

SCHOOL BOARD OF ORANGE COUNTY  
**ACKNOWLEDGEMENT REGARDING CODE OF STUDENT CONDUCT**  
**FOR SCHOOL YEAR**  
**2018 – 2019**



Student Name (please print) \_\_\_\_\_

School \_\_\_\_\_ Grade \_\_\_\_\_

Orange County Public Schools (OCPS) Board Policy JIC in addition to Section 1006.07, Florida Statutes, requires the adoption of a Code of Student Conduct (Code). The OCPS Code applies to all activities throughout the school, while being transported to and from school at a public expense, a reasonable time before and after school, and during school-sponsored activities.

The Code shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each school year and quarterly thereafter and for transferring students upon their enrollment.

In order to conserve resources, schools will not distribute paper copies of the Code of Student Conduct to every student. You can locate an electronic copy of the Code online at the District website: [codeofconduct.ocps.net](http://codeofconduct.ocps.net), or on your school issued device for Middle and High School students. If you require a paper copy of the Code, please check the box below and return this form to your child's school. The following represents a minimal portion of information found within the Code. Students and parents are encouraged to read the Code in its entirety.

**FAILURE TO SIGN THIS ACKNOWLEDGEMENT FORM WILL NOT RELIEVE A STUDENT OR THE PARENT/GUARDIAN OF THE RESPONSIBILITY FOR COMPLIANCE WITH THE CODE OF STUDENT CONDUCT OR ACCOUNTABILITY FOR LOSS OR DAMAGE TO OCPS PROPERTY.**

- ❖ I have read the Safe Harbor Provision and understand that I must voluntarily turn in the prohibited item **before** an investigation has commenced.
- ❖ If I am **charged** with a felony, whether on OCPS grounds or in the community, I will not be eligible to participate in extracurricular/co-curricular activities.
- ❖ I may be recommended for full exclusion from all OCPS schools or placed at an alternative school for committing certain disciplinary offenses to include, but are not limited to, possession of a weapon, possession/distribution/selling of drugs, making severe threats to other students or the school, sexually harassing other students or staff, theft/robbery, vandalism, severe acts of bullying/harassment, hazing, physical attacks, and/or sexual assault.
- ❖ I understand I have the right to choose to participate in an OCPS disciplinary investigation.
- ❖ Searches of students and property will be conducted if school personnel have reasonable suspicion of a violation of the law or the Code. Reasonable suspicion is not required to conduct random searches of OCPS owned property.
- ❖ I can anonymously report any suspicious or criminal behavior I observe to the Speak Out Hotline at (800) 423-TIPS (8477), at [www.speakouthotline.org](http://www.speakouthotline.org), or by texting "speakout" plus my tip information to CRIMES (274637).

\_\_\_\_\_ Print Student Name

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

\_\_\_\_\_ Date

Please check if you require a printed copy of the 2018-2019 *Code of Student Conduct* and return to your school.

**\*PARENTS: THIS FORM IS SIGNED BY YOUR CHILD AT SCHOOL. THE PARENT COPY IS FOR NOTIFICATION PURPOSES ONLY. FOR PARENTS OF STUDENTS GRADES 6-12, THIS FORM IS RECORDED ELECTRONICALLY.\***



**SUMMARY OF CHANGES TO THE CODE OF STUDENT CONDUCT**

- ❖ Acknowledgement Regarding Code of Student Conduct
- ❖ Notice of Limited Responsibility for Supervising Students
- ❖ Section I
  - Public Notice of Parent Rights Student Records
- ❖ Section II
  - Participation in Extracurricular/Co-curricular Activities
  - Student Technology Acceptable and Responsible Use Agreement
- ❖ Section III
  - Search of Individual
  - Student Discipline Investigations
- ❖ Section IV
  - Discipline Response Code for Levels I-IV
  - Level III – Infraction T – Intimidation/Threats to a Person
  - Level IV – Infraction C – Intimidation/Threats to a Person
  - Level IV – Infraction E – Threats to the School
  - Level IV – Infraction F – Drugs/Possession/Use
  - Level IV – Infraction H – Firearms/Destructive Devices
  - Level IV – Infraction I – Inciting, Leading, or Participating in any Major Act
  - Level IV – Infraction K – Other Weapons
  - Level IV – Infraction T – Other
  - Level IV – Infraction U – Drugs/Transmission/Distribution/Selling/Buying
- ❖ Section V (Code of Elementary Schools)
  - Discipline Response Code for Levels I-IV
  - Level III – Infraction T – Intimidation/Threats to a Person
  - Level IV – Infraction C – Intimidation/Threats to a Person
  - Level IV – Infraction E – Threats to the School
  - Level IV – Infraction F – Drugs/Possession/Use
  - Level IV – Infraction H – Firearms/Destructive Devices
  - Level IV – Infraction I – Inciting, Leading, or Participating in any Major Act
  - Level IV – Infraction K – Other Weapons
  - Level IV – Infraction T – Other
  - Level IV – Infraction U – Drugs/Transmission/Distribution/Selling/Buying
- ❖ Section VI
  - Procedures for Level IV Offenses
  - Procedures for Students Who Commit Serious Acts of Misconduct Eligible for Services under the Individuals with Disabilities Act (IDEA) (Suspension/Removal)
  - Procedures for Students Who Commit Serious Acts of Misconduct Eligible Under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Americans with Disabilities Act (ADA) (Suspension/Removal)

# Code of Conduct

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**Orange County, Florida**  
**Secondary/Elementary/Postsecondary**  
**2018 - 2019**

*CODE OF STUDENT CONDUCT*

Introduction

*The Vision of Orange County Public Schools is to be the top producer of successful students in the nation.*

With this vision in mind, Orange County Public Schools (OCPS) has developed the Code of Student Conduct to help students, parents, and school personnel understand the guidelines for maintaining a safe and orderly learning environment. Each school develops its own rules and expectations for student conduct based on the district wide *Code of Student Conduct*.

The *Code of Student Conduct* applies to all (OCPS) students in pre-kindergarten through grade 12, including high school and school age students attending either a technical center in a dual-enrollment program or a community school program for high school credit.

Each OCPS student must obey district rules:

- While on school grounds
- While being transported to or from school at public expense
- During school-sponsored events, such as field trips, athletic functions, and similar activities

Schools may also have the authority to discipline students for acts near or related to the school, or when a student's conduct has a detrimental effect on the health, safety or welfare of the student, of other students, of the school or of school personnel. While students may be disciplined for infractions according to the responses outlined in the Code of Student Conduct, please be aware that there could be additional consequences through law enforcement for acts that violate the law.

*Notice of Limited Responsibility for Supervising Students*

OCPS employees are not responsible for supervising students who arrive on school grounds more than 30 minutes before school and/or 30 minutes before a school-sponsored activity is scheduled to begin or students remaining on school grounds more than 30 minutes after school and/or 30 minutes after the school-sponsored activity ends. OCPS is not responsible for supervising students not in attendance at school, or students not authorized to participate in school-sponsored activities.

Casual or incidental contact between OCPS personnel and students on school grounds shall not result in a duty to supervise students. Parents or guardians should not rely on OCPS employees to provide supervision for their child outside of the aforementioned time period.

Nothing in this section precludes OCPS from administering discipline for acts or behavior that occur on OCPS property.

**Section I**  
**Public Notice of Parent Rights Student Records**  
**Orange County Public Schools**

Parent Rights: Student Records

As a parent, the Family Educational Rights and Privacy Act (FERPA) affords you certain rights with respect to your student's education records. These rights are:

- I. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. You must submit a written request to the principal that identifies the record(s) you wish to inspect. The principal will make arrangements for access and notify you of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education record that you believe is inaccurate or misleading. You must write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested, the school will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. However, while the FERPA amendment procedure may be used to challenge facts that are inaccurately recorded, it may not be used to challenge a grade, an opinion, or a substantive decision made by a school about a student. FERPA was intended to require only that schools conform to fair recordkeeping practices and not to override the accepted standards and procedures for making academic assessments, disciplinary rulings, or placement determinations. Additionally, if FERPA’s amendment procedures are not applicable to a parent’s request for amendment of education records, the school is not required under FERPA to hold a hearing on the matter.
  
3. The right to consent to disclosure 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 district as an administrator, supervisor, instructor, or support staff; the person elected to the school board; or, a person or company with whom the district has contracted to perform a specific task. 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. Personally identifiable information will be released without consent to appropriate officials in emergency situations, to comply with a lawfully issued subpoena and in cases involving compulsory school attendance and child abuse.
  
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

### Release of Directory Information

Orange County Public Schools may release the following “directory information” without your permission unless you notify the principal, in writing, within ten (10) calendar days of the receipt of this public notice.

Directory Information: Student’s name, address, grade level (if junior or senior), dates of attendance, participation in school sponsored activities and sports, weight and height of members of athletic teams, and awards and honors received. (Federal law authorizes military recruiters to obtain telephone numbers of high school students.)

Under the provisions of FERPA, you have the right to withhold the release of the directory information listed above. If you decide that you do not want the school to release the information listed above, contact the school that your child attends for the appropriate form to complete.

## Section II

<b>Safe, Positive, and Receptive Learning Environment</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To attend school in a positive learning environment	To maintain a decorum that enhances a positive learning environment
To have school personnel who are receptive to student needs and concerns	To express needs and concerns in an appropriate manner
<b>Attendance</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To be informed of school board policies and school rules about absenteeism and tardiness	To attend classes daily and be on time
To appeal a decision about an absence	To explain or document the reason for an absence
To request make-up work after an absence/suspension and to complete it in a reasonable amount of time	To make-up class work in a reasonable amount of time after an excused absence/suspension
<b>Counseling</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To be informed about school guidance services	To use guidance services for educational and personal improvement

To have access to individual and group counseling	To schedule guidance appointments ahead of time, except in emergencies
To request counseling	To work cooperatively with all school personnel
<b>Curriculum</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To receive a teacher's grading standard at the beginning of the grading period	To request academic and extracurricular programs that are in line with ability
To receive course descriptions	To ask for help from school personnel in choosing courses
To learn from competent teachers in an atmosphere free from bias and prejudice	To cooperate with teachers and contribute to an atmosphere free from bias and prejudice
To take part in basic skills programs in elementary, middle, and high schools	To make every effort to master the basic skills
<b>Free Speech/Expression</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To express views through speaking and writing, but without being obscene, disruptive, slanderous, or libelous	To respect the right of others to express their views
To participate in patriotic observances. Students have a right to not participate in recitation of Pledge of Allegiance.	To behave respectfully during patriotic observances
To have one's religious beliefs respected	To respect the religious beliefs of others and to refrain from activities that hold religious beliefs up to ridicule
To assemble peaceably on school grounds while following federal, state, and local regulations	To plan, get approval for and conduct activities that are in line with the school's goals
To help develop and distribute publications as part of the educational process	To follow the rules of responsible journalism under the guidance of an advisor, including seeking complete information about topics and refraining from publishing libelous or obscene material
To be protected from sexual harassment	To refrain from sexual harassment
<b>Grades</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To receive a teacher's grading standards at the beginning of the grading period	To learn about grading standards
To be notified of failure/potential failure when work is unsatisfactory	To meet academic standards in line with ability and to make every effort to improve unsatisfactory work
<b>Privacy and Property Rights</b>	
<b>Student Rights</b>	<b>Student Responsibilities</b>
To have privacy of personal possessions unless school personnel have reason to believe a student is in possession of materials prohibited by law or school board policy; any individual on Orange County School Board property is subject to search	To keep materials prohibited by law or school board policy away from school or school activities
To have personal property respected	To respect others' personal property

<b>Student Records</b>	
<b>Students/Parents/Guardians Rights</b>	<b>Students/Parents/Guardians Responsibilities</b>
To inspect and challenge information in a student's records	To give the school information that could help in making educational decisions
To be protected by laws that prohibit releasing personally identifiable information (other than directory information), without the consent of the parent, guardian or eligible student, to anyone who is not legally authorized to receive such information. Eligible students are those 18 years of age or over and/or those attending a postsecondary institution	To release information to people or agencies working for the good of the student

### **Safe Harbor Provision**

A student may approach a school official or contracted personnel and voluntarily surrender an object, the possession of which is prohibited by the Code of Student Conduct. Unless an investigation by school officials regarding the possession of a prohibited object has already commenced, a student who approaches a school official and voluntarily surrenders such an object may not be subject to disciplinary action. An investigation is initiated when a school official or contracted personnel becomes aware of a prohibited object. The student's parent/guardian will make arrangements to pick up the object from the school, if applicable.

