

# 2025 - 2026 STUDENT CODE OF CONDUCT



Dr. John Legg, Superintendent of Schools  
Land O' Lakes, Florida  
[www.pascoschools.org](http://www.pascoschools.org)

Dear Students, Families, Educators, and Community Members,

As we begin the 2025–2026 school year, we do so with a renewed sense of purpose and a firm commitment to our students and families. This year brings fresh opportunities to strengthen the foundation of academic excellence that defines Pasco County Schools. Our focus is clear: to ensure that every student is supported, challenged, and inspired in a safe and respectful environment. Together, with the strength of our dedicated educators, engaged families, and collaborative community, we will foster a culture of high expectations, continuous improvement, and meaningful student growth.

Central to this mission is collaboration. Our success depends on strong partnerships among students, families, educators, staff, and the community. To support student well-being and promote positive behavior, we will continue to implement Positive Behavior Interventions and Supports (PBIS) within a Multi-Tiered System of Supports (MTSS). This evidence-based framework fosters inclusive, supportive learning environments where students build resilience and essential life skills.

A key part of this partnership is setting and upholding clear behavioral expectations. The Student Code of Conduct (SCOC) outlines the standards that guide our learning environments. Families play a vital role in reinforcing these expectations. We encourage parents to take time to review the SCOC with their children, discuss the importance of respectful behavior, and help ensure that students understand the serious consequences of violating the Pasco County Schools Code of Conduct. By working together, both at home and at school, we create safe, respectful campuses where students can focus on learning and growth.

All our Pasco school district faculty are ready to serve our families and support every learner. When students know that their school and home are aligned in support of their success, they are more likely to thrive. Thank you for your continued partnership and commitment to Pasco County Schools. I am excited for the year ahead and confident that, together, we will achieve great things.

Sincerely,

Dr. John Legg

Superintendent of Schools

PLEASE WATCH THIS IMPORTANT MESSAGE  
FROM SUPERINTENDENT DR. JOHN LEGG



[https://pasco.k12.fl.us/superintendent/student\\_code\\_of\\_conduct\\_video](https://pasco.k12.fl.us/superintendent/student_code_of_conduct_video)

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The District School Board of Pasco County does not discriminate on the basis of race, color, sex, religion, national origin, marital status, disability, or age in the programs, services, and activities or in its hiring and employment practices. To report violations of this policy, contact: District School Board of Pasco County  
Civil Rights Compliance Manager/Title IX Coordinator: 813-794-2679 [crc@pasco.k12.fl.us](mailto:crc@pasco.k12.fl.us)

**Parent and legal notices may be found at:** [Parent Bill of Rights and Legal Notices](#)

The Student Code of Conduct (SCOC) shall be in force twenty-four (24) hours a day, seven (7) days a week, on all school campuses, school transportation and at all school functions, whether on or off school campuses. This document is intended for the use of students, school district staff, and parents. We all share responsibility for the safety and security of our students. Any, and all threats of harm should be immediately reported to school staff. The school will work to protect the confidentiality of all involved within the limits of law.

## Supervision of Students Before and After School or During School Activities

School authorities are charged with the responsibility of supervising students no longer than thirty (30) minutes before or after school hours while such students are on campus, or thirty (30) minutes before or after authorized school sponsored activity. Parents are not to rely on school supervision outside the time limits set forth above [\(F.S. 1003.31\)](#).

## Vision

The vision of the District School Board of Pasco County is that all our students achieve success in college, career, and life.

## Introduction

The District School Board of Pasco County is committed to creating a respectful, caring community that supports college, career, and life readiness for all students. Every school year represents a fresh start for our students to have the opportunity to do their very best, to learn new things, to progress academically and make positive behavioral choices.

Our central goal is to teach students to engage in positive behaviors that promote resiliency of character, personal responsibility, mentorship, citizenship, critical thinking, and problem-solving so that all students develop the skills to be successful post-graduation. In order to accomplish this goal, it is essential that all members of the school community know and support expectations for student conduct.

As part of our multi-tiered system of supports, the District School Board of Pasco County offers a continuum of Positive Behavior Intervention Supports (PBIS), which are integrated with academic goals and include increasing levels of intervention in response to student needs. Whenever possible, preventative approaches and teaching strategies are considered prior to implementing consequences for behavior.

PBIS is an evidence-based model that includes creating and sustaining school-wide, classroom and individual systems of support for students, including students with disabilities. It is a framework used in schools and communities to promote positive behavior and to create a supportive environment. It focuses on teaching and reinforcing expected behavior, recognizing and rewarding positive actions, and providing support to help individuals succeed. The goal is to create a safe and respectful space where everyone can thrive. Families are important in this process by supporting the school's expectations, and rules in addition to encouraging expected behavior at home.

As a part of our PBIS system, Pasco County has adopted the following commitments to foster compassionate environments for learning:

- Ensure explicit academic and social behavior expectations for all students and staff.

- Foster student interpersonal skills such as compassion, acceptance, understanding, and empathy through intentional teaching practices.
- Model a positive school culture and positive relationships among students, staff, and families.

We collectively commit to teaching all students the following resiliency skills:

- Effectively manage their emotions, thoughts, and actions to achieve their goals.
- Demonstrate a range of communication and social skills to interact effectively, collaborate to achieve common goals, and manage interpersonal conflict.
- Demonstrate effective decision making and recognize the impact of one's behavior.

The Student Code of Conduct (SCOC) communicates minimal requirements for student behavior and summarizes the policies of the District School Board of Pasco County.

#### The Student Code of Conduct

- Defines the responsibilities and rights of students.
- Defines the rules of conduct and the behavioral expectations for students.
- Establishes consequences for violations of the rules of conduct.
- Describes the process for handling disciplinary infractions.
- Describes considerations, reasonable modifications, and accommodations to the application of discipline procedures as applied to Students with disabilities.

## Fresh Start

Each new school year is considered a “fresh start” for students to make positive behavioral choices. In order to promote learning and behavioral change, consequences should be assigned and implemented as soon as possible after an infraction. Disciplinary actions should be assigned within the same school year that the infraction occurred. In very limited cases, such as an investigation that extends into summer, a pattern of bullying behavior that carries over from one year to the next, expulsion, disciplinary reassignment in lieu of expulsion or disciplinary reassignment, assignment of disciplinary consequences may extend into the new school year. Other disciplinary consequences will not carry over year-to-year.

## Progressive Discipline and Supports

The District School Board of Pasco County engages in the practice of progressive discipline.

Progressive discipline is a whole-school approach that utilizes a continuum of preventative measures, interventions, supports corrective actions, and consequences to address inappropriate student behavior and build upon strategies that promote positive behaviors. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that also includes corrective and supportive measures.

Progressive discipline is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline, in accordance with the Discipline Matrix. The previous disciplinary history of the student and all other relevant factors will be taken into account. Minor infractions and first infractions have a less serious consequence than major infractions and repeat infractions. Factors such as age, grade level, social, emotional, and

intellectual development, disability, special education status, other contributing factors to the student's behavior, the degree of harm caused and the student's willingness to repair the harm shall also be considered. Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount.

## Reasonable Modifications to Avoid Exclusionary Discipline

Schools must make reasonable modifications to their criteria, policies, practices, or procedures when necessary to avoid discrimination on the basis of disability or otherwise avoid exclusionary discipline. In the discipline context, reasonable modifications could include not applying a particular procedure to a student with a disability for disability-based behavior or adapting a school procedure to support a student's behavioral needs. An example of a reasonable modification may be addressing disability-based behavior through the individual FBA/BIP process.

Any action taken in response to a violation of the student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

Under Title II of the ADA, Pasco County Schools must provide reasonable modification to its policies, practices and procedures governing student conduct and discipline, including those set forth in the Student Code of Conduct and Discipline, when such modifications are necessary to avoid discrimination on the basis of disability.

A student with a disability or their parent(s)/guardian(s) may request a reasonable modification of disciplinary policies, practices, or procedures for that student. A specific request for modification shall not be required where Pasco County Schools knows or should have known that the student's conduct may be the result or manifestation of the student's disability. In such an instance, Pasco County Schools will consider and make reasonable modifications to disciplinary policies and/or procedures when it is necessary to avoid discrimination on the basis of the student's disability.

### Definitions

- The term **“parent”** wherever used in this document shall include a student's parent or parents, legal guardian, legal custodian, or adult recognized by the student's school as acting “in loco parentis”.
- The term **“Superintendent”** shall include the Superintendent's designees including Assistant Superintendents, hearing officers, and/or other administrators as is appropriate within the context of the provision.
- **SESIR** refers to School Environmental Safety Incident Reporting.

## Respect and Civility ([School Board Policy 8380](#))

### Summary of School Board Policy 8380

The education of a child happens only through a partnership between the student, school and district personnel, parent(s) or guardian(s), and the community. Partnership is an active state that includes sharing responsibilities, having meaningful communication, and welcoming participation. People will not always agree, and that can make partnerships difficult. Partnerships are most powerful when we agree on how to disagree. All stakeholders must remain civil in their discourse.

By being respectful, stakeholders will hold one another in high regard, recognizing each other's right to have differing points of view while still being treated in a civil and courteous manner. By being civil, stakeholders will treat each other with politeness, and courtesy which will allow a calm and constructive discourse. The requirement of respect and civility in no way diminishes one's ability to share their point of view or impact their freedom of expression but ensures that such expression does not degrade to a level of inappropriateness or otherwise disrupt the operation of the educational environment or district facility.

As we communicate, we must be mindful that we are all working together to benefit the children of this community. Therefore, the Board requires that, as we communicate, students, PCS faculty and staff, parents/guardians, and all other members of the community shall:

Always treat each other with respect and civility.

This means:

- Listening carefully and respectfully, without interruption, as others express opinions that may be different from ours.
- Providing an opportunity for all parties to be heard, without interruption or intimidation, or displays of temper.
- Sharing our opinions and concerns without loud or offensive language, gestures, intimidation, displays of temper, and/ or profanity.
- Obeying school and district rules for access and visitation.
- Respecting the obligations and time constraints of all involved stakeholders.
- Responding in an appropriate fashion when one seeks assistance or clarification.
- We share information honestly, without an intent to deceive.
- We understand that an outcome may not always be the outcome we want, and that rudeness, intimidation, or displays of temper are not appropriate responses to the same.
- We do not threaten or cause physical harm to another.
- We do not threaten or cause damage to school property or the property of another.
- We do not bully, belittle, or tease one 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 verbal or written communications.
- 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. In essence, communicating in a way in which we treat each other as we would like to be treated will lead to cooperative and constructive conversations.

Responding to Disrespectful or Uncivil Behavior:

Mutual respect and civility can occur only with the individual and collective commitment of all parties involved, including students, PCS faculty and staff, parents/guardians, and community members. To promote respectful and civil discourse, it is crucial that individuals are well-informed about how to address uncivil behavior and the corresponding responses to such actions. Consequently:

- 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 or that administrator's immediate supervisor.
- A parent/guardian or community member who believes that he or she has not been treated in a manner reflective of the Respect and Civility policy should report such behavior to the staff member's immediate supervisor.
- If personal harm is threatened, a stakeholder may immediately remove themselves from the situation and contact law enforcement.

- An employee or agent of the district who believes that he or she has not been treated in a manner reflective of the Respect and Civility policy should use the guidelines set forth below.
- Anyone on Board property without authorization may be directed to leave the premises by an administrator, school safety guard, or school resource 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 must be directed to leave the premises by an administrator or school resource officer. If such a person does not immediately and willingly leave and if the school resource officer is not available, law enforcement shall be called. Visitors to school or district property may be trespassed and denied future access to the school or facility for the actions listed above.
- If a telephone call recorded by an answering machine, e-mail, voicemail message, or any type of written communication is demeaning, abusive, threatening, or obscene the employee is not obligated to respond.
- The employee shall save the message and contact his or her immediate supervisor, the school resource officer, and/or the District Chief of Safety and Security. If personal harm is threatened in the message, the employee may contact law enforcement.

If any member of the public uses obscenities or speaks in a demeaning, loud, or insulting manner, the employee or agent to whom the remarks are directed shall take the following actions:

- Calmly and politely, ask the speaker to communicate civilly.
- If the verbal abuse continues, give appropriate notice to the speaker and terminate the meeting, conference, or telephone conversation.
- If the meeting or conference is on school district premises, request that an administrator or authorized person direct the speaker to promptly leave the premises.
- 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.
- A member of the public who engages in behavior that is disrespectful, uncivil, or disruptive may be removed from a meeting, removed from a campus or facility, trespassed from a campus or facility, or be subject to other lawful repercussions, depending on the behavior involved.
- A student who engages in behavior that is disrespectful, uncivil, or disruptive may be disciplined in accordance with the Student Code of Conduct or be subject to other lawful repercussions, depending on the behavior involved.
- An employee or agent of the School Board who engages in behavior that is disrespectful, uncivil, or disruptive may be disciplined by the School Board in accordance with Board Policy, the Collective Bargaining Agreement, reported to Florida Department of Education's professional standards department, or be subject to other lawful repercussions, depending on the behavior involved.

The provisions set forth above are based on and are consistent with School Board Policy 8380 - Respect and Civility. Please review that policy for additional information.

## Student Rights and Responsibilities

Students shall have:

The right to be informed of all school rules and regulations, the consequences of breaking those rules and regulations, the responsibility to know and observe all school rules, and accept the consequences of acceptable and unacceptable behavior. Students and parents are expected to be familiar with the Student Code of Conduct.

- The right to due process as described in School Board Policy and this document, including an appeal procedure, and the responsibility to cooperate with school personnel in cases involving disciplinary action, following the prescribed process for appeal and accepting final decisions and consequences. ([School Board Policy 5611](#))
- The right to receive an appropriate education, which will include instruction using texts and materials at a level which allows an opportunity for success and the responsibility to participate in educational opportunities and complete classroom assignments and homework to the best of their abilities.
- The right to know in advance how grades in a class will be determined and the responsibility to understand the teacher's grading system and to monitor their own progress in each class.
- The right to hear, examine, and express divergent points of view; this shall include freedom of speech, written expression, and symbolic expression; and the responsibility to consider and respect the divergent points of view of others; they should also ensure their personal expressions (speech, written, or symbolic) are not damaging to or infringe on the rights of others and/or otherwise materially and substantially disrupt the learning environment.
- The right to decide whether or not to participate in symbolic (e.g., flag salute) or religious activities and the responsibility to respect the rights of others to participate in symbolic or religious activities.
- The right to nondiscrimination in regard to participation in extracurricular activities and clubs for which they are eligible; students may not be excluded from such activities on the basis of gender (except as allowed under Title IX), color, race, ethnic origin, disability, or religion, and the responsibility to abide by the rules and guidelines which govern extracurricular activities and clubs; they should show good school spirit and sportsmanship.
- The right to participate, to the extent eligible and otherwise qualified, in a student council process which provides channels of communications as a means for solving problems in a democratic process; and providing input into school rules and curriculum within the context of student government, and the responsibility to support and take an active interest in student government.
- The right to dress and groom in a way that expresses personal preferences within the guidelines of the school dress code and the responsibility to know and observe school rules of dress and appearance.
- The right to, consistent and in accordance with school board policy, compose and make available printed, audio, and/or video materials for reasons that are not commercial; this shall include freedom of the press for all student publications and the responsibility to ensure that all published materials made available to the school are free from obscene or offensive material in adherence to journalistic ethics and reflect school and community standards, as determined by the principal or designee.
- The right to enjoy reasonable degrees of personal privacy, in accordance with the school board search and seizure policy.
- The right to be free from bullying, hazing, name calling, or harassment. It is the responsibility of the student to avoid and discourage such behavior and to report said behavior to school staff when observed.

## Rules of Student Conduct

Each school is expected to create school-wide expectations for student behavior that reflect Pasco County Schools collective commitment to student resiliency to ensure a safe and productive learning environment for all students.

The following guidelines outline the district's policy for interventions and consequences when students do not exhibit the expected student behaviors.

- Disciplinary consequences must be proportionate to the severity of the infraction, appropriate to the age of the student, and take into consideration the student's disability, as applicable.
- School Administrators and staff must attempt and document a range of interventions and supports prior to using Exclusionary Discipline, as applicable.

- Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.
- School Administrators have discretion to not use Exclusionary Discipline, even when it is permitted by the district through application of the Student Code of Conduct.
- If after taking into consideration factors such as the age of the student and the student's disability status, and capacity to understand his or her behavior, the behaviors are determined to be prohibited or otherwise identified as inappropriate in accordance with the Student Code, then disciplinary consequences may be applied as outlined in the discipline matrix.

### **Infractions/Interventions/Consequences/Reporting Elements**

To support resiliency skills for all students, Pasco County utilizes Positive Behavior Intervention and Supports embedded within a Multi-Tiered System of Support (MTSS).

Pasco County Schools understands the behavioral challenges faced by some students with disabilities and takes into account such disabilities when implementing our PBIS, and when application of our Student Code of Conduct is otherwise required.

#### **Reporting Elements**

- (00) Corrective Action/Intervention applied; consequences deferred based on age/understanding/disability Student did not receive discipline because when taking into account developmentally age-appropriate behavior or the student's disability or the capacity to understand his or her behavior and the inappropriateness of his or her actions. This code should be used for either very young students or students with disabilities who otherwise meet these criteria.
- (99) Batch If a student receives multiple violations of the Student Code of the Conduct in a short period of time School Administrators may consider combining interventions or consequences into a single action response using 99 as the action code if appropriate.

#### **Grades and Disciplinary Action**

- Teachers shall not give or threaten to give grades lower than those the student actually earned.
- Academic dishonesty (cheating or plagiarism) will result in a lower grade on that particular assignment.
- Failure to properly complete assignments will naturally result in lower grades.
- Grades may not be lowered as a consequence and/or form of discipline.

Prior to implementing disciplinary consequences for Students with Disabilities at any level, School Administrators will review and consider the student's disability, interventions, and supports. These considerations and interventions must be documented.

Prior to referring a Student with a Disability to law enforcement, provided there is not a significant risk of serious harm to the health or safety of a person, determine whether the student has a BIP; whether school personnel is properly implementing the BIP; whether the BIP contains adequate services and supports for the problem behavior; and whether the student needs additional accommodations, services, supports, modifications, and/or aids. In exigent circumstances involving threats to health or safety, or for criminal matters, School Administrators and staff may conduct this review after the referral is made.

Any action taken in response to a violation of the student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications as to the application of the student code of conduct to avoid potential discrimination on the basis of

disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

Pasco County Schools utilize both Minor Infractions and Office Discipline Referrals for documenting inappropriate student behavior.

### **Minor Infractions**

Minor Infractions are utilized for less severe behaviors that can be managed by the classroom teacher or by school staff in common areas. The goal is to address these behaviors quickly and effectively within the setting in which they have occurred. Minor Infractions are for staff documentation and to support family and school communication. Minor infractions are not processed by School Administrators. Repeated minor infractions may, however, escalate into a higher-level infraction and result in an Office Discipline Referral processed by behavior staff or School Administrators.

Minor Infractions include behaviors related to:

- Attendance
- Classroom disruption
- Defiance
- Disrespect
- Dress code
- Lunch disruption
- Inappropriate display of affection
- Minor physical interaction (no harm)
- Off-task
- Out of assigned area
- Tardiness
- Wireless device use

### **Minor Infraction Responses**

Minor Infraction interventions may include but are not limited to:

- Behavior agreement
- Changed seat
- Student reflection
- Restorative strategy
- Skill reteaching
- Individual student conversation
- Weekly progress report

Minor Infraction consequences may include but are not limited to:

- Brief class removal
- After school detention
- Lunch detention
- Weekend detention
- Loss of incentive or privilege

### **Office Discipline Referrals**

Office Discipline Referrals are utilized for more severe or repeated behaviors that require administrative intervention. When a student receives an office discipline referral, it means the behavior is significant enough to warrant involvement from school administration or staff, who will determine appropriate leveled responses and interventions in accordance with policy and the discipline matrix.

### **Level 1 Infractions**

- (1B) Inappropriate public display of affection
- (1C) Tripping, pushing, hitting, or similar aggressive acts
- (1I) Unauthorized possession or use of toys, audio or wireless communication devices, collectibles, or other items or materials that are inappropriate for an educational setting
- (1K) Violation of dress and appearance code
- (1L) Unauthorized location
- (1M) Violation of traffic, parking, bus, bicycle, or personal mobility device regulations
- (1P) Failure to comply with classroom, school, or bus rules (minor disruption caused)
- (1Q) Disrespect toward student or staff

### **Level 1 Responses**

The first infraction, when appropriate, will result in (30) In-school conference with student, and (31) contact with parent/guardian.

Subsequent infractions when appropriate will result in (30) In-school conference with student, and (31) contact with parent/guardian, and one or more of the following disciplinary actions:

- (30) Conference with student
- (31) Conference with a parent
- (32) Assignment of reflective written work, work detail, and/or restitution (i.e.: property/damages)
- (33) Behavioral or student self-improvement agreement
- (34) Loss of privileges
- (35) Peer mediation
- (36) Daily or weekly report to parents
- (58) Referral to Guidance Counselor, School Nurse, School Psychologist, School Social Worker, Behavior Specialist, School-based Intervention Team (S-BIT), Community Agency/Services or similar resource (excluding Mobile Response Team)
- (60) Referral to Mobile Response Team
- (38) Detention (non-instructional time)
- (39) Bicycle privilege revoked
- (40) Parking privilege revoked
- (41) Referral to Dept. of Highway Safety and Motor Vehicles
- (42) In-school suspension (ISS). (The student will report to school at the stipulated time but will not be able to follow the regular schedule or to attend extracurricular activities.)
- (43) Bus suspension (The student will not access school transportation, for any reason, during the period of suspension. The student is required to attend school during the period of bus suspension.)
- (47) Recommendation for bus expulsion
- (49) Alternative to suspension (ATS) (includes TOOLS, Saturday School, etc..)

