

# GADSDEN COUNTY SCHOOL DISTRICT



*"Building a Brighter Future"*

## Code of Student Conduct and Positive Student Management Discipline Plan

2009-2010

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**CODE OF STUDENT CONDUCT**

and

**POSITIVE STUDENT MANAGEMENT DISCIPLINE PLAN**

2009-2010

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No person shall, on the basis of race, color, religion, sex, national origin, handicap, age, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any education program or activity.

This practice shall apply equally to students, employees and all persons having business with the School Board.

# The School Board of Gadsden County

## *"Building A Brighter Future"*



**Reginald C. James**  
SUPERINTENDENT OF SCHOOLS

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### SUPERINTENDENT'S MESSAGE

In order for the Gadsden County School District to perform effectively we must operate within a system of rules. These rules are written in the **Code of Student Conduct** to ensure a safe learning environment for the students who attend our schools. We know that there are many factors which contribute to discipline problems in a school; consequently, schools have the responsibility to encourage, promote, and maintain effective disciplinary practices.

The contents of this document apply to all students in grades **PreK-12**, unless otherwise stated. The information contained in the **Code of Student Conduct** is written specifically to ensure that each student associated with school activities has positive experiences in a safe learning environment.

This document will explain the rules of the Gadsden County School District, student rights and student responsibilities, disciplinary actions, and the disposition of school records. While this document does not contain the exact Florida Statutes referenced herein, a copy of those statutes can be obtained from the district office at 35 Martin Luther King, Jr. Boulevard in Quincy upon request or viewed on the State of Florida website at <http://www.flsenate.gov/statutes>.

The administrators and school personnel will continue to promote and maintain the kind of discipline that will foster a *healthy dose* of intervention, prevention, and the encouragement to discontinue those behaviors that are not acceptable to a safe learning environment. As we continue to find ways to make all of our schools safer, we realize that consequences for inappropriate behavior must be fair, consistent, yet firm as conflicts are resolved and as undesirable behavior is modified.

Please read and thoroughly discuss this document with your child. Help us maintain the safe school status which we all desire throughout our district. As we work together to build a brighter future we want to ensure that each student will have positive experiences in a safe learning environment.

Respectfully yours,

*Reginald C. James*

Reginald C. James  
Superintendent of Schools

RCJ:SB:jwb

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BOARD MEETS FOURTH TUESDAY OF EACH MONTH  
EQUAL OPPORTUNITY EMPLOYER

## **VISION**

The Gadsden County Public School District is committed to working together to *"Build A Brighter Future"* for our boys and girls.

We, the partners for excellence, recognize the need for multicultural awareness and education and envision that schools, communities, and parents/guardians will cooperatively embrace one another to offer an educational program that will meet the needs of students, parents/guardians, and the community. We further believe that ALL children can learn, and we envision that schools, using new and emerging technologies in conjunction with traditional approaches, will provide academic, intellectual, emotional, psychological, physical, and social experiences that will develop the whole student. Our product will be students who possess foundational, marketable, and/or functional skills that will enable them to broaden their horizons in any post-secondary endeavor upon which they might choose to embark.

## **MISSION STATEMENT**

The mission of the district is *"To Build a Brighter Future as We Prepare Students for Success in Life"*.

## **JURISDICTION OF THE SCHOOL BOARD**

The Code of Student Conduct and the Positive Student Management Discipline Plan were adopted by the Gadsden County School Board and are compatible with the Florida State legislative codes. Subject to law and rules and regulations of the State Board of Education of the State of Florida, each student enrolled in a school shall, during the time he/she is being transported to or from school at public expense, during the time he/she is attending school, including the time during which he/she is proceeding from one school center to another during the school day, and during the time he/she is on the premises of any publicly supported school in this district, be under the control and direction of the principal or teacher in charge of the school, and under the immediate control and direction of the teacher or other member of the instructional staff or the bus driver to whom such responsibility may be assigned by the principal; and each such student shall, during the time he/she is otherwise en route to or from school at public expense, or is presumed by law to be attending school, be under the control and direction of the principal or teacher in charge of the school where he/she is enrolled.

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## STUDENTS' RIGHTS AND RESPONSIBILITIES

It is the intent of the Students' Rights and Responsibilities, as expressed in the Code of Student Conduct, that students understand that their rights must be accompanied by corresponding responsibilities.

Florida's School Improvement and Accountability System states that all school communities will provide an environment that is alcohol and drug-free and protects students' health, safety, and civil rights.

### I. ATTENDANCE

All questions relating to the attendance policy are to be directed to the school's attendance office first, and then if needed, the school principal.

Florida law requires each parent/guardian of a child from age six (6) to sixteen (16) years to be responsible for the child's school attendance. Regular attendance is the actual attendance of a pupil during the school day as defined by law and regulations of the state board.

The school attendance law was amended by the 1997 Florida Legislature to require that any sixteen or seventeen year old student withdrawing from school must file a formal declaration of intent to terminate school enrollment with the district school board.

A student is considered "truant" when he/she is not in attendance without approval of the principal and/or consent of the parent/guardian. School-based interventions will occur for all truant students.

A student is considered a "habitual truant" when he/she has 15 unexcused absences within 90 calendar days.

#### **Rights:**

Students will be given an explanation of excused absences, unexcused absences, and tardies. Students can make up work for credit if the absence is excused.

A student who attains the age of 16 years during the school year is not subject to compulsory attendance beyond the date upon which he or she attains that age if the student files a Student Declaration of Intent to Terminate School Enrollment form. This form is available from the school administration or guidance office.

#### **Responsibilities:**

Students are required to attend school every school day. If absent, a written note from the parent/guardian stating why the student was absent must be brought to school on the day the student returns. The principal shall consider each absence as being either "excusable," "permissible," or "unexcused."

It is the responsibility of the student's parent/guardian to notify the school when his/her child will not be in attendance. The school is to be notified of an absence the morning the student is absent or within twenty-four hours.

#### Excusable Absence:

An excusable absence is one caused by illness of the student or by serious illness or death in the family, legal reasons and other special conditions or extenuating circumstances. The student shall be given an opportunity to make up all missed work.

Excused Absence for Religious Holidays:

A student shall be excused from attendance for observation of a religious holiday or because the tenets of his religion forbid secular activity on that day. Prior notification to the school principal is required.

A student who has been excused for observance of a religious holiday shall be given up to 3 school days to complete any work missed, including examinations and work assignments. No adverse or prejudicial effects shall result from any such religious observance.

Permissible Absence (Excused):

A permissible absence is one which has the sanction of the parents/guardians and the school. This may include activities such as an individual educational trip or other extenuating circumstances. Any such individual educational trip must be planned by the parent/guardian and teacher, and a written report of the trip must be presented to the teacher. The student shall be given an opportunity to make up all missed work.

Unexcused Absence:

An unexcused absence (this does not include suspensions) is one which does not have the approval of the school, or which is due to disciplinary action against the student. Ordinarily, in such case, the work missed may not be made up by the student for credit. Pursuant to Florida Statute 1006.09, no student who is required by law to attend school shall be suspended for unexcused absence or truancy. Therefore, suspension is not an appropriate disciplinary action for students who fall within the mandatory state attendance requirements.

Students who are more than five (5) minutes late for a class will be recorded as being tardy.

**Rule:**

All students between the ages of six (6) and sixteen (16) must attend school regularly.

**Disciplinary Action:**

A student may receive counseling, attendance conferences, parent/guardian contact, and may be referred to other appropriate disciplinary programs.

The law allows absences for illness and certain other special circumstances. Under these circumstances, district and school policies regard these absences as excused absences. A student with an excused absence is not subject to any disciplinary or academic penalties for that absence. It is the student's responsibility to obtain and complete all makeup work. An unexcused absence takes place any time a child is out of school for reasons not recognized in the law. In these cases, the child may be subject to academic penalties.

For students in grades 9-12 a minimum of 135 hours in attendance is required to earn a credit in a course. In order to be eligible to receive a credit, a student must meet course requirements and be present at least 67.5 hours each 18 week grading period or demonstrate mastery of the course performance standards for the defined course by passing the semester exam. Credits are awarded at the end of each 18 week grading period.

Each school must implement procedures to increase student attendance. An attendance committee will be established at each school to review the reason(s) for absence(s).

## Minimum School-Based Intervention Procedures for Truant Students

Minimum School-Based Intervention Procedures for Truant Students may be as follows (Appropriate Documentation of Interventions Must Be Maintained):

1. After 3 days of unexcused absences, within a 90-day period, a parent/guardian/student contact/conference is conducted by teacher/school designee.
2. After 5 days of unexcused absences, within a 90-day period, a referral is made to the principal to send a certified letter to parents/guardians and possibly to convene a student study team. *NOTE: A student study team is to convene when a student misses 5 unexcused absences within 30 calendar days, or when a student misses 10 days within 90 calendar days.*
3. After 10 days of unexcused absences within a 90-day period, the student is referred to the visiting teacher.
4. After 15 unexcused absences within a 90-day period, the student is considered “habitually truant.” Florida statutes 1003.27(b).

The Florida Legislature enacted requirements that school districts report to the Department of Highway Safety and Motor Vehicles (DHSMV) the names, birthdates, sex, and social security numbers of minors who attain the age of 14 and accumulate 15 unexcused absences in a period of 90 calendar days. The legislation further provides that those minors under age 18 who thus fail to satisfy attendance requirements or drop out of (voluntarily withdraw from) school will be ineligible for driving privilege. Additional information about procedures and waivers is available from the school administration or guidance office.

## Middle-High School Attendance

A minimum of 135 hours of attendance is required for students to earn a credit in a course. In order to be eligible to receive a credit, a student must meet course requirements and be present at least 67.5 hours each semester or demonstrate mastery of the course performance standards for the defined course by passing the semester exam.

Each school will document attempts to notify parents/guardians of each student’s absence either through an automated system or other method. However, failure to successfully notify parents/guardians shall not negate the attendance policy.

## Absences

- Students are to sign in/out when missing a class for excusable appointments or emergencies and are to comply with the individual school procedures established with the school attendance office. Failure to sign out may result in an unexcused absence and the consequences thereof.
- Excused absences/tardies may only be used for the following legitimate, documented reasons:
  1. Illness and/or medical care
  2. Death in the family
  3. Legal reasons
  4. Religious Holidays, administratively pre-approved observance
  5. Pre-arranged absences approved by an administrator, school sponsored field trips, or school approved activities
  6. Other special circumstances or insurmountable conditions
- In the event 4 or more unexcused absences occur in a course during a 9-week grading period, an attendance conference may be held to determine which, if any, absences are excusable.
- For each course in which the student has four (4) unexcused absences, that are not for one of the legitimate purposes described above, a grade of “F” will be assigned for that grading period.
- The teacher’s grade book and/or the attendance sheet signed by the teacher will be the final authority in determining the number of absences for each student.



### **Attendance Conference / Appeal Procedures**

- In order to appeal an unexcused absence, the following must occur:
  1. The student and parent/guardian must request a hearing by completing and submitting an Attendance Conference Application (form available at school).
  2. Written documentation of absences from a doctor or recognized agency, legal proceedings or other relevant information should be attached to the application when it is submitted, and may be accepted in lieu of an attendance conference provided all absences are included.
  3. An attendance conference may not be necessary if written documentation for each absence is submitted to the attendance office. Other circumstances made known to the attendance office may also make the conference unnecessary. The need for a conference will be made by the principal/designee. The school will notify the parent/guardian(s) if a conference is not necessary.
- The school will make every effort to schedule conferences at a time convenient for parents/guardians, including evening hours when necessary.
- One administrator/designee and two teachers will hear and rule on the appeal.
- The parent/guardian will be notified of the decision in a timely manner.
- Teachers will be notified of the decision in a timely manner.
- The principal may overrule the findings of the attendance committee should special circumstances occur or excuse any student from any consequence arising from recorded absences.

### **Other Considerations**

- Students who are suspended will be considered administratively absent and the absences will not count toward the “four unexcused” policy for the nine weeks grading period.
- Students who are absent for an “educationally valuable experience” other than a field trip may receive an excused absence if the following criteria are met:
  - a. The absence must be pre-approved at least one week in advance.
  - b. There must be stated and written educational objectives for the trip that are related to the performance standards for each course in which the student is enrolled and include at least one objective for each course. This information shall be attached to the Prior Approval Request Form when it is turned in to the attendance office and initialed by the teacher of each course.
  - c. The attendance administrator and/or the attendance committee will review the pre-arranged absence request. The absences may then be pre-excused pending the completion of (d) below.
  - d. Within ten (10) calendar days of the student’s return to school following the trip, the student and parent/guardian will present a student prepared report and other appropriate exhibits to the attendance committee documenting the completion of each written objective. The committee shall determine whether the absences are to be excused.
- College recruitment trips are to be scheduled when school is not in session. Days missed will be considered as part of the three (3) allowed per 9-week grading period. Administrative exception may be granted for a planned program scheduled for a specific day if the student has a pre-planned appointment, with a specific college administrator that is verified in writing by the college.
- Any student with fifteen (15) or more absences due to a physical or mental condition, which confines the student to a home or a hospital, may be referred to the Homebound Program. If placed in the Homebound Program, attendance records become the responsibility of the Homebound Program.

## **II. RESPECT FOR PERSONS AND PROPERTY**

### **Rights:**

Students are recognized as individuals. Their rights include a safe, healthy, and drug-free environment.

### **Responsibilities:**

Students should treat others, school property, and property of others with respect. Respectful behavior includes, but is not limited to, following school, classroom, and bus rules. Unacceptable behavior includes, but is not limited to, fighting, stealing, destroying property, and violating school rules.

### **Rule:**

Students will treat others and their property with dignity and respect.

### **Disciplinary Action:**

A student not respecting the right and property of others may be subject to disciplinary action allowed by School Board policy. Disciplinary action may range from counseling to expulsion.

## **III. RIGHT TO LEARN**

### **Rights:**

Students have a right to be in an environment conducive to learning and will have appropriate educational programs.

