Maker shall recommend appropriate remedies, including disciplinary sanctions/consequences.

The Decision-Maker, who cannot be the same person(s) as the Title IX Coordinator or Investigator and must be free from bias or conflict of interest, shall issue a written determination regarding responsibility that includes the allegations, procedural steps taken, findings of fact, conclusions, rationale for any disciplinary sanctions recommended, and analysis of remedies provided by the District to the Complainant. Grounds for appeal shall also be specified in the determination letter.

Title IX Coordinator shall notify the authorized administrator who can consider the Decision-Maker's recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 (Student Discipline), Policy 5605 (Suspension/Expulsion of Disabled Students), Policy 5610 (Removal, Out-Of-School Suspension, Disciplinary Placement, and Expulsion of Students), Policy 5610.02 (In-School Discipline), Policy 5610.04 (Suspension of Bus Riding/Transportation Privileges), Policy 5610.05 (Participation in Extra-Curricular Activities), and Policy 5611 (Due Process Rights). Discipline of a student Respondent shall comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

Discipline of an employee shall be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

## **Appeal**

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or allegation therein, on the following bases:

1. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The Decision-Maker for the appeal shall not be the same person as the Coordinator, Investigator, or Decision-Maker that reached the determination.

The appealing party shall submit within five (5) calendar days of receipt of the determination a written notice of appeal challenging the determination of responsibility.

## **Training**

The District's Title IX Coordinator, along with any Investigator(s) and Decision-Maker(s) shall receive training on:

- The definition of sexual harassment under Title IX regulations;
- The Scope of the District's education program or activity;
- How to conduct an investigation and grievance process; and
- How to serve impartially, including avoiding pre-judgement of the facts, conflicts of interest, and bias; and
- Additionally, Investigators and Decision-Makers shall receive training on issues of evidentiary relevance.

## **Recordkeeping**

As part of its response to alleged violations, the District shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures, taken in response to a report or Formal Complaint of sexual harassment.

# **Transportation - General**

## **School Traffic Patterns**

Parents/legal guardians are urged to follow the designated traffic route established at the individual school in delivering and picking up children. These routes have been designated for the safety of all children and for the efficient movement of automobiles and school buses. Parents/legal guardians are encouraged to form carpools to reduce congestion during opening and dismissal periods. The safety of children is a primary concern of the school. Those persons who drive vehicles on or near school property should exercise caution at all times

## **Bicycles**

An area is provided for the parking of students' bicycles. The school is **NOT** responsible for damage to or



theft of any bicycle brought to school. It is requested that students who ride bicycles to school use locks for security reasons. Parents/legal guardians should instruct their children in safety rules for riding bicycles and walking to school. Bicycle safety and pedestrian safety will be covered in health and safety education.

## **Rainy Days**

Each parent/legal guardian should make sure that children know the procedure they should follow when it is raining at dismissal time. It is not possible for the school to contact every home for the child to get instructions or for every child to call home from the school office.

## **Virtual Instruction Opportunities**

### **District Virtual Instruction Program**

In accordance with [Section 1002.45, Florida Statutes](#), Brevard Public Schools offers eligible students in grades K-12 with opportunities for enrollment in a virtual instruction program. Additional information is available at <https://fl02201431.schoolwires.net/BrevardVirtual>.

### **Brevard Virtual School**

Brevard Virtual School (BVS) provides students in the district with full and part-time enrollment options, taught by local BPS teachers. BVS operates a franchise of FLVS for grades K-12 and part-time enrollment is available throughout the school year and summer. Learn more at <https://www.brevardschools.org/BrevardVirtual>.

### **Florida Virtual School**

Florida Virtual School (FLVS) offers fully accredited, online courses aligned with Florida's curriculum standards. The district school board will allow students to enroll in appropriate courses and award credit for successful completion of such courses. FLVS courses may be taken during or after the normal school day and during the summer. Students who wish to enroll in FLVS as part of the regular school day must submit a written request to the school principal.

## **Withdrawals and Intent to Terminate Enrollment**

Any student sixteen (16) years of age or older who intends to withdraw from school must file a formal declaration of intent to terminate school enrollment with the school. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and his or her parent or legal guardian.