- (51) Threat assessment
- (52) Functional Behavioral Assessment/Behavioral Intervention Plan
- (53) Confiscation of items or devices

## **Level 2 Infractions**

- (2B) Disruptive behavior
- (2C) Skipping, leaving class without permission, or truancy (\* Student may not be suspended.)
- (2D) Physical Aggression (minor physical contact, pushing, shoving, slapping, or touching)
- (2E) Failure to comply or complete previously assigned intervention strategies (failure to report to /complete previously assigned consequence)
- (2F) Fighting (mutual physical altercation (Non-SESIR))
- (2G) Verbal altercation, instigating a fight, harassment (Non-SESIR), or unwanted teasing or taunting of others
- (2H) Defacing and/or destroying school or personal property resulting in damages of less than \$1,000
- (2I) Distribution of objects, literature, or materials that are obscene or inappropriate for an educational setting
- (2J) Leaving school grounds without permission
- (2M) Academic dishonesty, cheating, plagiarism, violation of copyright laws, or similar acts
- (2N) Misrepresentation, providing false information to school personnel, or lying about a school staff member
- (2O) Having a toy/imitation weapon
- (2Q) Violation of campus or bus safety rules (considerable disruption caused)
- (2R) Defying, disobeying, or disrespecting school personnel
- (2S) Having and/or using unauthorized items to include, but not limited to: matches/lighters, fireworks, smoke/stink bombs, laser pens, and/or similar contraband items
- (2S) Violation of Over-The-Counter medication (OTC) policy, to include but not be limited to: distributing, dispersing, or sharing of OTC, carrying or possessing OTC in a package other than the original manufacturer's packaging, or ingesting or utilizing OTC in a way that is not specifically directed or authorized by the manufacturer, as directed on the original packaging
- (2T) Theft or accessory to theft of property worth less than \$750.00
- (2U) Profane, obscene, or provocative language or gestures
- (2V) Gang related disruption; may include materials, dress or hand signs
- (2W) Improper use of technology, violation of Wireless Communication (WCD) Policy
- (2X) Gambling

## **Level 2 Responses**

Each infraction, when appropriate, will result in (30) In-school conference with student, and (31) contact with parent/guardian, zero on assignment (for cheating or academic dishonesty), and one or more of the following disciplinary actions:

- (32) Assignment of reflective written work, work detail, and/or restitution (i.e.: property/damages)
- (33) Behavioral or student self-improvement agreement
- (34) Loss of privileges
- (35) Peer mediation
- (36) Daily or weekly report to parents
- (38) Detention (non-instructional time)
- (39) Bicycle privilege revoked

- (40) Parking privilege revoked
- (41) Referral to Dept. of Highway Safety and Motor Vehicles
- (42) In-school suspension (ISS). (The student will report to school at the stipulated time but will not be able to follow the regular schedule or to attend extracurricular activities.)
- (43) Bus suspension (The student will not access school transportation, for any reason, during the period of suspension. The student is required to attend school during the period of bus suspension.)
- (44) Out-of-school suspension (OSS) (The student will not be permitted on any school board property during the period of suspension)
- (46) Referral to law enforcement agency (Investigation or arrest)
- (47) Recommendation for bus expulsion
- (48) Recommendation for expulsion
- (49) Alternative to suspension (ATS) (includes TOOLS, Saturday School, etc..)
- (51) Threat assessment
- (52) Functional Behavioral Assessment/Behavioral Intervention Plan
- (53) Confiscation of items or devices
- (57) Recommendation for alternative placement
- (58) Referral to Guidance Counselor, School Nurse, School Psychologist, School Social Worker, Behavior Specialist, School-based Intervention Team (S-BIT), Community Agency/Services or similar resource (excluding Mobile Response Team)
- (60) Referral to Mobile Response Team
- (61) Reintegration meeting

### **Level 3 Infractions (Must match corresponding SESIR code)**

- (3D, FIT) Mutual altercation that requires physical intervention or results in injury requiring medical attention
- (3E, PHA) Simple battery – intentionally causing bodily harm
- (3E, BAT) Aggravated battery intentionally causing great bodily harm
- (3F, ALC, DRU, DRD) Using, possessing, selling, purchasing, or distributing alcohol, controlled substances, drugs, drug related items, or substance represented to be a drug
- (3G, WPO) Weapons possession
- (3H, STL) Theft or accessory to theft of property without threat or violence, \$750.00 or more
- (3I, SXH) Sexual harassment
- (3K, DOC) Major disruption on campus; taking part in a riot
- (3L, ARS) Arson
- (3M, DOC) Bomb threats, false fire alarms, hoaxes, or threatening the use of a firearm
- (3N, ROB) Extortion or robbery including force, threat of violence or putting the victim in fear
- (3O, TRE, SXA) Intimidating school staff or students or threatening them with violence, or sexual assault
- (3P, BUL, HAR, HAZ) Bullying, harassment, or hazing of staff or students
- (3R, OMC, HOM, KID, SXB, BKR, TRS) Violations of other criminal laws
- (3S) Habitual or serious breach of bus rules
- (3T, TBC) Possession, use, distribution, purchase, sale of tobacco, tobacco products, or look-alikes
- (3T, VAP) Possession, use, distribution, purchase, sale of vape device, vape product, or look-alikes (non-Tobacco, non-Nicotine, non-drug)
- (3U, VAN) Willfully defacing and/or destroying school or personal property resulting in damage of \$1,000 or more

- (3V, SXO) Sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Must involve law enforcement
- (3W) Dangerous objects: razor blades, box cutters, common pocket knives, air soft guns, live ammunition/bullets, imitation/look-alike weapons, and any other object capable of causing significant bodily injury when utilized as a weapon, along with similar items
- (3X) Refusing, preventing, or otherwise attempting to prevent search of their person, possessions, vehicle or similar search requests
- (3Y) Possessing look-alike drugs

### Level 3 Reponeses

Each infraction when appropriate will result in (30) In-school conference with student, and (31) contact with parent/guardian, and one or more of the following disciplinary actions:

- (30) Conference with student
- (31) Conference with a parent
- (32) Assignment of reflective written work, work detail, and/or restitution (i.e.: property/damages)
- (33) Behavioral or student self-improvement agreement
- (34) Loss of privileges
- (35) Peer mediation
- (36) Daily or weekly report to parents
- (38) Detention (non-instructional time)
- (39) Bicycle privilege revoked
- (40) Parking privilege revoked
- (41) Referral to Dept. of Highway Safety and Motor Vehicles
- (42) In-school suspension (ISS). (The student will report to school at the stipulated time but will not be able to follow the regular schedule or to attend extracurricular activities.)
- (43) Bus suspension (The student will not access school transportation for any reason, during the period of suspension. The student is required to attend school during the period of bus suspension.)
- (44) Out-of-school suspension (OSS) (The student will not be permitted on any school board property during the period of suspension.)
- (46) Referral to law enforcement agency (investigation or arrest)\*
- (47) Recommendation for bus expulsion
- (48) Recommendation for expulsion
- (49) Alternative to suspension (ATS) (includes TOOLS, Saturday School, etc..)
- (50) Change of placement (ESE only, 45-day rule)
- (51) Threat assessment
- (52) Functional Behavioral Assessment/Behavioral Intervention Plan
- (53) Confiscation of items or devices
- (57) Recommendation for alternative placement
- (58) Referral to Guidance Counselor, School Nurse, School Psychologist, School Social Worker, Behavior Specialist, School-based Intervention Team (S-BIT), Community Agency/Services or similar resource (excluding the Mobile Response Team)
- (60) Referral to Mobile Response Team
- (61) reintegration Meeting

\*Prior to referring a Student with a Disability to law enforcement, provided there is not a significant risk of serious harm to the health or safety of a person, determine whether the student has a BIP; whether school personnel is properly implementing the BIP; whether the BIP contains adequate services and supports for the problem behavior; and whether the student needs additional accommodations, services, supports, modifications, and/or aids. In exigent circumstances involving threats to health or safety, or for criminal matters, School Administrators and staff may conduct this review after the referral is made.

## Extracurricular, Co-curricular Activities and Student Organizations

Extracurricular activities should be scheduled to maximize student access while minimizing conflict with instructional time.

### Student Being Arrested and Charged (Involved in Extracurricular Activities)

If a student is found to have been arrested on or off campus and/or charged with a felony or delinquent act that would be a felony if that student were an adult, even if adjudication is withheld, then the student will be suspended from, and deemed ineligible to participate in extracurricular activities. The student shall be suspended/deemed ineligible to participate in extracurricular activities, including athletics, for no less than ninety (90) school days from the date the school becomes aware of said violation. After the days of suspension from participation are completed, the principal or designee will review the suspension and make a decision concerning the eligibility of the student to resume participation in extracurricular activities. The results of this decision may not be appealed. The suspension may be lifted should the charges be dropped or a 'not guilty' be entered into the court records. ([F.S. 1006.15](#))

Note: Participation in extracurricular activities and athletics is a privilege, not a right, and may be revoked by the principal for violations of the Student Code of Conduct including but not limited to actions that result in in-school-suspension, out-of-school suspension, and/or a recommendation for expulsion or disciplinary reassignment. Suspension or dismissal from extracurricular activities may be utilized as a disciplinary consequence in addition to or in lieu of other disciplinary actions.

Note: A student's grade should not be lowered if they are excluded from extracurricular or co-curricular activities due to disciplinary reasons.

## Student Eligibility – Interscholastic Activities

House Bill 7029 mandates that each school district establishes and publishes eligibility standards for extracurricular activities in its Student Code of Conduct. Per [F.S. 1006.195](#), the following applies to all students participating in an interscholastic program sponsored by the district. The district has established, through its Student Code of Conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and interscholastic extracurricular activities.

In compliance with HB 7029, the district has established the following:

- A student not currently suspended from interscholastic or interscholastic extracurricular activities, or suspended or expelled from school, pursuant to a district schools board's suspension or expulsion powers provided by law,

including [1006.07](#), [1006.08](#) and [1006.09](#) is eligible to participate in interscholastic and interscholastic extracurricular activities.

- A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in [1006.15](#).
- A student's eligibility to participate in any interscholastic or interscholastic extracurricular activity may not be affected by any alleged recruiting violation until the final disposition of the allegation pursuant to [1006.20](#).

The following includes a list of FHSAA district athletics eligibility criteria, including but not limited to:

- 2.0 GPA required for academic eligibility. A middle/junior high student must have a 2.0 GPA, or the equivalent of a 2.0 GPA based on a 4.0 scale, at the conclusion of each semester. A high school student must have a cumulative 2.0 GPA on a 4.0 unweighted scale, or its equivalent, at the conclusion of each semester to be academically eligible during the next semester [1006.15](#).
- Athlete cannot turn nineteen (19) before July 1st of the current year.
- The eligibility limit for High School students is eight (8) consecutive semesters.
- Students are not eligible during a retention year during Middle School.
- Any other district or FHSAA policy that would remove or prevent a student from participating.

Good Cause Participation:

- A student who transfers schools and wishes to continue participating in the same sport at the new school may seek good cause authorization.
- The following includes a list of examples, such as, but not limited to, which may be considered for "good cause authority"
  - A move to a new residence that makes it necessary to attend a different school
  - Reassignment by school board or charter school board
  - Transfer of school within the first twenty (20) days (i.e., acceptance into a previously applied for magnet program or career academy)

## Declaration of Intent to Terminate School Enrollment

A student who is sixteen (16) or seventeen (17) years of age who is choosing to withdraw from school must sign a "Declaration of Intent to Terminate School Enrollment" form. Students may obtain the form by speaking with a school counselor or a member of the school administrative team. This form requires a parent signature and consent unless the student is legally classified as independent.

## Attendance

Florida Law ([F.S.1003.21](#)) states that all children who are either six years of age, who will be six years old by February 1 of any school year, or who are older than six years of age but who have not attained the age of 16 years, must attend school regularly during the entire school term. A student who attains the age of 16 years during the school year is not subject to compulsory attendance beyond the date of which the student attains that age if he/she files a formal Declaration of Intent to Terminate School Enrollment with the school district.

It is the belief of the District School Board of Pasco County that academic success requires continuity of instruction and active classroom participation. Attendance shall be required of all students enrolled in school during the days and hours

that the school is in session. Absences, regardless of the reason or status (excused or unexcused), are missed opportunities for academic instruction. School attendance shall be the responsibility of parents and students.

**School Attendance:** Students are to be counted in attendance only if they are actually present or engaged in a school-approved educational activity, which constitutes a part of the instructional program for the student.

**Class Attendance:** Students are to be counted in attendance if they are physically present in class, have been excused by the teacher for a class-related assignment, or have been requested by a member of the school support staff for an approved school activity.

Florida Law (Section 1003.26(1)(b), Florida Statutes) provides that if a student has at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the school must take action. The school may require documented medical and legal excuses for a pattern of non-attendance.

- Attendance shall be counted period by period (Secondary only).
- A student, whose parent or legal guardian is an active-duty member of the armed forces and has been called to duty, is on leave from, or has immediately returned from deployment, shall be granted additional excused absences, at the discretion of the school district's superintendent or designee, to spend time with said student's parent/guardian, relative to such leave or deployment.
- After three (3) unexcused absences the school shall contact the home (or workplace) of the parent/guardian to determine the reason for the absence.

#### Attendance Procedures

All elementary, middle, and high school students who are absent will be marked "unexcused" (U) until the parent/guardian notifies the school in writing and justifies the absence with one of the acceptable reasons as defined below:

- Failure to do so within three (3) school days will cause the absence to be recorded as "unexcused"
- In the case of excessive or extended absences, which are claimed to be due to illness, upon request of the principal or designee, a parent must provide documentation (doctor's statement) of a student's illness.
- Excessive or extended absences are considered five (5) in one calendar month or ten (10) in one semester, or a history of excessive absences per period as defined below under Student Consequences for Unexcused Absences. Absences that meet this threshold as defined above will require a doctor's note. If doctor's notes are not provided, absences will be marked as unexcused.

#### Reasons for acceptable (excused) absences include but are not limited to:

- Illness of student.
- Major illness in the immediate family of the student (immediate family is determined as parents, brothers, sisters, grandparents, aunts, uncles, legal guardians or persons "in loco parentis," or a member of one's own household).
- Death in the immediate family of the student.
- Religious holiday of the student's faith (including Yom Kippur, Rosh Hashanah, Epiphany, etc.).
- Religious instruction (including Bar/Bat Mitzvah, Confirmation, etc.).
- Religious institutes, conferences, workshops, provided that the principal or designee approves the absence in advance.
- Absences for trips or other parental requests.

- Requests must be approved in writing by the principal or designee, at least one (1) week in advance.
- In-school or out-of-school suspension.
- Subpoena or forced absence by any law enforcement agency, a copy of the subpoena or court summons must be submitted to the school.
- For purposes of attendance, school-related activities would not be counted as absences from school.
- Issues and occasions specific to military families.

### Tardiness and Early Checkout

Students need to arrive on time and stay through dismissal so they will receive important directions, class instruction, and avoid disrupting other students. Parents can set a good example by encouraging students to follow the school's time schedule and to follow the procedures found in the school handbook for late arrivals and early checkout. All parents must report to the front office when picking up their child prior to the regular dismissal time.

### Attendance and Engagement Expectations

Classroom participation and attendance are valuable parts of the learning experience. Students are expected to be present and actively engaged in classroom discussions and activities. Assignments completed off campus cannot replace the meaningful learning that occurs within a teacher's classroom.

Based on these precepts, the District School Board of Pasco County, so long as consistent with the law, School Board Policy, and the guidelines set forth herein, supports teacher discretion with regards to grading and credit provided for make-up and late work.

To the extent consistent with law, School Board Policy, and the provisions herein, teachers have the discretion to create and implement classroom rules, which may include grading and credit procedures for late and make-up work. Such classroom rules must be provided to students on a written syllabus, must be approved by the school's principal, and must comply with any procedural guidelines created by the Superintendent.

The Superintendent is authorized to create procedural guidelines regarding the content of classroom rules and syllabi.

### Make-up Work Due to Absences

Consistent daily attendance is critical to student success as attendance directly impacts academic performance. Furthermore, daily attendance and presence promotes qualities that will be required of our students in their professional career. That being said, the School Board and district professionals recognize that students may be unavoidably absent from school which may result in the need to complete make-up assignments or assessments as a result of the absence.

For all projects and assignments that were issued during the student's absence, it is ultimately the student's responsibility, or the parents' responsibility when developmentally appropriate, to request and complete make-up work within the required timeline determined by the teacher. Students, parents and teachers are to collaborate to ensure all make-up assignments or assessments are completed in a timely fashion.

Students may make up any and all assignments, tests assessments, or related work assigned on the day(s) of any excused or unexcused absence at full credit provided that the student makes arrangements with teachers within three (3) days of the student's return to school to complete and turn in such assessments or make-up work at a time determined by the teacher. Assignments that were due on the day(s) of absence, but which were assigned while the student was present are due upon the student's return unless the teacher finds that illness or other circumstances prevented completion of the assignment and that added time for completion is fair and appropriate under the circumstances. Assessments should be

taken on the date of return unless the teacher finds that added time to complete the assessment would be fair and appropriate due to illness or other circumstances during the absence. Teachers may use their discretion based on the circumstances.

Students may be given additional time based on teacher discretion or as stipulated on their IEP/504/ELL Plan.

### Late Work

Timely completion of assignments and assessments plays an important role in evaluating mastery of standards and the determination of the need for academic interventions and supports. Furthermore, timely completion of work is an essential skill required as we prepare our students for work readiness. While the Pasco County School District understands that students and families may occasionally face challenges that create obstacles in meeting deadlines, it is the expectation that students and families communicate with teachers to overcome these challenges. Specific information regarding the ability to complete late work and the grade and credit provided for late work is outlined in classroom expectations, rules, and class syllabi upon classroom enrollment. While late work may be accepted in special circumstances in accordance with classroom rules and class syllabi, teachers are not expected to accept assignments after a unit has been completed. Parents and students should refer to each course syllabus for specific late work guidelines.

### School Level Appeals Regarding Make-Up and Late Work

Parents/guardians and students age eighteen (18) or older have the right to appeal any teacher decision regarding make-up or late work that they feel is not in alignment with the syllabus, Board Policy, or the Student Code of Conduct. Such appeal requests must be addressed to the school principal, initiated verbally, and followed up in writing or email within three (3) days of the disputed make-up or late work decision by the teacher. If the appeal is not initiated within three (3) days of the teacher's decision, the teacher's decision will be implemented and there will be no further right of appeal. School principals will review all grievances and hear all appeals regarding the implementation of teacher syllabi and teacher decisions regarding make-up and late work. The principal may uphold or modify a teacher's decision so long as any outcome is in accordance with law, School Board Policy, and the Student Code of Conduct. The principal's decision will be final on all such matters.

### Referrals for Intervention and Support

If the initial parent/guardian meeting/contact does not resolve the problem and the person responsible for all non-attendance determines that an early pattern of non-attendance is developing, interventions that best address the problem will be developed.

The interventions may include but need not to be limited to:

- Attendance agreements
- Referral to the school-based intervention team

If the attendance agreements and the referral to the school-based intervention team are not successful, then a referral to the school social worker is initiated.

Once referred to the school social worker, a student and/or parent may be referred to the Office of the State Attorney's Truancy Intervention Program (TIP) or to Children in Need of Services/Families in Need of Services (CINS/FINS).

### Truancy Prosecution

The Truancy Intervention Program (TIP) may prosecute through the State Attorney's Office (SAO) via the school attendance statute. A truancy referral through Youth and Family Alternatives (YFA) may also lead to prosecution via the CINS/FINS statute. ([F.S. 1003.21](#), [F.S. 984.03](#))

### Driver License Penalty

Students between 14 and 18, who accumulate fifteen (15) unexcused absences or absences for which the reasons are unknown, in a period of ninety (90) calendar days may face suspension of their driver's license, or their application for licensure denied.

See section on Driver License Law for additional details. ([F.S. 322.091](#))

### Public Assistance Penalty

Truancy may impact public assistance the family receives through the Learnfare Program.

The Department of Children and Families (DCF) may limit temporary cash assistance for an eligible parent's dependent child or for an eligible teenage participant who has accumulated Fifteen (15) unexcused absences within ninety (90) calendar days with or without the knowledge or consent of the student's parent or legal guardian. Students not exempt from school attendance requirement and listed as a dropout may be referred to Learnfare.

Reinstatement of cash assistance shall occur after a student has demonstrated thirty (30) days of attendance compliance or met other reinstatement criteria outlined or described in ([F.S. 414.1251.](#))

### Intervention Systems

It is the expectation that schools will design and implement an attendance incentive program where students may earn additional rewards and privileges. School administrators may elect to exclude the following consequences for unexcused absences from their attendance plan.

### Student Consequences for Unexcused Absences

At the secondary level, attendance is marked per period. If a student has at least five (5) unexcused absences, or absences for which the reasons are unknown, in any one course within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, in any one course within a semester, the student may lose privileges as described below.

At the elementary level, attendance is marked per day. Students who accumulate excessive absences, which is defined as five (5) unexcused absences, or absences for which the reasons are unknown, in any one calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown, in any semester, tardies or early dismissals may lose privileges as described below.

### Loss of Privileges Due to Unexcused Absences

- May be excluded from attendance reward activities as defined at the school level.
- Lose the privilege of participating in extracurricular activities. They include but are not limited to dances, special events, club activities, and athletics, until the end of the following grading quarter.
- Lose the privilege to drive to campus until the end of the following grading quarter.

- Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year.

The principal or designee may review extenuating circumstances resulting in a loss of privilege(s). The principal's decision is final. Principal review is only intended to reinstate privileges that have been lost as described above. It is not intended to impose harsher discipline than what is outlined herein and in another district policy.

## Athletics and Extracurricular Activities

Students must be present for the majority of the school day to participate in extracurricular activities unless otherwise approved by school administration. These include but are not limited to dances, special events, club activities and athletics.

### Early Warning System: On-Track/Off-Track Systems

The Early Warning System was designed to identify students who are at-risk for not graduating and need additional supports and interventions. Best practice would indicate that any On-Track/Off-Track system be utilized for this purpose as well as a motivational tool where students can earn additional privileges as opposed to a punitive and consequence-based system.