### **Responsibilities:**

Students should come to school prepared to take advantage of all educational opportunities offered. Students should inform school personnel if they have a problem at home or at school that keeps them from doing their best.

### **Rule:**

Students will participate in educational opportunities and complete classroom assignments and homework to the best of their abilities.

### **Disciplinary Action:**

Students who fail to comply with the above stated rule may hinder their educational progress and be subject to other disciplinary procedures allowed by the local school-wide discipline plan.

## **IV. RIGHT OF ASSEMBLY**

### **Rights:**

Students may meet in an orderly manner on the school grounds or building(s) if proper authorization has been granted.

### **Responsibilities:**

The meetings must be approved by the principal/designee and must not interfere with other planned activities.

**Rule:**

With proper school authorization, students may assemble in an orderly manner.

**Disciplinary Action:**

Unauthorized or disorderly meetings will be terminated immediately by the principal/designee, and violators may be subject to further administrative disciplinary action.

**V. RIGHT OF PRIVACY**

**Rights:**

1. Only authorized persons may have access to student records as governed by Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g. Regulations: 34 CFR Part 99.)
2. Students and their storage area, under the jurisdiction of the School Board, may be searched in cases of reasonable suspicion. Strip searching is prohibited. The use of metal detectors or specially trained animals is permissible.

**Responsibilities:**

1. Students, parents/guardians should give the school any information needed to work with the student.
2. Students should not bring prohibited items to school.

**Rule:**

Students will respect the privacy of others.

**Disciplinary Action:**

Prohibited items will be confiscated by school personnel and the students will be subject to disciplinary actions allowed by School Board policy.

**VI. PARTICIPATION IN SCHOOL PROGRAMS AND ACTIVITIES**

**Rights:**

All students will be a part of classroom instruction and other school activities for which they are qualified, without regards to their race, sex, religion, national origin, age, marital status, disability, or perceived disability.

**Responsibilities:**

Students should do their best in school or while participating in school activities. They should also be aware of the rights and responsibilities of others so as to make the school the best place of learning possible.

**Rule:**

Students who participate in or attend school activities will do so in a manner which promotes the objectives of the school and/or the activity.

**Disciplinary Action:**

Students who violate the above stated rule may be subject to disciplinary actions allowed by School Board policy.

**VII. DRESS AND GROOMING****Rights:**

Students have a right to dress comfortably.

**Responsibilities:**

Students have a responsibility to wear clothes that are not dangerous to their health or safety and to dress in a manner that is not disrupting to the educational process. Clothes worn should not advertise drugs, gangs, alcohol, tobacco, inappropriate language and/or sexual behavior.

**Rule:**

Student will dress and groom in such a way as to express personal preferences within the guidelines of the school dress code. Students are prohibited from wearing bandannas, dropped pants, low riding jeans, and shorts revealing the buttocks or underwear, short tops revealing the belly button, and inappropriate short dresses, shorts, or skirts. Middle and high school students are required to have shirts tucked in and pants are to be worn with a belt.

**Elementary and Middle School Requirements:**

Appropriate dress is the primary responsibility of the student and his/her parent or guardian. In order to promote safety, personal hygiene, academic well-being and moral and character development, students shall be expected to comply with reasonable requirements relating to dress, grooming and personal appearance as follows:

- 1) All students in elementary or middle school shall wear a school uniform while in attendance during the regular school day and on school sponsored field trips.
- 2) Colors shall be that of the official school colors and other colors as recommended by the School Advisory Committee and approved by the principal of the school.
- 3) Shirts/blouses must have a collar. T-shirts may be worn at the discretion of the individual school. Shirts must be tucked into pants.
- 4) Uniform style bottoms will be dark blue, black, tan (khaki). No sweat pants, overalls, or jeans will be allowed.
- 5) The legs of pants shall not extend below the heels of shoes.
- 6) Uniform knee-length shorts/skirts will be acceptable.
- 7) Sneakers and leather shoes are both acceptable, but must be black, dark brown, dark blue or white with matching shoelaces.
- 8) Socks must be black, white, or other color as approved by the principal.
- 9) Boys and girls must wear belts if pants/shorts have belt loops. No sagging of pants will be allowed.
- 10) Outer garments for cold weather are permissible.

A student who transfers from one school to another in the county will be required to wear the “generic school uniform”, and will have 15 days to acquire the new school’s uniform.

**The “generic uniform” shall consist of the following:**

- A. Khaki or black pants, shorts, or skirt
- B. White collared shirt
- C. Dark or white leather shoes or sneakers with black, dark brown, or white socks

At the beginning of the school year, students will be required to conform to the uniform dress code within but no later than the first ten (10) school days. Likewise, students transferring into the district will have the first fifteen (15) days of school enrollment in order to conform to the uniform dress code.

**Elementary/Middle School Disciplinary Action:**

Any student enrolled in an elementary or middle school who reports to school improperly attired shall be disciplined as follows:

- A. First and second offense consequences are:
  - a. Notification of parent or guardian and require student to change into appropriate attire
- B. Third offense consequences are:
  - a. Notification of parent or guardian and require student to change in to appropriate attire and
  - b. One day of in-school suspension (if available) or three (3) days of after school detention.
- C. The fourth and subsequent offenses are considered to be willful disobedience that will result in further disciplinary action that may include additional days of in-school suspension, after school detention, or work detail.
- D. Any absence resulting from a violation of the uniform dress code will be excused.

**High School Disciplinary Action:**

Any student enrolled in a high school who violates the dress code may receive counseling and/or parent/guardian(s) will be contacted. (Refer to the rule on page 10.)

**VIII. DISCRIMINATION/SEXUAL HARASSMENT**

**Rights:**

Students have the right to attend school and learn in an environment free from discrimination and sexual harassment.

**Responsibilities:**

Students should report occurrences of discrimination or sexual harassment to the principal through the proper grievance procedures.

**Rules:**

No student shall on the basis of race, sex, religion, national origin, age, marital status, disability, or perceived disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination/sexual harassment under any educational program or activity.

**Disciplinary Actions:**

Students who violate the above-stated rule may be subject to disciplinary actions allowed by School Board policy.

**IX. COUNSELING****Rights:**

Students have the right:

1. To be informed as to the nature of the guidance services available in their school.
2. To have access to individual and group counseling.
3. To request a change of counselor as applicable.
4. Students have the right of confidentiality except in the following circumstances:
  - a. Reports of abuse or neglect,
  - b. Indication of harm to self/others.

**Responsibilities:**

Students have the responsibilities:

1. To use guidance services for their own educational and personal improvement.
2. To schedule appointments in advance unless the problem or concern is one of an emergency.
3. To work cooperatively with all school personnel.

**Rule:**

Students should participate appropriately in the counseling process.

**Disciplinary Action:**

Students who fail to participate appropriately in the counseling process may temporarily have their opportunities for counseling suspended, or other disciplinary measures may be taken.

**X. FREE SPEECH AND PUBLICATION****Rights:**

1. Students will be given the opportunity to participate freely in class discussions.
2. Students may, with the approval of the principal/designee, write and distribute non-commercial printed materials. This shall include freedom of the press for all student publications.
3. Students may decide whether or not to participate in symbolic (e.g. flag salute) or religious activities.
4. After receiving permission from the principal, students may display posters, notices, magazines, or articles.
5. Students participation in classroom instruction or other school activities may not be denied based on race, sex, religion, national origin, age, marital status, exceptionality, or perceived disability.

**Responsibilities:**

1. Students must use appropriate language when expressing their thoughts, concerns, and opinions.
2. Students must respect the principal's decision concerning the request to display printed material.
3. Students should respect others' rights, responsibilities, and opinions.

**Rule:**

The principal/designee will ensure that all printed materials distributed in the school reflect appropriate journalistic ethics and are not obscene or offensive by school and community standards.

**Disciplinary Action:**

The principal may discipline any student for infraction of the above stated rule.

**XI. STUDENT GOVERNMENT****Rights:**

Students have the following rights:

1. To form and operate a student government at their respective schools under the direction of a faculty advisor.
2. To have access to policies of the School Board and the individual school.
3. To seek office in student government, or any school organization, regardless of race, sex, religion, national origin, age, marital status, disability, or perceived disability.
4. To attend, as student government officers and representatives, official student government meetings upon approval of such meetings by the school principal.

**Responsibilities:**

Students have the following responsibilities:

1. To elect student government officers and representatives who are responsive to the needs of the school and who will work constructively toward the resolution of such needs.
2. To become knowledgeable of School Board and individual school policies governing the actions of students.
3. To conduct election campaigns in a positive, mature manner, with all due respect provided their opponents.
4. To attend regularly scheduled meetings, if an elected student representative, and exhibit appropriate conduct at all times.

**Rule:**

Students will use the democratic process to conduct student government operations.

**Disciplinary Action:**

The principal/designee may apply disciplinary procedures as appropriate.

**XII. STUDENT RECORDS****Rights:**

Students/Parents/guardians have the following rights:

1. Information contained in records that relates directly to the student may be inspected, reviewed, and challenged.
2. Personal identifiable information will be protected by legal provisions which prohibit its release to any person who is not legally authorized by the consent of the parent, guardian, or eligible student. (An eligible student is one who is 18 years of age or over and/or one who attends a post-secondary institution.)
3. Parents/guardians will receive annual notification, written in their native language, stating that they may review their child's record.

**Notification of Rights for Elementary and Secondary Schools**

FERPA affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's educational records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents/guardians or eligible students should submit to the School principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate or misleading. Parents/guardians or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal (or appropriate official), clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent/guardian or eligible student, the School will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor,



medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. (Optional) Upon request, the School discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

Parents/guardians have the following rights:

- a. They may review their child's school records.
  - b. They may give permission for others to review the records.
  - c. They may challenge information in the records.
  - d. Upon request they will receive a copy of this rule from the Superintendent's office.
4. Eligible students or parents/guardians of the student may review individual records. Copies of records may be obtained through written request to the principal or School Board contact person. All requests will be granted within 5 working days.
  5. An eligible student or parent/guardian may give permission for others to review letters or statements in the student's records. Permission must be in writing and signed by the eligible student or parent/guardian. Access by others to a student's record will be closed upon written request by the eligible student or parent/guardian.
  6. The fee for copying the school records shall be as provided by School Board Policy.
  7. Student records are located at the school/district office.
  8. Records that give personal information may not be released without an appropriate request, except to the following:
    - a. District and school administrators and supervisors
    - b. District and school personnel, their interns, and substitutes
    - c. Administrative secretaries (as required for record keeping duties)
    - d. Gadsden County Health Department (health records only)
    - e. Florida Diagnostic and Learning Resource System personnel
    - f. Officials from a school to which a student has moved
    - g. State and federal officers, if records are needed to meet legal requirements, including judicial and law enforcement agencies as specified within signed interagency agreements.
    - h. Persons requiring information for the purpose of donating money for tuition and other related expenses
    - I. State and local people who collect data for factual reporting
    - j. Colleges/Universities needing information for the benefit of students
    - k. People who set standards for schools
    - l. Parents/guardians for tax reasons
    - m. To comply with a court order
    - n. Any person requiring information for health or safety emergencies
    - o. Persons needing information for student expulsion hearings
    - p. Educational researchers who will not publish personal identification, and who destroy the information at the end of the study
  9. Parents/guardians eligible students have the right to file complaints with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of the Family Educational Rights and Privacy Act (FERPA). Inquiries may be addressed to:  
Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW,  
Washington, DC 20202-4605

**Responsibilities:**

Students/Parents/guardians have the following responsibilities:

1. To inform the school of any information that may be useful in making appropriate educational decisions.
2. To authorize release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the student.

**Rule:**

Students and parents/guardians must comply with board policies related to student records.

**Disciplinary Action:**

Failure of students/parents/guardians to provide accurate information may result in inaccurate maintenance of student records and a delay in delivery of services in a timely manner. For additional information regarding student records, and procedures, see Appendix.

**XIII. GRADES**

**Rights:**

Students have the following rights:

1. To receive a teacher's grading criteria at the beginning of each year or semester course.
2. To receive reasonable notification of failure or potential failure at any time during the grading period when it is apparent unsatisfactory work is being performed.
3. To receive periodic academic reports which may include, but not be limited to, academic and/or conduct grades. A conduct grade may not affect an academic grade.

**Responsibilities:**

Students have the following responsibilities:

1. To become informed of the grading criteria and behavior standards.
2. To maintain standards of academic performance commensurate with ability.

**Rules:**

Students enrolled in the Gadsden County School District will comply with the provisions of the Student Progression Plan.

## **GENERAL DISCIPLINARY PROCEDURES**

Students are under the authority of the principal/designee, teacher, or bus driver any time they are going to or from school, at school, or at any school activity. Law enforcement or other appropriate agencies may be notified by the principal/designee as deemed necessary.

### **I. PRESENCE OF PUPILS, WHEN AND WHERE AUTHORIZED**

Students have permission to be on the school grounds during the regular school day and during special activities. The principal will use appropriate disciplinary procedures with any student who is found on campus without permission.

### **II. AUTHORITY OF THE TEACHER**

- A. The principal gives to the teacher authority to control students while on school campus or at any school event.
- B. Florida Statutes 1003.32 authorizes the teacher to remove from class, students with abusive, disruptive, or unruly behavior. According to the statute, a teacher may remove from class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Each district school board, each district school superintendent, and each school principal shall support the authority of teachers to remove disobedient, violent, abusive, uncontrollable, or disruptive students from the classroom.

### **III. AUTHORITY OF THE SCHOOL BUS DRIVER**

- A. The principal/designee gives to the bus driver authority to control students to and from school or on school trips. Any student who misbehaves may be reported to the principal.
- B. The bus driver will not suspend a student from riding the bus, spank a student, or put a student off the bus at any place other than his regular stop. However, if a bus driver has a note from the student's parent/guardian which has been approved by the school, the bus driver may let the student off at another stop. If there is an emergency on the bus because of student behavior, the bus driver must take care of the emergency and protect the students on the bus. The bus driver will immediately report the incident to the proper authority.