If a student discovers illegal objects such as drugs, a weapon, or other contraband on school property, including on a school bus, the student may approach a school official or contracted personnel and report the discovery. A student may not be in violation of the Code of Student Conduct solely by making such a report. School officials shall adhere to policies and procedures concerning further investigation of the report.

### **Participation in Extracurricular/Co-curricular Activities**

In order to participate in extracurricular/co-curricular activities or athletic programs, students must adhere to school board policies, school-based criteria, and applicable law. A student not suspended or expelled is eligible to participate in interscholastic athletics. However, it is important for students to understand that the behavioral expectations placed upon them by the school can extend beyond the classroom and school campus. Pursuant to Florida law, the school board has the authority to withhold participation privileges from students.

A student may not participate in any interscholastic or intrascholastic activity if the student participated in that same sport at another school during the same school year unless the student has been relocated due to foster care placement, experienced death of a parent or guardian, or been impacted by military orders or court-ordered changes in custody. A student's eligibility to participate in interscholastic or intrascholastic activity may not be affected by recruiting allegations until a final determination has been reached.

The Juvenile Justice System has committed to working in conjunction with school officials toward maintaining standards of behavior for all students including those who participate in extracurricular/co-curricular activities. With this in mind, any student who has been formally charged with a felony or similar offense by a prosecuting attorney shall be excluded from participation in extracurricular/co-curricular activities for a minimum of one calendar year. If the student is not found guilty or if the charges are dismissed, the student may return upon presenting documentation of the court's decision. Additionally, a student is ineligible to participate in extracurricular/co-curricular activities if a court order prohibits the student's enrollment in a traditional school setting.

Any student who has committed a Level III hazing offense shall be excluded from participation in extracurricular/co-curricular activities and athletics for a minimum of one calendar year. Any student who has committed a Level IV hazing offense shall be excluded from participation in extracurricular/co-curricular activities and athletics for the remainder of their enrollment at OCPS.

Nothing in this section of the Code of Student Conduct shall preclude the exercising of any existing authority of the Superintendent/designee or the Juvenile Justice System.

### **Student Dress**

The dress and grooming of Orange County Public Schools' students shall contribute to the health and safety of the individual, promote a positive educational environment, and not disrupt the educational activities and processes of the school. These minimum standards of dress and grooming apply to all students in the public schools of Orange County, unless a specific exemption is granted by the principal. Any request for an exemption shall be made to the principal.

1. Clothes shall be worn as they are designed-suspenders over the shoulders, pants secured at the waist, belts buckled, no underwear as outerwear, no underwear exposed.
2. Clothing with holes, tears, or inappropriate patches will not be allowed if considered obscene.
3. Bare midriffs and bare sides should not show even when arms are extended above the head.
4. Clothing normally worn when participating in a school sponsored extracurricular or sports activity may be worn to school when approved by the sponsor, coach, or principal. Examples would be cheerleader, drill-team and band uniforms, team shirts, etc.
5. Clothing that is too tight or revealing is unacceptable.
6. Garments and/or jewelry which display or suggest sexual, vulgar, drug, alcohol, or tobacco-related wording/ graphics or may tend to provoke violence or disruption in school shall not be worn.
7. Gang paraphernalia, jewelry, tattoos, clothing or other insignias which display, suggest, provoke, or may tend to provoke violence or disruptions are not allowed.
8. The following items have potential to cause disruption or threat to a safe and positive school environment and are prohibited.
  - a. Hats, caps, visors, sunglasses, or bandanas while on campus during the school day
  - b. Chains hanging from the neck, belt, pocket, or attached to wallet
  - c. Jewelry that contains any type of sharp object
9. Hemlines of shorts, dresses, skirts, and skorts shall be no shorter than mid-thigh.
10. Clothing must follow the four-finger wide rule at the shoulders.
11. Shoes shall be worn. The following are not acceptable:
  - a. Thong sandals (K-8)
  - b. Cleated Shoes (K-12)
  - c. Backless Shoes (K-8)
  - d. Heelys [shoes with wheels (K-12)]

Any student who violates the dress policy described in Section 1006.07(2)(d), Florida Statutes, will be subject to disciplinary action as outlined therein. Individual schools are expected to use the state and district dress and grooming guidelines as minimum standards, but are encouraged to extend their own standards to meet the uniqueness of their school community.

### **Standards of Conduct for Students using Transportation Provided by OCPS**

Because of OCPS's continuing efforts to provide safe transportation for all students, whether for a field trip, athletic function, similar activity, or to and from home, students are expected to abide by the following standards of school bus behavior, in addition to the *Code of Student Conduct*:

1. Obey the bus driver at all times.
2. Stand off the roadway while waiting for the bus.
3. Be at the bus stop five minutes prior to a scheduled stop time.
4. Cross the roadway several steps in front of the bus.
5. Ride only on the assigned bus.
6. Board and depart at the assigned bus stop.



7. Act appropriately while waiting for the bus.
8. Give your proper name when requested by the bus operator or monitor.
9. Remain seated at all times when the bus is moving and properly wear seat belt, as applicable.
10. Remain silent when the dome lights are on.
11. Remain silent at railroad crossings.
12. Refrain from bringing food, drinks, gum, and tobacco on the bus.
13. Refrain from bringing reptiles, bugs, animals, or marine life (dead or alive) on the bus.
14. Refrain from bringing instruments, which would interfere with seating and safety of others on the bus if there is not an empty seat to place them.
15. Refrain from displaying signs from the bus.
16. Refrain from using profane language or gestures.
17. Refrain from acts of vandalism.
18. Refrain from throwing any objects from the windows of the bus.
19. Refrain from any conduct or behavior that interferes with the orderly, safe, and expeditious transportation of yourself or other bus riders.
20. Skate boards are not permitted on the school bus.

Recording devices have been installed on many buses. Students may be filmed at any time during their ride. The recordings may be utilized to determine violations of the *Code of Student Conduct*. Violations of the aforementioned standards, or any other section of the *Code of Student Conduct* may be the basis for suspension or expulsion from bus/school.

## **Internet Policy**

### **Student Technology Acceptable and Responsible Use Agreement**

OCPS is committed to providing a safe, positive, productive, and nurturing educational environment. OCPS believes that all students should have access to technology (e.g. software, Internet, and network access) when they act in a responsible, efficient, courteous, and legal manner. This document contains the Student Technology Acceptable and Responsible Use Agreement for student use of the internet.

#### **Educational Purpose**

Technology access has been established for educational purposes and will be consistent with the district's curriculum and the Florida Standards. The term "educational purpose" includes academic activities that directly improve upon 21<sup>st</sup> century skills such as creativity, innovation, critical thinking, problem solving, communication, and collaboration.

Students are expected to follow the rules set forth in the *Code of Student Conduct* and the law in the use of the Internet and network resources.

Students may not use the Internet for commercial purposes. This means they may not offer, provide, or purchase products or services through the Internet at any school using district resources.

#### **Student Internet Access**

All students will have district-supervised access to the Internet through the classroom, media center, or computer lab. In accordance with the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA), all

OCPS web access is filtered. However, this does not preclude the possibility that inappropriate sites are not blocked.

Students will use OCPS Internet access for educational purposes only and will not access profane or obscene material, advocate illegal acts, or advocate violence or discrimination towards other people.

### **Responsible Uses**

In order to ensure a safe, positive, productive, and nurturing educational environment for all, students are expected to demonstrate responsible technology uses. Student will keep information, such as his/her password, address, phone number, birthday, and other identifiable information private. Students will report anyone who tries to use technology to hurt or harass other students or staff or anyone who makes him/her feel uncomfortable.

Students will not login to any account other than their own or use OCPS technology to engage in any illegal acts, such as drug sales, purchasing alcohol, engaging in criminal gang activity, threatening the safety of another person, cyber-stalking, or cyberbullying.

### **Inappropriate Language**

Students will treat others with respect by using appropriate language and offer constructive criticism if appropriate. Students will not use inappropriate language, harass others, knowingly or recklessly communicate false or defamatory information about a person or organization, share privately sent messages without permission of the person who sent it, share private information about another person, or participate in sexting.

### **System Security**

All students will allow any teacher, administrator, or OCPS IT staff to review their work and activities created on a school device or OCPS network at any time. Students are required to ask for permission before connecting his/her personal device to the OCPS network and will make sure any devices used on the OCPS network are approved by the district.

Students will not use technology to gain access to student grades or private student records, download unauthorized software, apps, extensions, or plug-ins on a school device, intentionally spread computer viruses, or bypass, destruct, disrupt, modify, or abuse OCPS network access.

## **CIVIL CONDUCT**

**TITLE:** Code of Civility

## **Code of Civility**

### **POLICY:**

The education of a child happens only through partnership, and among partners must be the child, the school faculty and staff, the parent(s) or guardian(s), the community and district office employees. Partnership is an active state that includes sharing responsibilities, meaningful communication and welcomed participation.

When people who are working together agree, the partnership runs smoothly. But no two people will always agree and that can make partnership difficult. The partnership is most powerful – as children are educated to reach their potential – when we agree on how to disagree. We must be civil in our discourse.

Civility is often described by its absence. We hear of harmful actions such as road rage, physical confrontation, ethnic stereotypes and slurs. But civility is not just an absence of harm. It is the affirmation of what is best about each of us individually and collectively. It is more than saying “please” and “thank you.” It is reflecting our respect for others in our behavior, regardless of whether we know or like them. It also is not simply being politically correct and is not to be used to stifle criticism or comment. It is being truthful and kind and is each of us taking responsibility for our own actions rather than blaming others.

As we communicate with each other, we need to remember that we are working together to benefit the children of this community.

Therefore, the Orange County School Board requires that as we communicate, students, OCPS faculty and staff, parents, guardians and all other members of the community shall:

- I. Treat each other with courtesy and respect at all times.  
This means that:

- We listen carefully and respectfully as others express opinions that may be different from ours.
  - We share our opinions and concerns without loud or offensive language, gestures or profanity.
2. Treat each other with kindness.  
This means that:
    - We treat each other as we would like to be treated.
    - We do not threaten or cause physical or bodily harm to another.
    - We do not threaten or cause damage to the property of another.
    - We do not bully, belittle or tease another and we do not allow others to do so in our presence.
    - We do not demean and are not abusive or obscene in any of our communications.
  3. Take responsibility for our own actions.  
This means that:
    - We share information honestly.
    - We refrain from displays of temper.
    - We do not disrupt or attempt to interfere with the operation of a classroom or any other work or public area of a school or school facility.
  4. Cooperate with one another.  
This means that:
    - We obey school rules for access and visitation.
    - We respect the legitimate obligations and time constraints we each face.
    - We notify each other when we have information that might help reach our common goal. This will include information about safety issues, academic progress, changes that might impact a student's work or events in the community that might impact the school.
    - We respond when asked for assistance.
    - We understand that we do not always get our way.

**TITLE: Authority and Enforcement of the Code of Civility**

**POLICY:**

Authority and enforcement of a code for civil conduct ultimately depends on the individual and collective will of those involved – students, OCPS faculty and staff, parents, guardians and all other members of the community. However, individuals need to know how to respond to uncivil behavior and how such behavior will be responded to. The school board does not condone a lack of civility by anyone.

Therefore:

1. A student who believes that he or she has not been treated in a manner reflective of the Code of Civility should report such behavior to the appropriate school administrator.
2. A parent, guardian or community member who believes that he or she has not been treated in a manner reflective of the Code of Civility should report such behavior to the staff member's immediate supervisor.
3. An employee who believes that he or she has not been treated in a manner reflective of the Code of Civility should use the following guidelines:
  - A. If personal harm is threatened, the employee may contact law enforcement.
  - B. Anyone on school district property without authorization may be directed to leave the premises by an administrator or security officer. Anyone who threatens or attempts to disrupt school or school district operations, physically harm someone, intentionally cause damage, uses loud or offensive language, gestures, profanity or shows a display of temper may be directed to leave the premises by an administrator or security officer.
    - a. If such person does not immediately and willingly leave, law enforcement shall be called.
  - C. If a telephone call recorded by an answering machine, e-mail, voice mail message or any type of written communication is demeaning, abusive, threatening or obscene the employee is not obligated to respond.
    - a. If personal harm is threatened, the employee may contact law enforcement.
    - b. The employee shall save the message and contact his or her immediate supervisor or school district security.
  - D. If any member of the public uses obscenities or speaks in a demeaning, loud or insulting manner, the employee to whom the remarks are directed shall take the following actions:
    - a. Calmly and politely ask the speaker to communicate civilly.
    - b. If the verbal abuse continues, give appropriate notice to the speaker and terminate the meeting, conference or telephone conversation.
    - c. If the meeting or conference is on school district premises, request that an administrator or authorized person direct the speaker promptly to leave the premises.