Any loss of privileges for attendance relating to On-Track/Off-Track status must also match the Loss of Privileges policy as stated in the Attendance section above.

Parents may appeal loss of privileges relating to the On-Track/Off-Track System by contacting the school principal. The appeal may be initiated verbally but must be followed up in writing or email.

### Appeal Process

Any school implementing an "on-track" or similar program must include an appeal process. During the appeal process, in the event, the student is a student with a disability under Section 504 or the IDEA or suspected of having a disability (i.e., open evaluation or parent request for an evaluation, when assessing whether a student is to be afforded an exemption under the program, so as to allow the student to engage or participate in the requested extracurricular activity or activities or privileges, the administrator (or other person hearing the appeal) shall include the following:

- Take into consideration that a student with a disability, depending on their circumstances, may not be able to make progress at the same rate as a student without a disability
- Contact school-based members of the student's 504 or IEP team(s) to obtain information as to whether the student has made appropriate and sufficient progress, in light of the student's disabilities and needs. (For the purposes of this section, a 504 or IEP team meeting does not need to be conducted, but instead, the administrator may speak with several school-based members of the team on an individual basis to obtain information)
- Take into consideration whether or not the student's off-track status, or lack of sufficient progress under the program, is related to the student's disability. In doing so, you must also ensure there is evidence that the components of the IEP (i.e. FBA/BIP, accommodations) have been implemented with fidelity
- If the student's off-track status, or lack of sufficient progress under the program, is related to or as a (direct result) of the student's disability (or a product of failing to implement the plan with fidelity), and if the student has made appropriate and sufficient progress, in light of the student's disabilities and needs, then the student should have the opportunity to engage in the relevant activity or privilege (with the exception being that a student must meet graduation requirements to engage in any graduation-related ceremonies)

A “student with a disability” refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act (“IDEA”), the Americans with Disabilities Act (“ADA”), or Section 504 of the Rehabilitation Act of 1973 (“Section 504”).

School administrators may consider any of the following when determining Attendance/On-Track incentives:

Reserved premium parking spots, AM/PM school announcer, spirit gear (lanyards, shirts, hoodies, mini locker mirrors, keychains, drawstring bags, magnetic locker items), event passes, reward store gift cards, snacks, school supplies, miscellaneous donated items (coupons, gift cards, etc.), and lunch game video rental. A student designed lounge where students can earn/purchase a pass with reward points. This area could be open before school and for lunch breaks and would be supervised by volunteer staff. The lounge could feature air hockey, table tennis, cornhole, Xbox, Jumbo Jenga, Legos, refreshments, board games, bean bag seating, etc.

### **Tardy Hall/Detention (Secondary Only)**

Principals or designees shall have the authority to establish tardy halls where students serve immediate detention for unexcused class tardies. Principals or designees may also assign other interventions and/or consequences for tardies consistent with what is detailed herein and on the discipline matrix.

## **Skiping/Leaving Class Without Permission**

Per Pasco County Schools Attendance Policy: It is the belief of the District School Board of Pasco County that academic success requires continuity of instruction and active classroom participation. Attendance shall be required of all students enrolled in school during the days and hours that the school is in session.

It is the expectation that students are present in classrooms during scheduled class periods under the supervision of staff in order to maximize learning and to maintain a safe environment. Students may only leave class with staff permission and must follow school protocols for passes and transitions. Students must be in designated areas for scheduled lunch breaks or school sponsored activities.

Approved reasons to leave the classroom

- With permission from the classroom teacher or administration
- When utilizing systems put in place for specialized plans
- Attending school sponsored activities
- Transition time-by bell or announcement
- When requested by front office or non-instructional staff
- Emergency – as practiced in Active Threat or Crisis Drills

Violations may result in the following interventions and disciplinary consequences that are proportionate with the severity of the infraction, while taking the age of the student, the student’s disability status, and the student’s capacity to understand his or her behavior into consideration.

First Infraction

- Behavior referral
- Student conference
- Reteaching school expectations and protocols
- Notice of the consequences for a second infraction
- Parent notification by phone

### Second Infraction

- Behavior referral
- Parent/teacher/student conference
- Reteaching school expectations and protocols
- Notice of the consequences for a third infraction
- Student reflection sheet or skipping module
- Loss of privilege – classroom pass restriction
- Detention – lunch or afterschool (non-instructional time)

### Third Infraction

- Behavior referral
- Parent/student meeting with administrator or designee
- Reteaching school expectations and protocols
- Referral to School Intervention team
- Behavior agreement
- Loss of privilege – classroom pass restriction, escorted passing
- Detention – lunch, afterschool, Saturday (non-instructional time)

\*Continued infractions may result in additional referrals for (2E) failure to comply or complete previously assigned intervention.

## Driver License Law (Secondary Only)

F.S.[322.091](#), provides that minors (ages 14-18) satisfy school attendance requirements in order to apply for or maintain their driving privileges. In accordance with [F.S. 1003.27](#), the principal or designee will notify the district office of those students who accumulate fifteen (15) unexcused absences or absences, for which the reasons are unknown, in a period of ninety (90) calendar days. The school superintendent or designee is then required to submit to the Department of Highway Safety and Motor Vehicles (DHSMV) the names of the students along with their date of birth, sex, and Social Security Number. For the purpose of maintaining the right to drive, days of suspension from school will not be forwarded to the DHSMV as unexcused.

If a student's name is sent to the DHSMV for lack of attendance, then the student is in danger of having the current privilege to drive suspended, or for students who are under age sixteen (16), having their application for licensure denied. Hardship waiver hearings will be available in cases where the driver has been notified by DHSMV that the license will be suspended. Following a license suspension by DHSMV, the driving privilege may be reinstated if the student submits written verification to DHSMV that the student has completed thirty (30) days of attendance in school without an unexcused absence.

## Student Parking Policy (Secondary Only)

Parking in a school lot is a privilege. All vehicles must be registered to park in a school parking lot. Proof of insurance must be presented at the time of registration, and the registration is non-transferable. Vehicles that are not registered, that are inappropriately or illegally parked, or parked so as to cause a safety hazard, may be warned, booted, or towed at the owner's expense.

Students who drive inappropriately or dangerously or are found to be truant or have excessive absences (see attendance policy) are subject to having their parking privileges suspended or revoked.

There will be no refunds for loss of hang tags/parking privileges. If a student regains his or her driving/parking privilege, it is subject to space availability.

A vehicle, upon reasonable suspicion, may be searched for weapons, drugs, other illegal items, or items prohibited by school board policy, (e.g., alcohol, stolen property, or other contraband.) If any of these are found in the car, appropriate disciplinary and/or legal action will be taken, and the parking permit will be revoked.

In addition, each school may specify additional conditions for parking on school grounds at the time of vehicle registration.

When parking or otherwise utilizing a car on school grounds, the student shall be responsible for the control of the vehicle, and the contents contained therein. It is the duty of the student to ensure that no illegal items, weapons or other items prohibited by the School Board Policy, are placed, stored or otherwise contained in such vehicle. Students shall be subject to discipline and legal action when illegal items, weapons or other items prohibited by School Board Policy are contained in the vehicle being utilized or parked on school grounds by the student.

## Bicycle, Scooters, Skateboards, Mobility Devices, (Manual and Powered)

The Board regulates the utilization of bicycles, scooters, skateboards, and other personal mobility devices, whether powered manually by an operator or powered by a mechanical means (including but not limited to gas engines or electric motors) while on Board property. For purposes of School Board Policy 5514 and the Student Code of Conduct, such items are collectively referred to as personal mobility devices.

Students shall be subject to discipline for failure to comply with Policy 5514 or the provisions herein, with regards to the ownership and use of a personal mobility device.

### Rules and Requirements:

- Operating or bringing a personal mobility device on Board property is a privilege and not a right.
- Upon entering a school property, the operator of a powered personal mobility device will dismount the device and walk the device to the appropriate storage area and will continue to walk the device until they have exited the school property. In accordance with School Board Policy, school Principals may, under limited circumstances, permit the safe operation of powered personal mobility devices on school property.
- Under no circumstances are gas-powered personal mobility devices to be operated on Board property by students or minors. (However, neither School Board Policy nor the Student Code of Conduct prevent the lawful operation of motorcycles by licensed operators on Board property.)
- The operator of a personal mobility device must observe all safety rules, display courtesy and consideration toward others, and must abide by all regulations in this Student Code of Conduct, School Board Policy 5514, as well as all laws and ordinances regarding the operation of the relevant personal mobility device.
- All manufacturer limitations regarding personal mobility device occupant capacity must be followed. Under no circumstances may a skateboard or stand-on scooter have more than one person on board.
- A personal mobility device may not be operated in a negligent, reckless, or other improper manner that creates a risk of harm to the operator or others, or in a fashion that otherwise fails to comply with safety rules, laws, or ordinances.
- Students under the age of sixteen (16) are required by State law to wear a helmet.

#### Disciplinary Outcomes:

- Failure to comply with these rules will result in discipline in accordance with School Board Policy and the discipline matrix contained within the Student Code of Conduct.

#### Appeal Rights:

- The decision of an administrator to temporarily or permanently revoke personal mobility device privileges is subject to a school-level appeal, as set forth in the Student Code of Conduct.
- Other formal disciplinary action will be appealable as provided in the Student Code of Conduct for the specified discipline assigned.

#### Disabilities:

- This policy does not prevent the safe and reasonable utilization and operation of electric powered personal mobility devices when needed due to a disability or handicap.

## Judicial “No Contact” Orders

The Department of Juvenile Justice will report to the school district all court orders in which a Pasco County student is mandated by the Department of Juvenile Justice to have “no contact” with his or her victim or victim’s family members.

Upon notification by the DJJ Transition Coordinator, the principal or designee of the school where the offender attends will determine if measures can be taken within the existing school of attendance to ensure that the “no contact” order can be followed. If the principal or designee feels the order cannot be accommodated at the school, consultation with Student Support Programs and Services will determine how the “no contact” order will be enforced.

A “no contact” order may be issued by a circuit judge at or before the time of adjudication, withholding of adjudication, or plea of guilty or nolo contendere for the following infractions: homicide, assault, battery, culpable negligence, kidnapping, false imprisonment, luring or enticing a child, custody infractions, sexual battery, lewdness and indecent exposure, abuse of children, robbery, robbery of sudden snatching, carjacking, or home-invasion/robbery. ([F.S. 1006.13](#))

## Student Felony Reports

F.S. 1006.08(2) requires law enforcement agencies and courts to notify schools when a student is accused or convicted of felony-level crimes. The principal or designee must share the information with school staff that work with the student. The informed staff must maintain appropriate levels of confidentiality. The information regarding the felony report is not kept in the student’s cumulative record.

## Student Placement Review Committee

[F.S. 1003.32](#) gives teachers the authority to remove a student from a class for the remainder of the school year under any of the following circumstances:

- Who has been documented by the teacher to repeatedly interfere with the teacher’s ability to communicate effectively with the students in the class or with the ability of the student’s classmates to learn

- Whose behavior the teacher determines is so disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn
- Who has threatened personal harm or property damage against the teacher or teacher's family

Within five (5) days of the teacher's removal of the student, the principal or designee will either return the student to the teacher's class with the teacher's agreement or will determine a more appropriate placement of the student. If the teacher and principal or designee cannot agree on a decision, a Placement Review Committee will determine the appropriate class for the student. The placement review committee may return the student to the original class if they determine that such placement is the best or only alternative. The teacher may appeal the committee's decision to the Superintendent.

Program eligibility requirements, school board policies, and state and federal laws limit placement options. In no instance shall a student's rights under federal and Florida law, including laws protecting Students with Disabilities from discrimination, be compromised.

## Use of Reasonable Force

The safety and welfare of the students is of utmost importance. It is sometimes necessary to use a range of conduct management efforts to control student behavior. These efforts include the use of reasonable force. Florida Statutes [1006.11](#) and [1012.75](#) allow such force to be used by school personnel in maintaining a safe and secure learning environment. While use of reasonable physical force may be needed, that force may not be excessive, cruel or unusual in nature, and alternatives to the use of such force should be attempted, time permitting. Any use of reasonable physical force must cease upon the restoration of a safe and orderly environment.

Use of reasonable force is permitted to protect students from:

- Conditions harmful to learning
- Conditions harmful to students' mental health
- Conditions harmful to students' physical health
- Conditions harmful to safety
- Harmful and/or injury to self, school personnel and others

## Physical Aggression, Self-Defense, and the Defense of Others

Physical aggression is prohibited on all Board property, school transportation, and/or at school activities.

Florida Department of Education, Office of Safe Schools Physical Aggression Definitions:

- Physical Aggression is defined as minor physical contact between two or more students such as pushing, shoving, or slapping, touching, and stops prior to escalating into a mutual physical fight.
- Fighting is defined as two or more people mutually participating in the use of force or physical violence.
- A physical attack or simple battery is defined as an intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.

To the extent that a victim/protector has a reasonable means to avoid the danger posed by the attacker by escaping or otherwise leaving the area, and such retreat or withdrawal was capable of being performed without a threat of harm to the victim/protector, then the victim/protector has a duty to do so.

A victim or a person protecting a victim (hereinafter, collectively, “victim/protector”) are justified in using or threatening reasonable force against an attacker when and to the extent the victim/protector reasonably believes that such conduct is necessary to defend the victim against the attacker’s wrongful use of force.

To the extent that a reasonable means of escape or withdrawal does not exist, or that an attempt to do so could subject the victim/protector to potential harm, then the victim/protector may use reasonable force to defend himself.

A victim/protector’s right to utilize reasonable force to defend themselves ends when the attacker no longer poses a serious threat to the victim/protector or has otherwise withdrawn their attack as evidenced by verbal communication and a discontinuance of physical aggression.

When a student rightfully engages in self-defense, as set forth above, they are not subject to discipline.

In a disciplinary action against a protector (as identified above), there is a rebuttable presumption that the actions of the protector, using only the reasonable amount of force necessary to stop a violent act against a victim were necessary to restore or maintain the safety of others. ([F.S. 1006.13\(2\)\(d\)](#)).

## Search and Seizure (Board Policy 5771)

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property, including vehicles of a student, with or without the student’s consent, whenever they reasonably suspect that a violation of law or school rules has occurred or is occurring. The extent of the search will be governed by the seriousness of the alleged infraction and the student’s age. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Administrators are permitted to conduct a search of any student’s locker and its content at any time, providing there is a reasonable suspicion the contents of the locker are illegal, possessed illegally, or otherwise violate the Student Code of Conduct. Proper notice is to be posted in the locker areas of each building, readily seen by students, notifying students that their lockers or storage areas are subject to search upon a reasonable suspicion, as set forth herein. See below for rules regarding canine search.

Search of a student’s person shall be conducted by a person of the student’s biological sex, whenever possible. Searches conducted by a person of the opposite sex will only be conducted under emergency circumstances and when a person of the same sex is not available. In such instances, another person will witness the search.

The School Board also authorizes the use of mechanical detection devices and specially trained law enforcement canines, trained in detecting the presence of drugs or devices to conduct random or administrative searches for contraband in classrooms, student lockers, other common areas of school buildings, and vehicles parked on school grounds. Searches will be conducted in conjunction with law enforcement and a school administrator shall accompany the handler and canine during all searches conducted on school property. This means of detection shall be used only to determine presence of drugs or other contraband in locker areas and other places on school property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to

the search. If a dog indicates that contraband is present on school property, school administrators may conduct a further search.

Administrators are authorized to arrange for the use of a breath-test instrument for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level since the Board has established a zero tolerance for alcohol use.

Whenever possible, a request for the search of a student or a student's possessions will be directed to an administrator who shall seek the freely offered consent of the student to the inspection, and the search will be conducted by an administrator in the presence of the student and an additional staff member. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect people and property.

Any search of a student's personal belongings, including a purse, backpack, or bookbag, will be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds will be immediately returned to the student's personal belongings. (School Board Policy 5771, [F.S. 1006.09 \(09\)](#), [F.S. 1006.09 \(10\)](#))

Students who refuse, prevent, or otherwise attempt to prevent search of their person, possessions, vehicle or similar search requests may receive consequences as detailed in the discipline matrix.

## Questioning Students

If school officials have a reasonable suspicion that a student has violated the Student Code of Conduct or has otherwise engaged in activity that disrupts or adversely impacts the school environment, then school officials may question the student immediately, without first contacting the student's parents. Because school officials have a vested interest in protecting all students and maintaining the efficient, secure, and uninterrupted workings of school environment, the student does not have the right to be accompanied by their parents, or represented by an attorney, when the student is questioned by school officials. However, to the extent that disciplinary action is taken as a result of the subject violation or acts, the student will be afforded the right to due process, as set forth in School Board Policy and the Student Code of Conduct.

## Unauthorized Use of Restrooms or Changing Rooms

In accordance with the "Safety in Private Spaces Act" ([F.S. 553.865](#)), Pasco County Schools provides females and males with restrooms and changing facilities for their exclusive use, respective to their sex, in order to maintain public safety, decency, decorum, and privacy.

Any student who willfully enters a restroom or changing facility designated for the opposite sex on School-Board owned property or during a School Board/school-sponsored event and refuses to depart when asked to do so by instructional personnel, administrative personnel, a safe-school officer or any other designee of the Superintendent or school principal shall be subject to discipline for [Unauthorized location \(1L\)](#).

Students shall not be disciplined for entering a restroom or changing facility designated for the opposite sex when they have done so for the sole purpose of:

Accompanying a person of the opposite sex for the purpose of assisting or chaperoning:

- A child under the age of 12
- An elderly person as defined in s. 825.101
- A person with a disability as defined in s. 760.22
- A developmental disability as defined in s. 393.063
- Rendering emergency medical assistance
- Assisting in any other emergency situation where the health or safety of another person is at risk

If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.

For students requiring a restroom or changing facility that is not designated for their sex, access to a private, accommodative, sex-neutral location shall be provided, which can include, but is not limited to a unisex restroom, a unisex changing facility, or another private location that meets such needs.

For the purposes of this section, the following definitions apply:

- “Female” means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs.
- “Male” means a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm.
- “Sex” means the classification of a person as either female or male based on the organization of the body of such person for a specific reproductive role, as indicated by the person's sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.
- “Restroom” means a room that includes one or more water closets. This term does not include a unisex restroom.
- “Unisex restroom” means a room that includes one or more water closets and that is intended for a single occupant or a family, is enclosed by floor-to-ceiling walls, and is accessed by a full door with a secure lock that prevents another individual from entering while the room is in use.
- “Changing facility” means a room in which two or more persons may be in a state of undress in the presence of others, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room.
- “Unisex changing facility” means a room intended for a single occupant or a family in which one or more persons may be in a state of undress, including, but not limited to, a dressing room, fitting room, locker room, changing room, or shower room that is enclosed by floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the changing facility is in use. (HB 1521, F.S. 553.865(9) (a-e))

## Rules of Dress and Appearance

Each district school board shall adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment. [\(F.S. 1006.07\(2\)\(d\)\)](#)

The principal, or designee, shall determine the appropriateness of dress and appearance in accordance with the guidelines distributed by the school, school board policy and guidelines contained herein. The principal, or designee, will make the decision if a student’s appearance meets school and community standards. The principal’s decision on the appropriateness of dress is final as long as it does not contradict official district policy listed herein or elsewhere.

Principals may add additional dress code guidelines unique to their school. These changes must be reasonable in scope, consistent with guidelines contained herein and elsewhere in district policy and the school must give parents/guardians adequate notice of said changes. Parents should be provided with notice at the beginning-of-year or at least three weeks prior to the initiation of any new policy.

These guidelines are in effect while on any District School Board of Pasco County school or campus, at any school function or on any school-sponsored transportation:

- Students must wear opaque (not see through) clothing that has fabric on the front, back, and on the sides of the body extending from under the arms to cover the entire chest, entire genital area, entire buttocks area, and must extend below the buttocks area.
- Shirts must have sleeves or straps and extend to the waistband of pants/shorts/skirts/or other bottoms.
- Students may not have exposed undergarments, which would include any and all portions of a student's underwear or bra.
- Students must wear appropriate footwear, which would include shoes and sandals. All footwear must have a sole that affords traction and protection to the foot. Socks (when worn alone) and "house" or "bed" slippers are not permissible.
- Clothing must be suitable for all scheduled classroom activities including physical education, career-technical education, science labs, and other activities where unique hazards exist.
- Specialized courses may require specialized attire such as sports uniforms or safety gear.

The following types of clothing, items, accessories, and apparel are considered inappropriate for the school environment:

- Any clothing that exposes underwear, body parts, and/or skin in an indecent or vulgar manner
- Any clothing that substantially disrupts the school environment or causes safety concerns
- Any clothing that depicts profanity, drugs or alcohol, violent images, or vulgarity in any form
- Any clothing that depicts sexually implicit or explicit images
- Any clothing that depicts gang-related images, indicates gang affiliation, or antisocial group affiliation
- Wallet chains, spiked jewelry, dog collars, or similar items
- Slippers or similar shoes
- Pajamas or costumes (unless approved by school administration for special events, etc.)
- Hats, bandanas, or head coverings (unless preapproved administratively for medical, religious reasons and/or for special school activities)

Wearing clothing or accessories that depict a firearm or weapon or express an opinion regarding a right guaranteed by the Second Amendment to the United States Constitution is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system under this section or [F.S. 1006.13](#).