### **IV. MISCONDUCT ON SCHOOL BUSES**

If a student misbehaves on the school bus, the bus driver may report the misbehavior to the principal. The principal may suspend the student from riding the bus for no more than ten (10) school days per offense. Please note: If ESE students do not get a ride to school during the bus suspension, the suspension will count towards the maximum allowable ten (10) day school suspension for the year. If the suspension is for more than five (5) days, a hearing is required. The School Board may change the suspension to an expulsion from the school bus. The student may also be subject to other disciplinary actions which may include suspension or expulsion from school.

## V. OFFENSES

- A. Students shall not be subject to discipline which is verbally abusive, severe, or humiliating. Discipline shall not consist of the denial of breakfast, lunch, or toileting.
- B. The principal may discipline any student for, including but not limited to, the following misbehaviors:
1. disobeying or threatening any school personnel
  2. profanity; offensive gestures
  3. destroying property
  4. disturbing school functions (FS 1006.145)
  5. leaving school without proper permission
  6. excessive tardies and/or unexcused absences from school
  7. breaking school rules
  8. serious misconduct
  9. sexual harassment
  10. multiple offenses
  11. fighting (to include instigating a fight)
  12. possession of wireless communication devices (such as pagers, cellular phones, iPods, MP3 players)
  13. possession of weapons and/or any firearm, to include imitation firearm
  14. possession or use of alcohol, tobacco, or other drugs
- C. Serious misconduct or multiple offenses may result in expulsion of the student by the School Board.
- D. When a non-English-proficient student and/or parent/guardian(s) are involved in any disciplinary procedure, an interpreter will participate in the process.
- E. When a student is guilty of any act or threat of violence to any school personnel on campus or at a school activity, the principal may discipline the student by suspension and/or request that the School Board expel the student.
- F. School personnel should use the disciplinary method commensurate with the offense. The discipline will be fair and will be given to each student on an individual basis. Before the student gets disciplined, the student has the right to tell his/her side of the story and he/she should be told why he/she is receiving the punishment.
- G. If a student is to be suspended, he/she will be told why before being suspended and will also get an explanation of the evidence and a chance to tell his/her side. Every effort will be made to notify the parent/guardian(s) as soon as possible. A principal may suspend for five days. If the suspension is for more than five days, or if the student is recommended for expulsion, a hearing will be held. If the student is a danger to other students or constantly keeps others from learning, he/she may be immediately removed from class and/or school. Only the School Board can expel a student. (See VIII A-B.) When a student is suspended, privileges to participate in extra-curricular activities will be revoked.
- H. All disciplinary referrals will be maintained in the district's student database.

## VI. DEFERRED PUNISHMENT FOR OFFENSES

Disciplinary action for offenses occurring near the end of the school year may be carried over to the next school term.

## VII. ZERO TOLERANCE POLICY

### Florida Statute: 1006.13 - Zero Tolerance Policy

(1) The Gadsden County School Board has a zero tolerance policy for:

- (a) Crime and substance abuse, including the reporting of delinquent acts and crimes occurring whenever and wherever students are under the jurisdiction of the district school board.
- (b) Victimization of students, including taking all steps necessary to protect the victim of any violent crime from any further victimization.

(2) The zero tolerance policy requires students found to have committed one of the following offenses to be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year, and to be referred to the criminal justice or juvenile justice system. . (See definition of expulsion.)

- (a) Bringing a firearm, imitation firearm, or weapon (as defined in F.S. Chapter 790) to school, to any school function, or possessing a firearm, imitation firearm, at school. (to include the possession, use, or sell of a firearm, imitation firearm, or explosive on campus, at a school activity, or on school sponsored transportation, including designated bus stops, or
- (b) Making a threat or false report (as defined by subsection 790.162 and 790.163) respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity. bring, possess, use, or sell a firearm, imitation firearm, or explosive on campus

The Gadsden County School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the 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 any of the offenses in this subsection is a student with a disability, the district school board shall comply with applicable State Board of Education rules.

### Offenses Prohibited

2. The Gadsden County School Board's zero tolerance for students that have been found to have committed any of the offenses listed below on school property, school sponsored transportation, including designated bus stops, or during a school sponsored activity. These students will be referred to the School Board for expulsion.
  - a. homicide (murder, manslaughter)
  - b. sexual battery
  - c. armed robbery
  - d. aggravated battery
  - e. assault, battery or aggravated battery on a teacher or other school personnel
  - f. kidnapping or abduction
  - g. arson
  - h. possession, use, or sale of any firearm, to include an imitation firearm

- i. display, use, threaten, or attempt to use any imitation firearm
- j. possession, use, or sale of any explosive device
- k. possession, use, or sale of drugs or alcohol
- l. threat or false report involving a school or school personnel's property, school transportation, or a school sponsored activity.
- m. bomb threat
- n. possession, use of hazardous chemical or substances material

(The above terms are defined in the glossary.)

- 3. Any student charged with an assault or battery on any employee of the School Board shall be removed from the classroom immediately and placed in an alternative school setting pending disposition. After an investigation, if the student is found guilty of this offense and in violation of F.S. 784.081, he/she shall be expelled or placed in an alternative school setting (F.S. 1006.13(4)).
- 4. **All incidents involving firearms, imitation firearms, explosives, unlawful possession, use or sale of controlled substances, including alcohol, and offenses listed in 1 above will be referred immediately to law enforcement.**
- 5. In the case of a physical altercation (fight) between two or more students on campus, school bus, or at any school sponsored activity, and where it is determined by the principal/designee that one or more of the students was/were the aggressor(s), and the remainder was/were the defender(s), the aggressive behavior of the student(s) shall be considered a zero-tolerance offense for which the student(s) will be subject to expulsion procedures as outlined in the Code of Student Conduct and the Fight Intervention Program.
- 6. In implementing this policy, the district will comply with all local, state, federal laws and guidelines.

### VIII. WEAPONS PROHIBITED

- A. Students must not bring or possess weapons on campus, at any school activity, or on school-sponsored transportation, including designated bus stops. A weapon may be, but is not limited to, any firearm, imitation firearm, any explosive or destructive device, any knife, razor blade or box cutter, or any item used with intent to cause bodily harm to another individual.
- B. The principal or designee will immediately contain/remove the student from the class or school campus and investigate the alleged offense. After the investigation has been completed, the principal may complete procedures for suspension for up to five days.
- C. The use and/or possession of a weapon other than a firearm, imitation firearm, or explosive device will result in suspension, expulsion, or other disciplinary action.
- D. All incidents involving weapons will be referred to law enforcement. Willful and knowing possession of these weapons (listed in A above) may be a misdemeanor or third degree felony.
- E. In implementing this policy, the district will comply with all local, state, federal laws and guidelines.

**IX. CERTAIN DRUGS PROHIBITED**

- A. The use, distribution, sale and/or unlawful possession of mood modifiers, controlled substances or alcohol on campus, at school activities, or on school-sponsored transportation, including designated bus stops, is strictly prohibited. If, after an investigation, a student has been determined to be in violation of this section, he or she will be referred to the School Board for expulsion.
- B. **All incidents involving unlawful possession, use or sale of controlled substances, including alcohol, will be reported to law enforcement.**
- C. With written parent/guardian permission, using Form GCSB 893, a prescribed or nonprescribed medication may be given to a student by authorized school personnel. (See School Board rule 5.62.)
- D. In implementing this policy, the district will comply with all local, state, federal laws and guidelines.

**X. PROCEDURES FOR STUDENT TRANSFER-FELONY CHARGES**

- A. Section 1006.09, Florida Statutes provides for the transfer to an alternative program of a student enrolled at school who:
  - 1. has been formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, by a prosecuting attorney; and
  - 2. the incident for which he/she has been charged occurred on other than school property, and
  - 3. under circumstances in which the student would not already be subject to the rules and regulations of the Gadsden County Schools; and
  - 4. the incident would have an adverse impact on the educational program, discipline or welfare of the school in which the student is enrolled.
- B. If the principal proposes a felony transfer, he/she will, in accordance with Section 1006.09(2), Florida Statutes, conduct an administrative hearing for the purpose of determining whether or not the student should be assigned to an alternative program pending determination of his/her guilt or innocence, or the dismissal of the charge, by a court of competent jurisdiction. The following procedures shall be followed if the principal proposes a felony transfer.
  - 1. Upon receiving proper notice that a student has been formally charged with a felony or with a delinquent act which would be a felony if committed by an adult, the principal shall notify the parent/guardian of the student, in writing of the specific charges against the student and of the right to a hearing.
  - 2. Such notice shall set a date for the hearing which shall not be less than two (2) school days nor more than five (5) school days from date of postmark or delivery. It shall also advise the parent/guardian of the conditions under which a waiver of discipline may be granted.\* A hearing can be held without the attendance of the parent/guardian after proper notification.

**\*Waiver of Discipline:**

any pupil who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under chapter F.S. 893, may request a waiver of the discipline code:

- a. If the pupil divulges information leading to the arrest and conviction of the person who supplied such controlled substance to him/her, or if the pupil voluntarily discloses his/her unlawful possession of such controlled substance prior to his/her arrest. Any information divulged which leads to such arrest and conviction is not admissible in evidence in a subsequent criminal trial against the pupil divulging such information, or
  - b. If the pupil commits himself/herself, or is referred by the court in lieu of sentence, to a state licensed drug abuse program and successfully completes the program. Florida Statutes 1006.09.
3. The hearing shall be conducted by the principal, or designee, and may be attended by the student, the parent/guardian, the student's representative or counsel, and any witnesses requested by the student or the principal.
  4. The student may speak in his/her own defense, may present any evidence indicating his/her eligibility for waiver of disciplinary action, and may be questioned on his/her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.
  5. In conducting the hearing, the principal/designee shall not be bound by rules of evidence or any other courtroom procedure and no transcript of testimony shall be required.
  6. Following the hearing, the principal shall provide the student and parent/guardian with a decision, in writing, as to whether or not student transfer for felony charges will be made, and if so, the effective date of such transfer. In arriving at this decision, the principal shall consider the conditions under which a waiver of discipline may be granted, and may grant such a waiver when she/he determines such action to be in the best interests of the school and the student.
  7. If the court determines that the pupil did commit the felony or delinquent act which would have been a felony if committed by an adult, the principal may recommend that the student be expelled. This expulsion, however, shall not affect the delivery of educational services to the pupil in any residential, nonresidential, alternative, daytime, or evening program outside of the regular school setting. (F.S. 1006.09)
  8. If a student is convicted or is found to have committed, a felony or a delinquent act, which would be a felony if committed by an adult, regardless of whether adjudication is withheld, participation in interscholastic, athletic, and extra-curricular activities will be withheld.



## XI. SUSPENSION/EXPULSION

Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on public school grounds and all other school sponsored activities, except as authorized by the principal or principal's designee for a period not to exceed ten (10) school days. During the suspension, the student is remanded to the custody of the parent/guardian with specific homework assignments for the student to complete. Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the School Board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly.

- A. The principal must follow all procedures for suspensions/expulsions. Only the School Board can expel students.
- B. If a student is suspended or expelled from school, the student will not be allowed to attend any other school or school activity in the district until the time of suspension or expulsion has ended, or the School Board or the Superintendent has assigned an alternative setting. Failure to adhere to this rule could result in the extension of the suspension/expulsion and/or arrest.
- C. Computerized records must be kept on all disciplinary actions that involve suspension/expulsion, and alternative placement.
- D. The following are procedures for suspension:
  1. Before suspending a student, the principal/designee will investigate the alleged offense, giving the student a chance to tell his/her side of the story and obtain written statements from witnesses, if appropriate.
  2. When a student is suspended from school, an immediate attempt will be made to contact the parent/guardian(s). The student, the parents/guardians, and the Superintendent will be sent written notice (suspension form) within twenty-four hours.
  3. The suspension by the principal may not be for more than ten days. No student will be suspended for more than five days without a school hearing which will adhere to the following procedures:
    - a. A suspension form will be completed giving the date for the hearing (usually on the third or fourth day of the suspension), and it will also include the time, place, and the purpose for the hearing.
    - b. The hearing will be video and/or audio taped.
    - c. The student may bring witnesses to speak for him/her, ask other witnesses questions, and tell his/her side of the story.
    - d. This hearing should include the student and his/her parent/guardian(s) and may also include teachers, administrators, guidance counselors, school psychologists, and/or others as appropriate.
    - e. Decisions will be based on the information presented.
    - f. At the end of the hearing, the principal will tell the student and the parent/guardian(s) verbally and later in writing what he/she has decided to do about the misbehavior. The Principal may extend the suspension up to 10 days.

- E. The following are procedures for an expellable offense:
1. When a student commits an expellable offense (see Zero Tolerance Policy), the Principal/Designee investigates. If after the investigation it is deemed necessary to continue the expulsion process, the Principal/Designee notifies:
    - a. parent/guardian of suspension and sets a hearing date (hand delivered)
    - b. the District Office
    - c. ESE, ESOL and School Psychologist (if appropriate)
  2. At the school hearing the following will be present:
    - a. student
    - b. parent/guardian
    - c. school personnel
    - d. district personnel
    - e. witnesses
    - f. other appropriate personnel
  3. The following guidelines will be adhered to at the school hearing:
    - a. The Principal/Designee will chair the hearing.
    - b. All information discussed will be recorded.
    - c. Everyone involved in the incident may give his/her side of the story.
    - d. All pertinent information will be discussed including the student's discipline, attendance, and academic records and other significant information such as police and witness reports.
    - e. The recommendations of the Principal/Designee may also include, but not be limited to, alternative programs, counseling, community service, drug and rehabilitative treatment centers, extended suspension, and expulsion.
    - f. If expulsion is recommended to the Superintendent, the suspension is extended for a total of 10 days. The parent/guardian is notified of the date of the School Board Meeting.
    - g. The parent/guardian has the right to request a School Board Hearing prior to the School Board Meeting.
  4. If the Superintendent concurs with the Principal's decision, he will make a recommendation to the School Board. If the Superintendent does not agree with the expulsion recommendation, the student will be allowed to return to school.
  5. All recommendations for expulsion are placed on the School Board agenda for final action. The Superintendent will give to the Board, prior to the School Board meeting, background information on the student. The Board will act upon the recommendation of the Superintendent.  
The principal making the recommendation for expulsion must be present when the case goes before the School Board .