In accordance with [Section 1003.21, Florida Statutes](#), when a student is terminating school enrollment, the student's guidance counselor or other school professional must conduct an exit interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student should also complete an Exit Interview Student Survey, which was prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled. The Exit Interview form and the Exit Interview Student Survey are available to school personnel online at the BPS website.

Whenever a student under the age of eighteen (18) withdraws from school without moving out of state, transferring to another approved school, being granted an age and schooling certificate, or enrolling in and attending an approved program, the Superintendent or designee shall notify the registrar of Motor Vehicles and the Judge of the Juvenile Court.

## Zero Tolerance for School-Related Crime

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.

The Board has zero tolerance for conduct that poses a threat to school safety. Zero tolerance policies must apply equally to all students and are not intended to be rigorously applied to petty acts of misconduct. This zero-tolerance policy does not require the reporting of petty acts of misconduct to a law enforcement agency. Petty acts of misconduct, include, but are not limited to, disorderly conduct, disrupting a school function, Non-SESIR fighting, verbal abuse or use of profanity, cheating, horseplay, and other school-based offenses delineated in the Student Code of Conduct. Schools may consult with law enforcement to ensure the appropriate determination and definitions of misconduct, as well as counsel parents of their ability to seek law enforcement advice at the parent's discretion.

Florida law requires that students found to have committed one of the following offenses:

- A. Bringing or being in possession of a firearm or weapon, as defined in [Chapter 790, Florida Statutes](#), to school, to any school function, or onto any school-sponsored transportation
- B. Making a threat or false report, as defined by [Sections 790.162](#) and [790.163, Florida Statutes](#) involving school, school personnel, or school personnel's property, school transportation, or a school-sponsored activity

Shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full calendar year, and that the student shall be referred to mental health services identified by the District and to the criminal justice or juvenile justice system.

The District shall enter into agreements with local law enforcement specifying procedures so that acts that pose a threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction. Petty acts of misconduct which are not a threat to school safety do not require consultation with law enforcement.

Those acts that pose a threat to school safety include, but are not limited to:

- A. Possession of firearms or other weapons
- B. Placing, discharging, or throwing an explosive item or noxious substance or making threats to do so
- C. Arson
- D. Felony assault
- E. Threats of unsafe and potentially harmful, dangerous, or criminal activities.

Notwithstanding any other provision of Board policy, pursuant to [Section 1006.13\(5\), Florida Statutes](#), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, or physical attack on any elected official of the School District, teacher, administrator, or other School District personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate. The minimum period of this expulsion or placement in an alternative school setting shall be one (1) full calendar year and the student may be referred to the criminal justice or juvenile justice system. Upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an

alternative school setting pending disposition.

The Superintendent may consider the one (1) full calendar year expulsion requirement on a case- by-case basis and request that the Board modify the requirement by assigning a student to a disciplinary program or second chance school if request for modification is in writing and it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is a student who has a disability, the Board shall comply with applicable State Board of Education rules for discipline of such students.

The Code of Student Conduct that is adopted annually shall provide for review of a decision to suspend or expel a student pursuant to this policy and the Code, consistent with [Section 1006.07, Florida Statutes](#).

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in [Section 1006.13\(6\)\(a\), Florida Statutes](#), the Board shall, pursuant to the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense, or a sibling of the victim.

Students may be subject to discipline for violation of the Code of Student Conduct even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee. Student conduct shall be governed by the rules and provisions set forth in the Code of Student Conduct which is reviewed and adopted whenever revisions are proposed in accordance with [Chapter 120, Florida Statutes](#).

## 2022-2023 Calendar

July 4	Monday	Independence Day
August 2-9	Tues – Tues	Teachers report preplanning
August 4	Thursday	District Professional Development Day
August 10	Wednesday	First day of school for students
August 15	Monday	Kindergarten starts
August 17	Wednesday	VPK starts
September 5	Monday	Labor Day – Holiday for all
October 10	Monday	Teacher Workday/Student Holiday
November 11	Friday	Veterans' Day – Holiday for ALL
November 21-25	Mon-Fri	Holiday for all
December 22-30	Thursday-Friday	Winter Break-Teacher/Student Holiday
January 2	Monday	Holiday for all
January 3-4	Tuesday-Wednesday	Winter Break-Teacher/student Holiday
January 5	Thursday	End of 1 <sup>st</sup> semester/Teachers/students return
January 16	Monday	Martin L. King, Jr Day-Holiday for all
February 20	Monday	Presidents' Day - Student Holiday/Teacher PD Day
March 13-17	Mon – Fri	Spring Break – Teacher/Student Holiday
March 20	Monday	Teacher Workday/Student Holiday
April 7	Friday	Teacher/Student Holiday
April 24	Monday	Teacher/Student Holiday
May 26	Friday	End of 2 <sup>nd</sup> semester/Last day for students
May 29	Monday	Holiday for all
May 30	Tuesday	Post Planning/Last day for teachers