Students in violation of the dress code:

- Will be required to change into appropriate clothing, contacting the parent/guardian as needed
- Students may be required to remain in the front office until the above condition is met per principal or designee discretion
- May receive a discipline referral and consequences as appropriate for repeated breaches of the policy

Violations of these provisions of the dress code are subject to the following consequences as defined by [F.S. 1006.07\(2\)\(d1\)](#):

- For a first infraction, the student shall be given a verbal warning, and the school principal or designee shall call the student's parent or guardian

- For a second infraction, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal or designee shall meet with the student's parent or guardian
- For a third or subsequent infraction, the student shall receive an in-school suspension for a period not to exceed three (3) days, the student is ineligible to participate in any extracurricular activity for a period not to exceed thirty (30) days, and the school principal or designee shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities. (F.S. 1003.01)

#### Regulations Regarding the Wearing of Items and/or Clothing that Conceal Identity

- A student's identity must be readily recognizable by school staff at all times during the school-day or when the student is engaged in a school-sponsored activity
- No items or clothing, or any combinations of such, may be worn in a manner that conceals the wearer's face. Face coverings such as ski masks, gas masks, Halloween masks, costume masks, ninja masks, pantyhose, full face masks, hoods (including hoods from sweatshirts or jackets commonly referred to as "hoodies") or other face coverings that obstruct a wearer's vision, face, or identity are not allowed absent a legally protected right that has been approved in writing by the school's Principal or the district's Equity Officer
- Students may utilize an appropriate face-covering (such as medical mask, surgical mask, scarf, bandana, neck buff, and other items made of a suitable and safe material that will cover the wearer's nose and mouth to prevent or reduce the release of respiratory droplets from the wearer's mouth or nose) for the purposes of health-related concerns
- Students must comply with the directive of all school staff members to remove any and all items of clothing set forth above so that the student's identity can be readily revealed and recognized. This would include the temporary removal of an appropriate face covering being utilized for health concerns so that a student's identity can be confirmed
- During times of inclement weather, a principal may modify or suspend application of these provisions when doing so is in the best interest of the student body's health, safety and welfare.
- Failure to comply with the above policy and provisions may result in disciplinary action as detailed herein and/or elsewhere in district policy



# DRESS FOR SUCCESS

For full details, see the Rules of Dress and Appearance section of the Student Code of Conduct.

## NO HEAD COVERING

(Unless for religious or medical reasons)

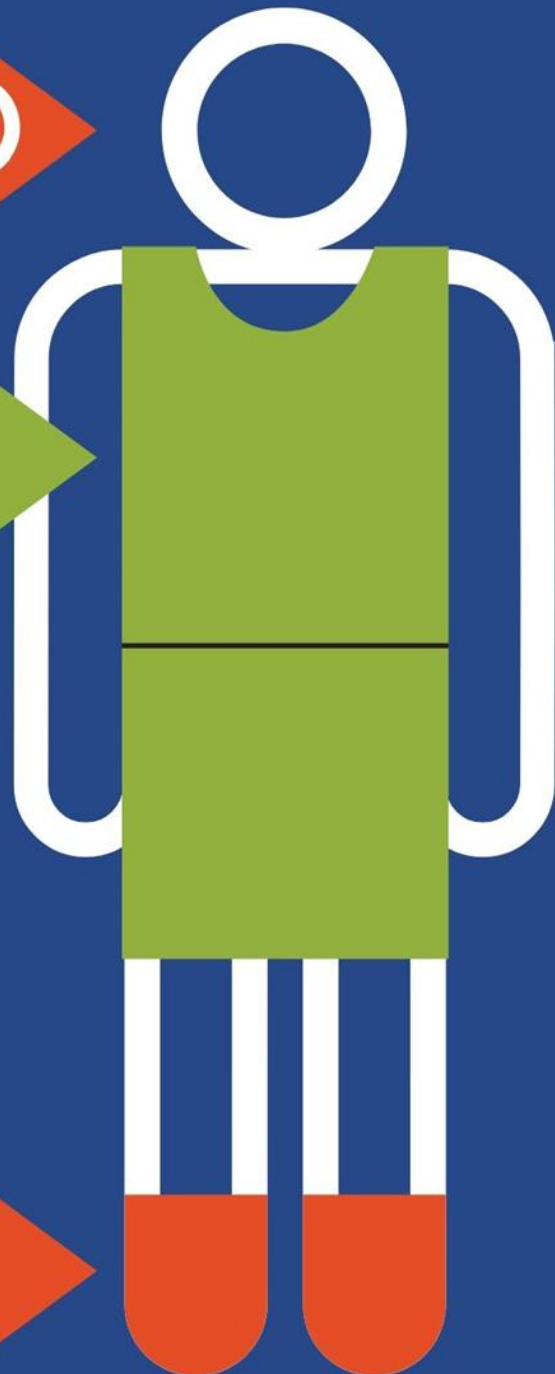


## ENTIRE SHADED AREA MUST BE COVERED

While on the grounds of a public school, during the regular school day, students are prohibited from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment, in accordance with Florida State Statute F.S. 1006.07.

The principal, or designee, shall determine the appropriateness of dress and appearance in accordance with the guidelines distributed by the school, school board policy and guidelines contained herein.

## SHOES MUST BE WORN AT ALL TIMES



## Academic Integrity

Students at all levels are expected to pursue their studies with integrity and honesty in all school settings. All work that a student submits will be the original and authentic work of the individual student unless otherwise specified in the assignment.

Students have the responsibility to:

- Uphold the highest standards of academic integrity in the student's own work
- Refuse to participate in or tolerate violations of academic integrity in the school community
- Foster a high sense of integrity and social responsibility in the school community

The following examples of academic dishonesty will result in disciplinary action. These are examples for guidance purposes and do not constitute an exhaustive list.

- Cheating
- Altering or interfering with grading
- Using or consulting any materials or personal electronic devices/wireless communication devices not authorized by the teacher during a test or assignment
- Submitting an assignment purchased or otherwise obtained from a third party, including those written by Artificial Intelligence (AI)
- Plagiarism
- Lack of proper academic citation (e.g., APA, MLA, Chicago AP)
- Distributing test questions, homework questions, assignments, or other school testing or evaluation materials, or answers thereto in a manner that enables or advances the examples of Academic Dishonesty set forth herein
- Willfully or knowingly taking an online course or examination on behalf of another person or allowing someone to take an online course or examination for you

Consequences are detailed in the Discipline Matrix and may also include the following:

- Reduced credit on assignment
- Confiscation of electronic device
- Proctored assessments
- Withdrawal from course (eSchool/FLVS)
- Schedule change
- Completion of an Academic Integrity Module
- Repeated infractions may also be coded as 2R-Defiance

## Wireless Communication Devices (WCDs) and Digital Citizenship (Board Policy 5136)

The Board is aware that WCDs are used by students and parents to communicate with each other. However, the use of WCDs on school grounds must be appropriately regulated to protect students, staff, and the learning environment. Whether intentional or not, WCDs can remove students socially, intellectually, and emotionally from being present while at school or when involved with school-related activities. The district wants all students to have the greatest opportunity for face-to-face engagement with their teachers and peers, as not being presently focused can increase social and academic

isolation issues. In addition, while the use of social media can be intentional and positive, it can also be used in a way that causes others to feel left out, judged, anxious, and targeted. Unfortunately, WCDs can also be used by students to initiate and perpetuate inappropriate and/or unlawful conduct that can disrupt the orderly operation of schools and jeopardize the health, safety, and welfare of others in the school community. Therefore, to help promote the in-person academic and social engagement of our students while at school and at school-related activities, the district has established the following expectations regarding the use of WCDs by students:

**Grades Pre-K through 8** – Students who bring WCDs to school must ensure that they remain on silent mode and completely out of view for the entire school day except for when expressly authorized by the classroom teacher for a specific instructional activity. Classroom teachers may also provide, and students may utilize, a cell phone storage area in their classroom. These expectations also apply to extracurricular and co-curricular activities that occur before or after the school day.

**Grades 9 through 12** – Students who bring WCDs to school must ensure that they remain on silent mode and completely out of view for the entire school day except for the student’s lunch period, or as expressly authorized by the classroom teacher for a specific instructional activity. Classroom teachers may also provide, and students may utilize, a cell phone storage area in their classroom. These expectations also apply to extra-curricular and co-curricular activities that occur before or after the school day.

The district will utilize its existing IEP, Section 504 plan, and student medical processes and procedures to evaluate requests for accommodation that are supported with the needed documentation.

With the approval of their respective Assistant Superintendent and based on the specific facts, data, and circumstances at their school, a school principal may impose more restrictive conditions at their school.

Unauthorized Use of a WCD:

- Engaging in non-education-related communications and/or usage during instructional time
- Capturing, recording, or transmitting the words or sounds, audio, images, pictures, and/or video of any staff member or other person in the school or while attending a school-related activity without expressed prior notice and explicit written and/or verbal consent of said party and/or as indicated by a student’s Individual Education Plan (IEP)
- Capturing and/or recording fights or similar events, and/or subsequent posting of said recording/images to social media and similar outlets
- Distracting use/behavior that creates an unsafe environment
- Taking pictures, recording video, or any similar activity in locker rooms, shower facilities, and/or rest/bathrooms
- Capturing, recording, and/or transmitting test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty or using a WCD to receive such information
- Using WCDs in any manner that otherwise violates the Student Code of Conduct

Devices may be confiscated for the following reasons:

- Repeated violations of the WCD policy contained herein
- Capturing, recording and/or transmitting audio and/or pictures/video of an individual without proper consent
- If the WCD is confiscated, it will be released/returned to the student’s parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity, in which case the WCD may be turned over to law enforcement

#### Additional corrective actions:

- Any student capturing, recording, and/or transmitting audio, pictures, video or similar acts without proper consent may be directed to delete said audio, picture and/or video file in the presence of a parent/guardian
- Any potentially illegal activity regarding WCD may lead to the confiscation of said device and delivery of said device to law enforcement and/or referring the issue to Child Protective Services as appropriate

#### Responsible Electronic Use Rules for Students

I have access to the Internet, school networks, district provided electronic accounts, email, and electronic devices and other “electronic resources” so I can:

- Expand my learning
- Communicate with others about what I am learning
- Research topics for class projects or for my personal learning
- Create products highlighting my learning
- Learning how to be a responsible and productive digital citizen

#### Students Acknowledge That:

- Electronic devices include but are not limited to computers, netbooks, iPads, iPods, tablets, cell phones, cameras, wearable devices, and other electronic devices that allow me to create and communicate.
- I am responsible for all my online activities that take place through the network connection with my school’s devices, electronic accounts, email, or through access with my own personal electronic devices.
- I am responsible for obeying all laws, including copyright. This also means I may not use the district logo or other district-owned content on my personal posts.
- I do not have the right of privacy when accessing the internet or network while at school.
- Communicating electronically includes using my camera and cell phone to communicate visually.
- When communicating electronically, I should ask myself: Do I have permission? Is it safe? Is it kind? Is it respectful? Is it appropriate?
- I do not have an absolute right to take, publish/post photographs or videos of others at school, as it may impact their individual rights of privacy.
- Bullying or harassing someone, either in person or electronically, is wrong, violates the Student Code of Conduct, and is against the law.
- Information I find on the Internet is not necessarily true or accurate.
- There are filters to prevent access to inappropriate information, but no filter is perfect. Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites, content and communication.
- The district reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of internet, school networks, district issued electronic accounts, email, and electronic devices. Students should have no expectation of privacy over matters sent or received through such electronic resources.
- I can learn more about being a responsible digital citizen at <http://www.safeflorida.net/safesurf>.

#### I agree as a responsible and productive digital citizen:

- I will follow all school rules and laws when using electronic devices at school.

- I will not damage equipment, upload harmful files, damage files, delete files, or access someone else's account or files because it impacts others.
- I will keep my password to myself and will not share it with others.
- I will not search for or try to access obscene, harmful, or inappropriate material.
- If I accidentally access inappropriate materials, I will close the window and tell a responsible adult.
- I will not post or send hurtful, offensive, or inappropriate material.
- I will behave honestly, fairly, and with integrity when posting online, including my social networks.
- I will follow rules of network etiquette, and I will be polite when communicating with others electronically.
- I will not use bad language or access messages from others who use bad language.
- I will not post or share pictures of others without their knowledge and approval.
- I will stay safe and will never meet or give out personal information such as my name, phone number, or address to someone I meet on the internet without the express permission of my parents and/or teachers.
- I will discuss my online activities with my parents, so they understand how I am learning to be a digital citizen.
- My teachers and administrators have the right to access whatever I do online while in school if they are concerned about my safety or the safety of others.
- I will not use other's work without permission or without citing their work according to copyright laws.
- If I'm not sure how to do something or whether something is okay to access or do, I will ask a responsible adult.

#### Violation Procedures

Violations of these rules will result in disciplinary action according to the Student Code of Conduct.

## Conduct While Engaging in Virtual Instruction and Access

The School Board of Pasco County offers the use of virtual communication and online, virtual instruction platforms (hereinafter collectively referred to as "virtual instruction") to permit students to gain access to their education in an online format, outside of a traditional brick and mortar school. Participation in virtual instruction is a part of the School Board's Controlled Open Enrollment School Choice Program (hereinafter, Choice Program), which means that parents and students electing to enroll in virtual instruction must comply with the Choice Program requirements. Failure to comply with the Choice Program requirements, failure to make adequate educational or behavioral progress, or failure to comply with the Student Code of Conduct may result in the revocation of a student's choice to utilize the virtual instruction options offered by the School Board.

The Student Code of Conduct applies in whole to students that participate in virtual instruction. When a student is engaging in any activity that is related to or arises out of virtual instruction (including but not limited to attending a virtual class), then the student is engaging in a school-sponsored event and is treated as being on School Board-owned property for the purposes of application of the Student Code of Conduct and School Board Policy, regardless of where the student is physically present during the online appearance or participation. For example, a student that utilizes tobacco or a vape during a virtual class may be disciplined in accordance with the Student Code of Conduct to the same extent as if the student were utilizing the same on School Board-owned property.

When participating in a classroom or conference, all students must have their audio and video activated during the class or conference to permit the teacher or staff to visibly see and audibly hear the student. Failure to do so is a disciplinable infraction with a first infraction being coded as (1Q) disrespect toward student or staff, and a second and subsequent infractions being coded as (2R) defying, disobeying or disrespecting school personnel, or as otherwise permitted in the Student Code of Conduct. Teachers and staff may, as they deem appropriate, permit students to turn off their video or

audio for limited and specific purposes. Teachers and staff may also disable the video and audio for a student when that student is engaging in actions that are disruptive to the learning environment. When a teacher or staff member deems it appropriate to disable the video or audio of a disruptive student, then such teacher or staff is to discipline that student in accordance with the Student Code of Conduct for such disruption. Teachers and staff may not disable the audio or video of a student for a period exceeding five (5) days without approval from the Office of Student Support Programs and Services.

## Bullying, Harassment, Hazing and Teen Dating Violence/Abuse

Harassment or bullying of students or staff is a serious violation of the Student Code of Conduct. It can also be a violation of criminal law. The district will not tolerate unlawful bullying and harassment in schools or school campuses, school sponsored buses, school-related or school-sponsored events, or through the use of data or computer software that is accessed through a computer, computer system, or computer network of the district. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

### Bullying

“Bullying” means systematically and chronically inflicting physical hurt or psychological distress on one or more students or school employees. It is unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that creates an intimidating, hostile, or offensive educational environment; causes discomfort or humiliation; is carried out repeatedly and is often characterized by an imbalance of power; or unreasonably interferes with the individual’s school performance or participation; and may involve but is not limited to:

|                              |                                                |
|------------------------------|------------------------------------------------|
| Unwanted teasing or taunting | Physical violence                              |
| Social exclusion             | Theft                                          |
| Threat                       | Sexual, religious, or racial/ethnic harassment |
| Intimidation                 | Public humiliation                             |
| Stalking                     | Destruction of property                        |

Violations of this policy should be immediately reported to the principal or designee as soon as possible after the alleged incident. The principal or designee will promptly investigate reports of bullying or harassment. If the investigation finds an instance of bullying or harassment has occurred, it will result in prompt and appropriate remedial and/or disciplinary action.

### Cyberbullying

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

accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

### Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of date or computer software, or written, verbal or physical conduct (including slurs, nicknames implying stereotypes, epithets and negative references related to that characteristic) directed at a student or employee based upon legally protected characteristics against a student or employee that:

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

Harassment also means electronically transmitted acts that a student(s) or a group of students exhibit toward another particular student(s) or employee and the behavior both causes mental and physical harm to the other student or employee such that it creates an intimidating, threatening, or abusive educational environment.

### Harassment may also encompass:

- retaliation against a student by another student or school employee for asserting or alleging an act of unlawful harassment. Reporting an act of unlawful harassment that is not made in good faith is considered retaliation.
- retaliation against a student by another student or school employee for participating as a witness in an unlawful harassment investigation.
- filing a malicious or knowingly false report or complaint of unlawful harassment.
- perpetuation of conduct listed in the definition of unlawful harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
  - incitement or coercion
  - accessing or knowingly and willingly causing or providing access to data or computer software within the scope of the district school system; or

### Unlawful Harassment

The District School Board of Pasco County does not tolerate unlawful harassment on any of the prohibited bases, including sex/gender, race, color, national origin, religion, age, marital status, and disability. Any student who believes he or she has been subject to unlawful harassment, including sexual assault, gender-based harassment, or other sex-based harassment should immediately report the unlawful harassment to the principal or designee. The district is committed to taking immediate action to eliminate the harassment, prevent its recurrence, and reduce its effects. Students found to have engaged in acts of unlawful harassment will be subject to prompt disciplinary action. Students, parents, and staff are encouraged to work together to prevent unlawful harassment. Please contact District School Board of Pasco County Civil Rights Compliance Manager/Title IX Coordinator: with concerns (813) 794-2649 [crc@pasco.k12.fl.us](mailto:crc@pasco.k12.fl.us). ([F.S. 1006.147](#))

### Hazing

The District School Board of Pasco County prohibits hazing activities of any type and at any time, whether in school facilities, on school property, and/or off school property, if the misconduct is connected to activities or incidents that have occurred on school property.

Hazing is defined as any action or situation that endangers the mental or physical health or safety of a student at a school for purposes including, but not limited to:

- Initiation into any organization operating under the sanction of a district school
- Admission into any organization operating under the sanction of a district school
- Affiliation with an organization operating under the sanction of a district school
- The perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a district school

Hazing includes, but is not limited to, pressuring, coercing or forcing a student into violating State or Federal law; any brutality of a physical nature, such as whipping, beating, branding or exposure to the elements, or forced consumption of any food, liquor, drug or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student. Further, hazing includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.

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.

Acts of hazing, unlawful harassment, teen dating violence, bullying, and harassment shall be addressed and may result in disciplinary action and/or civil and criminal penalties in accordance with the law. If the principal or designee determines that a student has committed such an act, violation of this policy may result in disciplinary action, which may include suspension, assignment to another school or program, recommendation for expulsion, or referral to law enforcement as defined in the Discipline Matrix and elsewhere in district policy and procedure. ([F.S. 1006.135](#))

#### Teen Dating Violence and Abuse

Dating violence and abuse shall be defined as emotional, verbal, sexual, or physical abuse of a student who is in a current or was in a past dating relationship by the other person in that dating relationship. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats, and/or acts of mental, physical or sexual abuse. It may also be a pattern of demeaning, coercive, abusive actions that amount to emotional or psychological abuse. Dating violence and abuse may also include harassment and stalking via electronic devices such as cell phones and computers, as well as harassment through a third party.

Any student who is the victim of an act of dating violence and abuse or has cause to believe that they are in immediate danger of becoming the victim of an act of dating violence and abuse, should report the matter to the principal or to any member of the school staff.

Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse is encouraged to report the matter to a school administrator. **These reports can be made either in person or anonymously to Crime Stoppers of Tampa Bay at (1-800-873-TIPS).**

The Board reserves the right to investigate a report of dating violence and abuse regardless of whether the student who is allegedly the victim of the dating violence and abuse wants to pursue the matter. Further, the Department of Children and Families shall be notified if the student who is found to have perpetrated the act of dating violence and abuse is eighteen years of age or older and the student who was the victim of the act of dating violence and abuse is a minor. ([F.S. 1003.42\(2\)\(o\)\(2\)](#), [1006.148](#))

## Discipline of Students with Disabilities

The Board shall abide by Federal and State laws regarding suspension, expulsion, alternative placement and discipline of students with disabilities. A 'student with a disability' refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act ("IDEA"), the Americans with Disabilities Act ("ADA"), or Section 504 of the Rehabilitation Act of 1973 ("Section 504").

"Functional Behavior Assessment" or "FBA" refers to a systematic process that is used to operationally define a behavior, identify factors that support the behavior, and determine the underlying function or purpose of a behavior. This assists the team with identifying appropriate replacement behaviors that meet the same need without interfering with learning. The functions of behavior are to escape/avoid, gain attention, gain tangible/activity, and sensory (either escape or access). Once this is completed an effective Behavior Intervention Plan can be developed.

"Behavior Intervention Plan" or "BIP" refers to an individualized plan designed to respond to a problem behavior. BIPs are developed using the findings from a Functional Behavioral Assessment and focus on the target behaviors and associated functions of target behaviors.

FBA/BIP's should be living documents that are responsive to the behavioral needs of students. Our goal is to have our students in classrooms to participate in academics and to decrease the occurrences of removals from instruction.

The BIP should be an option when one of the following applies:

- If the behavior is harmful or dangerous to the student or other individuals
- If the behavior interferes with the student's learning
- If the behavior interferes with other students' learning
- If the behavior occurs frequently or for extended periods of time

Prior to disciplining a student with a disability, school administrators or staff must consider whether the student has a BIP; whether school personnel are implementing the BIP with fidelity; whether the BIP contains adequate supports for the problem behavior; and whether the student needs additional accommodations, services, supports, modifications, and/or aids.

Students who are suspected of having a disability are also protected as described below.

School Administrators will impose consequences that are proportionate to the severity of the infraction, are appropriate to the age of the student, and take into consideration the student's disability.

School Administrators may choose not to impose consequences when taking into account developmentally age-appropriate behavior or disability, or when the student did not have the capacity to understand his or her behavior and the inappropriateness of his or her actions or when the behavior was a direct manifestation of their disability, when appropriate.

Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.