## **XII. CORPORAL PUNISHMENT**

Corporal punishment is prohibited.

### **XIII. COLLECTION OF EVIDENCE / SEARCH AND SEIZURE**

The right of students as citizens to be free from unreasonable search shall be preserved in the schools. However, the principal or designee has the right to collect evidence as necessary to provide for the safe and orderly operation of the school and all of its functions. These may include, but not be limited to, the following measures:

- A. General Search. In all cases of search the responsible school officials shall maintain an accurate written summary of the events surrounding the search incident.
- B. Lockers. Lockers remain the property of the school and are provided to students without charge. The rights of personal property, however, as well as the rights of the school, must be afforded consideration. The school principal or his designee is authorized to open lockers in the presence of another witness and to examine their contents to include personal belongings of students when such person has reasonable suspicion to believe that the contents threaten the safety, health, or welfare of any student or include property stolen from the school personnel or other students. This policy does not preclude administrators from being able to randomly search lockers. Appropriate notices will be posted to this effect.
- C. Personal Search. With reasonable suspicion, the administrator/designee may conduct a personal search of a student. Personal search may include: emptying of pockets, removal of shoes and socks, and removal of jacket. **FRISKING AND STRIP SEARCHES ARE PROHIBITED.**
- D. Use of Metal Detectors. As part of an overall plan to protect the health, welfare, safety, and lives of students, faculty, staff, and visitors to the public schools, and to enforce provisions of the Code of Student Conduct, metal detectors may be used to scan and screen for firearms, imitation firearms, and other weapons which have no place in public schools due to the fact that they are life threatening, cause bodily harm, and have adverse and disruptive effects on the educational process.
- E. Search of Vehicles. Any motor vehicle parked on school property may be searched by the site administrator or designee with reasonable suspicion. Appropriate notices will be posted to this effect.
- F. Use of Video Cameras. For the health, welfare, and safety of students, faculty, and staff, video cameras may be used on school buses and in school facilities as appropriate.
- G. Drug-Sniffing Dog. In searching for illegal objects or substances in students' lockers or other school areas, a trained drug-sniffing dog may be used. The search procedure shall consist of the following:
  - 1. Contact the Superintendent or his designee for approval.
  - 2. The search will be conducted to avoid contact between students and the dog.
  - 3. Contact the local law enforcement office and obtain a certified officer and a certified drug-sniffing dog, if drugs are suspected.

## **PROCEDURES FOR THE DISCIPLINE OF PREKINDERGARTEN STUDENTS**

The use of corporal punishment, humiliation, total or extended isolation, and/or withholding of food is prohibited as a form of discipline for prekindergarten students. (ACYF/HS 4.02;45 CFR 1304). When necessary, additional assistance will be acquired to provide for the needs of individual children.

Definitions specific to this policy:

Corporal Punishment - Paddling, slapping, pulling of hair, pinching, or any other means of causing bodily harm.

Denial of Participation in Extracurricular Activities - Denying a child the opportunity to participate in out-of-class activities such as field trips or parties. When necessary, additional assistance will be acquired to provide for the needs of individual children.

Extended Isolation in the Classroom - Denying a child the opportunity to participate in classroom activities for an unreasonable period of time. (e.g. long periods in time out).

Humiliation - Using derogatory remarks when referring to a child, name calling, or any other action that could lower the pride, dignity, or self-respect of a student.

Withholding of Food - Denying a child food that is provided to his/her peers such as dessert, snack, party foods, etc.

Total Isolation - Placing a child out of view of a responsible adult.

Suspension- The temporary removal of a child from his regular school program or the school bus.

Expulsion - The removal of the right and obligation of a child to attend a public school under conditions set by the School Board for a period of time not to exceed the remainder of the school year and one (1) additional year of attendance.

Suspension and/or expulsion are NOT RECOMMENDED in disciplining prekindergarten children. These procedures should only be used for the safety, health, or welfare of any student, teacher, or staff member.

If a child's problem behavior is extensive or has escalated over a period of time, this may be an indicator of a physical or emotional problem and a referral to the prekindergarten office and the student study team may be needed.

**PROCEDURES FOR THE DISCIPLINE OF  
STUDENTS WITH DISABILITIES**

(as defined under Section 504 Rehab Act 1973, ADA & IDEA)

**6A-6.03312. Discipline Procedures for Students with Disabilities**

For students with disabilities whose behavior impedes their learning or the learning of others, strategies, including positive behavioral interventions and supports to address that behavior must be considered in the development of their **individual educational plans (IEPs)**. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the requirements and procedures in this rule, is appropriate for a student with a disability who violates a code of student conduct.

(1) Definitions applicable to discipline of students with disabilities. For purposes of this rule, the following definitions apply:

(a) Change of placement because of disciplinary removals. For the purpose of removing a student with a disability from the student's current educational placement as specified in the student's IEP under this rule, a change of placement occurs when:

1. The removal is for more than ten (10) consecutive school days, or
2. The student has been subjected to a series of removals that constitutes a pattern that is a change of placement because the removals cumulate to more than ten (10) school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another. A school district determines on a case-by-case basis whether a pattern of removals constitutes a change of placement, and this determination is subject to review through due process and judicial proceedings.

(b) Controlled substance. A controlled substance is a drug or other substance identified under schedules I, II, III, IV, or V of the Controlled Substances Act, 21 U.S.C. 812(c) and Section 893.02(4), Florida Statutes.

(c) Illegal drug. An illegal drug means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act, 21 U.S.C. 812(c) or under any other provision of federal law.

(d) Serious bodily injury. Serious bodily injury means 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

(e) Weapon. Weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade that is less than two and one half (2½) inches in length.

(f) Manifestation determination. A manifestation determination is a process by which the relationship between the student's disability and a specific behavior that may result in disciplinary action is examined.

(g) Interim alternative educational setting. An **interim alternative educational setting (IAES)** is a different location where educational services are provided for a specific time period due to disciplinary reasons and that meets the requirements of this rule.

(2) Authority of school personnel. Consistent with the school district's Code of Student Conduct and to the extent that removal would be applied to students without disabilities, school personnel may:

(a) Remove a student with a disability who violates a code of student conduct from the student's current placement for not more than ten (10) consecutive school days.

(b) Further remove a student with a disability for not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement as defined in this rule.

(3) Manifestation determination. A manifestation determination, consistent with the following requirements, must be made within ten (10) days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct.

(a) In conducting the review, the school district, the parent/guardian, and relevant members of the IEP Team (as determined by the parent/guardian and the school district) must:

1. Review all relevant information in the student's file, including any information supplied by the parents/guardians of the student, any teacher observations of the student, and the student's current IEP; and

2. Determine whether the conduct in question was caused by, or had a direct and substantial relationship to the student's disability or whether the conduct in question was the direct result of the school district's failure to implement the IEP.

(b) If the school district, the parent/guardian, and relevant members of the IEP Team determine that a condition in subparagraph (a)2. above was met, the conduct must be determined to be a manifestation of the student's disability and the school district must take immediate steps to remedy those deficiencies.

(c) If the school district, the parent/guardian, and relevant members of the IEP Team determine that the conduct was a manifestation of the student's disability, the IEP Team must either:

1. Conduct a functional behavioral assessment, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or

2. If a behavioral intervention plan already has been developed, review it and modify it, as necessary, to address the behavior; and

3. Except as provided in subsection (6) of this rule, return the student to the placement from which the student was removed, unless the parent/guardian and the school district agree to a change in placement as part of the modification of the behavior intervention plan.

(d) For disciplinary changes of placement, if the behavior that gave rise to the violation of a code of student conduct is determined not to be a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration in which they would be applied to students without disabilities, except that services consistent with subsection (5) of this rule must be provided to the student with a disability.

(e) If a parent/guardian disagrees with the manifestation determination decision made by the IEP Team pursuant to this rule, the parent/guardian may appeal the decision by requesting an expedited due process hearing as described in subsection (7) of this rule.

(4) On the date on which a decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, the school district must notify the parent/guardian of the removal decision and provide the parent/guardian with a copy of the notice of procedural safeguards as referenced in these rules.

(5) Free appropriate public education for students with disabilities who are suspended or expelled or placed in an IAES.

(a) A school district is not required to provide services to a student with a disability during removals totaling ten (10) school days or less in that school year, if services are not provided to students without disabilities who are similarly removed.

(b) Students with disabilities who are suspended or expelled from school or placed in an IAES must continue to receive educational services, including homework assignments in accordance with Section 1003.01, Florida Statutes, so as to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

(c) After a student with a disability has been removed from the current placement for ten (10) school days in the school year, if the current removal is not more than ten (10) consecutive school days and is not a change of placement under this rule, school personnel, in consultation with at least one of the student's special education teacher(s), shall determine the extent to which services are needed so as to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.

(d) If the removal is a change of placement under this rule, the student's IEP Team determines appropriate services under paragraph (b) of this subsection.

(6) Special Circumstances and Interim Alternative Educational Setting (IAES).

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

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

(b) On the date on which a decision is made to make a removal that constitutes a change of placement because of a violation of a code of student conduct, the school district must notify the parent/guardian of that decision and provide the parent/guardian with a copy of the notice of procedural safeguards as referenced in Rules 6A-6.03011 through 6A-6.0361, FAC.

(7) Appeal and Expedited Hearings.

(a) An expedited hearing may be requested:

1. By the student's parent/guardian if the parent/guardian disagrees with a manifestation determination or with any decision not made by an **administrative law judge (ALJ)** regarding a change of placement under this rule, or
2. By the school district if it believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

(b) The school district may repeat the procedures for expedited hearings if it believes that returning the student to the original placement is substantially likely to result in injury to the student or to others.

(c) Expedited due process hearings requested under this subsection shall be conducted by an ALJ for the Division of Administrative Hearings, Department of Management Services, on behalf of the Department of Education, and shall be held at the request of either the parent/guardian or the school district regarding disciplinary actions. These hearings must meet the requirements prescribed in Rules 6A-6.03011 through 6A-6.0361, FAC., except that the hearing must occur within twenty (20) school days of the date the request for due process is filed and an ALJ must make a determination within ten (10) school days after the hearing. In addition, unless the parents/guardians and the school district agree in writing to waive the resolution meeting described herein or agree to use the mediation process set forth in these rules:

1. A resolution meeting must occur within seven (7) days of receiving notice of the request for expedited due process hearing; and
2. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of the receipt of the request for expedited due process hearing.

(d) The decision of the ALJ rendered in an expedited hearing may be appealed by bringing a civil action in a federal district or state circuit court, as provided in Section 1003.57(5), Florida Statutes.

(8) Authority of an ALJ. An ALJ hears and makes a determination regarding an appeal and request for expedited due process hearing under this subsection and, in making the determination:

- (a) An ALJ may return the student with a disability to the placement from which the student was removed if the ALJ determines that the removal was a violation of this rule or that the student's behavior was a manifestation of the student's disability; or
- (b) Order a change of placement of the student with a disability to an appropriate IAES for not more than forty-five (45) school days if the ALJ determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.
- (c) The procedures under this subsection may be repeated, if a school district believes that returning the student to the original placement is substantially likely to result in injury to the student or to others.

(9) Student's Placement During Appeals/Expedited Due Process Proceedings. When an appeal under subsection (7) has been made by either the parent/guardian or the school district, the student must remain in the IAES determined by the IEP team pending the decision of the ALJ or until the expiration of the time period specified by school personnel, including expulsion for a student where no manifestation was found, unless the parent/guardian and the Department of Education or school district agree otherwise.

(10) Protections for Students not Determined Eligible for Special Education and Related Services. A regular education student who has engaged in behavior that violated a code of student conduct may assert any of the protections afforded to a student with a disability under this rule if the school district had knowledge of the student's disability before the behavior that precipitated the disciplinary action occurred.



(a) Basis of knowledge. A school district is deemed to have knowledge that a student is a student with a disability if:

1. The parent/guardian has expressed concern in writing to supervisory or administrative personnel of the appropriate school district, or a teacher of the student, that the student needs special education and related services;
2. The parent/guardian has requested an evaluation to determine whether the student is in need of special education and related services; or
3. The teacher of the student, or other school district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the school district's special education director or to other supervisory school district personnel.

(b) Exception. A school district would not be deemed to have knowledge of a disability under paragraph (a) if:

1. The parent/guardian of the student has not allowed an evaluation pursuant to Rules 6A-6.03011 through 6A-6.0361, FAC., or has refused special education and related services under Rules 6A-6.03011 through 6A-6.0361, FAC.; or
2. The school district conducted an evaluation in accordance with Rules 6A-6.03011 through 6A-6.0361, FAC., and determined that the student was not a student with a disability.

(c) Conditions that Apply if No Basis of Knowledge.

1. If the school district has no knowledge that the student is a student with a disability prior to disciplinary action, the student may be disciplined in the same manner as a student without a disability who engages in comparable behaviors.
2. If an evaluation request is made for the student during the time period of the disciplinary action, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the student is determined to be a student with a disability, taking into consideration information from the evaluation and information provided by the parents/guardians, the school district shall provide special education and related services consistent with the requirements of this rule.

(11) Nothing in this rule prohibits a school district from reporting a crime committed by a student with a disability to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a student with a disability.