- d. If the speaker does not immediately leave the premises, an administrator or other authorized person shall notify law enforcement to take any action deemed necessary.

**STATUTORY AUTHORITY:**

**LAWS IMPLEMENTED:**

**ADOPTED: 9/25/01**

## **Section III**

### **Disciplinary Response Code Overview**

Student disciplinary infractions and the responses to them are divided into four levels. Each level represents progressively more serious infractions and responses to them become progressively more severe. Both infractions and responses are outlined later in this section.

#### **Truancy**

If a student is required by law to attend school, the school will not suspend the student for unexcused absences or truancy. However, if a student arrives at school and then leaves campus, has temporary absences from classes, or fails to attend specific classes, the school can take disciplinary action. Florida law requires the superintendent to report to the Department of Highway Safety and Motor Vehicles the name, date of birth, sex, and social security number of all students (14-18 years of age) who accumulate 15 unexcused absences in any 90 calendar day period. These students could lose driver's licenses. In addition, parents of habitually truant students are subject to actions taken through the judicial system.

#### **Possession of Illicit Substances**

According to state law, the unlawful possession, use, buying, selling, or distribution of illicit drugs and/or alcohol by students on school grounds or at any school activity is prohibited.

#### **Possession of Firearms or Weapons on OCPS Property**

OCPS prohibits any student or visitor (except law enforcement officers as defined in Chapter 943, Florida Statutes) from bringing a firearm or weapon on school grounds. This includes, but is not limited to, possessing or carrying a firearm or weapon on his/her person, in a vehicle, container or other conveyance.

#### **Student Parking and School Locker Search**

All OCPS parking areas and lockers are the property of the school system. School authorities have the right to inspect any student parked vehicle and/or lockers in order to protect the health, safety, and welfare of students. This includes use of drug and gunpowder sniffing K-9 dogs. Each student who uses OCPS property to park a vehicle or uses a school locker must sign an OCPS Student Parking and/or Student Locker Application and Consent to Search and Waiver of Liability form acknowledging and agreeing to the conditions as a prerequisite to, and in consideration for, the issuance of a student parking decal and/or a student locker. Individual student parked vehicles and/or locker searches will be conducted if school personnel have reasonable suspicion of a violation of the law or of the Code of Student Conduct. Routine locker clean-ups are not considered searches.

#### **Search of Individual**

OCPS has recognized the need to respect the rights of individuals while protecting the health, safety, and welfare of all students and school employees. To this end, OCPS has developed operational guidelines for random electronic scanning utilizing hand-held metal detectors and "hands-on" physical searches in schools as a means of helping to create and to maintain a safe educational environment in Orange County. Any individual on OCPS property is subject to search. As it relates to student discipline investigations, school personnel are authorized to search a student and their property if reasonable suspicion of a violation of the law or Code of Student Conduct exists.

#### **Cell Phone Policy for Students**

A student may possess a cell phone on school property, at after school activities, and at school-related functions, provided that during school hours and on a school bus, the cell phone remains off and is concealed. Violations of this policy may result in confiscation of the cell phone and/or other disciplinary actions.

If confiscated, the parent/guardian will make arrangements to pick up the cell phone from the school.

At no time shall OCPS be responsible for theft, loss or damage to cell phones or other electronic devices brought onto its property.

#### **Zero Tolerance for School-Related Violent Crime**

In accordance with Section 1006.13, Florida Statutes, titled "Policy on Zero Tolerance for Crime and Victimization," the intent of OCPS is to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a

serious threat to school safety, and to encourage schools to use alternatives to expulsion or referral to law enforcement agencies. The Zero Tolerance Policy is not intended to be rigorously applied to petty acts of misconduct and misdemeanors. The Zero Tolerance Policy must apply equally to all students regardless of their economic status, race, or disability. Refer to School Board Policy JIC, titled “Zero Tolerance for School-Related Crime,” for further information.

### **Positive Alternative to School Suspension**

The Alternative to Suspension Classroom or P.A.S.S. (Positive Alternative to School Suspension) program is a short-term, on-site intervention classroom initiative designed to address the unique needs of students who have committed a school level behavioral infraction. The classroom components will help students develop more effective coping skills, character development principles, pro-social behaviors, while remaining on track with academics in the classroom. P.A.S.S. is designed as an enhancement to OCPS’s *Code of Student Conduct*. Only administrators, with official referral documentation, may place a student in P.A.S.S. on a period by period basis or for an amount of days not to exceed 10 days for any single placement. This program will allow schools and administrators to effectively deal with Code of Student Conduct violations that do not require a student be removed from the school setting.

### **Restorative Justice**

OCPS has implemented a Restorative Justice program designed to address the unique needs of students (Grades 6-12) who have committed a non-violent behavioral infraction in violation of the *Code of Student Conduct*. Incidents that may qualify for participation in the Restorative Justice program include, but are not limited to, alcohol, bullying, drugs, sexual harassment, and theft. Restorative Justice Circles have been instituted with the person harmed, the responsible person and the school community members (administrator/dean/coordinator).

The foundation of the Restorative Justice program is both respect for community safety and a systemic understanding that builds on strengths of the participants, employs a System-of-Care team approach, embeds Multi-tier System of Supports (MTSS) practices, and identifies clear and specific expectations and outcome measures in order to help the youth develop more effective coping skills and pro-social behaviors. This approach focuses on the situation as being the problem rather than the individual being the problem. Successful completion of the Restorative Justice program will serve as an acceptable consequence in lieu of an external suspension, expulsion, or other appropriate disciplinary response.

### **Simulated Weapons**

Simulating a firearm or weapon while playing or wearing clothing or accessories that depict a firearm or weapon or expressing an opinion regarding Second Amendment Rights are not grounds for disciplinary action or referral to the criminal justice or juvenile justice system. Simulating a firearm or weapon while playing include, but is not limited to:

- Brandishing a partially consumed pastry or other food item to simulate a firearm or weapon.
- Possessing a toy firearm or weapon that is 2 inches or less in overall length.
- Possessing a toy firearm or weapon made of plastic snap-together building blocks.
- Using a finger or hand to simulate a firearm or weapon.
- Using a pencil, pen, or other writing or drawing utensil to simulate a firearm or weapon.

A student may be subject to disciplinary action if simulating a firearm or weapon while playing substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm. The severity of consequences imposed upon a student, including referral to the criminal justice or juvenile justice system, must be proportionate to the severity of the infraction and consistent with school board policies for similar infractions. If a student is disciplined for such conduct, the school principal or designee must call the student’s parent.

### **Student Discipline Investigations**

OCPS is responsible for investigating all allegations of student misconduct within its jurisdiction utilizing the preponderance of the evidence standard. Therefore, OCPS employees are authorized to interview students and obtain witness statements from students involved in infractions of the Code of Student Conduct. Any student may refuse to participate in an investigation. Further, parents/guardians may request their student not participate in student discipline investigations without authorization from the parent/guardian by submitting the request, in writing, to the school administration. However, refusal to participate in the investigation does not prohibit OCPS from continuing with the investigation and administering an appropriate disciplinary consequence.

## Section IV

### Disciplinary Response Code for Secondary/Postsecondary Schools

**Level I - Discipline Response Code**

Level I offenses are minor acts of misconduct that interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program or approved transportation.

The OCPS employee involved should intervene in the misconduct. If further action is necessary, the school district employee should refer the student to the school administrator for disciplinary action. After hearing the student’s explanation, consulting with staff members and doing any other investigation necessary, the administrator will decide on disciplinary action. Out of school suspension is not an available disciplinary response for Level I violations.

<b>Infractions</b>		
A.	Cheating	Willful or deliberate unauthorized use of the work of another person for academic purposes, or unauthorized use of notes or other material in the completion of an academic assignment or test. In addition to disciplinary responses, the student may receive no credit for the assignment, test, or exam at the discretion of the teacher.
B.	Classroom Disruption	Conduct or behavior that interferes with or disrupts the teaching/learning process.
C.	Disorderly Conduct	Conduct or behavior that interferes with or disrupts the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.
D.	Disrespect	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration.
E.	Dress Code	Non-conformity to established dress code.
F.	Failure to Report for Detention	Failure to report for assigned discipline.
G.	False and/or Misleading Information	Intentionally providing false or misleading information to, or withholding valid information from an OCPS employee, contracted personnel, volunteer, or authorized adult.
H.	Insubordination	Refusal or failure to comply with a direction or an order from an OCPS employee, contracted personnel, volunteer, or authorized adult.
I.	Misconduct on School Bus or School Approved Transportation	Conduct or behavior that interferes with the orderly, safe, and expeditious transportation of other school students or other authorized riders transportation.
J.	Profane, Obscene, or Abusive Language/ Materials	The use of either oral or written language, or gestures, or the orderly process which are disrespectful or socially unacceptable and which tend to disrupt the orderly process of school environment, a school function, or an extracurricular/ co-curricular activity.
KK.	Electronic Device Violation	The misuse of wireless communication devices including but not limited to cellular telephones, camera telephones, MP3 players, iPods, e-readers and other electronic devices.
L.	Tardiness	Repeated late arrival to class.
M.	Unauthorized Absence from School or Class	Violation of the state attendance laws. This includes leaving school grounds without authorization.
N.	Other Misconduct	Any other minor act of misconduct which interferes with the orderly operation of the classroom, the school program, a school function or activity, an extracurricular/ co-curricular program, or approved transportation.

<b>Infractions cont'd</b>		
O.	Unsubstantiated Bullying	After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under the definition of bullying as listed in the Jeffery Johnston Stand Up for all Students Act (section 1006.147, Florida Statutes).
P.	Unsubstantiated Harassment	After a complete investigation and follow up of a reported harassment incident, the investigator determines that there is not enough evidence to substantiate that the incident meets criteria of a prohibited act under the definition of harassment as listed in the Jeffery Johnston Stand Up for all Students Act (section 1006.147, Florida Statutes).
Q.	Harassment	Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear or harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

## Discipline Response Code

### First Offense: Level I

- Available Disciplinary Responses- School Based and Transportation
- Parental contact recommended
- Counseling and direction
- Verbal reprimand
- Restorative Justice
- Special work assignment
- Peer mediation
- Withdrawal of privileges
- Return of property
- Detention (parental contact mandatory)
- Behavior plan/contract
- Wednesday school
- Referral to intervention program
- Warning of referral to Level II
- Confiscation of unauthorized materials/objects/contraband
- Referral to mental health services

### Level II - Discipline Response Code

Level II offenses are more serious acts of misconduct than Level I offenses. Level II includes repeated acts of misconduct from Level I and acts directed against people or property that do not seriously endanger the health or safety of others.

The misconduct must be reported to the appropriate school administrator for disciplinary action. The administrator will follow the procedure designated for minor violations in investigating the situation and deciding on progressive disciplinary action. Out of school suspension is not an available disciplinary response for Level II violations.

<b>Infractions</b>		
A.	Destruction of Property/ Vandalism (under \$100)	The willful or malicious destruction of school property or the property of others.