For the purposes of this section, "Exclusionary Discipline" refers to any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school suspension, out-of-school suspension, expulsion, or

transfer to an alternative education program. This term does not refer to positive interventions, loss of privileges, detentions, or other corrective strategies that do not remove a student from instruction. (OCR USDOE July 2022)

- School Administrators have the discretion to not use exclusionary discipline and, as an alternative, utilize other appropriate, positive, less restrictive behavior strategies for students with disabilities, even when exclusionary discipline is permitted by School Board Policy.
- School Administrators must document their considerations when implementing exclusionary discipline for a Student with a Disability.
- School Administrators may contact the Office for Student Support Programs and Services to seek advice on how to properly take a student's disability into account, as well as guidance in determining the impact of a student's disability and potential appropriate alternative positive behavior interventions prior to imposing disciplinary measures.
- Prior to referring a Student with a Disability to law enforcement, provided there is not a significant risk of serious harm to the health or safety of a person, determine whether the student has a BIP; whether school personnel is properly implementing the BIP; whether the BIP contains adequate services and supports for the problem behavior; and whether the student needs additional accommodations, services, supports, modifications, and/or aids. In exigent circumstances involving threats to health or safety, or for criminal matters, School Administrators and staff may conduct this review after the referral is made.

School Teams must consider whether a student with disabilities who was subject to Exclusionary Discipline repeatedly or for conduct related to their disability, who experienced a crisis event (e.g., repeated suspensions, law enforcement involvement, or Baker Acts) related to their disability, or was subject to multiple Threat Assessments would benefit from conducting/updating an FBA or developing/adjusting a BIP prior to determining disciplinary consequences.

## Manifestation Determination Meetings (MDM)

Any action taken in response to a violation of student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable regardless of the of the number of days of exclusion.

Under Individuals with Disabilities Education Act (IDEA), the purpose of a Manifestation Determination Meeting (MDM) is to determine whether the conduct was caused by or had a direct and substantial relationship to the child's disability; or if the student's conduct was the direct result of the Local Education Agency's (LEA) failure to implement the student's Individual Education Plan (IEP) or 504 plan.

A Manifestation Determination Meeting (MDM) must be held within ten (10) school days of any significant change to the educational placement of students with disabilities (SWD) that is the result of a violation of the Student Code of Conduct. A significant change of placement includes any removal of more than ten (10) consecutive days, a series of removals totaling more than ten (10) days, or a pattern of removals based on substantially similar behaviors within a school year.

A Manifestation Determination Meeting (MDM) will be held prior to any change of educational placement or disciplinary reassignment for all students with disabilities. If the behavior of students with disabilities is found not to be a manifestation of their disability, then students with disabilities may be disciplined to the same extent as their non-disabled peers.

To the extent that the recommended discipline for students with disabilities whose behavior was determined not to be a manifestation of their disability or the direct result of a failure to implement an IEP or 504 plan at a Manifestation Determination Meeting is disciplinary reassignment, then a disciplinary reassignment hearing will be afforded to the student.

## Interim Alternative Educational Settings (IAES)

Pursuant to Rule 6A-6.03312 of the Florida Administrative Code, school personnel may remove a students with disabilities to an IAES for not more than forty-five (45) school days without holding a Manifestation Determination Meeting and/or hearing and without regard whether the behavior is determined to be a related to or a direct result of the student's disability, if the student:

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

More serious bodily injury involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. (18 USC 1365 (h)(3)).

## Reintegration for Students with Disabilities

The purpose of a reintegration meeting is to to identify any adjustments or accommodations required in the classroom, address potential concerns, and develop a plan to support the student's academic and social re-entry after a Student with a Disability returns to school following a school absence for more than three days resulting from any of the following:

- Exclusionary discipline
- A threat assessment
- A referral to law enforcement
- An invocation of the Baker Act on school grounds

The district will ensure that School Administrators, relevant members of the Student Services Team, meet within one school day upon the return of a Student with a Disability's to school as described, to discuss the students' needs, and interventions or supports that can assist the student to successfully reintegrate within the school community.

The school will inform the student's parent(s) or guardian(s) and provide them with the opportunity to participate in the meeting.

## Threats Against the Educational Environment

Threatening violence against a school, or members thereof, is never a joke. Given unfortunate events within our society, all such threats must be taken seriously and actions will be taken to protect our schools and to correct the behavior of students that engage in such threats.

Corrective actions can include:

- A formal Threat Assessment.
- Reasonable modifications for a Student with a Disability who makes a threat that is a manifestation of the student's disability but has no intent or means to carry out the threat, as applicable.
- Disciplinary measures as set forth in the Student Code of Conduct.
- A classroom change in accordance with the Student Placement Review Committee process. ([F.S. 1003.32](#))
- An educational reassignment in accordance with School Board Policy 5120.
- Any other appropriate responses permitted by Board Policy and law.

When a student has engaged in behavior that could be considered an actual or false threat against the educational environment or those therein, then the following disciplinary codes may be considered, depending on the facts:

- (3M, DOC) Bomb threats, false fire alarms, hoaxes or threatening the use of a firearm.
- (3O, TRE, SXA) Intimidating school staff or students or threatening them with violence or sexual assault
- Major disruption on campus; taking part in a riot (DOC); or
- Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. This includes any drug or weapon found unattended and not linked to any individual; such incidents must be coded with the appropriate Related element (such as Drug-related or Weapon-related) and incident involvement must be reported as unknown. (OMC)

To the extent that the disciplinary measures, set forth above, are not available or otherwise adequate, then a principal may recommend to the Superintendent a non-disciplinary reassignment in accordance with School Board Policy 5120 when the student has engaged in, made, implied, or otherwise created a reasonable fear and apprehension (regardless of student intent) of a threat to the safety, health, well-being, or life of any member of the educational environment, including students, staff, and visitors. For purposes of this procedure, the educational environment includes any and all School Board-owned property as well as property or facilities that host school or School Board-sponsored events.

Any action taken in response to a violation of the false reporting policy, that involves a student with a disability, must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable.

Prior to referring a Student with a Disability to law enforcement, provided there is not a significant risk of serious harm to the health or safety of a person, determine whether the student has a BIP; whether school personnel is properly implementing the BIP; whether the BIP contains adequate services and supports for the problem behavior; and whether the student needs additional accommodations, services, supports, modifications, and/or aids. In exigent circumstances involving threats to health or safety, or for criminal matters, School Administrators and staff may conduct this review after the referral is made.

## Violence Against School Personnel

- Violence against school personnel is grounds for disciplinary action and may result in criminal penalties.
- All students who commit assault or battery on school officials will be recommended for expulsion or placement in an alternative school setting as appropriate.
- Whenever a person is charged with committing assault or aggravated assault or a battery or aggravated battery upon an employee of a school district, when the person committing the infraction knows or has reason to know the identity or position or employment of the victim, the infraction for which the person is charged shall be reclassified as follows:
  - Aggravated battery – First degree felony
  - Aggravated assault – Second degree felony
  - Battery – Third degree felony
  - Assault – First degree misdemeanor ([F.S. 748.081](#))

## Zero Tolerance Policy

It is the intent of the School Board 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 when possible. The Legislature finds that zero tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including, but not limited to, minor fights or disturbances.

Zero tolerance policies must require students found to have committed one of the following infractions to be expelled, with or without continuing education services, from the student's regular school for a period of not less than one (1) full year, and to be referred to the criminal justice or juvenile justice system.

- Bringing or possessing a firearm or weapon, as defined or identified in [Florida Statute 790](#) or this Student Code of Conduct to school, to any function, or onto any school-sponsored transportation.
- Making a threat or false report, as defined by [Florida Statutes 790.163](#) and [790.164](#), respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity. [F.S. 1006.07](#), [F.S. 1006.13](#)

Any disciplinary action taken in response to a violation of the false reporting provisions in the student code of conduct, which involves a student with a disability, must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable. For instance, it may be appropriate to make reasonable modifications for a Student with a Disability who makes a threat that is a manifestation of his/her disability but has no intent or means to carry out the threat.

## Firearms and Weapons

Bringing or possessing a firearm or weapon, as defined or identified in Florida Statute 790 to school, to any school function, or onto any school-sponsored transportation is a violation of the student code of conduct [Weapons Possession (3G, WPO)] disciplinable by up to expulsion, and potentially punishable as a crime.

A deadly weapon would include any object exhibited in the presence of one or more persons in a rude, careless, angry, or threatening manner and not in permissible self-defense and which could cause great bodily harm or death.

Examples of a deadly weapon may include, but are not limited to:

- A person wielding a knife, pocketknife, scissors, or other sharp or pointed implement as a weapon.
- A person wielding a baseball bat, golf club, large rock or other blunt implement as a weapon.

## Self-Defense Chemical Spray

The School Board defines “self-defense chemical spray” as:

- A device carried solely for the purposes of lawful self-defense
- Compact in size
- Designed to be carried on or about the person
- Contains not more than two ounces of non-lethal chemical derived from capsaicin

To the extent that “self-defense chemical spray” is displayed, brandished, discharged, utilized, or otherwise disclosed to students while on any District School Board of Pasco County school, campus, or property, or at any school function, or on any school sponsored transportation then “self-defense chemical spray” will conditionally be defined as and be considered a “weapon” with possession of the same being a violation of the student code of conduct [(3G, WPO) Weapons Possession] disciplinable by up to expulsion, and potentially punishable as a crime.

The mere possession of “self-defense chemical spray” by a student, without being displayed, brandished, discharged, utilized, or otherwise disclosed to students while on any District School Board of Pasco County school, campus, or property, or at any school function, or on any school sponsored transportation is not a disciplinable event.

## Firearms

A student shall not bring, possess, handle or transport firearms on any District School Board of Pasco County school or campus, at any school function, or on any school sponsored transportation. A Junior ROTC or color guard, pre-approved activity, exemption may apply.

- Chapter 790.25(5), Florida Statutes, makes it lawful for a person eighteen (18) years of age or older to possess a firearm or other weapon for self-defense within the interior of a private vehicle if the weapon is securely encased. It is the policy of the District School Board of Pasco County, that F.S.790.25(5) SHALL NOT apply to any student bringing any concealed firearm or weapon onto school property.
- All students are subject to the policies and penalties stated in this Student Code of Conduct. For the purposes of this policy, the word student shall mean, but not be limited to any preschool, elementary, middle, high, secondary, vocational or post-secondary student of a school maintained and operated by the District School Board of Pasco County.
- Violation of this rule will result in automatic out-of-school suspension and possible expulsion. Criminal prosecution is also likely in these instances.

Any student who is determined to have brought a firearm as defined in 18 U.S.C.s. 921 (United States Code) or Florida Statute 790, to any District School Board of Pasco County school or campus, at any school function, or on any school sponsored transportation, will be recommended for expulsion, with or without continuing educational services from the student’s regular school for a period of not less than (one) 1 full year and referred for criminal prosecution.

The Superintendent, his designee, and/or the School Board may consider extenuating circumstances in determining the length and type of expulsion. ([F.S. 1006.07](#))

## Weapons

A student shall not bring, possess, handle or transport weapons to or on any District School Board of Pasco County school or campus, at any school function or on any school sponsored transportation.

Florida Statute 790 defines, identifies, or otherwise designates the following non-exclusive list of items as weapons, and for the purposes of the Student Code of Conduct, the School Board hereby defines the term “weapon” to include the following non-exclusive list of items:

- “antique firearm”, “tear gas gun”, “chemical weapon or device”, “dart-firing stun gun”, “destructive device”, “electric weapon or device”, “explosive”, “firearm”, “handgun”, “machine gun”, “short-barreled rifle”, “short-barreled shotgun”, “slungshot”, “dirk”, “knife”, “sword”, “sword cane”, “razor blade”, “box cutter”, “metallic knuckles”, “billie”
- any other deadly weapon, or object that capable of being utilized as a deadly weapon, except a common pocketknife, plastic knife or a blunt-bladed table knife.

Violation of this rule will result in disciplinary action, which may include out-of-school suspension and possible expulsion. Criminal prosecution is also likely in these instances. (F.S. 790.001)

## Making a Threat or False Report

- It is unlawful for any person to threaten to throw, project, place, or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person, and any person convicted there of commits a felony of the second degree. (F.S. 790.162)
- It is unlawful to make a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive or weapon of mass destruction as defined in 790.166, or concerning the use of firearms in a violent manner against a person or persons. Any person convicted thereof commits a felony of the second degree. ([F.S. 790.163](#), [F.S. 790.164](#))

The zero-tolerance policies described above shall not be rigorously applied to petty acts of misconduct including, but not limited to simple assault and battery, disorderly conduct, defiance, disrespect, cheating, theft and/or behaviors not detailed above.

Any action taken in response to a violation of school board transportation policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

## Reporting of Weapons on Campus

Students may be subject to school discipline if they fail to report another student being in possession of a weapon on school grounds, on school transportation and/or at school-related activity to a school administrator or staff member. Students will not be disciplined if there is a preponderance of evidence that said student did not report the weapon possession out of fear of retribution and/or retaliation.

## School Safety and Mental Health Resources

Students are required to list any and all past and current referrals to mental health services upon initial enrollment with the district.

Any student expelled from another district and allowed to enroll in any Pasco County School may be referred for mental health services as deemed appropriate by the district.

The following infractions will result in the student being referred to for mental health services, evaluation, and/or treatment as the district deems appropriate:

- Students that bring a firearm or weapon as defined or identified in Florida Statute 790, or this Student Code of Conduct, to school or school function
- Students determined to have made a threat or false report involving a school, school's property, school transportation or school sponsored event

A student who commits breaches of the Student Code of Conduct relating to violence and chronic disruption may be referred for mental health services, evaluation and/or treatment, as the district deems appropriate. ([F.S. 1006.07](#))

A student that commits a criminal offense may receive a civil citation and/or participate in a pre-arrest diversion program as an alternative to arrest should they meet all applicable criteria for such a citation and/or program.

Students that commit a petty act of misconduct will be subject to the District's Progressive Discipline and Supports policy detailed herein and in other district policy and procedures. Any non-criminal offenses and participation in related school-based intervention programs will not be entered in the Department of Juvenile Justice Information System Prevention Web.

## School Transportation Expectations and Rules

The District School Board of Pasco County provides free transportation to and from school for students who live more than two miles away from school. Each student using that transportation must abide by the rules which are established to ensure the safety of all passengers.

- Students will be assigned to one bus stop.
- Parents/guardians are responsible for their child(ren) at the bus stop.
- Once the bus arrives at the stop, and only at that time, does the student become the responsibility of the District School Board of Pasco County. Such responsibility shall end when the student is delivered to the regular bus stop and the bus has departed, upon the close of the school day.
- When loading, unloading, riding, or waiting to enter the bus when such is present at designated bus stops, students must follow the Student Code of Conduct. Bus drivers will report students who violate the Student Code of Conduct and break school bus rules to the school administration for appropriate disciplinary action. Administrators shall investigate and issue discipline accordingly.
- The district shall ensure appropriate resources and staff are provided for the proper implementation of student Behavior Intervention Plans on the bus, as appropriate.

- Violations of the Student Code of Conduct shall result in disciplinary action, suspension of riding privileges, recommended bus expulsion, and may result in referral to law enforcement.

Parents are not allowed to board any school bus or school sponsored transportation unless for a legitimate reason and with the permission of the driver. Any violations of this directive will be considered trespassing and will be subject to applicable criminal charges and penalties.

Parent conferences are not permitted while the bus is in route or stopped at a bus stop. Any conference that the parents wish to have with the bus driver must be scheduled with the school's administration.

The following bus rules will be obeyed:

- The bus driver is in full authority and must be obeyed.
- Students are required to obey the driver's hand signals when crossing the road.
- Students are required to wear safety restraints when they are available on the bus.
- General school rules will apply on the bus, although quiet talking is permitted.
- Students will be at the bus stop five (5) minutes prior to scheduled time.
- Students will stand off the roadway while waiting for the bus.
- Students will board and leave the bus at their assigned bus stops unless other arrangements are made by written request of the parent and signed by the principal or designee.
- Students will not distract the bus driver.
- Students will sit properly and remain seated while the bus is in motion.
- Students will not throw or project anything inside or out of the bus.
- Students will not litter, mark, deface, or damage any part of the bus.
- Students will sit in any seat assigned to them.
- Students will not eat, drink, or smoke on the bus.
- The emergency exit will be used only in cases of emergency.
- No animals (dead or alive), glass or glass containers, sharp objects, ball bats, cutting instruments, batons, drumsticks, or other objects that could become dangerous projectiles during a sudden stop or accident will be allowed on the bus without prior permission of the driver.
- Large objects (larger than students can safely hold in their laps), including band instruments, which interfere with seating and safety of others, will not be permitted on the bus without prior permission of the driver.
- Students will not exit the rear emergency door of the school bus, other than in an emergency situation as determined by the driver.
- Students will not engage in behaviors that could negatively impact the safety of those on board the bus.

Teachers who chaperone bus trips will have the same authority and responsibilities as they have in the classrooms.

The above rules will also apply on extracurricular and athletic trips.

The following procedural interventions are recommended when appropriate:

1. Minor Infractions:

Examples: Talking loudly, not sitting in assigned seat, eating on bus, inappropriate language, using a bus stop other than the assigned stop, general disruptive behavior (minor, not requiring bus to stop).

Consequences: Based on the circumstances and student age, maturity, and development, the following measures may be taken:

- i. Verbal warning from the bus driver.
- ii. Bus intervention (i.e., assigned seat, sit at front of bus, reteach module) and parent notification.
- iii. Discipline Referral and disciplinary action as decided by bus driver, principal or designee, including parent notification.

## 2. Moderate Infractions:

Examples: Repeated minor infractions, disrespect on the bus, hanging arms, head, or objects out of windows, blocking the aisle or doorways, throwing objects inside or out the window of the bus, inappropriate language in response to staff giving directions on the bus, vandalism not considered to be severe, out of seat, not wearing seatbelt, disruptive behavior (requiring bus to stop):

Consequences: Based on the circumstances and student age, maturity, and development, the following measures may be taken:

- i. Discipline Referral and disciplinary action as recommended by bus driver and as confirmed or decided by the principal or designee:
  - a. Parent notification without suspension
  - b. Parent notification with temporary suspension from the bus (1-3 days).
  - c. Parent notification with in-person parent conference and temporary suspension from the bus (3-5 days).

## 3. Major Infractions:

Examples: Repeated moderate infractions, fighting, bullying, severe vandalism, exiting bus from the rear door, throwing objects inside or out the window of the bus causing damage or injury, exiting the bus through any of the emergency exits without being directed to do so, smoking/vaping disruptive behavior (causing bus to be stopped for 5 minutes or more, or requiring that driver call for assistance).

Consequences: Based on the circumstances and student age, maturity, and development, the following measures may be taken:

- i. Discipline Referral and disciplinary action as recommended by bus driver and confirmed or decided by the principal or designee. Immediate suspension from the bus (up to 10 days) with parent notification and in-person parent conference.
- ii. Discipline Referral and disciplinary action as decided by the principal or designee. Long-term suspension from the bus (more than 10 days).
- iii. Discipline Referral and disciplinary action as decided by the principal or designee. Recommendation of bus expulsion.

## Required Interventions:

After a second minor or moderate infraction or after a first major infraction there will be a review of the student's behavioral and intervention history, which will culminate in the development of an intervention plan for the student

specifically addressing bus behaviors of concern, or the review and revision of an existing plan. The parents will be invited to participate in this review and intervention planning.

For students with disabilities an FBA/BIP specific to bus behavior must be considered, or a current plan reviewed. Consultation with the office of Student Support Programs and Services is required prior to the ten-day change of placement threshold under the IDEA.

Any applicable appeal rights regarding bus discipline are set forth in the “Student and Parent/Guardian Appeal Rights” section of this Student Code of Conduct.

A representative from transportation will attend bus suspension appeals upon request.

Any action taken in response to a violation of school board transportation policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

## Detention

Detentions refer to consequences for violations of the Code of Conduct that do not remove a student from the classroom during instructional time but require a student to spend some amount of time in a particular school location during lunchtime, after school, or on the weekend.

## Exclusionary Discipline

Exclusionary Discipline refers to any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school suspension, out-of-school suspension, expulsion, or transfer to an alternative education program. This term does not refer to positive interventions, loss of privileges, detentions, or other corrective strategies that do not remove a student from instruction. (OCR USDOE July 2022)

- Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount.
- Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.
- School Administrators and staff must attempt and document a range of interventions and support prior to using Exclusionary Discipline, as applicable.
- School Administrators have discretion to not use Exclusionary Discipline, even when it is permitted by the student code of conduct and school board policy.

Any action taken in response to a violation of student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

## In-School Suspension (ISS) Guidelines

In school suspension is defined as a disciplinary action in which a student may be temporarily removed from the student's regular school program and subsequent placement in another program under the supervision of district school board personnel, for a period not to exceed 10 school days. [\(F.S.1003.01\)](#) [\(F.S. 1003.53\)](#)

Principals and their designees may assign ISS to a student for violating the Student Code of Conduct as indicated on the Discipline Matrix.

Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.

- A student may be assigned no more than ten (10) days per infraction.
- Parents must be notified in writing (Student Event and Discipline Report) of any ISS assignment within twenty-four (24) hours.
- Assigned ISS can only be appealed at the school level.
- The principal or designee's decision regarding the appeal of ISS shall be final.
- The person hearing the case cannot have been a witness to or have assigned the original consequence or have been otherwise involved in the incident that resulted in the proposed discipline.

Students will be isolated from the mainstream of the school while in ISS and will be ineligible to participate in extracurricular activities on the day the student serves ISS.

Any action taken in response to a violation of student code of conduct or school board transportation policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

Students who are placed in Detention/ISS will be entitled to complete make-up work (classwork, homework, assessments, etc.) while in Detention/ISS program for full credit. Any such absence shall be marked as excused.

## Out-of-School Suspension (OSS) Guidelines

Out of school suspension is defined as a disciplinary action in which a student may be temporarily removed from all classes of instruction on public school grounds and all other school sponsored activities, except as authorized by the principal or the principal's designee, for a period not to exceed 10 days of school and remanding of the student to the custody of the student's parent with specific homework assignments for the student to complete [\(F.S. 1003.01\)](#)

Principals and their designees may suspend a student for violating the Student Code of Conduct as indicated on the Discipline Matrix. Students shall not be suspended for skipping, tardiness, absence, leaving campus without permission or truancy. [\(F.S.1006.09\)](#)

Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount. Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.