(12) Student Records in Disciplinary Procedures. School districts shall ensure that the special education and disciplinary records of students with disabilities are transmitted, consistent with the provisions of Section 1002.22, Florida Statutes, and Rule 6A-1.0955, FAC.:

- (a) For consideration by the person making the final determination regarding the disciplinary action; and
- (b) For consideration by the appropriate authorities to whom school districts report crimes.

(13) Disciplinary Records of Students with Disabilities. School districts shall include in the records of students with disabilities a statement of any current or previous disciplinary action that has been taken against the student and transmit the statement to the same extent that the disciplinary information is included in, and transmitted with, the student records of non-disabled students.

(a) The statement may be a description of any behavior engaged in by the student that required disciplinary action, a description of the disciplinary action taken, and any other information that is relevant to the safety of the student and other individuals involved with the student.

(b) If the student transfers from one school to another, the transmission of any of the student's records must include both the student's current IEP and any statement of current or previous disciplinary action that has been taken against the student.

(14) The principal may suspend a student with disabilities after preventive measures have been unsuccessful, and/or when an emergency situation requires immediate suspension. Some preventive measures may include the following:

1. specific behavior management system
2. counseling (guidance counselor and/or school psychologist)
3. parent/guardian conference
4. in-school isolation
5. detention

(15) Multiple suspensions, excluding a student from school for more than ten (10) school days is not allowed. If there is a need to suspend the student for more than 10 school days, the principal must request an IEP/accommodation plan review. The staffing committee shall review the student's program and determine if the disability is a precipitating factor of the inappropriate behavior. That decision shall be recorded on the IEP/accommodation plan and that information shall be used to revise the student's IEP/accommodation plan. The decision will be based on one of the following objectives:

1. to reflect the need for the use of suspension as a disciplinary tool or management strategy and/or
2. to modify the educational program and/or
3. to change the educational program and/or
4. to indicate that the exceptionality or disability is not a precipitating factor and that therefore the student is expected to behave in accordance with rules established in the Code of Student Conduct.

(16) If it is determined that the student's conduct is a manifestation of the student's disability an individual educational plan (IEP) or accommodation plan meeting shall be held to determine the adequacy of the current special program and related services. This meeting may occur in conjunction with the staffing meeting or as a separate meeting. Based upon the recommendations of the staffing committee, participants in an IEP/accommodation plan meeting shall consider and make recommendations concerning alternative program options which may include, among others, the following:

1. a change in disciplinary procedures used
2. additional related services
3. increased time in the current special program
4. provision of a special program in another setting
5. involvement with programs funded by other agencies

Any parent/guardian that has concerns about his/her child's behavior or academic performance should submit a written referral to the school's guidance counselor.

## APPENDIX A

### Rules/Procedures Relating to Student Records:

Student Records: The principal of each school shall be responsible for all student records and will ensure that all state and federal rules are followed. The Superintendent will make all rules available to principals.

- I. Purposes. Rules cover all school records of all students.
- II. Definitions:
  - A. Education Records: Records required by law containing information about the student
    1. Category A - Permanent Information: student information that is required by law to be kept indefinitely.
    2. Category B - Temporary Information: student information that may be kept for a short time then discarded or changed
  - B. Child: a person who is under 18 years of age
  - C. Pupil/Student: a person who is enrolled in a school
  - D. Eligible Student: a person who is 18 years old or older and who is enrolled in one or more offered educational programs by the Gadsden County district (see section IV.)
- III. The Cumulative Record: The principal is responsible for all cumulative records. These records must be kept at school and may be relocated to other schools upon appropriate written request.
  - A. Content of Category A Records: Category A records contain the permanent report card and education records. These records are kept up to date and cannot be changed without the permission of the principal. The person making the change will initialize each change.
    1. Student's birth certificate name
    2. Birth date, place of birth, race, and sex
    3. Current address of the student
    4. Name of parent(s) or guardian(s)
    5. Name of last school attended
    6. Number of days present, absent
    7. Date enrolled, date withdrawn
    8. Classes/subjects taken, grades received
    9. Date of graduation or program completion
  - B. Content of Category B Records:
    1. Health information
    2. Information about the student's family
    3. Test scores
    4. School and vocational plans
    5. Honors and school activities
    6. Reports of special classes required by law
    7. List of schools attended
    8. Driver education certificate

9. Letters from other groups
10. Written requests for permission to review the record
11. List of people who requested and received a copy of the record
12. Written information indicating any changes made in the record
13. Summary of state student assessment test results
14. Copies of exceptional student education placement reports as required by law.
15. Records of discipline, suspension, and expulsion
16. Records of counselors' and teachers' conferences with students
17. Free lunch applications, work experience interviews, and other records

IV. The following strategies may be used for an eligible student or parent/guardian to change or remove a portion of the student record:

- A. A written request must be submitted to the principal, clearly identifying the part of the record to be changed, and specifying why it is inaccurate or misleading.
- B. If the request is approved, the change or removal shall be made in writing and signed and dated by the eligible student or parent/guardian and a school official. The written agreement shall show only that the record has been corrected or a portion removed.
- C. If the District denies the request for the change of record, the District will notify the eligible student or parent/guardian of the decision, advising them of their right to a hearing. Information regarding the hearing procedures will be provided to the eligible student or parent/guardian.
- D. If a hearing is held and a decision is made to keep the record intact without the proposed change, the eligible student or parent/guardian may include a written statement in the record. The statement may indicate disagreement with the decision and state reasons for disagreement.

V. Procedures for Transfer of Education Records.

- A. Records shall be transferred immediately upon written request from an eligible student or parent/guardian or from a school to which a student has transferred. The principal or designee shall transfer all Category A and Category B information and shall keep a copy of Category A information.
- B. Records shall not be prohibited from transfer for unpaid fees or fines assessed by the school.
- C. For all Gadsden County schools, current records shall be passed to a middle or high school upon student promotion to that school. This transfer will occur automatically without request.
- D. If a school is closed by order of the School Board, student records shall be transferred to the school at which students will attend the following year. If students will not attend school the following year, the Superintendent shall decide where records will be kept.

**APPENDIX B  
GLOSSARY**

**\*AGGRAVATED BATTERY** - Intentionally or knowingly causing great bodily harm, permanent disability, or permanent disfigurement or using a deadly weapon while committing a battery.

**\*ARMED ROBBERY** - The taking of money or other property which may be the subject of larceny from the person or custody of another, with intent to either permanently or temporarily deprive the person or the owner of the money or other property, when in the course of the taking there is the use of force, violence, assault, or putting in fear; with the use of a firearm, imitation firearm, or other deadly weapon (F.S. 812.13(1)&(2)(a)).

**\*ARSON** - To willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damage or cause to be damaged: any dwelling, whether occupied or not, or its contents; any structure, or contents thereof, where persons are normally present; and any other structure that the person knew or had reasonable grounds to believe was occupied by a human being (F.S. 806.01(1)(a)-(c)).

**ASSAULT** - an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so which creates a well-founded fear in such other person that such violence is imminent. (F.S. 784.011)

**BATTERY** - the actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual (F.S. 784.03&784.045).

**\*BATTERY OR AGGRAVATED BATTERY ON A TEACHER OR OTHER SCHOOL PERSONNEL** - A battery or aggravated battery, as defined above, on any elected official or school district employee whether it is committed on school property, on school-sponsored transportation, during a school-sponsored activity or while the elected official or employee is on official school business.

**BOMB THREAT** – intentionally making a false report to any person concerning the placement of any bomb, dynamite, explosive, or arson-causing device.

**BULLYING** - Systematically and chronically inflicting physical hurt or psychological distress on one or more students, or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, 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 but is not limited to:

1. Unwanted teasing;
2. Social Exclusion;
3. Threatening;
4. Intimidation;
5. Stalking;
6. Cyberstalking;
7. Cyberbullying;
8. Physical violence;
9. Theft;
10. Sexual, religious, or racial harassment;
11. Public humiliation;
12. Rumor or spreading falsehoods; or
13. Destruction of school or personal property.

**CHEMICAL/HAZARDOUS MATERIAL** - Any chemical compounds or dangerous materials that may be used to cause harm or vulnerability to any person(s)

**CORPORAL PUNISHMENT** - Paddling by the principal/designee on the student's buttocks.

**\*DESTRUCTIVE DEVICE** - A destructive device is any bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage (F.S. 790.001(4)).

**DUE PROCESS** - A student has the right to a fair, reasonable, and impartial hearing for a broken or disobeyed rule. [F.S 1006.07]

**ELECTRIC WEAPON OR DEVICE** - any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury (F.S. 790.001(14)).

**EXCUSABLE ABSENCE** - An absence caused by illness of the student or by serious illness or death in the family. Work missed may be made up by the student.

**EXPLOSIVE (F.S. 790.001 (5))** - any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators; but not including:

(a) Shotgun shells, cartridges, or ammunition for firearms;

(b) Fireworks as defined in s. 791.01(4)(a); means and includes any combustible or explosive composition or substance or combination of substances or, except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, and any fireworks containing any explosives or flammable compound or any tablets or other device containing any explosive substance.

(c) Smokeless propellant powder or small arms ammunition primers, if possessed, purchased, sold, transported, or used in compliance with F.. 552.241;

**\*EXPLOSIVE DEVICE, POSSESSION, USE OR SALE OF** - An explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock, including but not limited to dynamite, nitroglycerine, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators [F.S. 790.001(5)]. This category does not include Class-C common fireworks.

**EXPULSION** - Removal of the right and obligation of a student to attend a public school under conditions set by the School Board for a period of time not to exceed the remainder of the school year and one (1) additional year of attendance. Expulsion can also mean alternative placement.

**EXTRACURRICULAR** - any school-authorized or education-related activity occurring during or outside the regular instructional school day. [F.S. 1006.15]

**\*FALSE REPORT INVOLVING SCHOOL, SCHOOL PERSONNEL'S PROPERTY, SCHOOL TRANSPORTATION OR SCHOOL SPONSORED ACTIVITY** - Making a false report with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, or other deadly explosive.

**Fighting** - mutual participation in a hostile, physical encounter; mutual participation in an altercation involving physical violence

**FIREARM** - means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term "firearm" does not include an antique firearm unless the antique firearm is used in the commission of a crime. [F.S. 790.001(6)]

**\*FIREARM, POSSESSION, USE, OR SALE OF** - Possession, use, or sale of any firearm, imitation firearm, on school property, school-sponsored transportation or during a school-sponsored activity. A firearm, imitation firearm, is any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. [F.S. 790.001(6)]

**GRIEVANCE PROCEDURE** – The process of filing appropriate forms resulting from a complaint filed by a student. Forms may be obtained from the principal.

**HARASSMENT** - Any threatening, insulting or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student or school employee that:

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

**\*HOMICIDE** (murder, manslaughter) - Murder--the unlawful killing of a human being (F.S. 782.04); and manslaughter--the killing of a human being by the act, procurement, or culpable negligence of another, without lawful justification (F.S. 782.07).

**ILLICIT DRUG** – A drug not allowed by law, custom, rule, etc.

**IMITATION FIREARM** – Any toy gun, replica of a firearm, air-soft gun that fires nonmetallic projectiles, or other device that is so substantially similar in coloration and overall appearance to a firearm.

**\*KIDNAPPING OR ABDUCTION** - Forcibly, secretly, or by threat confining, abducting, or imprisoning another person against their will and without lawful authority, with intent to: (1) hold for ransom or reward or as a shield or hostage; (2) commit or facilitate commission of any felony; (3) inflict bodily harm upon or to terrorize the victim or another person; and (4) interfere with the performance of any governmental or political function (F.S. 787.01(1)(a)1-4).

**PERMISSIBLE ABSENCE** - An absence which has the sanction of the parents/guardians and the school. This may include activities such as an individual educational trip or other extenuating circumstance. Any such individual educational trip must be planned by the parent/guardian and teacher, and a written report of the trip must be presented to the teacher. Work missed may be made up by the student.

**PROHIBITED ITEMS** - An item prevented by law or by an order.

**SUSPENSION** - Removal of students from their regular school program for a period not to exceed 10 school days. Pursuant to Florida Statute 1006.09, no student who is required by law to attend school shall be suspended for unexcused absence or truancy.

**TEAR GAS GUN OR CHEMICAL WEAPON OR DEVICE** - any weapon of such nature, except a device known as a "self-defense chemical spray." "Self-defense chemical spray" means a device carried solely for purposes of lawful self-defense that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemical. [F.S. 790.001(3)(b)]

**\*THREAT AGAINST SCHOOL, SCHOOL PERSONNEL'S PROPERTY, SCHOOL TRANSPORTATION OR SCHOOL SPONSORED ACTIVITY** - Threatening to throw, project, place, or discharge any destructive device with intent to do bodily harm.



**UNEXCUSED ABSENCE** - An absence which does not have the approval of the school, or which is due to disciplinary action against the student. Ordinarily, in such case, the work missed may not be made up by the student for credit.

**WEAPON** - A weapon may be, but is not limited to, any firearm, imitation firearm, any explosive or destructive device, any knife, razor blade or box cutter, any dirk (dagger), metallic knuckles, slungshot (a small mass of metal, stone, sand, or similar material fixed on a flexible handle, strap, or the like, used as a weapon.), billie [billie (also spelled billy) club, night stick, a stick of less than arm's length, usually made of wood, plastic, or metal], tear gas gun, chemical weapon or device, or other deadly weapon except a firearm or a common pocketknife, plastic knife, or blunt-bladed table knife [F.S. 790.001(13)] or any item used with intent to cause bodily harm to another individual.

**GADSDEN COUNTY SCHOOLS**

**POSITIVE STUDENT MANAGEMENT  
DISCIPLINE PLAN**

2009-2010

**POSITIVE STUDENT MANAGEMENT DISCIPLINE PLAN  
2009-2010  
GADSDEN COUNTY SCHOOL DISTRICT**

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## PREFACE

The district and its partners recognize the need for consistency of discipline between elementary and secondary schools. Regardless of where students attend school in the Gadsden County Public School District, we will adhere to the Gadsden County Positive Student Management Discipline Plan for their grade level. There are many factors that contribute to discipline problems in schools; nevertheless, the fact remains that schools have a responsibility to encourage, promote, and maintain an effective system of discipline.