<b>Infractions cont'd</b>		
B.	Disrespect	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration.
C.	Fighting	Minor physical contact between two or more students which is harmful or disruptive.
D.	Forgery	The making of a false or misleading written communication to an OCPS employee with either the intent to deceive or under circumstances which would be reasonably calculated to deceive an OCPS employee.
E.	Gambling	Any unlawful participation in games (or activities) of chance for money and/or other things of value.
F.	Insubordination/Open Defiance	Either verbal or non-verbal refusal to comply with school rules or directions from an OCPS employee, contracted personnel, volunteer, or authorized adult.
G.	Intimidation/Threats	The verbal or physical threat to do harm or violence to another person or to the property of another person.
H.	Misconduct on School Bus or School Approved Transportation:	Repeated misconduct which interferes with the orderly, safe, and expeditious transportation of students or other authorized riders.
J.	Stealing (under \$50)	Taking the property of another without permission of the person.
K.	Unauthorized Assembly, Publications, etc.	Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications, including misuse of electronic messages or computers which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.
L.	Bullying	A bullying offense includes systematically and chronically being cruel to other students on or off OCPS property if it adversely impacts the educational environment at school for students or staff.
M.	Other Serious Misconduct	Any other intermediate act of misconduct or any more serious, harmful, or disruptive example of any of the offenses described in Level I.
N.	Gang Related	The possession, use, or displaying of items associated with gang activity that include, but is not limited to, clothing and accessories, gang related insignias, writings, signs, or symbols that promote gang affiliation and/or involvement.
O.	Harassment	Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear or harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
Q.	Electronic Device Violation	The repeated misuse of wireless communication devices including but not limited to cellular telephones, camera telephones, MP3 players, iPods, e-readers and other electronic devices.
R.	Sexual Harassment	Any minor slur, innuendo, gesture, or other written or verbal conduct reflecting on an individual's gender which has the purpose of creating an offensive educational environment. This does not include acts involving physical contact.

### **First Offense: Level II**

*Subsequent Offenses: Level II and/or Level III*

Available Disciplinary Responses



- Parental contact (mandatory)
- Appropriate response from Level I
- Behavior plan/contract
- Restorative Justice
- P.A.S.S.
- Special work assignment
- Detention
- Confiscation of unauthorized materials/objects/contraband
- Return of property
- Suspension from bus
- Wednesday or Saturday school
- Referral to intervention program
- Warning of referral to Level III
- Alternative Classroom
- Referral to mental health services

## Level III - Discipline Response Code

Level III offenses are major acts of misconduct that includes repeated serious disruptions of school order, threats to the health, safety, and property of others, and other acts of serious misconduct.

The misconduct must be reported right away to the school administrator, who may remove the student from the school or activity immediately.

<b>Infractions</b>		
A.	Physical Attack	An actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.
B.	Breaking and Entering	The unlawful and willful entry or attempted forcible entry of any OCPS property or the personal property of students and OCPS personnel.
C.	Destruction of Property/ Vandalism (\$100 to \$999)	The willful or malicious destruction of OCPS property or the property of others.
D.	Disrespect	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration.
E.	Extortion	The willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, items of material worth, or to cause fear.
F.	Fighting	Physical contact between two or more students which is harmful, injurious, or disruptive. (More serious than Level II) Note: Self-defense is described as an action taken to restrain or block an attack by another person or to shield oneself from being hit by another person. Retaliating by hitting a person back is not self-defense and will be considered as fighting.
G.	Firecrackers/Fireworks	Unauthorized possession and/or igniting of fireworks or firecrackers on OCPS property, at a school function, or extracurricular/co-curricular activity.
H.	Gross Insubordination/ Open Defiance	Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order.
I.	Illegal Organizations	Establishing or participating in a secret society on OCPS property, at a school function, or at an extracurricular activity.
J.	Possession of Contraband Material	Possession, use, and/or distribution of materials or items, other than weapons or firearms, which are forbidden. The parent/guardian will make arrangements to pick up the object from the school, if applicable. At no time shall OCPS be responsible for theft, loss or damage to contraband items brought onto its property.

<b>Infractions cont'd</b>		
L.	Smoking and Other Use of Tobacco Products	The possession, use, distribution, or sale of tobacco products, or items represented to be of said nature. This includes, but is not limited to electronic cigarettes, vapors, and hookah pens.
M.	Stealing (\$50 to \$299)	The taking of the property of another without the permission of the person.
N.	Trespassing	Unauthorized entry into OCPS property, a school function, or extracurricular/ co-curricular activity, and/or remaining after the administrator or designee has directed such person to leave that location.
O.	Violation of Curfew	Breaking of curfew regulations during an extracurricular/co-curricular activity.
P.	Bullying	The offense must include systematically and chronically inflicting physical hurt or psychological distress on one or more OCPS students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment, or unreasonably interfere with the individual's school performance or participation, on or off OCPS property if it adversely impacts the educational environment at school for students or staff.
Q.	Other Serious Misconduct	Any other major act of misconduct which seriously disrupts the orderly operation of the school program, or any school activity which threatens the health, safety or property of self or of others or behavior not specifically described above which substantially disrupts the orderly conduct of a school, school function, or an extracurricular/co-curricular activity. This may include, but is not limited to, providing false/misleading information to staff members, language intended or reasonably calculated to insult and/or incite another person; or the activation of a fire alarm that was not the result of a willful or malicious act.
RR.	Physical Aggression on an Employee or Contracted Personnel	The willful use of force upon an employee or contracted personnel that does not result in bodily injury.
S.	Sexual Harassment	Mooning and sexual harassment which is any slur, innuendo, gestures, or other written, verbal or physical contact reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational environment.
T.	Intimidation/Threats to a Person	Any direct or indirect threat to do violence or harm to an OCPS employee, contracted personnel, volunteer, authorized adult, or student. This includes, but is not limited to, threats made verbally or nonverbally, by act, through social media, or by text.
U.	Gang Related	Conduct or behavior that tends to promote gang activity, provoke violence, or seriously disrupt the orderly operation of the school program, any school activity or transportation services, including but not limited to the possession, use or displaying of gang paraphernalia, jewelry, tattoos, clothing, or other insignias and writings that promote gang affiliation/involvement/the use of gang related signs or symbols or any other gang associated behavior.
V.	Harassment	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
W.	Hazing	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization.

X.	Misconduct on School Bus or School Approved Transportation:	Repeated or serious misconduct which interferes with the orderly, safe, and expeditious transportation of students or other authorized riders.
Y.	Electronic Device Violation	The continual misuse of wireless communication devices, including but not limited to, cellular telephones, camera telephones, MP3 players, iPods, e-readers, and other electronic devices.
Z.	District Technology Violation	Unauthorized modification of software/hardware configuration on a district issued device; unauthorized access to programs and/or files not expected or intended for student use on a district issued and/or personal device; or sharing another person's username and password.

## Discipline Response Code

### Available Disciplinary Responses

- Appropriate response from Level I or Level II
- Parental contact (mandatory)
- Behavior plan/contract
- Restorative Justice
- Return of property
- P.A.S.S.
- Suspension from bus
- Suspension from school (1-10 days)
- Saturday school
- Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities
- Referral to intervention program
- Warning of referral to Level IV by written behavior contract
- Confiscation of unauthorized materials/objects/contraband
- Referral to mental health services

## Level IV - Discipline Response Code

Level IV acts of misconduct are the most serious. Any Level IV act is grounds for expulsion and may result in a 10-day suspension with consideration for a recommendation for expulsion.

Major acts of misconduct must be reported right away to the school administrator and may result in immediate removal of the student from the school.

Students who commit a Level IV offense may be referred to local authorities for further investigation.

<b>Infractions</b>		
A.	Alcohol	The possession, use, distribution, transmission, sale, purchase, or being under the influence of alcoholic beverages. Distribution or transmission of alcohol is defined as delivery of alcohol to another person without the intent of communal or collective consumption.
B.	Arson:	The willful and/or malicious burning of or attempt to burn or OCPS property, contents in or on the property, or personal property of others.
C.	Intimidation/Threats to a Person	Any direct or indirect threat to do violence or harm to an OCPS employee, contracted personnel, volunteer, authorized adult, or student. This includes, but is not limited to, threats made verbally or nonverbally, by act, through social media, or by text.
D.	Battery	An actual or intentional touching or striking of an OCPS employee, contracted personnel, volunteer, authorized adult, or OCPS student against his/her will or intentionally causing more serious bodily harm to an individual. The attack must be serious enough to warrant consulting law enforcement. In severe cases, the battery of a student may be the basis for expulsion.
E.	Threats to the School:	Any direct or indirect threat that may harm or disrupt the function of the school campus or school sponsored activity including, but not limited to, threats made verbally or nonverbally, by act, through social media, or by text.
F.	Drugs/Possession/Use	The possession, solicitation, or use, of illegal or illicit drugs, being under the influence of an illegal or illicit drug or any other substance capable of modifying mood or behavior, the possession or use of any substance represented to be of said nature, or possession of drug paraphernalia. Possession or use of over-the-counter medication in excess of the manufacturer's prescribed limits may be treated as a mood-altering substance.
G.	False Fire Alarm	The willful and/or malicious activation of a fire alarm system resulting in evacuation or the willful and/or malicious reporting of a false fire.
H.	Firearms/Destructive Devices:	The possession, use, or control of any destructive device or firearm (operable or inoperable, loaded or unloaded) as defined in Chapter 790, Florida Statutes.
I.	Inciting, Leading, or Participating in any Major Act which Substantially Disrupts the Orderly Conduct of a School Campus or School Sponsored Activity	The act of inciting, leading, participating in, or causing any major disruption, disturbance or other act that, by any means: interferes with the education process (including, but not limited to school-sponsored events, school-sponsored bus transportation); results in significant damage or destruction to public or private property (including electronic communication devices); causes personal injury to participants and others; or otherwise poses a threat to the health, safety, and/or welfare of students, staff, or others. This may also include gang-related and incidents with multiple participants.
J.	Larceny/Theft (\$300 or over)	The act, participating in the act, or attempted act of taking, carrying, leading, riding away with, or concealing of property from the possession or constructive possession of another person without threat of violence or bodily harm. Included are pocket picking, theft from a building, theft from a motor vehicle, theft from a machine or device which is operated or activated by the use of a coin or token and all other types.

<b>Infractions cont'd</b>		
K.	Other Weapons	The possession, use, or control of any instrument or object, other than a firearm, which could be used to inflict harm on another person or to intimidate any person. Included in this category are objects such as BB guns or pellet guns, air soft guns, paintball guns and replicas of any gun or weapon, knives of any kind, chains, pipes, common household tools, razor blades, box cutter/utility knife, ice picks, other pointed instruments, nunchucks, brass knuckles, Chinese stars, Billy clubs, tear gas guns, pepper spray or electrical/chemical weapons or devices. Also included is anything represented to be a firearm if used in an intimidating manner toward another person.
L.	Repeated Misconduct of a More Serious Nature	Repeated misconduct which tends to substantially disrupt the orderly conduct of a school, school function, or extracurricular/co-curricular program or activity. Recommendations for expulsion relative to repeated misconduct must be based on documented referrals and a variety of intervention strategies.
M.	Robbery/ Extortion	The taking, participation in taking, or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or putting the victim in fear. This would include, but not be limited to, purses, phones, etc.
N.	Sexual Battery	Any sexual act or attempt directed against another person, forcibly, and/or against the person's will. The category includes rape, indecent liberties, child molestation, and sodomy.
O.	Sexual Harassment	Any slur, innuendo, or other verbal or physical conduct reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational 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.
P.	Sexual Offenses	Any willful and/or deliberate act, behavior, or conduct intended to result in sexual gratification or furthering acts lewd or lascivious in nature; any unsolicited sexual proposal or offensive touching of another person in a lewd or lascivious manner; or any act of indecent exposure, including streaking.
Q.	Violation of Early Re-entry Plan:	Any act or series of acts which violates or has the practical effect of violating an early re-entry plan from full exclusion / expulsion.
R.	Motor Vehicle Theft	Unauthorized use, taking, or attempting taking of a motor vehicle. The taking of a car, truck, motorcycle, golf cart, or anything that is self-propelled or motorized.
S.	Vandalism (\$1000 or over)	The willful or malicious destruction, damage, or defacement of public or private property including act of defacing with graffiti, keying, or scratching a car or trashing a room resulting in damages (\$1000 or over).
T.	Other	Any other intentional or wanton act which is clearly beyond the bounds of acceptable and tolerable student conduct in the community. This may include hate crimes or any false accusation made by a student that jeopardizes the professional reputation, employment, or professional certification of any OCPS employee.
U.	Drugs/Transmission/ Distribution/ Selling/ Buying	The transmission or distribution, buying, or selling of any drug or contraband substance, or the transmission or distribution, buying, or selling of any substance represented to be of said nature. This includes any form of payment for any drug or contraband substance.
V.	Bullying	Any systematic and chronic, intentional, or wanton act which significantly harms or poses a realistic threat of serious harm to another person.