School personnel shall not be held legally responsible for suspensions and recommendations for expulsion made in good faith.

## Suspension Guidelines

The principal or principal's designee shall do the following when considering suspension: [\(F.S. 1006.09\)](#)

- Provide verbal notice to the student of the disciplinary infraction and an explanation of the evidence against him or her prior to assigning a suspension.
- Give each student an opportunity to present his or her side of the story and present a written statement.
- Make a good faith effort to immediately inform the student's parents by telephone of the violation(s) and the potential for the student's suspension.
- Make a good faith effort to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions requiring immediate suspension, or in the case of a serious breach of the Code of Conduct.
- Document each suspension and the reason for the suspension on the Student Event and Discipline Report and provide a copy to the parent within 24 hours via US Mail per State Statute.
- Parent notification must:
  - Be in the parent/guardian's primary language, to the extent feasible
  - Explain the alleged misconduct and the school district rule(s) alleged to have been violated
  - Identify the corrective action or discipline being proposed
  - Explain that students who are suspended from school shall be allowed to make up work for full credit and the process they should follow to make up any work
  - Explain the rights of the student and/or his or her parent(s) or guardian(s) to appeal the allegation(s) and the proposed action, and tell them how to make an appeal
  - Explain that the appeal must be in writing and received by the principal within three (3) days
- Students who are serving out-of-school suspension shall be excluded from all district or school sponsored activities taking place at any District School Board of Pasco County school or campus, at any school function or any school sponsored transportation, including, but not limited to extracurricular, co-curricular, student organizations, graduation ceremonies, dances, and other events. Suspended students may not be on the campus of the zoned school or any Pasco County school at any time for any reason, unless accompanied by a parent for a scheduled meeting with school staff.
- Pasco County Ordinance sec. [66-153\(2\)\(b\)](#) provides that a minor who has been suspended or expelled from school may not be or remain in a public place, in any establishment, or within 1,000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day.
- Students who have been assigned out-of-school (OSS) may make up all missed assignments and tests for full credit.
- A student may only be suspended out-of-school for ten (10) days at a time per state statute. [\(F.S. 1003.01 \(13\)\(b\)\)](#)
- Expulsion or disciplinary reassignment recommendations will override any school-based OSS appeals. The OSS will be considered at the district level appeal for the expulsion or disciplinary reassignment.

Note: Students with disabilities (ESE and 504) may still request a school level OSS appeal.

For students with disabilities (Section 504 and IDEA, excluding Gifted only), a Manifestation Determination Meeting must convene within ten (10) days of any decision to change placement and prior to the 11th day of removal of the student from his or her current educational placement.

A Student with a Disability' refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act ("IDEA"), the Americans with Disabilities Act ("ADA"), or Section 504 of the Rehabilitation Act of 1973 ("Section 504").

Any action taken in response to a violation of student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

For more information regarding special considerations for students with disabilities, see the Discipline of Students with Disabilities section for more information regarding special considerations.

## Expulsion and Bus Expulsion Guidelines

Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount. Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.

Only principals may recommend expulsion of a student.

The principal may recommend expulsion for the following reasons ([F.S. 1006.09](#)):

Certain SESIR events:

|                                                           |                          |
|-----------------------------------------------------------|--------------------------|
| Arson (ARS)                                               | Homicide (HOM)           |
| Aggravated Battery (BAT)                                  | Kidnapping (KID)         |
| Bomb Threats or hoaxes/threatening use of a firearm (DOC) | Other Major Crimes (OMC) |
| Major disruption on campus/taking part in a riot (DOC)    | Simple Battery (PHA)     |
| False fire alarm (DOC)                                    | Robbery (ROB)            |
| Drug sale/distribution (DRD)                              | Sexual battery (SXB)     |
| Fighting (FIT)                                            | Weapons possession (WPO) |

2F - Fighting (mutual physical altercation) (non-SESIR) (2nd referral same year ONLY)

3I - Sexual Harassment Title IX - Corrective action for Sexual Harassment may be issued only in accordance with the District's Title IX Sexual Harassment Procedures defined in policy 2266

See School Bus Rules for bus expulsion qualifiers.

No student shall be expelled from school unless acted upon by the School Board. Likewise, only the School Board can cancel an expulsion. In no case shall an expulsion be for more than the duration of the current school year and one (1) additional school year. ([F.S. 1003.01](#))

School administration recommendations for expulsion must meet all guidelines set forth in district policy and procedure.

If the principal recommends expulsion, the principal will immediately:

- Complete the Student Event and Discipline Report.
- Suspend the student for ten days.
- Notify the parent via phone or in person of the suspension and recommendation for expulsion.
- Notify the parent that an appeal will be scheduled at the district office.

- Parent/guardians must also be provided with a copy of the Student Event and Discipline Report, district appeal rights and the Parent Notification Letter or copy of the expulsion recommendation packet.
- See also section on OSS regarding notification via US mail as required by state statute.
- Submit the expulsion recommendation packet to the district office.

Any recommendation for expulsion shall:

- Include the fully completed expulsion packet from the principal detailing the violation(s) of the Student Code of Conduct.
- Include positive behavior interventions and supports put into place prior to the recommendation as appropriate.
- Include a copy of the Functional Behavior Assessment/Behavior Intervention Plan, witness statements, social media screenshots, pictures of drugs/weapons, police report, etc. as appropriate.
- Include current year discipline, attendance and academic information.
- Be signed by the principal.

A district level appeal will automatically be scheduled for all expulsion recommendations.

The hearing officer may review the file and make a recommendation if the parent/guardian waives their right to appeal, refuses to participate in a hearing or fails to appear for a scheduled meeting. Two (2) attempts to schedule a hearing will be made prior to moving forward due to parental lack of participation.

If a parent/guardian does not agree with the decision reached at a district level discipline appeal hearing regarding the recommended expulsion, the parent/guardian may formally appeal the recommendation for expulsion at the next regularly scheduled meeting of the School Board by requesting an open or closed hearing before the Board. This must be done in writing within three (3) days after receiving the Superintendent or designee's decision at the conclusion of the hearing.

The School Board's decision regarding expulsion without services will be considered **final**.

If the Superintendent's designee recommends a disciplinary reassignment in lieu of expulsion, said decision will be considered **final** and not subject to further appeal, negotiation, or amendment, by any party.

Expelled students may not be on the campus of the zoned school or any Pasco County school at any time, for any reason, unless accompanied by a parent/guardian for a scheduled meeting with school staff.

A minor who has been suspended or expelled from school may not be or remain in a public place (including school bus stops), in any establishment, or within 1,000 feet of a school during the hours of 9:00 a.m. to 2:00 p.m. during any school day. (Pasco County Ordinance sec. 66-153)

Any student with a disability must have the proper proceeding prior to being recommended for expulsion discussing said recommendation.

A "Student with a Disability" refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act ("IDEA"), the Americans with Disabilities Act ("ADA"), or Section 504 of the Rehabilitation Act of 1973 ("Section 504").

Any action taken in response to a violation of the student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable

modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

ESE Students Only: The hearing results letter, and the student's disciplinary reassignment contained herein, are subject to the student's educational and behavioral rights as set forth by the IDEA and similar Florida statutes and regulations.

School personnel shall not be held responsible for suspensions and recommendations for expulsion made in good faith.

## Disciplinary Reassignment

The District School Board of Pasco County reserves the right to utilize change of placement as a disciplinary measure for any matter the Superintendent deems appropriate thereby preserving the learning environment, or otherwise promoting the health, safety and welfare of those in the learning environment.

Only principals may make a recommendation for a disciplinary reassignment.

A student may be recommended for disciplinary reassignment for one of the following reasons:

- If they were similarly placed in an alternative setting in another district (see Reciprocal Discipline policy).
- If they were formally charged by a proper prosecuting attorney with an off-campus felony that has a demonstrably adverse impact on the school campus (see Off-campus Felony policy).
  - Adverse impact must be proven in a formal disciplinary reassignment hearing.
- In lieu of expulsion.
- If the student has received five (5) separate out-of-school suspensions.
  - OSS must be consistent with discipline matrix.
  - Students shall not be suspended for skipping, tardiness, absence, leaving campus without permission, or truancy. ([F.S. 1006.09](#))
  - Any infractions that are related to skipping, tardiness, absence, leaving without permission, or truancy will not be considered.
  - Each event for which the student could have been assigned OSS in accordance with the Student Code of Conduct but was given an alternative to suspension in lieu of OSS may be counted for the purposes of accumulating or counting the five (5) separate OSS events required for a recommendation for disciplinary reassignment.
  - In such situations students must have been afforded the opportunity to request a school level appeal hearing regarding the matters for which they received an OSS or an alternative to suspension in lieu of OSS.
- For continuous disruptive behavior: defined as fifteen (15) or more Level Two or Three referrals (2C and 2J excluded)
  - Referrals must be consistent with discipline matrix
  - Any infractions that are related to skipping, tardiness, absence, leaving without permission, or truancy will not be considered

For certain SESIR/discipline events:

Alcohol distribution (ALC)  
Alcohol possession (ALC) 2nd referral same year ONLY  
Breaking and entering/burglary (BRK)

Bullying (BUL)  
Drug possession (DRU) 2nd referral  
same year ONLY

Fighting (FIT)  
Harassment (HAR)  
Hazing (HAZ)  
Larceny/theft (STL)  
Other Major Crimes (OMC)  
Sexual assault (SXA)

Sexual harassment (SXH)  
Sexual offense other (SXO)  
Simple Battery (PHA)  
Threats/intimidation (TRE)  
Trespassing (TRS)  
Vandalism (VAN)

Look-alike drugs (3Y) 2nd referral same year ONLY

2F – Fighting (mutual physical altercation) (Non-SESIR) 2nd referral same year ONLY

- Certain qualifying events will also require evidence of a lack of response to intervention (Multi-Tiered Systems of Support/MTSS) for a reasonable amount of time before the recommendation can be forwarded for consideration.
- Students may return to school pending the outcome of the disciplinary reassignment recommendation once their out-of-school suspension has been completed. A student may only be suspended out-of-school for ten (10) days at a time per state statute. [F.S. 1003.01) (13) (b)]

School administration recommendations for disciplinary reassignment must meet all guidelines set forth in district policy and procedure.

An administrative hearing will be held to review all disciplinary reassignment recommendations. Placement decisions will be based on the severity of the incident, evidence provided by the school and student/family and other mitigating factors. The hearing officer may review the file and issue a decision if the parent/guardian waives their right to appeal, refuses to participate in a hearing or fails to appear for a scheduled meeting.

The decision of the Superintendent's designee will be considered **final** and not subject to further appeal, negotiation, or amendment, by any party.

Any student with a disability must have the proper Manifestation Determination Meeting proceeding prior to being recommended for disciplinary reassignment expulsion discussing said recommendation.

A "Student with a Disability" refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act ("IDEA"), the Americans with Disabilities Act ("ADA"), or Section 504 of the Rehabilitation Act of 1973 ("Section 504").

Any action taken in response to a violation of the student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

ESE Students Only: The hearing results letter, and the student's disciplinary reassignment contained herein, are subject to the student's educational and behavioral rights as set forth by the IDEA and similar Florida statutes and regulations.

For more information regarding special considerations for students with disabilities see section for the Discipline of Students with Disabilities.

## Student and Parent/Guardian Appeal Rights

Parent/guardian rights during the discipline appeal process include, but are not limited to, the following:

#### Appeal Rights

- The parent/guardian and students age eighteen (18) or older have the right to inspect any written, video or physical evidence that the school has used to make a disciplinary decision, said evidence will be made available to the parent by the school administration upon request
- The school will redact (remove any identifying names and/or information) any requested evidence prior to presenting said evidence to the parent.
- Parent/guardians have the right to view any video evidence at the school with an administrator; videos will be redacted to the extent necessary and when able to do so without destroying its meaning.
- Parents/guardians have the right to provide a defense including, but not limited to providing an explanation of the alleged disciplinary infraction, their own witness statements, their own copies of social media, etc.
- Parents/guardians may be represented by an attorney or advocate at their own expense and must notify the school administration, superintendent, or designee as soon as possible if they will be represented by an attorney.
- The school administration, superintendent or designee has the right to inspect and question any evidence presented by the parent/guardian.
- The recording of a non-public meeting involving students (including an EP or IEP team meeting) is prohibited unless a parent, authorized representative of a parent, or team member, is unable to understand or meaningfully participate in the process or planning of the relevant student's education due to a disability, language barrier, or some other impairment. (School Board Policy 2461)

#### Student Attendance During Appeal

- The student will return to school (OSS), resume normal class attendance (ISS), or resume bus transportation pending the school level appeal.
- Students will return to school after their OSS has been completed if a disciplinary reassignment recommendation is still pending.
- The Superintendent or designee may only ban a student from campus or the bus during formal appeal if the student's presence poses an imminent threat of danger or risk of a major campus disruption as defined elsewhere in this document, in such cases, the appeal shall be expedited.
- Suspension of extracurricular activities and athletics will remain in effect during the appeal.

#### School Level Appeals

- Parents/guardians and students age eighteen (18) or older have the right to appeal any assignment of ISS, OSS or any situation in which a student receives an alternative to suspension (ATS) in the place of OSS, or bus suspension that they feel is not supported by the facts of the incident or is not otherwise in alignment with the Student Code of Conduct.
- Consequences other than ISS, OSS, ATS in lieu of OSS, or bus suspension are not subject to appeal. Appeal requests must be addressed to the school principal, initiated verbally and followed up in writing or email within three (3) days of the assignment of said disciplinary action.
- If the appeal is not initiated within three (3) days of the issuance of a disciplinary action, the disciplinary action will be implemented and there will be no further right of appeal.
- The person hearing the case cannot have been a witness to have assigned the original consequence or have been otherwise involved in the incident that resulted in the proposed discipline.
- School principals will review all grievances and hear all appeals.
- A neighboring principal or other administrator shall hear the appeal if the building principal is barred from hearing the matter for the reasons set forth above.

- The principal's decision will be final on all appeals regarding ISS, or OSS, and ATS in lieu of OSS, of one (1) to five (5) days.
- When a timely appeal has been made, any assigned discipline will be delayed, pending conclusion of the school level appeal.
- Any appeals regarding OSS or ATS in lieu of OSS of six (6) to ten (10) days shall be heard at the school level first and may be further appealed at the district level (see district level appeals).

## District Level Appeals (Evidentiary Hearing)

- For matters involving OSS of six (6) to ten (10) days, disciplinary alternative reassignments, or expulsion, students shall have the right to an evidentiary hearing before an Independent Hearing Officer (IHO) at the district offices.
- A district level evidentiary hearing will only be held when a parent/student has first attended a school level appeal, as required by the Student Code of Conduct.
- Any requests for a district level evidentiary hearing must be submitted in writing within three (3) days of the principal's decision at a school level appeal.
- If the hearing request is not initiated within three (3) days of the principal's decision, the disciplinary action will be implemented and there will be no further right of appeal (excluding expulsion matters, which will be acted upon by the School Board).
- All district level evidentiary hearings are held virtually or by teleconference with the district office in Land O' Lakes. Alternative accommodations may be made when required due to a disability.
- The IHO may uphold, reverse, or modify the suspension.
- The decision of the IHO is final on any disciplinary outcomes involving OSS, bus suspension, or disciplinary alternative reassignments.
- During the hearing, both the students/parents and the school recommending discipline shall have the opportunity to present relevant documents, evidence, and witness testimony, and, through the IHO, question witnesses and inspect and respond to evidence of the other party.
- Irrelevant, immaterial, or unduly repetitious evidence shall be excluded.
- The participants at the hearing will be limited to those with a relevant interest in the matter at hand, as determined by the IHO.
- Parents of public-school students may be accompanied by another adult of their choice at the hearing. However, only duly licensed attorneys, or those who have demonstrated they have met the requirements to serve as a qualified representative, in accordance with Florida Law, may speak for or on behalf of the parents/student.
- Only the evidence presented during the hearing will be used to make a decision.
- The IHO will provide a written decision.
- Said decision will be provided at the end of the hearing or sent to the student or parent/guardian within approximately one (1) calendar week and shall include notice of the right of due process appeal to the school board in cases of an expulsion recommendation.

## School Board Level Appeals (Appeals regarding Expulsion)

- All recommendations for expulsion are acted upon by the School Board.
- Parents/students may request an appeal hearing before the School Board for all recommendations for expulsion.
- Any requests for an appeal hearing before the School Board must be submitted in writing within three (3) days of issuance of the IHO's decision at a district level evidentiary hearing.
- If the appeal request is not initiated within three (3) days of the issuance of the IHO's decision, the disciplinary action will be implemented and there will be no further right of a formal appeal hearing before the School Board.

(though, parents will still have the ability to address the School Board during the public comment portion of any School Board meeting).

- All expulsion appeals before the School Board are held in-person, during an open and publicly noticed meeting of the School Board. Alternative accommodations may be made when required due to a disability.
- The School Board may uphold, reverse, or modify the recommendation for expulsion.
- The appeal hearing before the School Board is in addition to and is not a replication of the district-level evidentiary hearing. The School Board will review the results of the district level appeal hearing, consider any statements, appeals, and/or arguments by the parent/student, and consider any newly discovered evidence at the appeal hearing. However, the appeal before the School Board shall not replicate, re-do, or otherwise conduct another evidentiary hearing of the scope afforded during the district level evidentiary hearing.

## Reciprocal Discipline

The District School Board of Pasco County will uphold and enforce disciplinary proceedings from other public-school districts. If a student was expelled or disciplinarily reassigned in another district, Pasco County will enforce said expulsion or alternative placement. An official disciplinary placement letter or hearing outcome must be presented that details the length of placement or expulsion, conditions for return and other critical information regarding the placement or expulsion. The District School Board of Pasco County will only enforce the original placement duration as stipulated in the sending district's placement letter. (F. S. 1006.07)

## Off-Campus Felony

A student who has been formally charged by a proper prosecuting attorney with a felony, or with a delinquent act which would be a felony if committed by an adult, which allegedly occurred on property other than public school property, or a student who has been adjudicated guilty of a felony, may be subject to suspension, expulsion, alternative placement, and/or exclusion from extracurricular activities if that incident is shown, in an administrative hearing to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Students will not be disciplinarily reassigned due to off-campus criminal activity save for the conditions contained herein and other sections of this document.

[\(F.S. 1006.09\)](#)

## Crime and Victimization

The District School Board of Pasco County reserves the right to place students in an alternative educational setting (alternative school or other district school) who are adjudicated guilty or who are found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere to, a felony violation of homicide, assault, battery, kidnapping, sexual battery, lewdness and indecent exposure, child abuse, robbery, carjacking or home-invasion robbery (F.S.1006.13 (6) for full list) who also attends the same school or rides the same school bus as the victim or sibling of the victim. Students will not be disciplinarily reassigned due to off-campus criminal activity save for the conditions contained herein and other sections of this document. ([F.S. 1006.09](#) , [F.S. 1006.13](#))

## Discipline Timeline

In order to promote learning and behavioral change, consequences should be assigned and implemented as soon as possible after an infraction. Disciplinary consequences (including expulsion and disciplinary reassignment recommendations) must be assigned within five (5) school days of the incident. In very limited circumstances involving

ongoing investigations or students that require a Manifestation Determination Meeting, a consequence may be assigned beyond said period of time.

## Dangerous Objects or Devices

A student shall not possess, handle or transport dangerous objects or devices.

- Students are not to be in possession of any type of dangerous objects or devices on District School Board of Pasco County school, campus, at any school functions, or on any school sponsored transportation. These may include, but are not limited to, razor blades, box cutters, common pocketknives, air soft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items.
- Possession of a dangerous object or device will result in disciplinary action, which may include out-of-school suspension. Use of a dangerous object or device in a careless or threatening manner may result in additional consequences.
- Live ammunition is defined as a fixed metallic or nonmetallic hull or casing containing a primer, gunpowder and one or more projectiles, bullets or shot. Any ammunition that is part of jewelry or other decorative item that meets the above definition will also be considered a “dangerous object.” [\(F.S. 790.001\)](#)

## Gambling

Student gambling and similar activities are prohibited on all District School Board of Pasco County campuses.

Gambling is defined as: playing a game for money or property, to bet on an uncertain outcome, to stake something on a contingency.

## Alcohol, Drugs, Illegal Substances and Look-alike Drugs

Students are prohibited from possessing alcohol, hemp, marijuana, THC, and any illegal drug(s), narcotic(s), controlled substance(s) as well as any substance that is represented to contain, mimics, or that looks like the aforementioned items while on a school campus, school bus, at a school sponsored function, or any District School Board of Pasco County property or facility.

Student are prohibited from distributing alcohol, hemp, marijuana, THC, and any illegal drug(s), narcotic(s), controlled substance (s) or any substance that is represented to contain, mimics, or that looks like the aforementioned items while on a school campus, school bus, at a school sponsored function or any District School Board of Pasco County property or facility.

Hemp and/or other look-alike drug possession will be coded as a (3Y) and subject to consequences as detailed in the Discipline Matrix.

See below for TOOLS program information.

## Prescription and Over-the-Counter Medication

School Board Policy 5330.01 (Self-Administered Medication) permits the carrying and self- administration of certain, limited prescription and non-prescription medications. Please review the above-listed policy for information regarding the permitted medications.

Loss of Privileges and Discipline: As to any and all prescribed medications and over-the-counter medications, the following prohibitions and restrictions apply:

- Students are prohibited from sharing self-administered medication with other students.
- Students must carry all medications in the original manufacturer's packaging.
- Students are prohibited from ingesting or utilizing medication in a way that is not specifically directed or authorized by the manufacturer, as directed on the original packaging.
- Students are otherwise prohibited from using the medication in a way that is dangerous or disruptive to the educational environment.