Therefore, the Gadsden County Public School District is committed to be consistent, fair, and firm in practices as it resolves conflicts, modifies undesirable behaviors, and creates and maintains a safe and healthy environment in each school.

Though this document is a vehicle for effective disciplinary actions for all students, it does not supersede nor change in any manner the Gadsden County Code of Student Conduct.

## PHILOSOPHY AND EXPECTATIONS

The Gadsden County School District believes that everyone has the right and responsibility to achieve at his or her educational best. To make this happen, everyone needs a safe and positive environment in which to learn. Therefore, the district vows to be the best that it can be and pledges to:

\*Honor individual differences

\*Clearly define the things that are expected from everyone.

\*Hold each person accountable for his or her own behaviors.

### Gadsden County Positive Student Management Discipline Plan Expectations

#### Students Are Expected To:

- Show respect through actions and words
- Refrain from using profanity
- Be on time to school and to classes
- Get along with others
- Complete assignments
- Perform at their highest level of achievement
- Take care of school property
- Request permission to use other's property
- Follow safety rules
- Bring necessary supplies and materials to class
- Follow the dress code (**SEE ELEMENTARY & SECONDARY COMPONENT**)
- Be honest
- Speak politely: "Please, Thank you, I'm sorry, I keep my word, Yes, No"

#### Teachers Are Expected To:

- Be firm, fair, and consistent in all situations
- Maintain a positive classroom environment
- Provide for a safe environment
- Work with and support others
- Communicate with families
- Be good role models for students and colleagues
- Value individual opinions and ideas
- Teach innovative and challenging lessons
- Provide for individual differences
- Be punctual to work, classes, and other functions
- Assume the responsibility for correcting undesirable behaviors and protecting students
- Support decisions made by administrators and peers
- Speak politely: "Please, Thank you, I'm sorry, I keep my word, Yes, No"

**Administrators Are Expected To:**

- Follow through and follow up on decisions
- Communicate openly and effectively with teachers and all stakeholders
- Gather input from all sources for effective decision making
- Encourage family support and participation
- Promote teacher creativity
- Provide for a safe environment
- Be good role models for students and all employees
- Be strong, supportive administrators and instructional leaders
- Communicate positive expectations for teachers, students, and other stakeholders
- Assume the responsibility of correcting undesirable behaviors and protecting students
- Value individual opinions and ideas
- Speak politely: "Please, Thank you, I'm sorry, I keep my word, Yes, No"

**School Support Staff Is Expected To:**

- Provide and maintain a safe, clean and healthy environment
- Be good role models for students and colleagues
- Work with and support others
- Value individual opinions and ideas
- Maintain a positive environment
- Assume responsibility for correcting undesirable behaviors and protecting students
- Speak politely: "Please, Thank you, I'm sorry, I keep my word, Yes, No"

**Parents/guardians Are Expected To:**

- Send students to school nourished, rested, and ready to learn
- Be active participants in their children's education
- Be good role models for their children
- Communicate frequently with school personnel
- Support school personnel
- Reinforce the fact that their children are accountable for their own actions
- Get involved in school activities
- Get their children to school daily and on time
- Assume responsibility for their children's before and after school care
- Admonish their children to leave all beepers, cellular phones, headsets, and any other non-essential items at home
- Value individual opinions and ideas
- Speak politely: "Please, Thank you, I'm sorry, I keep my word, Yes, No"

**District Support Staff Is Expected To:**

- Provide clear guidelines for implementing district policies
- Enforce district policies with uniformity and consistency
- Understand and support differences among schools
- Participate in school activities
- Value individual opinions and ideas
- Be good role models for students and all employees
- Assume the responsibility of correcting undesirable behaviors and protecting students
- Speak politely: "Please, Thank you, I'm sorry, I keep my word, Yes, No"

## ELEMENTARY SCHOOLS

Grades K-5

[Pre-K discipline will be followed according to the District Code of Student Conduct.]

Discipline Guidelines and Procedures
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### LEVEL ONE INFRACTIONS

#### RESPONSIBILITY ISSUES

- Chewing gum, food, drinks, etc. during class
- Being unprepared for class (text, paper, pencil, assignments, etc.)
- Possessing items that are against school rules (hats, walkmans, toys, basketballs, chains, etc.)
- Dressing in opposition to the dress code (**SEE DRESS CODE COMPONENT**)
- Refusing to do class work
- Behaving inappropriately in the cafeteria
- Running on campus (includes tumbling)
- Sleeping in class
- Disrupting the class by way of any other minor offense

#### RESPECT ISSUES

- Disturbing the class (e.g., talking loud, getting out of seat without permission, laughing or talking at inappropriate times, minor physical play where no one is hurt)
- Using offensive language in general conversation with peers (includes name calling)
- Damaging school property: student-correctable (e.g., writing on wall, desk, etc.)
- Disobeying the school patrol
- Disrespecting others
- Bringing community problems to school
- Displaying intimate attention in public

#### TARDY POLICY

- When a student accumulates 3 or more unexcused tardies to class or school, the teacher will hold a conference with the student.
- On the 3<sup>rd</sup> unexcused tardy, the teacher will contact the parent/guardian by letter or by telephone.
- 

#### DRESS CODE

- **SEE ELEMENTARY AND SECONDARY COMPONENTS**

## LEVEL ONE PROCEDURES AND RELATED CONSEQUENCES

### STEP I

- The teacher will privately issue verbal reprimand and discuss the problem with the student.
- The teacher will collect items from the student and will return them at the end of the day or when the parent/guardian collects them.

### STEP II

**IF A STUDENT CHOOSES TO BEHAVE IN SUCH A WAY THAT RESULTS IN A LEVEL ONE INFRACTION:**

- The teacher **MUST** contact the parent/guardian.
  - 1 This could include, but is not limited to, a phone call, and/or a letter of misconduct with required parent/guardian signature to be returned
  - 2 With bus issues, refer to **BUS OFFENSES COMPONENT**.

### STEP III

**IF STUDENT BEHAVIOR RESULTS IN ONE OR MORE SUBSEQUENT LEVEL ONE INFRACTIONS:**

- The teacher assigns related consequences. These could include, but are not limited to:
  - Lunch detentions
  - Work in buddy teacher room
  - Behavioral contracts (attach)
  - Additional parent/guardian contact
  - Teacher selected interventions

### STEP IV

**IF STUDENT BEHAVIOR HAS NOT IMPROVED AS A RESULT OF THE ABOVE INTERVENTIONS:**

- The teacher will then submit a **referral** to the guidance counselor to seek assistance in resolving the behavior issues with the student. (SEE LEVEL ONE PRE-REFERRAL PACKET))

### STEP V

**IF, FOLLOWING THE COUNSELING SESSION, STUDENT BEHAVIOR HAS NOT IMPROVED:**

- The student is considered to be in defiance of school rules/expectations (**Level Two Infractions**).
- A referral to the administrator is written on a **Pre-Referral Form**.
- The teacher must describe the infraction/offense and give a summary of conditions preceding the events.

This information is critical to an administrator for his/her communication with parents/guardians and assignment of **Level Two Consequences** that do not replicate consequences already used by the teacher, counselor, and/or administrator.



**ELEMENTARY SCHOOL**

*LEVEL ONE PRE-REFERRAL PACKET*

**GUIDELINES AND PROCEDURES FOR EFFECTIVE IMPLEMENTATION**

**WHEN A STUDENT HAS COMMITTED LEVEL ONE INFRACTIONS:**

- Please be thorough and consistent in documenting the offense and the type of intervention that was implemented.
- Please use the proper forms to document what has taken place.
- Remember that parent/guardian contact makes the entire process more effective.

**IF INAPPROPRIATE BEHAVIOR HAS NOT CEASED AFTER 3 LEVEL ONE INFRACTIONS, PARENT/GUARDIAN CONTACT, AND COUNSELING:**

- Complete a **Discipline Incident Form** and send the student with a completed **Pre-Referral Packet** and the referral to an administrator's office.

**EXHIBITING CONSISTENT ADHERENCE TO THE PROCEDURES AND GUIDELINES AS OUTLINED IN THE DISCIPLINE PLAN ENSURES A SUCCESSFUL AND WHOLESOME SCHOOL YEAR.**



Dear Parent/Guardian:

I am writing to you because I have been unable to reach you by phone. It is important that I advise you of \_\_\_\_\_'s behavior in my class. It has been less than satisfactory for the following reason/s:

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Because I strive to guarantee your child and all the students in my classroom the excellent learning climate they deserve, I will not tolerate any student who interferes with my ability to teach or the student's ability to learn. Please discuss the importance of this matter with your child.

I believe it is in your child's best interest that we work together cooperatively to enhance his/her education. If you have any questions or comments, please contact me at school.

Sincerely,

Teacher \_\_\_\_\_  
School's Phone Number \_\_\_\_\_  
Best time to call \_\_\_\_\_

Please sign this form and **RETURN TO ME** the next school day.

**PARENT/GUARDIAN'S COMMENTS:**

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**Parent/Guardian's Signature**

**Date**

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## LEVEL TWO INFRACTIONS

- Skipping class/school
- Participating in physical play or altercation (when possible injury could occur)
- Directing profane or abusive language towards an adult
- Defying the observance of school rules/expectations
- Damaging school property (non-correctable)
- Exhibiting threatening or extremely defiant behavior or language towards another student
- Behaving in the manner that constitutes sexual harassment
- Throwing or propelling objects
- Spitting intentionally
- Repeating Level I Infractions

## LEVEL TWO PROCEDURES AND RELATED CONSEQUENCES

IF A STUDENT CHOOSES TO BEHAVE IN SUCH A WAY THAT RESULTS IN A LEVEL TWO INFRACTION:

- The teacher will complete a **Discipline Incident Form**, and the student will be referred to an administrator.
- The teacher will notify an administrator **immediately** if a student's behavior becomes so defiant that the teacher is unable to conduct class.

### ACTIONS TO BE TAKEN BY ADMINISTRATORS

#### 1<sup>st</sup> REFERRAL

- An administrator contacts the parent/guardian **AND** administers his/her choice of one or more of the following:
  1. Require restitution
  2. Withdrawal of privileges
  3. Bag lunch detention
  4. Specific period(s) of internal suspension
  5. After school detention
  6. Supervised work detail
  7. Conflict resolution session
  8. Recommendation for Guidance Counseling Intervention
  9. Consideration for possible external suspension
  10. Parent/Guardian conference
  11. Student Study Team Intervention

- An administrator warns the student/parent/guardian of the consequences of the second offense.

### **2<sup>nd</sup> REFERRAL**

- An administrator contacts the parent/guardian AND administers his/her choice of one or more consequences from **1<sup>st</sup> Referral Consequences** with possible increase in length of consequences.
- An administrator warns the student/parent/guardian of the consequences of the third offense.

### **3<sup>rd</sup> REFERRAL**

An administrator holds a conference with the parent/guardian and recommends/assigns external suspension.

## **LEVEL THREE INFRACTIONS**

Stealing

Behaving in the manner that constitutes sexual misconduct

- Leaving school campus without permission
- Repeating a Level II Infraction

## **LEVEL THREE PROCEDURES AND RELATED CONSEQUENCES**

IF A STUDENT CHOOSES TO BEHAVE IN SUCH A WAY THAT RESULTS IN A LEVEL THREE INFRACTION:

- The teacher will complete a **Discipline Incident Form**, and the student will be referred to an administrator.
- The teacher will notify an administrator **immediately** if a student's behavior becomes so defiant that the teacher is unable to conduct class.

### **ACTIONS TO BE TAKEN BY ADMINISTRATORS**

#### **1<sup>st</sup> REFERRAL**

- An administrator contacts the parent/guardian AND administers his/her choice of one or more of the following:
  1. Require restitution
  2. Withdrawal of privileges
  3. Bag lunch detention
  4. Specific period(s) of internal suspension
  5. After school detention
  6. Supervised work detail
  7. Conflict resolution session
  8. Recommendation for Guidance Counseling Intervention
  9. Consideration for possible external suspension

10. Parent/Guardian conference

11. Student Study Team

- An administrator warns the student/parent/guardian of the consequences of the second offense.

### **2<sup>nd</sup> REFERRAL**

- An administrator contacts the parent/guardian AND administers his/her choice of one or more consequences from **1<sup>st</sup> Referral Consequences** with possible increase in length of consequences.
- An administrator warns the student/parent/guardian of the consequences of the third offense.

### **3<sup>rd</sup> REFERRAL**

- An administrator holds a conference with the parent/guardian and recommends/assigns external suspension.

<b>LEVEL FOUR INFRACTIONS</b>
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#### ZERO TOLERANCE INFRACTIONS

- **REFER TO THE GADSDEN COUNTY SCHOOL DISTRICT CODE OF STUDENT CONDUCT.**

## SECONDARY SCHOOLS

Grades 6 – 12

### Discipline Guidelines and Procedures

CLASS I	MINOR OFFENSES
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\*Document All Actions Taken in Class I on the Classroom Behavior Management Form

- Chewing gum, eating food, or drinking beverages during class
- Being unprepared for class/no materials
- Arriving late to class (up to 5 minutes)
- Refusing to do classroom work
- Sleeping in class
- Using offensive language in general conversation with peers
- Disrupting the classroom (talking out loud, getting out of seat, laughing or talking at inappropriate times)
- Displaying intimate affection in public
- Possessing inappropriate items, (toys, games, tape players, beepers, cellular phones)
- Disrupting the class by any other minor offense

Actions To Be Taken By Teachers

#### *1st Offense*

- Contact the parent/guardian. **[required]**
- Hold a teacher/student conference with documentation **[complete applicable section of Classroom Behavior Management Form (CBM)]**.
- Collect inappropriate items from the student and return them at end of the day or when a parent/guardian collects them.