<b>Infractions cont'd</b>		
W.	Harassment	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
X.	Hazing	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization.
Y.	Physical Attack	An actual and intentional striking of an OCPS employee, contracted personnel, or any other adult against his/her will, resulting in bodily harm.
Z.	Sexual Assault	An incident that includes a threat of rape, fondling, indecent liberties, child molestation, or sodomy. Both male and female students can be victims of sexual assault. The threat must include all of the following elements: 1) intent; 2) fear; and 3) capability.
AA.	District Technology Violation	Use of unauthorized software/hardware configuration on a district issued device; use of unauthorized access to programs and/or files not expected or intended for student use on a district issued and/or personal device; use of another's username and password; or any use that violates local, state, and/or federal laws and regulations.

## Discipline Response Code

### Level IV

#### Available Disciplinary Responses

- Parental contact (mandatory)
- Up to a 10-day suspension with a recommendation for expulsion/removal for grades 6-12
- Restorative Justice
- Referral to mental health services
- Assignment/referral to alternative program/school
- Expulsion from the school district
- Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities, e.g., to include, but not limited to, senior graduation.

## Section V

### Disciplinary Response Code for Elementary Schools

#### Level I – Infractions

Level I offenses are minor acts of misconduct that interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program, or approved transportation.

The OCPS employee involved should intervene in the misconduct. If further action is necessary, the OCPS employee should refer the student to the school administrator for disciplinary action. After hearing the student's explanation, consulting with staff members, and doing any other investigation necessary, the administrator will decide on disciplinary action.

<b>Infractions</b>		
A.	Cheating	Using another person's work and calling it your own; using notes or other methods, without the teacher's knowledge, to complete a test or assignment.

<b>Infractions cont'd</b>		
B.	Classroom Disruption	Saying or doing something that keeps the teacher from teaching or other students from learning.
C.	Disorderly Conduct	Saying or doing something that upsets the normal school day or any school activity.
D.	Disrespect	Saying or doing something that puts down, annoys, insults, or embarrasses a person or a group of people.
E.	Dress Code	Wearing anything that does not follow the dress code for your school.
F.	Failure to Report for Detention	Failing to show up for detention.
G.	False and/or Misleading Information:	Knowingly not being truthful.
H.	Insubordination	Refusing to follow the directions of any of the school staff; breaking school rules, classroom rules, or behavior contracts.
I.	Misconduct on School Bus or School Approved Transportation:	Saying or doing something that upsets the order and procedures to be followed on the bus or interferes with the safety of others.
J.	Profane, Obscene, or Abusive Language/ Materials	Using words, gestures, pictures, or objects that are not acceptable at school.
KK.	Electronic Device Violation	The misuse of wireless communication devices, including but not limited to, cellular telephones, camera telephones, MP3 players, iPods, e-readers, and other electronic devices.
L.	Tardiness	Being late for class too often (more than once a week).
M.	Unauthorized Absence from School or Class	Being absent from school or class without a written excuse from a parent or a doctor.
N.	Other Misconduct	Any other minor act of misconduct that disrupts the classroom, school program, school activity, or the school bus.
O.	Unsubstantiated Bullying	After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under the definition of bullying as listed in the Jeffery Johnston Stand Up for all Students Act (section 1006.147, Florida Statutes).
P.	Unsubstantiated Harassment	After a complete investigation and follow up of a reported harassment incident, the investigator determines that there is not enough evidence to substantiate that the incident meets criteria of a prohibited act under the definition of harassment as listed in the Jeffery Johnston Stand Up for all Students Act (section 1006.147, Florida Statutes).
Q.	Harassment	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

### Level I – How the Teacher/Principal May Respond:

1. Contact your parents (recommended).
2. Talk with you about your behavior.
3. Assign special project or work.
4. Withdraw privileges.
5. Make you pay for or replace damaged property.
6. Make you stay after school (parental contact required).
7. Make a plan for you to follow with consequences.



8. Participate in Peer Mediation.
9. Refer you to Level II.
10. Restorative justice.
11. Referral to mental health services

## Level II – Infractions

Intermediate acts of misconduct are more serious or disruptive examples of the offenses in Level I. Level II also includes repeated acts of misconduct from Level I and acts directed against people or property that do not seriously endanger the health or safety of others.

The misconduct must be reported to the appropriate school administrator for disciplinary action. The administrator will follow the procedure designated for minor violations (Level I) in investigating the situation and deciding on disciplinary action.

<b>Infractions</b>		
A.	Destruction of Property/Vandalism (under \$100)	Breaking or destroying things that belong to the school or to another person.
B.	Disrespect	Showing behavior that is hurtful, or that embarrasses another person or group of persons, including employees. (More serious than Level I).
C.	Fighting	Hitting, pushing or any physical contact with another student that is disruptive.
D.	Forgery	Writing a note with the intent of misleading a staff member. Signing or allowing others to sign your parent's name to a school paper.
E.	Gambling	Betting on games or activities for money or other valuables.
F.	Insubordination/Open Defiance	Strongly refusing to follow written or verbal school rules or directions from the school staff.
G.	Intimidation/Threats	Making threats to hurt others or their property.
H.	Misconduct on School Bus or School Approved Transportation	Saying or doing something that upsets the order and procedures to be followed on the bus or interferes with the safety of other bus riders.
J.	Stealing (under \$50)	Taking something that is not yours without permission.
K.	Unauthorized Assembly, Publications, etc.	Holding meetings or passing out materials to other students, without permission, that upset the normal school day or any school activity.
L.	Bullying	Showing repeated behavior toward another person that causes that person to be afraid on school property or off school grounds. This may include, but is not limited to, pushing, shoving, name calling with curse words and verbal cruelty.
M.	Other Serious Misconduct	Any other intermediate act of misconduct.
N.	Gang Related	The possession, use or displaying of items associated with gang activity that include, but is not limited to, clothing and accessories, gang related insignias, writings, signs or symbols that promote gang affiliation and/or involvement.
O.	Harassment	Harassment means to engage in a course of action directed at a specific person that causes substantial emotional distress and/or creates an unpleasant or hostile situation by uninvited and unwelcomed verbal or physical contact.
Q.	Electronic Device Violation	The repeated misuse of wireless communication devices, including but not limited to, cellular telephones, camera telephones, MP3 players, iPods, e-readers, and other electronic devices.
RR.	Sexual Harassment	Any minor slur, innuendo, gesture, or other written or verbal conduct reflecting on an individual's gender which has the purpose of creating an offensive educational environment. This does not include acts involving physical contact.



## Level II – How the Principal May Respond:

1. Contact your parents (mandatory). Hold a meeting with them.
2. Make up a contract/plan for you to follow.
3. Remove you from your class and assign you to other activities or jobs at the school.
4. Assign you special work jobs at the school (cleaning up, etc.).
5. Make you stay after school (parental contact mandatory).
6. Take away and not return things you have brought to school.
7. Remove you from the bus for up to 10 days.
8. Make you pay for or replace damaged property.
9. Use a response from Level I.
10. Assign you in-school suspension.
11. Participate in peer mediation.
12. Refer you to Level III.
13. Restorative justice.
14. Referral to mental health services

## Level III – Infractions

Level III infractions are major acts of misconduct. They include repeated misconduct acts from Level II; serious disruptions of school order; threats to the health, safety, and property of others; and other acts of serious misconduct.

The misconduct must be reported right away to the school administrator, who may remove the student from the school or activity immediately.

<b>Infractions</b>		
A.	Physical Attack	Attacking another student with the intent to do bodily harm.
B.	Breaking and Entering	Unlawfully and forcefully breaking into school, school personnel property, or student property.
C.	Destruction of Property/Vandalism (\$100 to \$999)	Breaking or destroying things that belong to the school or to another person.
D.	Disrespect	Showing behavior that is hurtful, embarrassing, or makes another person feel bad. (More serious than Level I or Level II).
E.	Extortion	Making threats to hurt others in order to take something from them.
F.	Fighting	Hitting, pushing, or any harmful, injurious, physical contact with another student (more serious than Level II). <i>Note: Self-defense is described as an action to restrain or block an attack by another person or to shield yourself from being hit by another person. Retaliating by hitting a person back is not self-defense and will be considered as fighting.</i>
G.	Firecrackers/Fireworks	Having or using fireworks or firecrackers on OCPS property or at a school activity.
H.	Gross Insubordination/Open Defiance	Strongly refusing to do as told by the school staff; saying or doing something that shows you will not follow any directions.
I.	Illegal Organizations	Belonging to or being a part of secret groups or clubs while at school.
J.	Possession of Contraband Material	Having, using, or giving to others things not allowed at school such as: radios, matches, lighters, or any other contraband items. The parent/guardian will make arrangements to pick up the object from the school, if applicable. At no time shall OCPS be responsible for theft, loss, or damage to contraband items brought onto its property.

<b>Infractions cont'd</b>		
L.	Smoking and (Other Use of Tobacco Products)	Having, using, selling, or giving to other students tobacco products, or items represented to be of said nature (i.e. electronic cigarettes, vapors, and hookah pens), at school or at a school activity.
M.	Stealing (\$50 to \$299)	Taking the property of others without their permission.
N.	Trespassing	Entering or staying on school property or at a school activity after being told to leave by the school staff.
O.	Violation of Curfew	Breaking of curfew rules during a school-sponsored activity.
P.	Bullying	Showing repeated aggressive, intimidating behavior that is directed towards another person on OCPS property or off school grounds. This may include, but is not limited to, racial or religious slurs/insults, verbal threats, battery, fighting, extortion, intentional destruction/damage of property, and false accusations that jeopardize the reputation of another student.
Q.	Other Serious Misconduct	Behavior not specifically described above which substantially disrupts the orderly conduct of a school, school function, or extracurricular/co-curricular activity which threatens the health/safety of others. This may include, but is not limited to, providing false/misleading information to OCPS staff members or the activation of a fire alarm. that was not the result of a reckless or malicious act.
RR.	Physical Aggression on an Employee or Contracted Personnel	The willful use of force upon an employee, or contracted personnel, that does not result in bodily injury.
S.	Other Major Infractions (Major infractions that do not fit within the other definitions)	Mooning or sexually harassing someone with any slur, innuendo, or other verbal or physical conduct reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational environment.
T.	Intimidation/Threats to a Person	Any direct or indirect threat to do violence or harm to an OCPS employee, contracted personnel, volunteer authorized adult, or student. This includes, but is not limited to, threats made verbally or nonverbally, by act, through social media, or by text.
U.	Gang Related	Conduct or behavior that tends to promote gang activity, provoke violence, or seriously disrupt the orderly operation of the school program, any school activity or transportation services, including, but not limited to, the possession, use, or displaying of gang paraphernalia, jewelry, tattoos, clothing, or other insignias and writings that promote gang affiliation/involvement/the use of gang related signs or symbols or any other gang associated behavior.
V.	Harassment	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
W.	Hazing	Secondary only.
X.	Bus Disruption	Repeated misconduct that upsets the order and procedures to be followed on the bus or interferes with the safety of other bus riders.

Y.	Electronic Device Violation	The continual misuse of wireless communication devices, including but not limited to, cellular telephones, camera telephones, MP3 players, iPods, e-readers, and other electronic devices.
Z.	District Technology Violation	Modifying software/hardware configuration on a district issued device; unauthorized access to programs and/or files not expected or intended for student use on a district issued and/or personal device; or sharing another person's username and password.

### Level III – How the Principal May Respond:

1. Contact your parents (mandatory). Hold a meeting with them.
2. Make up a written contract/plan for you to follow.
3. Remove you from the bus for up to 10 days (suspension).
4. Remove you from the school for up to 10 days (suspension).
5. Remove you from the bus (expulsion).
6. Refer you to a prevention or treatment program.
7. Use a response from Level II.
8. Make you return property, make payment for same or restitution for damages.
9. Assign you in-school suspension.
10. Refer you to Level IV.
11. Restorative justice.
12. Referral to mental health services

### Level IV – Infractions

Level IV acts of misconduct are the most serious. Any Level IV act is grounds for expulsion and may result in a 10-day suspension with consideration for a recommendation for expulsion. Major acts of misconduct must be reported right away to the school administrator and may result in immediate removal of the student from the school.

For students in pre-kindergarten through fifth grade, the disciplinary response procedure is parental contact, up to a 10-day suspension from school and a written behavior contract that covers a period of probation. In severe cases, or if the probation is violated, the principal may recommend immediate expulsion. In selecting this action, the principal shall consider the age of the student, his/her prior discipline record, the seriousness of the behavior, the intent of the student, and if the health, safety, and welfare of other students and/or staff has been endangered.