## Elementary School Directory

SCHOOL	TELEPHONE #
Allen, Roy Elementary	321-242-6450
Andersen Elementary	321-633-3610
Apollo Elementary	321-267-7890
Atlantis Elementary	321-633-6143
Audubon Elementary	321-452-2085
Cambridge Magnet Elem.	321-633-3550
Cape View Elementary	321-784-0284
Carroll Elementary	321-452-1234
Challenger 7 Elementary	321-636-5801
Columbia Elementary	321-676-1319
Coquina Elementary	321-264-3060
Dr. W. J. Creel Elem.	321-259-3233
Croton Elementary	321-259-3818
Discovery Elementary	321-951-4920
Endeavour Elementary	321-633-3545
Enterprise Elementary	321-633-3434
Fairglen Elementary	321-631-1993
Freedom 7 Elementary	321-868-6610
Gemini Elementary	321-727-3090
Golfview Magnet Elem.	321-633-3570
Harbor City Elementary	321-254-5534
Holland Elementary	321-773-7591
Imperial Estates Elem.	321-267-1773
Indialantic Elementary	321-723-2811
Jupiter Elementary	321-952-5990
Lockmar Elementary	321-676-3730
Longleaf Elementary	321-242-4700
Manatee Elementary	321-433-0050
Christa McAuliffe Elem	321-768-0465
Meadowlane Inter. 3-6	321-722-5539
Meadowlane Primary K-2	321-723-6354
MILA Elementary	321-454-1070
Mims Elementary	321-264-3020
Oak Park Elementary	321-269-3252
Ocean Breeze Elementary	321-779-2040
Palm Bay Elementary	321-723-1055
Pinewood Elementary	321-269-4530
Port Malabar Elementary	321-725-0070
Quest Elementary	321-242-1411
Riviera Elementary	321-676-4237
Roosevelt Elementary	321-868-6660
Sabal Elementary	321-254-7261
Saturn Elementary	321-633-3535
Sea Park Elementary	321-779-2050
Sherwood Elementary	321-254-6424

South Lake Elementary	321-264-1137
Stevenson Elem. of Arts	321-454-3550
Sunrise Elementary	321-674-6145
Suntree Elementary	321-242-6480
Surfside Elementary	321-773-2818
Tropical Elementary	321-454-1080
Turner Elementary	321-676-5700
University Park Elem.	321-723-2566
Viera Elementary	321-350-8691
W. Melbourne for Science	321-956-5040
Westside Elementary	321-956-5050
Williams Jr., Ralph Elem.	321-617-7700

## Secondary School Directory

SCHOOL	TELEPHONE #	SCHOOL	TELEPHONE #
Astronaut High	321-264-3000	Madison Middle	321-264-3120
Bayside High	321-956-5000	McNair, Ronald Magnet	321-633-3630
Brevard Virtual School	321-633-3660 Ext. 222	Melbourne High	321-952-5880
Central Middle	321-722-4150	Merritt Island High	321-454-1000
Cocoa Beach Jr./Sr. High	321-783-1776	Palm Bay Magnet High	321-952-5900
Cocoa High Jr./Sr. High	321-632-5300	Rockledge High	321-636-3711
DeLaura Middle	321-773-7581	Satellite High	321-779-2000
Eau Gallie High	321-242-6400	Southwest Middle	321-952-5800
Edgewood Jr./Sr. High	321-454-1030	Space Coast Jr./Sr. High	321-638-0750
Heritage High	321-722-4178	Stone Middle	321-723-0741
Hoover Middle	321-727-1611	Titusville High	321-264-3100
Jackson Middle	321-269-1812	Viera High	321-632-1770
Jefferson Middle	321-453-5154	West Shore Jr./Sr. High	321-242-4730
Johnson Middle	321-242-6430		
Kennedy Middle	321-633-3500		