#### *2nd Offense*

- Use creative teacher interventions (may include behavior improvement plan, disciplinary work, etc.).
- Refer the student to the homeroom teacher (If student is an athlete, refer to coaches)
- Hold formal teacher-student conference and contact the parent/guardian. **(complete applicable section of CBM)**
- Refer the student to the team leader or designee, if applicable.
- Refer the student to the Guidance Counselor/Resource person/Student Study Team.
- Arrange peer mediation for the student.

#### *3rd Offense*

- Contact the parent/guardian. **[required]**
- Render a verbal reprimand.
- Provide notification of the consequences of the next offense.
- Arrange peer mediation for the student.

- Refer the student to the team leader or designee.
- Refer the student to a Guidance Counselor.

#### *4<sup>th</sup> Offense*

#### **ACTIONS TO BE TAKEN BY ADMINISTRATORS**

- Contact the parent/guardian. **[required]**
- Refer the student to an Administrator for disciplinary action/parent/guardian contact
- Suspend the student from home-based school activities for 2 weeks.
- Assign the student to after-school detention - 2 Days
- Assign work detail to the student.
- Assign the student to in-school suspension (ISS) for 3 to 5 days/parent/guardian contact.

CLASS II	INTERMEDIATE OFFENSES
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- Repeating classroom disruptions
- Failing to serve detention or other disciplinary interventions
- Instigating conflicts by spreading rumors, false statements, accusations, threats and other statements that tend to escalate situations or incite chaos
- Throwing food or drinks in cafeteria
- Loitering in an unauthorized location
- Using obscene or profane language or gestures
- Possessing or using tobacco products
- Cheating, plagiarism, abuse of technology, or forgery
- Skipping class/Leaving class/leaving school campus without permission
- Throwing or propelling objects or spitting
- Intimidating or harassing another student
- Dressing in opposition to the dress code
- Repeating Class I offenses

#### Actions To Be Taken By Administrators

- An administrator calls the parent/guardian. **[required]**
- An administrator will assign In-school suspension (ISS) for specified number of days.
- An administrator will assign 3 - 5 days out-of-school suspension (OSS) /parent/guardian contact.
- An administrator will assign 5 days OSS [school level hearing/ parent/guardian conference]
- An administrator will provide a hearing with the option to give OSS of 5 more days.
- The School Resource Officer will issue a citation.
- An administrator will provide peer mediation for the student.
- An administrator will involve the Guidance Counselors in fact-finding and counseling of students.



- Defying a school district employee (an attitude or action designed to provoke a confrontation)
- Defacing school property/malicious mischief
- Inciting or participating in riotous behavior
- Obstructing school employees from their duty (preventing fight breakups, etc.)
- Possessing merchandise stolen on school campus
- Trespassing
- Using school property without authorization (computers, A/V or PE equipment)
- Exhibiting lewd and lascivious behavior
- Possessing obscene literature or objects
- Stealing
- Repeating Class II offenses

#### Actions To Be Taken By Administrators

##### *1st Offense*

- An administrator calls the parents/guardians. **[required]**
- The teacher/administrator writes a referral and administrator confers with the student.
- An administrator assigns 3-5 days out of school suspension.
- An administrator warns the student and parents/guardians of the consequence of the second offense.
- Guidance Counselors assist with fact finding and counseling of students.
- The student/parent/guardian makes restitution
- The Resource Officer administers a civil citation.
- A law enforcement officer is called to give assistance.

##### *2nd Offense*

- An administrator calls the parents/guardians. **[required]**
- The teacher/administrator writes a referral.
- An administrator confers with the student.
- An administrator assigns 5 days out of school suspension and conducts a hearing.
- An administrator warns the student and parent/guardian of the consequences of the third offense.
- An administrator informs the student and parent/guardian that all subsequent referrals will result in recommendation for alternative placement and/or expulsion.
- The student/parent/guardian makes restitution.
- The Resource Officer administers a civil citation.
- A law enforcement officer is called to give assistance.

##### *3rd Offense*

- An administrator calls the parents/guardians. **[required]**
- The teacher/administrator writes a referral.
- Administrator confers with student.
- An administrator assigns 5 days out-of-school suspension with a hearing.

- An administrator informs the student and parent/guardian that all subsequent referrals will result in recommendation for alternative placement and/or expulsion.
- An administrator conducts a hearing for expulsion and/or alternative placement considerations.
- The student/parent/guardian makes restitution.
- The Resource Officer administers a civil citation.
- A law enforcement officer is called to give assistance.

<b>CLASS III</b>	<b>GROUP B</b>	<b>MAJOR OFFENSES</b>
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- Fighting (involvement in physical confrontation in which the participant either initiated the fight or failed to take advantage of an opportunity to avoid escalation of the incident that led to the fight)
- Creating a hostile environment that includes harassing, physical, verbal, graphic or written conduct that is sufficiently severe, pervasive or persistent as to interfere with an individual's ability to participate in or benefit from school activities. This includes all forms of sexual, racial, national origin, disability or other forms of discrimination or harassment prohibited by school board policies
- Threatening, harassing or intimidating a school district employee/adult

Actions To Be Taken By Administrators

*1st Offense*

- An administrator calls the parents/guardians. **[required]**
- The teacher/administrator writes a referral.
- An administrator confers with the student.
- An administrator assigns 5 days out-of-school suspension.
- Guidance Counselors assist in fact finding and counseling of student.
- An administrator reads the second offense consequences to the students and parent/guardian.
- An administrator provides peer mediation.

*2nd Offense*

- An administrator calls the parents/guardians. **[required]**
- The teacher/administrator writes a referral.
- An administrator confers with the student.
- An administrator assigns 5 days out-of-school suspension with a hearing for possible alternative placement and/or expulsion considerations.
- 

<b>CLASS III</b>	<b>GROUP C</b>	<b>MAJOR OFFENSES</b>
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**ZERO TOLERANCE OFFENSES**

- **REFER TO THE GADSDEN COUNTY SCHOOL BOARD CODE OF STUDENT CONDUCT.**

## COMPONENTS OF ELEMENTARY AND SECONDARY SCHOOLS

### BUS OFFENSES

#### MINOR OFFENSES

- Shouting/loud talking
- Eating / drinking
- Littering
- Holding hand/head outside of the bus

#### Actions To Be Taken

- **BUS DRIVERS' INTERVENTIONS (use one or more)**
- Conduct a conference with the student.
- Assign a new seat assignment.
- Notify the parents/guardians.
- Write a referral and give it to an administrator.
  
- **ADMINISTRATORS' INTERVENTIONS**
- 1st referral : Notify parents/guardians and have a conference with the student.
- 2nd referral: 1- 3 days off bus
- 3rd referral: 3 days off bus
- 4th referral: 5 days off bus (**Hearing Requested**)

#### MAJOR OFFENSES

- Being out of seat when bus is in motion
- Using foul language/ racial slurs
- Defacing property
- Throwing objects
- Holding hand/head outside bus while in motion
- Fighting
- Distracting the bus driver with deviant behavior

#### Actions To Be Taken By Administrators

- Restitution is paid by the student/parent/guardian.
- 1st referral: 1-3 day off bus
- 2nd referral: 3-5 days off bus
- 3rd referral: 5 days off bus
- 4th referral: 5 days off bus (**Hearing Requested/expulsion considered**)

The student may also be subject to other disciplinary actions which may include suspension or expulsion from school.

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## **ZERO TOLERANCE ON THE BUS**

- Threatening/assaulting the driver
- Possessing weapons
- Possessing/using drugs/alcohol

## **ZERO TOLERANCE OFFENSES**

**Refer to the Gadsden County School District Code of Student Conduct.**

## **STUDENT DRESS CODE**

In adherence to the Gadsden County School Board's policy concerning students' dress, this Positive Student Management Discipline Plan acknowledges these guidelines and the importance of students' attire. Students' clothing should be appropriate for the occasion, in good taste, and in good condition. While the administration recognizes the individuality of each student and does not wish to stifle individual taste, consideration must be given to the primary reason for school attendance – academic excellence.

Clothing and/or other personal adornment that is so unusual or non-traditional that it attracts undue attention and distracts from the academic climate of the classroom cannot be allowed.

### **APPROPRIATE ATTIRE**

- When young ladies wear shorts, skirts, and dresses, the length must be near their knees. This knee length is determined by the indentation of the tip of the student's middle finger when placed against the student's attire.
- Bound sleeveless shirts and/or dresses that cover the armpits may be worn.
- Shirts/blouses must cover the midriff at all times.
- Young men will wear belts or suspenders with their pants. Elastic waist band/draw strings are acceptable.
- Hats and hoods may be worn outside of the building only.
- Shirts and blouses that are designed to be worn inside will be tucked into the pants/skirts.

### **INAPPROPRIATE ATTIRE**

- Tight-fitting stretchy pants, leotards, bicycle pants, or body gloves
- Blouses or shirts that are unbuttoned, see-through, halter tops, tank tops, or muscle shirts and dresses that are strapless, spaghetti strap, or sun dresses,
- Section cutout garments with holes
- Clothes that advertise gangs, alcoholic beverages, tobacco, drugs, suggestive or sexually explicit logos, or offensive racial slogans
- Headbands, bandannas, scarves, stocking/wave caps, or any other head gear
- Bare feet, bedroom slippers, flip-flops or beach shoes
- Hair combs, hair picks, or hair rollers
- Drop pants

\* These dress code guidelines are subject to the interpretation of the administration, faculty, and staff. Any other type of clothing or garment that is distracting, immodest, or interferes with learning will not be allowed.

**STUDENTS FOUND IN VIOLATION OF THE DRESS CODE WILL BE SUBJECTED TO THE FOLLOWING OPTIONS:**

- Parents/guardians will be called and informed to bring student appropriate attire.
- Students will be sent home to change clothes and return to school promptly.
- Parents/guardians must make arrangement to pick student up from school for the remainder of the day.
- Student will be placed in ISS until the end of the day.

**CLASSROOM BEHAVIOR MANAGEMENT FORM FOR  
MINOR OFFENSES IN SECONDARY SCHOOLS**

**STUDENT** \_\_\_\_\_ **I.D.** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**TEACHER** \_\_\_\_\_ **SUBJECT** \_\_\_\_\_ **PERIOD** \_\_\_\_\_

**CIRCLE IF APPLICABLE TO STUDENT: ESE ESOL**

The above student's behavior has been disruptive to the class and inhibits my ability to teach. Specifically, the problem is:

\_\_\_\_\_

\_\_\_\_\_

As the classroom teacher, I have taken the following steps to correct the problem:

**1st Offense:** An **AFTER-CLASS DISCUSSION** was held on \_\_\_\_\_ with the student regarding the above problem. The student's reaction to the problem and my suggestions for improvement were:

\_\_\_\_\_ **Favorable**      \_\_\_\_\_ **Unfavorable**      \_\_\_\_\_ **No reaction**

\_\_\_\_\_ Teacher Signature      \_\_\_\_\_ Student Signature

**2<sup>nd</sup> Offense:** A **FORMAL TEACHER/STUDENT CONFERENCE** was held on \_\_\_\_\_ at \_\_\_\_\_.  
 (DATE) (TIME)

The problem was again discussed, and the student was warned that further misbehavior would result in a referral to the office. The student's reaction to my suggestions for improvement were:

\_\_\_\_\_ **Favorable**      \_\_\_\_\_ **Unfavorable**      \_\_\_\_\_ **No reaction**

**PARENT/GUARDIAN PHONE CONTACT**

**(Name and No.)** \_\_\_\_\_ was called on \_\_\_\_\_. The parent/guardian was advised of the problems and the steps taken thus far by me to remedy the problem. The parent/guardian's support was requested. Parent/Guardian reaction was:

\_\_\_\_\_ **Positive**      \_\_\_\_\_ **Neutral**      \_\_\_\_\_ **No reaction**

**3<sup>rd</sup> Offense:** The following **RESOURCE PEOPLE** were consulted:

A. Department/Team Chairman/Leader: The following recommendation/s was made:

\_\_\_\_\_

B. Guidance Counselor: The following recommendation/s was made:

\_\_\_\_\_

C. Other: The following assistance was provided:

**4th Offense: THE PROBLEM PERSISTS:** I request administrative assistance with this student. [Send this form and the student to the office.]

Date/Time Student Sent \_\_\_\_\_ Teacher signature \_\_\_\_\_  
 White – Office Yellow – Parent/Guardian Pink – Guidance Gold – Referring Teacher

**DOCUMENTATION NEEDED TO PROCESS STUDENT  
REFERRALS FOR ELEMENTARY SCHOOLS**

FROM THE OFFICE OF ADMINISTRATION

**DATE:** \_\_\_\_\_

**TO:** \_\_\_\_\_

CHECK ONE

- Documentation Needed (**see response below**)
  
- Recommendation Issued (**see response below**)

Send a **completed** Pre-Referral Form

Handle the disciplinary action at grade level.

Send **Level One** documentation forms with the referral.

Send a **completed** Guidance Referral Form.

Need additional information

\_\_\_\_ Other

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Thank you,

\_\_\_\_\_

**DOCUMENTATION NEEDED TO PROCESS STUDENT  
REFERRALS FOR SECONDARY SCHOOLS**

FROM THE OFFICE OF ADMINISTRATION

**DATE:** \_\_\_\_\_

**TO:** \_\_\_\_\_

CHECK ONE

- Documentation Needed (**see response below**)
- Recommendation Issued (**see response below**)

Send a **completed** Classroom Behavior Management Form

Handle the disciplinary action at grade level.

Send **Class I** documentation forms with the referral.