Students who commit a Level IV offense may be referred to local authorities for further investigation.

<b>Infractions</b>		
A.	Alcohol	Having, using, sharing or being under the influence of alcoholic beverages
B.	Arson	Setting a fire or trying to set fire to school property or the property of others
C.	Intimidation/Threats to a Person	Any direct threat or indirect threat to do violence or harm to an OCPS employee, contracted personnel, volunteer, authorized adult, or student. This includes, but is not limited to, threats made verbally or nonverbally, by act, through social media, or by text.
D.	Battery	Actually or intentionally touching or striking of an OCPS employee, contracted personnel, volunteer, or any authorized adult against his or her will or intentionally causing more serious bodily harm to an individual. In severe cases, the battery of a student may be the basis for expulsion.
E.	Threats to the School	Any direct or indirect threat that may harm or disrupt the function of the school campus or school sponsored activity including, but not limited to, threats made verbally or nonverbally, by act, through social media, or by text.

<b>Infractions cont'd</b>		
F.	Drugs/Possession/Use	Having, using, sharing, or being under the influence of illegal drugs or any other substance that can change your mood or behavior. Possession or using anything represented or thought to be an illegal drug, or possession of drug paraphernalia.
G.	False Fire Alarm	Pulling a fire alarm falsely or reporting a fire when there is no fire.
H.	Firearms/Destructive Devices	The possession, use, or control of any destructive device or firearm (operable or inoperable, loaded or unloaded) as defined in Chapter 790, Florida Statutes.
I.	Inciting, Leading, or Participating in any Act which Substantially Disrupts the Orderly Conduct of a School or School Sponsored Activity	Starting, encouraging, or participating in any disruption, (including gang- related activities or incidents with multiple participants) disturbance or other act that: interferes with the education process; results in significant damage or destruction to public or private property (including electronic communication devices); causes personal injury to participants and others; or otherwise poses a threat to the health, safety, and/or welfare of students, staff, or others. This may also include gang related activities, and incidents with multiple participants.
J.	Larceny/Theft (\$300 or over)	Taking, carrying, leading, riding away with, or concealing property from the possession or constructive possession of another person or attempting to do it. Included are pocket picking, theft, from a building, theft from a motor vehicle, and theft from a machine or device which is operated or activated by the use of a coin or token and all other types.
K.	Other Weapons	Possessing, using, or controlling any instrument or object, other than a firearm, which could be used to inflict harm on another person, or to intimidate any person. Included in this category are objects such as BB guns or pellet guns, air soft guns, paintball guns and replicas of any gun or weapon, knives of any kind, chains, pipes, razor blades, box cutter/utility knife, ice picks, other pointed instruments, brass knuckles, Chinese stars, Billy clubs, tear gas guns, pepper spray, or electrical/chemical weapons or devices. Also included is anything represented to be a firearm if used in an intimidating manner toward another person.
L.	Repeated Misconduct of a More Serious Nature	Repeated misconduct that tends to substantially disrupt the orderly conduct of a school, school function, or extracurricular/co-curricular program or activity. Recommendations for expulsion relative to repeated misconduct must be based on documented referrals and a variety of intervention strategies.
M.	Robbery/Extortion	Taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or putting the victim in fear of larceny. This includes but not limited to purses, phones, etc.
N.	Sexual Battery	Doing or attempting to do any sexual act directed against another person, forcibly and/or against the person's will.
O.	Sexual Harassment	Making any slur, innuendo, or other verbal or physical conduct reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational 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.
P.	Sexual Offense	Committing any willful and/or deliberate act, behavior, or conduct intended to result in sexual gratification or furthering acts lewd or lascivious in nature; any unsolicited sexual proposal or offensive touching of another person; or any act of indecent exposure, including streaking.
Q.	Violation of Early Re-entry Plan	Committing any act or series of acts that violates or has the practical effect of violating a re-entry plan from expulsion.

<b>Infractions cont'd</b>		
R.	Motor Vehicle Theft	Using, taking, or the attempted taking of a motor vehicle without permission. Taking a car, truck, motorcycle, golf cart, or anything that is self-propelled or motorized.
S.	Vandalism (\$1000 or over)	Purposely destroying, damaging, or defacing public or private property including act of defacing with graffiti, keying, or scratching a car or trashing a room resulting in damages (\$1000 or over).
T.	Other	Any other intentional or wanton act which significantly harms or poses a realistic threat of serious harm to oneself or another person and/or which is clearly beyond the bounds of acceptable and tolerable student conduct in the community. This may include hate crimes or any false accusation made by a student that jeopardizes the professional reputation, employment, or professional certification of any OCPS employee.
U.	Drugs/Transmission/ Distribution/ Selling/Buying	Giving, buying, or selling any drug or contraband substance, or giving, buying, or selling anything represented to be of said nature.
V.	Bullying	Any systematic and chronic intentional or wanton act which significantly harms or poses a realistic threat of serious harm to another person.
W.	Harassment	Any intentional or wanton act which significantly harms or poses a realistic threat of serious harm to another person.
X.	Hazing	Secondary only.
Y.	Physical Attack	An actual and intentional striking of an OCPS employee, contracted personnel, volunteer, or any other adult against his/her will, resulting in bodily harm.
Z.	Sexual Assault	An incident that includes a threat of rape, fondling, indecent liberties, child molestation, or sodomy. Both male and female students can be victims of sexual assault. The threat must include all of the following elements: 1) intent; 2) fear; and 3) capability.
AA.	District Technology Violation	Use of software/hardware configuration on a district issued device; use of unauthorized access to programs and/or files not expected or intended for student use on a district issued and/or personal device; use of another's username and password; or any use that violates local, state, and/or federal laws and regulations.

#### **Level IV – How the Principal May Respond:**

1. Contact your parents (mandatory). Hold a meeting with them.
2. Grades PreK-5: Remove you from school for up to 10 days (suspension), write a behavior contract, and place you on probation. In severe cases the principal may recommend expulsion.
3. Restorative justice.
4. Possible referral to counseling program.
5. Referral to mental health services

## **Section VI**

### **Procedures Relating to Disciplinary Action**

In order to protect student rights, certain procedures are followed with regard to major disciplinary actions. These procedures are developed as suggested or required by law or regulation. School/classroom procedures for administering discipline in areas not covered by these specific procedures are encouraged.

## Corporal Punishment

The Orange County School Board prohibits the administration of corporal punishment in the school district.

### Statement Prohibiting Bullying and Harassment

In accordance with Section 1006.147, Florida Statutes, titled “Bullying and Harassment Prohibited,” and School Board Policy (ADD), titled “Safe Schools,” the School Board of Orange County, Florida is committed to protecting its students, employees, and applicants for admission from bullying, harassment, or discrimination for any reason and of any type. The school board believes that all students and employees are entitled to a safe, equitable, and harassment- free school experience. Substantiated allegations of bullying, harassment, or discrimination will not be tolerated and shall be just cause for disciplinary action. Any student who alleges bullying or harassment by another student may use the school’s student grievance procedure or may complain directly to the principal or designee.

### Statement Prohibiting Sexting

In accordance with School Board Policy (JIC), titled “Code of Student Conduct,” sexting is defined as sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on any electronic, digital, or telecommunications device during school hours or school activities on or off campus; while on School Board property, or beyond the hours of school operation if the behavior adversely affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the education process or experience. Sexting will not be tolerated and shall be just cause for disciplinary action.

### Statement Prohibiting Hazing

In accordance with Section 1006.135, Florida Statutes, titled “Hazing at High Schools with Grades 6 – 12 Prohibited” and School Board Policy (JIC), titled, “Code of Student Conduct,” OCPS is committed to protecting its students from any hazing activities at any time in school facilities, on school property, and off school property if the misconduct is connected to participation or membership of a club or organization of a school. Hazing will not be tolerated and shall be just cause for disciplinary action. Any student, who alleges hazing, may use the school’s student grievance procedure or may complain directly to the principal or designee.

Hazing is defined as any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6-12 for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school with any of grades 6 through 12. “Hazing” includes, but is not limited to, pressuring or coercing the student into violating State or Federal law, forced consumption of any food, liquor, drug, or other substance, forced physical activity that could adversely affect the physical health or safety of the student, or any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

### Statement Prohibiting Sex Discrimination

In accordance with Title IX of the Education Amendments of 1972, and School Board Policy (JB), titled “Equal Educational Opportunities,” OCPS is committed to protecting its students, employees, and applicants for admission from sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. OCPS believes that all students and employees are entitled to a safe, equitable, and harassment- free school experience. Substantiated allegations of discrimination will not be tolerated and shall be just cause for disciplinary action. Any student who alleges sex discrimination by another student may use the school’s student grievance procedure or may complain directly to the Title IX Coordinator.

### Procedures for Level I-III Offenses

A student accused of serious misconduct which, in the opinion of the principal or a designated representative, would require suspension from school or transportation, shall be afforded the following procedures. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for the procedural safeguards.

Step 1:	The student must be told by the principal/designee of the reason(s) for consideration of suspension.
Step 2:	The student must be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to present witnesses to the incident.
Step 3:	The principal/designee shall make a determination as to whether or not the student is guilty of the misconduct, and if so, what the terms of the disciplinary response will be. The student shall be informed of the determination. If the determination is to impose suspension, the notice of suspension shall be in writing.

Step 4:	The principal/designee shall report each suspension in writing to the student's parent or guardian and to the area superintendent or his designee. This report shall be mailed or delivery initiated within 24 hours of the start of the suspension or on the next regular workday. Reasonable efforts shall be made to contact the parent or guardian prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal or his designee may determine that the suspension will start without the prior contact with the parent or guardian, but continued reasonable efforts to contact the parent or guardian shall be made.
Step 5:	The student and parent have a right to a conference with the principal or a designee upon request of the parent to appeal the discipline imposed. All such requests must be made within three school days of the first notification of suspension that the parent receives. The principal shall have the discretion to reduce or cancel the suspension if it is felt that it would be in the best interest of the student and school to do so.
Step 6:	An educational planning conference should be held each time any disabled student has been suspended from classroom or transportation for ten (10) days cumulative during a school year. The purpose is to determine if the placement is appropriate and if any changes need to be made in order to more effectively deal with the student's behavior problem.
Step 7:	At the discretion of the principal, a written behavior contract may be required upon return of then student.
Step 8:	If the parents feel that procedural safeguards were not provided, they may appeal by contacting an area administrator. The area administrator shall discuss the matter with the parent, and if appropriate, schedule a meeting between the principal, the area administrator, and the parent to further discuss the matter and to rectify procedural errors, if any. This shall not be interpreted as permitting the area administrator to substitute their judgment for the judgment of the principal, nor may parents utilize this appeal to challenge the factual findings made by the principal with regard to the necessity for the suspension.

### Procedures for Level IV Offenses

A student accused of a violation of the Code of Student Conduct which, in the opinion of the principal or a designated representative, may require expulsion from school or transportation, shall be afforded the procedural safeguards described below. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for these procedural safeguards.

Step 1:	The principal or a designee must inform the student of the reason(s) for consideration of expulsion.
Step 2:	The student shall be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to offer witnesses to the incident.
Step 3:	The principal or a designee shall make a determination in writing as to whether or not the student is guilty of the misconduct, and if so, what the terms of the disciplinary response will be. The student shall be informed of the determination. If the principal or designee determines that there are sufficient grounds for expulsion, then the principal or his designee shall inform the student that he or she is being suspended from school for ten (10) days and a recommendation that the student be expelled is being considered.
Step 4:	The principal shall report in writing to the student's parent or guardian and the area superintendent that the student has been suspended for ten (10) days and a recommendation that the student be expelled from school is being considered. The report shall be mailed or delivery initiated within 24 hours of the start of the initial ten (10) day suspension or on the next regular school day. Reasonable effort shall be made to contact the parent or guardian prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal or a designee may determine that the suspension will start without the prior contact with the parent or guardian.