Students that engage in any of the prohibited actions listed above are subject to disciplinary action under a (2S) infraction. Additionally, the Superintendent, or the Superintendent's designee may revoke the privilege and right for a student to self-carry and self-administer medication when such is necessary to safeguard the subject student or other students. Revocations are subject to a district level appeal before an impartial hearing officer.

## Secondary Training Orientation and Outcomes for Lifetime Strategies Program (TOOLS)

The TOOLS Program is an educational intervention for students who are involved in disciplinary action due to vaping, substance use, substance/look-alike possession, or fighting/physical aggression. The goal of this program is to provide prevention education while allowing students to remain in school by reducing out-of-school suspension.

Students found to have been selling or distributing drugs or alcohol are not eligible for the program.

Students may be referred for TOOLS for any of the following infractions:

- 2D
- 2F
- 3D FIT
- 3E BAT or 3E PHA
- 3F DRU or 3F ALC
- 3T (TBC)
- 3Y

Students may be assigned to TOOLS multiple times for the above infractions.

Consequences will be assigned as follows if referred to TOOLS:

- 2D up to 3 days of OSS may be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and OSS days as originally assigned
- 2F (1st infraction) – 3 days OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 2 days of OSS
- 2F (2nd infraction) – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS

- 3D FIT – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS
- 3E BAT or 3E PHA – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS
- 3F DRU, 3F ALC or 3Y – 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and assigned an additional 5 days of OSS
- 3T (TBC) 2F (3rd infraction) – up to 5 days of OSS will be assigned – if the student does not complete TOOLS, they will be issued a 2E referral for failure to complete interventions and OSS days as originally assigned

## Elementary (3rd – 5th grades) Training Orientation and Outcomes for Lifetime Strategies Program (TOOLS)

- The 3-5 grades TOOLS Program is a voluntary educational intervention for students in grades 3 through 5 who are involved in disciplinary action due to vaping or fighting/physical aggression. Code for acts of aggression/fighting (2D, 2F, 3D FIT, 3E BAT, 3E PHA, 3T (TBC))
- The purpose is to provide effective education prevention while helping students remain academically engaged by reducing out-of-school suspension days and providing strategies for avoiding aggressive responses to situations with others. The grades 3-5 TOOLS program requires full participation by the enrolled child and parent/guardian for successful completion.
- TOOLS is optional: OSS consequences will be reduced for successful completion of the program.

## Major Disruption on Campus

Defined as a major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation, as well as disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others.

Examples:

- Closure of all or part of the school
- Student or making bomb threat that disrupts school function
- Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group
- Student or other causing an incident that results in closing the cafeteria
- Student or other inciting a riot
- Student or other pulling a fire alarm
- Student or other deliberately crashing the school computer system
- Student or other causing an incident that prevents other students from proceeding to the next class or prevents egress

Non-examples:

- Disruption of a single classroom
- Student defying authority
- Student disobeying or showing disrespect to others
- Student using obscene or inappropriate gestures
- Student not sitting in seat and/or talking loudly on a moving bus

## Student Peaceful Assembly

Students have the right to peacefully assemble, in accordance with school board policy, on school grounds and the responsibility to assemble in such a way as to avoid disrupting the educational process or conflicting with school rules.

The students engaging in limited walkouts or peaceful assemblies cannot act in a disruptive manner and cannot engage in behaviors that would cause a disruption of the educational environment or otherwise adversely impact the school's operation. For example, the participants cannot be so loud as to disrupt classes. The participants cannot block hallways. The participants will not be allowed in unauthorized areas.

The following considerations and guidelines should be followed:

- Any such peaceful demonstration or walkout should be limited to fifteen (15) minutes or less.
- The place of the peaceful assembly must be a place where students are typically permitted to access and gather (such as courtyard).
- The students may not congregate in unsafe areas (such as parking lots), or other areas that would prevent staff or other, non-participating, students from going about their normal business. For example, demonstrating students cannot crowd hallways or other confined areas that would create blockages or potentially unsafe conditions.
- The school must provide reasonable supervision of the students during peaceful assemblies.
- Pasco County Schools, and its employees, are prohibited from sanctioning, authorizing, or actively participating in the student walkout. Staff must be present to provide reasonable supervision, but staff are not to engage in student demonstrations and/or walkouts.
- At the end of the limited walkout or demonstration, remind students that they must return to their class, or they will be subject to discipline in accordance with the Student Code of Conduct.
- Permitting a limited walkout in no way prevents students from otherwise gathering in a peaceful and non-disruptive manner during their lunch period, their pass period(s), or during other parts of the day when they are not expected to be in a classroom.

## Vaping and Tobacco

### Tobacco

The possession, use, distribution, or sale of tobacco or nicotine products are prohibited on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be drug related.

Please note that when a student is referred to Law Enforcement for a Tobacco violation, they may be issued a Civil Infraction by the officer. This may result in additional requirements such as a Tobacco Prevention Course and fees through Law Enforcement as well as other penalties upon the discretion of Law Enforcement. F.S. 386.212

### Vape

The possession, use, distribution, or sale of vapes and vape products are prohibited on school grounds, at school-sponsored events, or on school transportation. Vape incidents may be tobacco or drug related depending on the content of the vape, and such incidents should be disciplined accordingly.

For the purposes of the Student Code of Conduct and School Board Policy the term “vape” includes but is not limited to any device that is designed to atomize liquid into a vapor form for the purposes of inhalation, regardless of the content of the liquid.

A “Vape” includes but is not limited to an electronic smoking device (as defined by School Board Policy) electronic cigarettes, e-cigarettes, e-cigs, or eGo. E-hookahs, hookah pens, JUULs, Mods, personal vaporizers or PVs, vapes, vape pens, vape sticks, ENDS or electronic vapor delivery systems. For the purposes of the Student Code of Conduct and School Board Policy the term “vaping” is the utilization of a vape.

Families are encouraged to discuss the potential consequences of vaping, Nicotine, or Tobacco utilization and the implications for any violations of the Vaping and Tobacco Policy.

### Examples

- A student under 21, possessing and/or smoking cigarettes, cigars, etc.
- A student under 21, possessing and/or using a nicotine dispensing device or electronic nicotine delivery system (ENDS) such as electronic cigarettes, vape pens, hookah pens, etc.
- A student using smokeless tobacco or nicotine products
- A student using a non-Tobacco or non-Nicotine Vape device

### Suggested Interventions

#### 1<sup>st</sup> Offense

- Issue 3T-TBC or 3T-VAP referral
- Parent/Student Conference
- Student completes the 3-hour Florida Tobacco Prevention Module
- Warning notice for referral to Law Enforcement Officer for a Tobacco Citation

#### 2<sup>nd</sup> Offense

- Issue 3T-TBC or 3T-VAP referral
- Parent/Student Conference
- Issue 1-2 days of ISS, 1-2 days of OSS, or Alternative to Suspension (Saturday School, PM Detention, Community Service, Restorative Practice)
- Referral to Law Enforcement Officer for a Tobacco Citation

#### Additional Offenses

- Issue 3T-TBC or 3T-VAP referral
- Parent/Student Conference
- Referral to Law Enforcement Officer for a Tobacco Citation
- Issue up to 5 days of OSS, or Alternative to Suspension (Saturday School, PM Detention, Community Service, Restorative Practice)
- Student completes TOOLS Program

The above is only a suggested continuum; School Administration may assign a variety of consequences as long as they are consistent with the SCOC and Discipline Matrix.

Any action taken in response to a violation of the student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

A “Student with a Disability” refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act (“IDEA”), the Americans with Disabilities Act (“ADA”), or Section 504 of the Rehabilitation Act of 1973 (“Section 504”).

## Discipline Matrix

The Discipline Matrix was created and incorporated into the Student Code of Conduct to increase consistency and equity in district disciplinary practices. The matrix was developed after gathering input from all stakeholders in a variety of settings. The matrix was then reviewed and approved by the Superintendent and his staff as well as the School Board. The Discipline Matrix utilizes a progressive discipline approach.

It is the expectation that each school abide by the Discipline Matrix when assigning disciplinary consequences.

The designated mandatory and potential actions set forth in the Discipline Matrix are subject to modification by the Superintendent on a case-by-case basis when required to prevent substantial disruption of the educational environment or otherwise promote the health, safety or welfare of students or staff.

Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount. Exclusionary Discipline should be considered only after less restrictive alternatives have been attempted.

Certain behaviors may lead to higher-level consequences being assigned, even for first infractions.

“Exclusionary Discipline” refers to any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school suspension, out-of-school suspension, expulsion, or transfer to an alternative education program. This term does not refer to positive interventions, loss of privileges, detentions, or other corrective strategies that do not remove a student from instruction. (OCR USDOE July 2022)

"Detentions" refer to consequences for violations of the Code of Conduct that do not remove a student from the classroom during instructional time but require a student to spend some amount of time in a particular school location during lunchtime, after school, or on the weekend.

Special Considerations for Students with Disabilities:

A ‘Student with a Disability’ refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act (“IDEA”), the Americans with Disabilities Act (“ADA”), or Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

- Students with disabilities are afforded protections not available to nondisabled students.
- The protections for students with disabilities address disciplinary actions which may and may not be imposed, and other actions which may be required in addressing the needs of students with disabilities, relative to behavior and/or discipline.

Any action taken in response to a violation of student code of conduct or school board policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable.

See also section for Discipline of Students with Disabilities Contact the District Discipline Office (813) 794-2629 for more information regarding discipline procedures for students who, would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act (“IDEA”), the Americans with Disabilities Act (“ADA”), or Section 504 of the Rehabilitation Act of 1973 (“Section 504”).

| Incident Code | <b>Discipline Matrix</b>                                                                                                                                                                                  | Corrective Action/Intervention applied:<br>consequences deferred based on age<br>/understanding/disability | Out-of-School Suspension (1 – 3 Days) | Out-of-School Suspension (4 – 5 Days) | Out of School Suspension (6 – 10 Days) | *Referral to law enforcement agency<br>(investigation/arrest) | Recommendation for bus expulsion | Recommendation for expulsion | Threat assessment | Referral to Mobile Response Team | Recommendation for alternative<br>placement |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------|----------------------------------------|---------------------------------------------------------------|----------------------------------|------------------------------|-------------------|----------------------------------|---------------------------------------------|
|               | M= Mandatory    P= Potential Action    X = Prohibited Action<br><br>Administrator determined interventions should be considered prior to determining consequences and issuing referrals when appropriate. |                                                                                                            |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |
|               | <b>Level One</b>                                                                                                                                                                                          | 00                                                                                                         | 44                                    | 44                                    | 44                                     | 46                                                            | 47                               | 48                           | 51                | 60                               | 57                                          |
| 1B            | Inappropriate public display of affection                                                                                                                                                                 | P                                                                                                          |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |
| 1C            | Tripping, pushing, hitting or similar aggressive acts                                                                                                                                                     | P                                                                                                          |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |
| 1I            | Unauthorized possession or use of toys, audio or wireless communication devices, collectibles or other items or materials that are inappropriate for educational setting                                  | P                                                                                                          |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |
| 1K            | Violation of dress and appearance code                                                                                                                                                                    | P                                                                                                          |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |
| 1L            | Unauthorized location                                                                                                                                                                                     | P                                                                                                          |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |
| 1M            | Violation of traffic, parking, bus or bicycle regulations                                                                                                                                                 | P                                                                                                          |                                       |                                       |                                        |                                                               | P                                |                              |                   |                                  |                                             |
| 1P            | Failure to comply with classroom, school or bus rules (minor disruption)                                                                                                                                  | P                                                                                                          |                                       |                                       |                                        |                                                               | P                                |                              |                   |                                  |                                             |
| 1Q            | Disrespect toward student or staff                                                                                                                                                                        | P                                                                                                          |                                       |                                       |                                        |                                                               |                                  |                              |                   |                                  |                                             |

| Incident Code | <b>Discipline Matrix</b><br><br>M= Mandatory    P= Potential Action    X = Prohibited Action<br><br>Administrator determined interventions should be considered prior to determining consequences and issuing referrals when appropriate. | Corrective Action/Intervention applied: consequences deferred based on age /understanding/disability | Out-of-School Suspension (1 – 3 Days) | Out-of-School Suspension (4 – 5 Days) | Out of School Suspension (6 – 10 Days) | *Referral to law enforcement agency (investigation/arrest) | Recommendation for bus expulsion | Recommendation for expulsion | Threat assessment | Referral to Mobile Response Team | Recommendation for alternative placement |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------|----------------------------------------|------------------------------------------------------------|----------------------------------|------------------------------|-------------------|----------------------------------|------------------------------------------|
|               |                                                                                                                                                                                                                                           | 00                                                                                                   | 44                                    | 44                                    | 44                                     | 46                                                         | 47                               | 48                           | 51                | 60                               | 57                                       |
|               | <b>Level Two</b>                                                                                                                                                                                                                          |                                                                                                      |                                       |                                       |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2B            | Disruptive behavior                                                                                                                                                                                                                       | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2C            | Skipping, leaving class without permission, or truancy                                                                                                                                                                                    | P                                                                                                    | X                                     | X                                     | X                                      |                                                            |                                  | X                            |                   |                                  | X                                        |
| 2D            | Physical Aggression (minor physical contact, pushing, shoving, slapping, or touching)                                                                                                                                                     | P                                                                                                    | P                                     | X                                     | X                                      | P                                                          | X                                | X                            | P                 | P                                | X                                        |
| 2E            | Failure to comply or complete previously assigned intervention strategies                                                                                                                                                                 | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  | X                            |                   |                                  | X                                        |
| 2F            | Fighting (mutual physical altercation) (non-SESIR), (see note for potential action 48 and 57)                                                                                                                                             | P                                                                                                    | P                                     | P                                     | P                                      | P                                                          | P                                | P                            | P                 | P                                | P                                        |
| 2G            | Verbal altercation, instigating a fight, harassment (non-SESIR) or unwanted teasing or taunting of others                                                                                                                                 | P                                                                                                    | P                                     | P                                     |                                        |                                                            | P                                |                              | P                 |                                  |                                          |
| 2H            | Defacing and/or destroying school or personal property resulting in damages of less than \$1000                                                                                                                                           | P                                                                                                    | P                                     | P                                     |                                        | P                                                          |                                  |                              |                   |                                  |                                          |
| 2I            | Distribution of objects, literature, or materials that are obscene or inappropriate for an educational setting                                                                                                                            | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2J            | Leaving school grounds without permission                                                                                                                                                                                                 | P                                                                                                    | X                                     | X                                     | X                                      |                                                            |                                  | X                            |                   |                                  | X                                        |
| 2M            | Academic dishonesty, cheating, plagiarism, violation of copyright laws or similar acts                                                                                                                                                    | P                                                                                                    |                                       |                                       |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2N            | Misrepresentation, providing false information to school personnel or lying about a school staff member                                                                                                                                   | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2O            | Having a toy/imitation weapon                                                                                                                                                                                                             | P                                                                                                    | P                                     | P                                     |                                        | P                                                          |                                  |                              | P                 |                                  |                                          |
| 2Q            | Violation of campus safety rules or bus safety rules (considerable disruption caused)                                                                                                                                                     | P                                                                                                    | P                                     | P                                     |                                        | P                                                          | P                                |                              |                   |                                  |                                          |
| 2R            | Defying, disobeying or disrespecting school personnel                                                                                                                                                                                     | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2S            | Having or using matches, lighters, fireworks, smoke/stink bombs, laser pens, or other unauthorized items or Violation of Over-The-Counter medication (OTC) policy                                                                         | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2T            | Theft or accessory to theft of property worth less than \$750                                                                                                                                                                             | P                                                                                                    | P                                     | P                                     |                                        | P                                                          |                                  |                              |                   |                                  |                                          |
| 2U            | Profane, obscene or provocative language or gestures                                                                                                                                                                                      | P                                                                                                    | P                                     | P                                     |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 2V            | Gang related disruption; may include materials, dress or hand signs                                                                                                                                                                       | P                                                                                                    | P                                     | P                                     |                                        | P                                                          |                                  |                              | P                 |                                  |                                          |
| 2W            | Improper use of technology, Violation of Wireless Communication Device (WCD) policy                                                                                                                                                       | P                                                                                                    | P                                     | P                                     |                                        | P                                                          |                                  | X                            | P                 |                                  | X                                        |
| 2X            | Gambling                                                                                                                                                                                                                                  | P                                                                                                    | P                                     | P                                     |                                        | P                                                          |                                  |                              |                   |                                  |                                          |

| Incident Code | <b>Discipline Matrix</b><br><br>M= Mandatory    P= Potential Action    X = Prohibited Action<br><br>Administrator determined interventions should be considered prior to determining consequences and issuing referrals when appropriate. | Corrective Action/Intervention applied: consequences deferred based on age/understanding/disability | Out-of-School Suspension (1 – 3 Days) | Out-of-School Suspension (4 – 5 Days) | Out of School Suspension (6 – 10 Days) | *Referral to law enforcement agency (investigation/arrest) | Recommendation for bus expulsion | Recommendation for expulsion | Threat assessment | Referral to Mobile Response Team | Recommendation for alternative placement |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------|----------------------------------------|------------------------------------------------------------|----------------------------------|------------------------------|-------------------|----------------------------------|------------------------------------------|
|               |                                                                                                                                                                                                                                           | 00                                                                                                  | 44                                    | 44                                    | 44                                     | 46                                                         | 47                               | 48                           | 51                | 60                               | 57                                       |
|               | <b>Level Three</b><br>Must match corresponding SESIR code                                                                                                                                                                                 |                                                                                                     |                                       |                                       |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 3D            | Mutual altercation that requires physical intervention or results in injury requiring medical attention (FIT)                                                                                                                             | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            | P                 | P                                | P                                        |
| 3E            | Aggravated Battery includes intentionally or knowingly causing serious injury (BAT)                                                                                                                                                       | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            | M                 | P                                |                                          |
|               | Simple Battery including intentional striking or the intentional causing of bodily harm to another person (PHA)                                                                                                                           |                                                                                                     |                                       |                                       |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 3F            | Manufacturing, cultivating, purchasing or distributing drugs, controlled substances, drugs, drug related items or substances represented to be a drug (DRD)                                                                               | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            |                   |                                  |                                          |
|               | Using or possessing drugs, controlled substances, drugs, drug related items or substance represented to be a drug (DRU)                                                                                                                   | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  |                              |                   |                                  | P                                        |
|               | Using, possessing, selling, purchasing or distributing of alcoholic beverages (ALC)                                                                                                                                                       | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  |                              |                   |                                  | P                                        |
| 3G            | Weapons possession (WPO)                                                                                                                                                                                                                  | P                                                                                                   | P                                     | P                                     | M                                      | M                                                          |                                  | M                            | M                 | P                                |                                          |
| 3H            | Theft or accessory to theft of property, \$750 or more without threat, violence, or bodily harm (STL)                                                                                                                                     | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  |                              |                   |                                  | P                                        |
| 3I            | Sexual harassment (SXH) * see discipline matrix notes for Title IX Sexual harassment                                                                                                                                                      | P                                                                                                   | P                                     | P                                     | P                                      | P                                                          |                                  | *P                           | P                 | P                                | P                                        |
| 3K            | Major disruption on campus; taking part in a riot (DOC)                                                                                                                                                                                   | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            | P                 | P                                |                                          |
| 3L            | Arson (ARS)                                                                                                                                                                                                                               | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            | M                 | P                                |                                          |
| 3M            | Bomb threats or hoaxes, or threatening use of a firearm (DOC)                                                                                                                                                                             | P                                                                                                   |                                       |                                       |                                        | M                                                          |                                  | M                            | M                 | P                                |                                          |
|               | False fire alarm (DOC)                                                                                                                                                                                                                    | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            |                   |                                  |                                          |
| 3N            | Extortion or theft involving violence, a threat of violence or assault or putting the victim in fear (ROB)                                                                                                                                | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            | M                 | P                                |                                          |
| 3O            | Intimidating school staff or students or threatening them with violence (TRE)                                                                                                                                                             | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  |                              | M                 | P                                | P                                        |
|               | Sexual assault or threatening another with sexual violence (SXA)                                                                                                                                                                          | P                                                                                                   |                                       |                                       |                                        |                                                            |                                  |                              |                   |                                  |                                          |
| 3P            | Bullying, or harassment of staff or students (BUL, HAR)                                                                                                                                                                                   | P                                                                                                   | P                                     | P                                     | P                                      | P                                                          |                                  |                              | P                 | P                                | P                                        |
|               | Hazing of staff or students (HAZ)                                                                                                                                                                                                         | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  |                              | P                 | P                                | P                                        |
| 3R            | Violations of other criminal laws (OMC, HOM, KID, SXB, TRS, BRK)                                                                                                                                                                          | P                                                                                                   | P                                     | P                                     | P                                      | M                                                          |                                  | P                            | P                 | P                                | P                                        |

|    |                                                                                                                                                                                                                                  |   |   |   |   |   |   |  |   |  |   |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|--|---|--|---|
| 3S | Habitual or serious breach of bus rules                                                                                                                                                                                          | P | P | P | P | P | P |  |   |  |   |
| 3T | Possession or use, distribution or sale of tobacco products or look-alikes (TBC)                                                                                                                                                 | P | P | P |   | P |   |  |   |  |   |
|    | Possession or use, distribution or sale of vapes and vape products (non-nicotine, non -tobacco, non-drug) (VAP)                                                                                                                  |   |   |   |   |   |   |  |   |  |   |
| 3U | Criminal mischief includes willfully defacing and/or destroying school or personal property resulting in damage of \$1000 or more (VAN)                                                                                          | P | P | P | P | M |   |  |   |  | P |
| 3V | Sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Must involve law enforcement. (SXO) | P | P | P | P | M |   |  | P |  | P |
| 3W | Dangerous object: razor blades, box cutters, common pocketknives, airsoft guns, mace/pepper spray, chemicals, live ammunition/bullets, imitation/look-alike weapons or similar items                                             | P | P | P | P | M |   |  | M |  |   |
| 3X | Refusing, preventing, or otherwise attempting to prevent search of their person, possessions, vehicles, or similar search requests                                                                                               | P | P | P | P | P |   |  |   |  |   |
| 3Y | Possessing look-alike drugs                                                                                                                                                                                                      | P | P | P | P | P |   |  |   |  | P |

### Discipline Matrix Notes

Prior to implementing any disciplinary consequences for students with disabilities, School Administrators will review and consider the student's disability, interventions and supports and whether a reasonable modification is necessary. These considerations and interventions must be documented by School Administrators.