Need additional information

\_\_\_\_ Other

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Thank you,

\_\_\_\_\_



## GLOSSARY OF STUDENT DISCIPLINE REFERRAL TERMINOLOGY

**Abuse of property/minor vandalism** - to use wrongly or improperly, or to maltreat any school equipment or property

**Alcohol possession, use, sale, storage, or distribution** - having on one's person or within one's personal property or under one's control by placement of and knowledge of the whereabouts or reasonable belief that one has assimilated, or reasonably appears, in the judgment of appropriate school officials, to be under the influence of any alcoholic substance

**Armed robbery** - the taking of money or other property which may be the subject of larceny from the person or custody of another, with intent to either permanently or temporarily deprive the person or the owner of the money or other property, when in the course of the taking there is the use of force, violence, assault, or putting in fear; with the use of a firearm, imitation firearm, or other deadly weapon

**Arson** - to willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damage or cause to be damaged: any dwelling, whether occupied or not, or its contents; any structure, or contents thereof, where persons are normally present; and any other structure that the person knew or had reasonable grounds to believe was occupied by a human being

**Articles disruptive to school** - to possess, display or use anything that is disruptive to the general peace and welfare of a school center, school bus, or a school sponsored activity

**Assault on school board employee** - any intentional, unlawful threat, by word or act, to do violence to a school board employee, coupled with an apparent ability to do so, and doing some act that creates a well-founded fear in another person that violence is imminent

**Attempted criminal act against a person** - any person who attempts to commit, or who solicits another to commit, or who agrees, conspires, combines, or confederates with another person or persons to commit the offense of a battery against another person or persons, and in such attempt does any act toward the commission of such offense, but fails in the perpetration or is intercepted or prevented in the execution of the offense

**Battery (Aggravated)** - intentionally or knowingly causing great bodily harm, permanent disability, or permanent disfigurement or using a deadly weapon while committing a battery

**Battery or aggravated battery on a school board employee** - a battery or aggravated battery on any elected official or school district employee whether it is committed on school property, on school sponsored transportation, during a school-sponsored activity or while the elected official or employee is on official school business

**Bomb threat** - intentionally making a false report to any person concerning the placement of any bomb, dynamite, explosive, or arson-causing device

**Breaking and entering/burglary** - the unlawful entry into a building or other structure with the intent to commit a crime

**Bully** - a person who uses power (physical, verbal, or psychological) in a willful manner with the aim of hurting another individual repeatedly

**Bus disruption** - behavior that disrupts and/or distracts the driver from safely operating the school bus

**Cheating (copying work of another, using materials not authorized to use** - copying of anyone else's work or cheating on any test or assignment

**Chemical/hazardous material** - Any chemical compounds or dangerous materials that may be used to cause harm or vulnerability to any person(s).

**Computer misuse/inappropriate use of e-mail/internet** - the inappropriate use of a computer, including, but not limited to, breaking into restricted accounts or networks, modifying, or destroying files without permission, illegally copying software, and entering or distributing or printing unauthorized files; accessing or entering unauthorized internet sites; distributing inappropriate electronic messages

**Confrontation/tussle** - a verbal confrontation, struggle, or scuffle involving more than one person; pushing, shoving, pulling, etc. that has the propensity to escalate into a fight

**Contraband, non-criminal** - possession and/or use of items or contraband designated by the school as inappropriate materials such as portable paging devices, beepers, portable cellular telephones, etc.; these will be confiscated

**Criminal assault on a student/person** - any intentional, unlawful threat, by word or act, to do violence to another person, coupled with an apparent ability to do so, and doing some act that creates a well-founded fear in another person that violence is imminent

**Criminal battery on a student/person (non-School Board Employee)** - an actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual, including child abuse; the malicious and unprovoked physical attack by an aggressor upon another person

**Disobedient/open defiance/insubordination** - refusal or failure to obey, marked by resistance to authority; the flagrant or hostile challenge of the authority of a school staff member, bus driver, or any other adult in authority

**Disobeying rules on the school bus** - violation of the posted or written rules of conduct for the bus that is not necessarily a disruptive behavior; e.g.: not in assigned seat, eating or drinking on the bus

**Disorderly conduct/disruption of school** - any act which substantially disrupts the orderly conduct of a school function, behavior which substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others

**Disrespectful language** - written or verbal remarks or gestures that show a lack of respect, rudeness or are inappropriate; The use of words or acts which demean, degrade, antagonize, or humiliate a person or group of persons

**Disruptive behavior** - behavior by its nature disrupts the educational process, but is not criminal.

**Disruptive play** - non-confrontational activity that is not appropriate in a school setting and is disruptive to the educational process; engaging in rowdy, rough behavior that interferes with the safe and or purposeful order of a school; e.g.: horseplay, chasing another student in the hallway of classroom, etc.

**Dress code violation** - to dress in a manner that would constitute a disruption in the school, create a safety hazard or exhibit impropriety; violations of the school dress code

**Drug paraphernalia use, sale, storage, or distribution** - to possess, use, sale, store, or distribute any equipment, device, or equipment used for the purpose of preparing or taking drugs

**Drugs represented as drugs/imitation, use, storage, or possession** - to store, possess, purchase, use, or be under the influence of any mood modifying substance and/or dangerous substance including, but not limited to, marijuana, hallucinogens, inhalants, as well as any substance represented to be an illegal substance, such as designer drugs, or caffeine pills, tablets, or caplets, or any substance which is represented to be any such substance while on school property or jurisdiction of the school district

**Explosive devices possession, use, sale, or distribution (not firecrackers, fireworks)** - an explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators

**Extortion/blackmail/coercion** - the use of threat or intimidation to obtain anything of value from another person, including, but not limited to, money

**Failure to comply with class/school rules** - violation of specified posted or written school or class rule that is not necessarily a disruptive behavior; e.g.: repeatedly chewing gum, repeatedly tardy for class, etc.

**False fire alarm/911 call** - whoever, without reasonable cause, by outcry or the ringing of bells, or otherwise makes or circulates, or causes to be made or circulated, a false alarm of fire or 911 call

**Fighting** - mutual participation in a hostile, physical encounter; mutual participation in an altercation involving physical violence

**Fireworks/firecrackers** - possession, use, sale, storage, or distribution of fireworks or firecrackers or associated devices

**Forgery of a document or signature** - to fashion or reproduce for fraudulent purposes

**Gambling** - one who participates in games of chance or skill for money or profit

**Homicide/murder** - the unlawful killing of a human being; and manslaughter – the killing of a human being by the act, procurement, or culpable negligence of another, without lawful justification

**Inappropriate activity** - any activity that is disruptive and/or inappropriate in a school setting that does not fit into another category

**Intentionally striking a staff member intervening in a fight** - intentionally striking or violently struggling with a staff member intervening in a fight or confrontation

**Kidnapping or abduction** - forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against their will and without lawful authority, with intent to hold for ransom or reward or as a shield or hostage; commit or facilitate commission of any felony; inflict bodily harm upon or to terrorize the victim or another person

**Leaving School Grounds without permission** - unauthorized leaving of the school grounds

**Lying/misrepresentation** - intentionally providing false or misleading information to, or withholding valid information from a school staff member

**Motor vehicle theft** - theft or attempted theft of a motor vehicle; anything that is self-propelled

**Obscene, lewd, or inappropriate act** - the use of oral or written language, electronic messages, pictures, objects, gestures, or engaging in any physical act considered to be offensive, socially unacceptable, or not suitable for an educational setting

**Other potentially dangerous weapons/items** - any instrument or object, other than firearms or knives, deliberately used to inflict harm on another person, or used to intimidate any person

**Out of Assigned Area** - out of assigned area without permission and/or in a restricted access area without permission

**Petty theft/stealing 1 (\$0-\$10)** - the unlawful taking, carrying, or lending of property less than \$10.00 in value from the possession or constructive possession of another person

**Petty theft/stealing 2 (\$10 -\$25)** - the unlawful taking, carrying, lending, or riding away of property more than \$10, but less than \$25 in value from the possession, or constructive possession of another person

**Petty theft/stealing 3 (\$25-\$50)** - the unlawful taking, carrying, lending, or riding away of property more than \$25, but less than \$50 in value from the possession, or constructive possession of another person

**Physical aggression (not involving law enforcement)** - the intentional physical aggression of one party against another person such as pushing, punching, or striking

**Plagiarism** - The unauthorized use of someone else's material, which is then presented as being the result of the plagiarist's own primary research, creative impulse or insight. Plagiarism technically encompasses the borrowing of ideas of others, as well as their exact words or allowing one's own personal work or homework to be copied

**Possession/use of tobacco products** - possession, use, sale, storage, or distribution of tobacco products on school district property

**Profane/obscene language** - abusive, profane, obscene, or vulgar language (verbal, written, or gestures) or conduct in the presence of another person

**Public display of affection** - engaging in overtly amorous contact or language not appropriate in a school setting

**Robbery** - the taking or attempting to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and /or by putting the victim in fear

**Sexual battery (attempted or actual forcible penetration)** - forced- oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object

**Sexual harassment** - any slur, innuendo, or other physical conduct reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational work environment; has the purpose or effect of unreasonably interfering with an individual's work or school performance or participation; or otherwise affects an individual's educational opportunities; sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature

**Sexual misconduct** - engaging in a sex act or physical conduct of a sexual nature; the unlawful sexual intercourse, sexual contact or other unlawful behavior or conduct intended to result in sexual gratification without force or threat and where the victim is capable of giving consent

**Stealing more than \$50** - the unlawful taking, carrying, leading, or riding away of property more than \$50, in value from the possession or constructive possession of another person or entity (meaning school)

**Tardiness, Habitual** - consistently late to class or school

**Threat, non-criminal** - a threat (less serious than assault) by word or act to do violence to another person or his/her property; e.g.: "You better watch your back", "I'm going to get you after school."

**Trespassing** - to enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion, employees not required by their employment to be at the particular location; and unauthorized persons who enter or remain on campus or school district facility or sponsored activity after being directed to leave

**Truancy/Unexplained Absence** - An absence from class or school that the reason or excuse is inadequate or does not meet the criteria for an excused absence

**Unauthorized possession or use of prescription medication** - to possess, use, sell, store, or distribute or be under the influence of any substance which requires a physicians prescription, or any over-the-counter medication without parent/guardian approval and school notification

**Unauthorized sale/distribution of materials (non-criminal)** - unauthorized selling or distributing of materials not generally considered illegal; e.g.: candy

**Unintentionally striking a staff member intervening in a fight** - unintentional striking or violently struggling with a staff member intervening in a fight or confrontation

**Unknown weapon possession** - type of instrument or object unknown at the time of the report

**Unserved detention (extended)** - unexcused absence from a scheduled extended detention

**Unserved detention (regular)** - unexcused absence from a scheduled regular detention

**Unserved detention (Saturday)** - unexcused absence from a scheduled Saturday detention

**Use of intoxicants** - the inappropriate use of intoxicants, including but not limited to, glue, solvents, butane, and whipped cream, for the purpose of obtaining a mood-modifying experience

**Vandalism more than \$100 (includes time and labor)** - the willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. This includes graffiti.

**Weapon/knife possession** - the possession of any knife that may inflict harm on another person, or be used to intimidate another person, including, but not limited to, fixed blade knives, folding knives, switch blade knives, and common pocket knives or any item used with intent to cause bodily harm to another individual.

**LETTER OF ACKNOWLEDGMENT  
FOR STUDENTS**

**PLEASE SIGN THIS FORM AND RETURN IT TO THE OFFICE OF THE PRINCIPAL.**

**FOR STUDENTS**

**I have received a general overview and specific instructions on the contents of the Gadsden County School Board's Code of Student Conduct and the Gadsden Positive Student Management Discipline Plan.**

**I understand that if I commit or cause any criminal act using any wireless communication device while on school grounds or at any school function, I am subject to disciplinary action by the Gadsden County School Board (F.S. 1006.07).**

For each course in which the student has four (4) unexcused absences, that are not for one of the legitimate purposes as described in this Code, a grade of "F" will be assigned for that grading period.

\_\_\_\_\_  
**Signature of Student**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**School**

**[If student is in a primary program and is unable to write his/her name, the teacher may sign the student's name and must initial his/her (the teacher) name.]**

**LETTER OF ACKNOWLEDGMENT  
FOR PARENTS/GUARDIANS/GUARDIANS**

**PLEASE SIGN THIS FORM AND RETURN IT TO THE OFFICE OF THE PRINCIPAL.**

**FOR PARENTS/GUARDIANS/GUARDIANS**

**I have received a copy of the Gadsden County School Board’s Code of Student Conduct and the Gadsden Positive Student Management Discipline Plan.**

**I understand that if my child commits or causes any criminal act using any wireless communication device while on school grounds or at any school function, he/she may be subject to disciplinary action by the Gadsden County School Board (F.S. 1006.07).**

For each course in which the student has four (4) unexcused absences, that are not for one of the legitimate purposes as described in this Code, a grade of “F” will be assigned for that grading period.

\_\_\_\_\_  
**Signature of Parent/Guardian**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Student’s Name**



Gadsden County Public Schools  
2009-2010 Student Calendar (180 days)

## August 2009

24 1<sup>st</sup> day of school for students

## September 2009

7 Labor Day

## October 2009

22 End 1<sup>st</sup> grading period

23 Student Holiday

26 Begin 2<sup>nd</sup> grading period

## November 2009

11 Veterans Day observed

20 Student holiday

25-27 Thanksgiving holidays

## December 2009

18-22 High school Semester Exams  
Early dismissal22 End 1<sup>st</sup> semester (80 days)  
End 2<sup>nd</sup> grading period

23-31 Winter Break

## January 2010

1 New Years Day

4-5 Winter Break continued

6 Students return  
Begin 3<sup>rd</sup> grading period

18 Martin L King Day

## February 2010

9-12 FCAT Writing (Grades 4, 8 &amp; 10)

15 Student Holiday

## March 2010

9-19 FCAT SSS / Retakes

26 End 3<sup>rd</sup> grading period

29-31 Spring Break

## April 2010

1-2 Spring Break (continued)

5 Begin 4<sup>th</sup> grading period

13-14 SAT-10

## May 2010

31 Memorial Day

## June 2010

2-4 High School Final Exams  
Early Dismissal

4 Last day of school (100 days)