Step 5:	<p>The area administrator shall convene a Discipline Team meeting as soon as possible.. The Discipline Team shall consist of the area administrator, principal or designee and other appropriate personnel, including but not limited to, a counselor, school psychologist, administrative dean, or Positive Pathways Transition Center staff. Teacher input will also be sought. The school will also request that the parent and student attend the Discipline Team meeting. The purpose of the Team meeting is to (1) determine if there is documentation or evidence that the student has a disability requiring exceptional education services; (2) present all documentary evidence upon which the proposed expulsion is based; and (3) whether or not a referral will be made to an alternative site. Prior to the Discipline Team meeting, parents/students may request in writing to the school principal to receive all documentary evidence upon which the proposed expulsion is based.</p> <p>No later than one (1) school day prior to the Discipline Team meeting, parents/students must notify the school principal of all parties that will attend the Discipline Team meeting on behalf of the student.</p>
Step 6:	<p>If the area administrator determines that the infraction committed by the student meets the criteria for a Level IV offense in the Code of Student Conduct, the area administrator may refer the student to an alternative site. Whether or not a student is referred to an alternative site, the area administrator shall forward to the area superintendent or his designee a detailed report by the principal or designee and a summary of the Discipline Team's findings. Such summary by the area administrator shall include findings of fact which indicate the evidence upon which the findings were based and conclusions of law, which identify the Level IV infraction committed by the student. The area superintendent shall review the principal's recommendation for expulsion and shall have the authority to recommend to the superintendent that the student be expelled or take whatever action deemed appropriate.</p>
Step 7:	<p>After the Discipline Team meeting, if the parent or guardian believes the student is entitled to further procedural safeguards or would like to dispute documentary evidence upon which the proposed expulsion is based, the parent or guardian may request an administrative hearing by providing notice of such request to the applicable area administrator or his/her designee. Failure of the parent or guardian to request an administrative hearing from the applicable area administrator or his/her designee within fourteen (14) days after the Discipline Team meeting shall be deemed a waiver of any challenge to the procedures utilized by the Discipline Team in making its decision. Administrative hearings shall be granted or denied within fifteen (15) days from the time they are requested unless an extension is agreed upon in writing. The area administrator and the principal or his/her designee may attend the administrative hearing. The parent or guardian shall notify the applicable area administrator of all parties attending the administrative hearing on behalf of the student no later than three (3) school days prior to the administrative hearing. If the student is recommended for a full exclusion without educational services, the administrative hearing will be governed by the provisions in Sections 120.569 and 120.57(2), Florida Statutes. The Administrative Hearing Officer will either uphold the Discipline Team referral to an alternative site, the principal's recommendation for expulsion or recommend whatever action deemed appropriate based on the specific facts and charges upon which proposed expulsion is based. Both the principal and/or his/her designee and the parent or guardian shall have the right, but not obligation, to submit a recommended order to the Administrative Hearing Officer containing proposed findings of facts and conclusions of law. The Administrative Hearing Officer may, in his/her discretion, use a proposed order submitted by either the principal and his/her designee or the parent or guardian; provided however, the Administrative Officer may reject both proposed orders and issue his/her own order.</p>
Step 8:	<p>If the student's ten (10) day suspension expires prior to the next school board meeting, the area superintendent shall have the authority to extend the suspension of the student until that meeting occurs. The suspension may also be extended for the purpose of an administrative hearing requested by the parent. The area superintendent may assign any student so suspended to an individually designated program or other special placement. The area superintendent shall not extend the original ten (10) day suspension of a disabled student.</p>
Step 9:	<p>The area superintendent shall notify the parent or guardian and the principal or designee of his/her decision within one (1) business day. The superintendent shall then review the area superintendent's recommendation for expulsion and shall have the authority to recommend to the school board that the student be expelled or take whatever action he/she deems appropriate. The superintendent shall notify the parent or guardian and the principal or designee prior to the school board meeting at which the school board will consider his/her recommendation.</p>
Step 10:	<p>The parent or guardian shall have the right to appear before the school board. Factual evidence which was not properly presented to either the Discipline Team or the Administrative Hearing officer may not be presented to the school board. The parent/student is limited to challenging whether the facts as found by the Discipline Team may appropriately lead to expulsion under the Code of Student Conduct.</p>



## Procedures for Students Who Commit Serious Acts of Misconduct Eligible for Services under the Individuals with Disabilities Education Act (IDEA) (Suspension/Removal)

Students who commit serious acts of misconduct eligible for services under the Individuals with Disabilities Education Act (Students with Disabilities) are subject to being suspended/removed from school up to 10 days, cumulative or collective, when the misconduct meets the definition of a Level III or Level IV offense as defined in the Code of Student Conduct whether or not the behavior causing the offense is related to the student's disability. The school district has the right to obtain relief from an Administrative Law Judge (ALJ) to remove a student with dangerous behavior.

Students with disabilities may be subjected to short-term or long-term removals depending on the disciplinary infraction of the Code of Student Conduct. The general guide for a school to follow is that a disabled student may be suspended/removed from a school for up to 10 school days within a school year without providing services identified in the Individual Educational Plan (IEP). A manifestation determination is not required for the first 10 school days of suspension/removal; however, IEP teams should review a student's misconduct as early as possible to determine the need for additional behavior supports and/or services. The Discipline Team meeting should occur in conjunction with the manifestation meeting if the behavior may be a Level IV offense.

Regardless of the misconduct, OCPS shall not cease educational services to a disabled student after the student has been suspended/removed from school for more than 10 school days, total, in a school year.

<i>The appropriate procedures for suspension/removal of ten school days or for a Level III/Level IV offense are:</i>	
Step 1:	The student must be told by the principal or designee of the reason(s) for consideration of a suspension/removal.
Step 2:	The student must be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to present witnesses to the incident.
Step 3:	The principal or designee shall promptly make a determination in writing as to whether or not the student is guilty of the misconduct. If the principal's determination is that the student committed a Level IV offense, the school staff shall convene a Discipline IEP Team meeting to conduct a manifestation determination. In some cases it is appropriate for a Discipline IEP Team meeting to be convened for a Level III offense to conduct a manifestation determination. The procedures for the Discipline IEP Team meeting in the Exceptional Student Education (ESE) Staffing Procedures Handbook must be followed.
Step 4:	<p>Once a student has been removed for 10 days, cumulative or collective, the IEP Team must meet to develop and/or review the student's Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP). [Note Procedures for Discipline in the Staffing Procedures Handbook.] The IEP Team must be composed of personnel empowered to make placement decisions for students with disabilities. The IEP Team may include, in addition to the parent and student, if appropriate, persons such as the principal or designated administrator, staffing specialist, counselor, ESE teacher, regular teacher, psychologist, social worker, speech therapist, and an area administrator. Other school or learning community/district personnel may be invited if appropriate. Parents may also bring additional people to the meeting. The Procedural Safeguards must be explained at the meeting and parents must receive a copy.</p> <p>Any student who has been removed for more than 10 school days must receive appropriate services. The services provided during the removal may or may not be identical to the services on the child's IEP. The school district will determine the appropriate services for the student.</p>
Step 5:	<p>The IEP Team will determine whether or not the offense is related to the student's disability, e.g., the manifestation determination, based on federal statutes and regulations under the Individuals with Disabilities Act (IDEA), as well as Florida Statutes and State Board of Education Rules. The manifestation determination must be made within 10 days of any decision to change the placement of a student with a disability because of a violation to the Code of Student Conduct.</p> <p>If the IEP Team determines that the child's conduct was the direct result of the school district's failure to implement the IEP, immediate steps must be taken to remedy those deficiencies. 34 CFR 300.530(e)(3).</p>

Step 6:	<p>The IEP team will determine appropriate alternatives for allowing the student to continue to receive FAPE and services during the removal. These alternatives may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• <input type="checkbox"/> Modification of the IEP including BIP in current placement</li> <li>• <input type="checkbox"/> Transfer to a more restrictive placement for a designated period of time</li> <li>• <input type="checkbox"/> Reduced or modified school day (After School Academy, Saturday School, etc.)</li> <li>• <input type="checkbox"/> In-school suspension program</li> <li>• <input type="checkbox"/> Individual/group counseling with school personnel</li> <li>• <input type="checkbox"/> Placement on Home Instruction or Teleclass</li> <li>• <input type="checkbox"/> Special school placement</li> <li>• <input type="checkbox"/> Other options or some combination of the above</li> </ul>
Step 7:	<p>OCPS can immediately remove students from their current educational placement to an Interim Alternative Educational Setting (IAES) for no more than 45 school days for violation of the Code of Student Conduct for certain drugs, weapons, and infliction of serious bodily injury upon another person while at school, on school premises, or at a function under the jurisdiction of OCPS regardless of a determination if the behavior was a manifestation of the student's disability.</p>
Step 8:	<p>The staffing specialist shall inform the parent or guardian of:</p> <ol style="list-style-type: none"> <li>1. The due process rights of disabled students should they disagree with the recommendations of the IEP Team.</li> <li>2. The right to request a due process hearing by an Administrative Law Judge (ALJ) if the parent or guardian believes the student's procedural safeguards have been violated.</li> <li>3. The school district's right to request a due process hearing for a student exhibiting dangerous behavior or to petition the court for a change in placement. The student may remain in the current placement during the pendency of the proceedings unless another agreement is reached between the parties.</li> <li>4. Either party's right to request an expedited due process hearing to challenge a disciplinary decision or manifestation determination. Stay put during the proceedings will be in accordance with the Discipline IEP Team decision.</li> </ol>

### **Points of Clarification:**

1. Children not yet identified as ESE students may assert protections under these procedures if OCPS knew or should have known that the child might have a disability. Parents can request an expedited evaluation, in these cases, during the disciplinary proceedings.
2. When the behavior is not a manifestation of the disability, the student may be disciplined under the regular education guidelines. However, ESE educational services must continue.
3. Students with behavior problems can be removed to another placement through the IEP process.
4. Bus suspensions and partial day removals may count as removal/suspensions.

### **Procedures for Students Who Commit Serious Acts of Misconduct Eligible Under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Americans with Disabilities Act (ADA) (Suspension/Removal)**

Students eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Americans with Disabilities Act (ADA) may be subjected to short-term or long-term removals depending on the disciplinary infraction of the Code of Student Conduct. The general guide for a school to follow is that a Section 504 eligible student may be suspended/ removed from a school up to 10 school days within a school year without providing services identified in the student's Section 504 Individual Accommodation Plan. No manifestation determination is required for the first 10 school days of suspension/removal.

A student with a Section 504 Individual Accommodation Plan may be expelled when the offense committed may be recommended for expulsion as defined for all students and the behavior is not a manifestation of the disability.

OCPS is not required to hold a manifestation determination meeting for use of illegal drugs or alcohol committed by a student eligible under Section 504. The student may be disciplined in the same manner as non-disabled students for use of illegal drugs or alcohol and will receive the same due process and consequences as other students.

<i>The appropriate procedures for suspension/removal beyond 10 school days are:</i>	
Step 1:	The student must be told by the principal or designee of the reason(s) for consideration of a suspension/removal.
Step 2:	The student must be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to present witnesses to the incident.
Step 3:	The principal or designee shall promptly make a determination in writing as to whether or not the student is guilty of the misconduct. If the principal's determination is that the student committed an offense that will result in suspension of 10 days (cumulative or collective) the school staff shall convene a Section 504 Discipline Team meeting to conduct a manifestation determination. The procedures for the Section 504 Discipline Team meeting located on the OCPS Section 504 website must be followed.
Step 4:	Once a child has been removed for 10 days, the Section 504 Team must convene a meeting to review the student's conduct. The Section 504 team must be composed of personnel empowered to make placement decisions for students with disabilities. The Section 504 Team may include, in addition to the parent and student, if appropriate, persons such as the principal or designated administrator, school-based Section 504 representative, staffing specialist, counselor, ESE teacher, regular teacher, psychologist, social worker, speech therapist, and an area administrator. Other school or learning community/district personnel may be invited if appropriate. Parents may also bring additional people to the meeting. The Procedural Safeguards must be explained at the meeting and parents must receive a copy.
Step 5:	<p>The Section 504 Team will determine whether or not the offense is related to the student's disability, e.g., the manifestation determination. NOTE: If a student with an active Section 504 Plan has been referred for ESE testing, the manifestation team must treat the student as an ESE student.</p> <p>If the Section 504 Team determines that the student's behavior is not a manifestation of the disability, the student may be removed from school in the same manner students not on a Section 504 Plan are suspended/removed.</p> <p>If it is determined that the student's behavior is a manifestation of the student's disability, federal law does not permit a school district to cease all educational services. The student may be excluded with services (as with students eligible for services under the Individuals with Disabilities Education Act). The Section 504 Team must review the Section 504 Plan and make modifications with the intent to reduce inappropriate behaviors.</p>

### **Procedures for Felony Suspension**

Section 1006.09(2), Florida Statutes, allows the principal to suspend a pupil enrolled at his school who has been formally charged with a felony or similar offense by a prosecuting attorney and the incident for which he/she has been charged occurred off of school property, and under circumstances in which the student would not already be subject to the rules and regulations of OCPS, and the incident would have an adverse impact on the educational program, discipline or welfare in the school in which the student is enrolled.

Step 1:	<p>Determine that the student has actually been formally charged with a felony (or has been charged with an offense in juvenile court which, if the student were an adult, would be classified as a felony) by:</p> <ol style="list-style-type: none"> <li>I. Notifying an area administrator who will contact the State Attorney's office for confirmation.</li> </ol>
Step 2:	Further action needs to be taken only if the student attempts to return to school.

<p>Step 3:</p>	<p>If the student attempts to return to school, the principal must decide whether or not the student's return would have an adverse impact on the school. The principal should consider the possibility of harm to the accused student or to others created by the presence of the accused student in the school. Felony suspension should be used only when the principal identifies and documents a definite adverse impact on other students or on the accused student. If a felony suspension related to the documented adverse impact is imposed, the parent or guardian must be notified in writing of:</p> <ol style="list-style-type: none"> <li>1. Recommendation for suspension until the determination of student's guilt or innocence, or dismissal of charges. If the student is not found guilty, the student may return to school upon presenting documentation of the court's decision. If the student is found guilty of a felony, the superintendent shall have the authority to determine if a recommendation for expulsion shall be made to the school board.</li> <li>2. Specific charges against a student.</li> <li>3. The right to a hearing: <ol style="list-style-type: none"> <li>a. A hearing is conducted by the principal/designee and area administrator in every felony suspension procedure. It is not necessary for the parent to request a hearing.</li> <li>b. The purpose of the hearing is not to determine the student's guilt or innocence of the felony. <p>The purpose of the hearing is to determine whether knowledge of the offense with which the student has been charged would have an adverse impact on the educational program, discipline, or welfare of the school.</p> <p>In determining "adverse impact", the principal should consider the nature of the alleged offense (e.g., a student charged with rape, robbery, murder, etc. would probably affect the educational environment more adversely than a student charged with a computer-related crime). The principal should also consider the publicity attendant to the offense or any other circumstances which might either increase or diminish the possibility that the student's presence would pose a threat to the students and staff and substantially disrupt the school.</p> <p>The principal should also consider whether the student's continued attendance would pose a threat to the student charged with the felony.</p> </li> <li>c. The principal must request from the area administrator, a date for the hearing which shall not be less than two days nor more than five school days from the postmarked date of the notice. The hearing date is established in the initial letter from the principal.</li> </ol> </li> <li>4. Pending the hearing, the student is temporarily suspended.</li> <li>5. The principal shall immediately notify an area administrator to request a felony suspension hearing with the parent or guardian. If the hearing results in a felony suspension, the student will need to be temporarily placed at an alternative education site until the outcome of the felony charge has been determined. The area administrator shall schedule a meeting to determine an alternative educational placement if the felony suspension is imposed.</li> <li>6. Conditions under which a waiver of suspension may be granted in the case of unlawful use of an illegal controlled substance: <ol style="list-style-type: none"> <li>a. No adverse impact on the school.</li> <li>b. If the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him.</li> <li>c. If the student voluntarily discloses his/her unlawful possession of such controlled substances prior to his/her arrest.</li> </ol> </li> <li>7. If the student commits himself/herself, or is referred by the court in lieu of sentence, to a state- licensed substance abuse program and successfully completes the program.</li> </ol>
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Step 4:	The hearing is conducted by the area administrator and will be attended by the principal/designee, the student, the parent or guardian, the student's representative or counsel, and any witnesses requested by the student or the principal. The student may speak in his/her own defense, may present any evidence indicating his or her eligibility for waiver of disciplinary action, and may be questioned on his testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify. The person conducting the hearing is not bound by courtroom procedure or testimony and no transcript of the testimony shall be required.
Step 5:	Following the hearing, the area administrator will provide the student and parent or guardian with a decision in writing as to whether or not the felony suspension will be made. In arriving at a decision, the area administrator will consider conditions under which a waiver may be granted and may grant a waiver when he/she determines such actions to be in the best interest of the school and student. The letter should also instruct the parent and student to provide documentation to the principal of the satisfactory resolution of the charges. The area administrator has the authority to modify the decision to either grant or deny a waiver at any time prior to adjudication of the student's guilt by a court. However, any modification that is adverse to the student shall be made only following a hearing conducted in accordance with the procedure described.
Step 6:	If the decision by the principal is to impose the felony suspension, an area administrator will make arrangements to place the student in an alternative education setting.
Step 7:	If the student is adjudicated guilty by the court, the area superintendent may recommend to the school board that the student be expelled through the normal expulsion procedure or assigned to an alternative program/school.
(Notice: Florida law prohibits any student who commits and is adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere, of any kind of the felony offenses specified by Section 1006.13(5), Florida Statutes, [homicide, assault-battery-culpable negligence, kidnapping-luring or enticing-false imprisonment-custody offense, sexual battery, lewdness-indecency exposure, abuse, robbery, sudden snatching, carjacking, home invasion robbery] against another student from attending school with, or riding the same school bus as, the victim or any sibling of the victim, if a "no contact" order is issued by the court and notification is reported by the Department of Juvenile Justice.)	

### Procedures for Early Re-entry of Fully Expelled Students

Following school board action to fully expel a student, the student shall have no right to attend public schools in Orange County, Florida, unless the school board, in its sole discretion and acting upon the recommendation of the superintendent, revokes the existing expulsion based upon an early re-entry plan. Failure of the student to abide by an early re-entry plan may be grounds for recommending expulsion.

It is intended that the procedure to be followed in developing early re-entry plans shall be flexible, but shall require a commitment on the part of the student and his/her parent/guardian to cooperate with school authorities in reasonably assuring that the behavior which led to the original expulsion will not recur.

Early re-entry plans are to be developed when appropriate, following the procedures described below. The decision to recommend a re-entry shall initially be the prerogative of the principal and the area superintendent.

Step 1:	If a request for early re-entry is received, a review of the expulsion and other school records relating to the performance of the student will be made by the home school principal to determine the probability of success of an early re-entry.
Step 2:	After review of this information, the principal will consider the request. If the principal does consider that an early re-entry would be in the best interest of the student and of the school system, a meeting shall be held with the area administrator, principal, parent, and student to develop a written early re-entry plan which details the conditions for an alternative placement site.

Step 3:	<p>The re-entry plan shall include:</p> <ol style="list-style-type: none"> <li>1. Requirements developed in the meeting which may include, but not be limited to, evaluation by a representative of Student Services, contact with a community agency, where appropriate, counseling, completion of special school work, and such requirements as may be deemed reasonable to assure that the misconduct leading to expulsion will not recur. The entry requirements shall not include those that would cause negative feelings toward the instructional program but may include special classes or transfer of schools or a referral to an alternative site.</li> <li>2. A listing of any adjustments to the student program of study or school day or a special assignment.</li> <li>3. A statement by the school citing the resources which will be used to assist the student in his/her re- entry to school.</li> <li>4. A statement relative to procedures or actions to be taken in the event the agreement between the school and the student is broken.</li> <li>5. An indication from the parents/guardians that they understand and accept the conditions set forth in the re-entry plan.</li> </ol>
Step 4:	<p>Following completion of the re-entry plan which is acceptable to the school administrator who will be responsible for supervision of the student, the plan shall be submitted to the area superintendent or designee for review and approval. If approved, the area superintendent shall forward the recommendation to the superintendent.</p>
Step 5:	<p>If the superintendent approves the early re-entry of the student, he/she shall submit the recommendation to the school board. The parents/guardians will be notified of the action taken by the school board.</p>

### **Procedures for Removal from Participation in Extracurricular/Co-Curricular Programs**

1. Temporary removal of a student from participation in an extracurricular/co-curricular program or activity may be determined by the teacher/sponsor. The principal is to be notified of the action.
2. Permanent removal of a student from participation in any extracurricular/co-curricular program or activity will be recommended by the teacher/sponsor with the final decision to be made by the principal.
3. Parent or guardian notification of temporary or permanent removal is mandatory.
4. Upon notification, a parent or guardian may, within three days, request a conference with the teacher/ sponsor and/or the principal for the purpose of discussing the removal of the student from participation in the extracurricular/co-curricular program or activity.
5. A student may be readmitted to participation in an extracurricular/co-curricular program or activity at any time upon the recommendation of the teacher/sponsor, with the final decision by the principal.

### **OCPS EEO Non-Discrimination Statement**

The School Board of Orange County, Florida, does not discriminate in admission or access to, or treatment or employment in its programs and activities, on the basis of race, color, religion, age, sex, national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, or any other reason prohibited by law. The following individuals at the Ronald Blocker Educational Leadership Center, 445 W. Amelia Street, Orlando, Florida 32801, attend to compliance matters: Equal Employment Opportunity (EEO) and Title IX Officer: Jared A. Brooks; Section 504 Coordinator: Latonia Green; ADA Coordinator: Michael Graf. (407.317.3200)

## Code of Student Conduct Summary

The Code of Student Conduct has four levels of infractions. Level I infractions are the least serious and will be dealt with by imposing less severe consequences than Level IV infractions. A Level IV infraction is grounds for a 10-day suspension and a consideration for expulsion.

<i>Level I</i>	<i>Level II</i>	<i>Level III</i>	<i>Level IV</i>
Cheating	Vandalism (under \$100)	Physical Attack	Alcohol/Drugs
Classroom Disruption	Disrespect	Breaking and Entering	Arson
Disorderly Conduct	Fighting	Vandalism (\$100 to \$999)	Threats
Disrespect	Forgery	Disrespect	Battery
Dress Code	Gambling	Extortion	Bomb Threats/Explosions
Failure to Report to Detention	Minor Insubordination	Fighting	False Fire Alarm
False/Misleading Information	Intimidation/Threats	Firecrackers/Fireworks	Firearms
Insubordination	Misconduct on School Bus	Gross Insubordination/Open Defiance	Inciting/Leading/Participating in Major Disruption
Misconduct on School Bus	Stealing (under \$50)	Illegal Organizations	Larceny/Theft (\$300 or over)
Profanity	Unauthorized Assembly	Possession of Contraband	Other Weapons
Tardiness	Bullying	Smoking Tobacco Products	Repeated Misconduct
Skipping Class	Other Misconduct	Stealing (\$50 to \$299)	Robbery/Extortion
Other	Gang Related	Trespassing	Sexual Battery
Unsubstantiated Bullying	Harassment	Violation of Curfew	Sexual Harassment
Unsubstantiated Harassment	Sexual Harassment	Bullying	Sexual Offenses
Harassment	Cell Phone/Technology Violation	Other Serious Misconduct	Violation of Early Re-entry
Cell Phone/Technology Violation		Physical Aggression	Motor Vehicle Theft
		Threats	Vandalism (\$1000 or over)
		Gang Related	Other
		Sexual Harassment	Bullying
		Harassment	Harassment
		Hazing	Physical Attack
		Bus Disruption	Hazing
		Cell Phone/Technology Violation	Sexual Assault
<b>Possible Responses</b>			
Parent Contact	Parent Contact	Parent Contact	Parent Contact
Counseling and Direction	Appropriate Response from Level I	Appropriate Response from Level I or Level II	Up to 10 Day Suspension
Verbal Reprimand	Behavior Contract/Plan	Behavior Plan/Contract	1-10 Day Suspension (Elementary)
Special Work Assignment	Restorative Justice	Restorative Justice	Restorative Justice
Withdrawal of Privileges	P.A.S.S.	Return of Property	Expulsion from School District
Return of Property	Special Work Assignment	P.A.S.S.	Temporary Removal
Detention	Detention	Suspension from Bus	Expulsion from Bus
Behavior Contract/Plan	Confiscation of Contraband	Suspension from School	
Wednesday School	Return of Property	Removal from Extra Curricular Activities	
Referral to Intervention Program	Suspension from Bus (1-10 Days)	Referral to Intervention Program	
Warning of Referral to Level II	Wednesday or Saturday School	Warning of Referral to Level IV	
Restorative Justice	Referral to Intervention Program	Confiscation of Contraband	
Confiscation of Contraband	Warning of Referral to Level III	Saturday School	
	Alternative Classroom		
	Confiscation of Contraband		