- Students may not be suspended for skipping, tardiness, absence, leaving campus, or truancy
- Students may be recommended for expulsion or alternative placement for the second 2F-Fighting (mutual physical) (non-SESIR) in the same school year.
- Students may be recommended for alternative placement for the second 3F-DRU in the same school year.
- 2M – Academic dishonesty may also result in the following consequences: Reduced credit on assignment, ISS, proctored assessments, withdrawal from course (eSchool/FLVS), schedule change and/or completion of an Academic Integrity Module.
- 2S - Covers most OTC medication issues. May be 3F - DRD if someone is selling OTC medication and representing them as an illegal drug. May be 3F - DRU if someone is using OTC medication in excess to achieve desired effect of impairment.
- Students may be recommended for disciplinary reassignment for use, possession, or distribution of Alcohol 3F-ALC distribution only upon for the second referral with a 3F-ALC use/possession in the same school year.
- 3I, 3O, 3R \*\*Corrective action for Sexual Harassment may be issued only in accordance with the District's Title IX Sexual Harassment Procedures defined in policy 2266.
- 3I Sexual Harassment – Title IX may be subject to recommendation for expulsion per policy 2266 3T-TBC includes e-cigarettes, vape pens containing nicotine substances, hookah pens, and similar devices.
- 3T-VAP includes, e-cigarettes, e-cigs, or eGo, E-hookahs, hookah pens, JUULs, Mods, Personal vaporizers or PVs, Vapes, vape pens, vape sticks, ENDS or electronic vapor delivery systems that are non-Tobacco, non-Nicotine, and non-drug.
- 3W-This code should not be used if any of these items have been used to threaten, injure, harm, or any similar act.

Notify your School Resource Officer (SRO) or other law enforcement any time a situation gives rise to a potential school safety issue/concern. SROs are also available to discuss potential criminality of situations should need to arise.

Prior to referring a Student with a Disability to law enforcement, provided there is not a significant risk of serious harm to the health or safety of a person, determine whether the student has a BIP; whether school personnel is properly implementing the BIP; whether the BIP contains adequate services and supports for the problem behavior; and whether the student needs additional accommodations, services, supports, modifications, and/or aids. In exigent circumstances involving threats to health or safety, or for criminal matters, School Administrators and staff may conduct this review after the referral is made.

## Legal Notices

### Family Educational Rights and Privacy Act (FERPA)

In August of 1974, President Ford signed into law a series of legislative amendments known as the Education Amendments. Among them was an amendment sponsored by Senator James Buckley entitled Family Educational Rights and Privacy Act of 1974 (FERPA). Since enacting FERPA, Congress has strengthened privacy safeguards of education records through this law, refining and clarifying family rights and agency responsibilities to protect those rights. FERPA gives parents the right to review and confirm the accuracy of education records. These rights transfer to the student when the student turns eighteen (18) years old or attends a post-secondary institution. At this time, the student is designated as an “eligible student” and holds the same rights as his or her parents held with respect to education records. This and other United States privacy laws ensure that information about citizens collected by schools and government agencies can be released only for specific and legally defined purposes.

The primary rights of parents and eligible students under FERPA include the right to:

- Inspect and review education records.
- Seek and amend education records.
- Have some control over the disclosure of information from education records.

What is an education record? What type of information is maintained in the record?

A permanent cumulative education record and an automated record are maintained for each student from entrance into school through the twelfth grade or its equivalent. The school that initially enrolls a student is responsible for establishing the records. Each school principal has the legal responsibility for maintaining education records. Educational records (automated and nonautomated) are those records, documents, and other materials, which contain information directly related to the student and are maintained by an educational institution or agency. Information contained in the record is classified as follows:

Category A is defined as permanent information of clear educational importance that is retained indefinitely. Category A information includes: student’s full legal name\* date of birth\* place of birth\* race\* gender\* address\* parent/guardian name\* name, location, and dates of schools attended\* days present/absent\* date of enrollment and withdrawal\* courses taken and achievement records (grades, credits, GPA, or certification of program completion)\* graduation date and requirements\* state/district test results (if required for graduation)\* written records of access\* home language survey\* health immunization certification forms.

Category B is defined as temporary information of clear educational importance that will be periodically corrected and/or eliminated as prescribed by law. Category B information includes but is not limited to: health and immunization information\* family background data\* test scores\* honors/activities\* educational and career plans\* discipline records\* driver education certificates\* correspondence from external agencies\* divorce and/or custody documents/court orders\* written agreements of records deletions or expunctions, records of major discipline or expulsion actions\* student LEP plans.

Upon request, the parent or eligible student shall have the right to:

- Be provided with a list of all records directly related to the student
- Be shown any report on the student
- Receive interpretation of the record
- Be provided with copies of the record (not to exceed actual duplicating costs)

Requests to review student records should be made directly to the school principal or principal's designee. The school must comply within a reasonable time frame (not in excess of 30 days). In addition to rights of access, the parent or eligible student has the right to challenge the content and request correction/deletion of records if he/she thinks they are misleading or inaccurate.

These requests should be made to the school principal and may be further appealed to the Superintendent (or designee). Who else has the right to access student records?

An educational agency/institution may disclose personally identifiable information from a student's education record without prior written consent of the parent or eligible student if the disclosure is:

- "Directory Information," which is information contained in the student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes student's name, address, telephone number (if listed), date and place of birth, dates of attendance at an educational institution, name of most recent previous educational institution attended, major field of study, grade level, diploma, degrees, awards and honors received, participation in officially recognized activities and sports, weight and height of members of athletics teams, and photograph(s). Parents who object to the release of directory information on their child(ren) must notify the school principal, in writing, within fifteen (15) days of receiving this notification. This should be done on an annual basis
- To school officials, including teachers, who have a legitimate educational interest as determined by school board policy
- To officials of other schools or post-secondary institutions in which the student seeks to or has enrolled
- To authorized representatives of the Comptroller General of the United States, The United States Secretary of Education, Assistant Secretary for Education, and state educational authorities, in order to comply with state or federal program requirements
- In connection with a student's application for financial aid
- To organizations conducting educational studies for the purpose of developing or validating tests, student aid, or improving instruction
- To accrediting organizations
- In connection with health and safety emergencies
- To a court of jurisdiction in compliance with a court or attorney of record order pursuant to a lawfully served subpoena, upon the condition that the school makes a reasonable attempt to notify the parent or eligible student
- For use as evidence in student expulsion hearings conducted by a school district
- To the Auditor General in connection with official functions
- To the credit bureaus in connection with an agreement for financial aid which the student has executed
- To parties of an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities for the purpose of implementing the Juvenile Justice Act
- To parents of a dependent student as defined by the Internal Revenue Service's Code of 1986

- If a school district initiates legal action against a parent, or if the parent initiates legal action against a school district
- To School Readiness Coalitions and the Florida Partnership for School Readiness in connection with assigned duties. Copies of education records are released only on the condition that the information will not be subsequently transferred to another party without obtaining the proper consent of the parent or eligible student

## Exceptional Education Students

The Pasco County School District identifies exceptional educational students and maintains information about those students screened and staffed for special educational services/programs. The term “exceptional student” includes students identified for special education programs/services within the following classifications: Intellectual Disabilities, Speech and Language Impaired, Visually Impaired, Deaf/Hard of Hearing, Specific Learning Disabilities, Gifted, Emotional Behavioral Disabilities, Developmentally Delayed, Established Conditions, Hospital Homebound, Autism Spectrum Disorder, Language Learning Disable, Other Health Impaired, Traumatic Brain Injury, and Orthopedically Impaired. Educational records and reports maintained may include information on the student's psychological, social, physical, academic/intellectual, communication/language abilities, attitudes and behaviors. This information is used to assist school staff in the development of appropriate educational plans and instructional strategies for students receiving special education services. It is also utilized for required state and federal reports/audits. Exceptional student education records (Category B information) will be destroyed five (5) years after the date of actual or intended graduation (or its equivalent in time). Parents may contact the school and receive a copy of these records prior to their disposal date. These records may be useful or needed to access adult agency services.

Where can copies of the school board policy on student records be obtained?

Parents and eligible students may obtain copies of the District School Board of Pasco County records policy at any public-school location or from the Student Support Programs and Services Department at the District Office in Land O’ Lakes, Florida.

Parents and eligible students who need assistance or who wish to file a complaint under FERPA should do so by mailing pertinent information concerning any allegations to the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

## Privacy Rights Under the Health Information Portability Accountability Act (HIPPA)

Protected health information includes demographic and medical information that concerns the past, present, or future physical/mental health of your student or yourself. Demographic information could include name, address, telephone number, Social Security Number and any other means of identifying you or your child as a specific person. Protected health information contains specific information that identifies a person or can be used to identify a person. You or your child’s protected health information may be used or disclosed for purposes of treatment (emergency care, for example), payments and health care operation. The school district may send medical information to Medicaid, insurance companies, or community agencies to pay for services provided to your child or yourself. Some protected health information can be disclosed without your written authorization, as allowed by law.

Those circumstances include

- Reporting abuse
- Investigations related to missing children
- Internal investigations and audits or by government agencies
- Public health purposes, including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals
- District medical examiner investigations
- Research approved by the Department of Health or school board
- Court orders, warrants, or subpoenas
- Law enforcement purposes

You have the following rights as an individual or as a parent:

- You can request to restrict the use and disclosure of your or your child's health information
- You have the right to be assured that information will be kept confidential
- You can inspect and receive a copy of yours or your child's protected health information
- You have the right to correct yours or your child's health information

Disclosure of information to school staff is made with your permission for the purpose of providing maximum safety to you and your child. This would be discussed with the parent prior to any disclosure of health information.

## Notice of Social Security Number Disclosure

Florida Statute Section 119.071(5)(a)2-4., requires agencies to notify individuals of the purpose(s) that require the collection of Social Security Numbers. The District School Board of Pasco County collects Social Security Numbers (SSNs) for the following purposes:

- The Internal Revenue Service and Social Security Administration require a Social Security Number on a Form W4, that is used to determine how much federal withholding tax is to be collected and Federal Insurance Contribution Act (FICA) tax on wages paid and later reported in a W-2 Wage and Tax Statement.
- The Internal Revenue Service requires a Taxpayer Identification Number on Form W-9, which could be a Social Security or an Employer Identification Number that could be used to generate a 1099 Miscellaneous Income Statement based on expenditures processed through accounts payable. Vendors with Social Security Numbers are captured in the Vendor Application process.
- The Office of Human Resources and Educator Quality/Finance software program requires the use of Social Security Numbers as the primary personal identification of employees for wages, leaves, payroll deductions, etc.
- Social Security Numbers are also used as identifiers for processing fingerprints with the Federal Bureau of Investigation and the Florida Department of Law Enforcement.
- Social Security Numbers are requested by the National School Lunch Act from parents on the free or reduced-price meal application and household verification process as part of determining a family's eligibility for their child(ren) for free or reduced-price meals.
- Social Security Numbers for employees and dependents are required for enrollment in health insurance, life insurance, and other miscellaneous insurances.
- Social Security Numbers are used by the Florida Department of Education as a standardized identification number for the required reporting of yearly certification and training information.
- Social Security Numbers are required by the Florida Division of Retirement to report earnings used to document creditable years of service in the Florida Retirement System.

- The district telephone system requires the use of employee Social Security Numbers to track long distance calls and to allow access for substitutes to use the “sub dialer.”
- Social Security Numbers are used by the Florida Department of Education as a standardized identification number to track students from year to year and when they move from one school or county to another. Social Security Numbers are used for students in grades 10 through 12 as identifiers for colleges and scholarship programs such as Florida Bright Futures. For students in grades Pre-Kindergarten through 12, Social Security Numbers are used as identifiers for enrollment and attendance, funding reports (such as FTE), tracking achievement gains, and standardized testing. Student Social Security Numbers are included in all Florida Department of Education required reporting.
- For adult students and approved GED Exit Option students taking the GED exam for graduation purposes, Social Security Numbers are used by the Florida Department of Education as standardized identification numbers to track students.
- The District School Board of Pasco County will not use a student’s Social Security Number for the purpose of identifying immigration status. The Social Security Numbers of all current and former employees are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

## Parental Rights and Safeguards Regarding the District’s Use of Public Benefits and Insurance

In 1988, the federal government signed a supplementary Medicaid program called the Medicaid Certified School Match Program into law. This program allows the district to recover certain costs for the provision of health, behavioral and therapy related services to eligible students. This activity will not affect your child’s Medicaid insurance coverage in any way. The district has been participating in the program since 2003.

- Federal and state law requires that the district provide written notification to parents before accessing the child’s or the parent’s public benefits (e.g., Medicaid). The district has elected to provide this notice at all IEP meetings advising parents of their rights.
- A one-time parental consent is required specifying that the parent understands and agrees that the public agency may access the parent’s or child’s public benefits (e.g., Medicaid) or insurance to pay for services under part 300. [300.154(d)(2)(iv)(A)-(B)] Consent is currently obtained via the student’s Emergency Information Card.
- For children with disabilities who are covered by public benefits or insurance (e.g., Medicaid), the public agency may not use a child’s benefits if that use would: decrease available lifetime coverage or any other insured benefit; result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside the time the child is in school; increase premiums or lead to the discontinuation of benefits or insurance; or risks loss of eligibility for home and community-based waivers. [300.154(d)(2)(i)-(iii)]
- Parents have the right under 34 CFR part 99 and part 300 to withdraw their consent to disclosure of their child’s personally identifiable information to the agency responsible for the administration of the State’s public benefits or insurance program (e.g., Medicaid) at any time.
- Withdrawal of consent or refusal to provide consent under 34 CFR part 99 and part 300 to disclose personally identifiable information to the agency responsible for the administration of the State’s public benefits or insurance program (e.g., Medicaid) does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to parents. [34 CFR 300.154 (d)(2)(v)]

## Students Surveys and Privacy: Parent Notification of the Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) is a federal law that affords definite rights to parents of a minor student in relation to surveys that ask questions of a personal nature. The law requires that schools obtain written consent from parents before minor students are required to participate in any U.S.

- Department of Education (U.S.D.O.E.) funded survey or evaluation that reveals information concerning the following protected areas:
  - Political affiliations or beliefs of the student or the student's parent
  - Mental and psychological problems of the student or the student's family
  - Sexual behaviors or attitudes
  - Illegal, antisocial, self-incriminating, or demeaning behavior
  - Critical appraisals of other individuals with whom respondents have close family relationships
  - Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
  - Religious practices, affiliations, or beliefs of the student or the student's parent
  - Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)
- The District School Board of Pasco County, which receives funds from the U.S. D.O.E., will comply with the requirements of PPRA for the collection and reporting of certain information by means of student surveys, as well as the requirements to protect student privacy.
- The District School Board of Pasco County participates in the Florida Youth Survey (FYS). The FYS is administered on an annual basis by the district in conjunction with the Florida Departments of Education and Health. The FYS collects and reports information relative to student attitudes and behaviors on topics such as school safety, substance use, and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, the surveys collect information on general health practices and human sexuality. The information is collected by survey anonymously on a sampling basis, and no personally identifiable information is obtained from or reported on any individual student.
- Participation in FYS surveys is voluntary. No student shall be required to participate in such a survey if the student, or the student's parent/guardian if the student is a minor, objects to participation. A parent must provide written notification to opt out of survey participation. If, however, a survey soliciting protected area information is funded in whole or in part by any program administered by the United States Department of Education, prior written consent will be obtained from the parent.
- PPRA affords parents certain rights; these include the right to:
  - Consent before students are required to submit to a survey that concerns one or more of the "protected areas" if the survey is funded by a program of the U.S. D.O.E.
  - Receive notice and an opportunity to opt a student out of survey participation.
  - Inspect, upon request, and before administration will use, the protected information student surveys and related materials.

These rights transfer from the parents to a student who is eighteen (18) years of age or in an emancipated minor under Florida State rule.

## Disability Discrimination Complaint Process

The district is responsible for receiving, investigating, and resolving complaints alleging discrimination against students with disabilities by failing to make or consider a reasonable modification to the district's discipline, threat assessment, or

law enforcement procedures ([School Board Policy 2260- Non- Discrimination and Access to Equal Educational Opportunity](#)).

A “student with a disability” refers to a student who has or would qualify to receive accommodations, reasonable modifications of policy, or disability-related services or supports under the Individuals with Disabilities Education Act (“IDEA”), the Americans with Disabilities Act (“ADA”), or Section 504 of the Rehabilitation Act of 1973 (“Section 504”).

[https://www.pasco.k12.fl.us/library/er/Student\\_Equity\\_Policies\\_and\\_Equity\\_Complaint\\_Process.pdf](https://www.pasco.k12.fl.us/library/er/Student_Equity_Policies_and_Equity_Complaint_Process.pdf)

Steps to submit a complaint

1. Schools have responsibility for alleged discrimination by staff and by other students that occurs within the school’s educational program or activity. If you feel your child has been subjected to discrimination on the basis of their disability, you should immediately report the conduct to your child’s principal or another administrator in the school or the District Behavior Support Coordinator responsible for investigating such complaints.
2. School administrators and staff are required to report complaints or other allegations of inappropriate treatment to the district official responsible for investigating such complaints.
3. Any student with a disability or their parents (s)/guardian (s) may request a reasonable modification to the district’s procedures when addressing disability-based behavior.
4. A complainant who alleges unlawful discrimination may make a complaint, either orally or in writing.

The complaint must include:

- The identity of the respondent.
- A detailed description of the facts upon which the complaint is based (i.e., when, where and what occurred).
- A list of potential witnesses.
- The resolution sought by the complainant.

To submit a [Disability-Based Discrimination Complaint: complete the district eform](#)

or contact the District Behavior Support Coordinator at:

7227 Land O' Lakes Blvd.

Land O'Lakes, Florida 34638

[behaviorsupportcoordinator@pasco.k12.fl.us](mailto:behaviorsupportcoordinator@pasco.k12.fl.us)

## Pasco Title IX Information for Families

### What is Title IX?

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. Title IX states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

### What behavior constitutes a potential claim under Title IX?

#### Sex Discrimination:

Sex discrimination involves treating someone (a student, employee, or applicant) unfavorably because of that person's sex, including the person's sexual orientation, gender identity, or pregnancy. This can include the failure to provide equal opportunity in educational programs, including but not limited to course offerings, educational activities, physical education, and athletics.

**Sexual Harassment:** means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

For more details on Title IX definitions and terminology, please visit [Board Policy 2266](#)

**What should I do if my child has been subject to sex discrimination, including being sexually harassed or sexually assaulted?**

- Schools have responsibility for alleged discrimination or sexual harassment by staff and by other students that occur within the school's educational program or activity. If you feel your child has been subjected to sex discrimination, including sexual harassment by another student or PCS employee, you should immediately report the conduct to your child's principal or another administrator in the school or the Title IX Coordinator. (contact information noted below)
- If you want criminal charges to be filed, report them to the local police. (Criminal and Administrative investigations under Title IX are two separate processes).

**How do I file a formal Title IX Complaint for Sexual Harassment?**

You can contact the District Title IX Coordinator at:

7227 Land O'Lakes Blvd.  
Land O'Lakes, Florida 34638  
813-794-2679  
[crc@pasco.k12.fl.us](mailto:crc@pasco.k12.fl.us)

**What is the Formal Title IX Complaint process?**

Upon receiving a Formal Complaint alleging Sexual Harassment and requesting an investigation:

1. The Title IX Coordinator will work immediately with the Principal at your school to offer supportive measures to all Parties involved in the Complaint.
2. The Title IX Coordinator will review the Complaint and evaluate whether the allegations meet the definition of Sexual Harassment as defined in § 106.30 of the Title IX regulations.
3. If the incident rises to the level of Sexual Harassment, the Title IX Coordinator will issue a Notice of Investigation, providing details of the allegation to the parties, and assign the case to a Title IX Investigator and the investigation begins.

4. If the incident does not rise to the level of Sexual Harassment, the Title IX Coordinator must dismiss the formal complaint under Title IX, and the matter will be referred to the school administrator for follow-up and resolution.
5. The Title IX Investigator is responsible for contacting all the parties involved and witnesses and reviewing all relevant information related to the incident.
6. The Respondent is presumed “not responsible” for violating PCS policy unless and until PCS is able to gather sufficient evidence to show that a violation of policy has occurred.
7. After the Title IX Investigator is done gathering evidence, Parties are provided the opportunity to review and respond to the Investigation report prior to it being sent to a Decision maker.
8. Upon conclusion of the review process, the case is sent to a Decision Officer for a final decision. Decisions are made by the preponderance of the evidence, more likely than not. Parties will receive a written decision based on the evidence.
9. Individuals who are found to have violated PCS policy are subject to one or more of the following disciplinary actions/sanctions: removal of school privileges, restorative practice, after-school detention, in-school restriction, suspension out of school, long-term suspension, and/or expulsion.
10. Both Parties are entitled to an appeal process.

#### **What can be done to support my child during the review of their complaint and any subsequent Title IX investigation?**

Supportive measures are available regardless of whether a formal complaint is filed. Supportive measures are individualized services that are reasonably available, non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, provide safety, or deter sexual harassment. For a list of potential supportive measures, please visit [Board Policy 2266](#)

#### **What rights does a student have during the Formal Title IX Complaint Process?**

- The right to be treated with respect and dignity by PCS school administrators.
- The right to Supportive Measures; nothing punitive until the process is completed.
- The right to be safe at school.
- The right to see all the evidence presented.
- The right to file a Title IX Complaint at any time.
- The right to have parents and an advisor present during meetings and interviews.
- The right to be free from retaliation.
- The right to have formal complaints resolved in accordance with PCS Board Policy 2266.
- To be informed in writing of the resolution of the complaint and any decision issued.

#### **Where can I find more information about Title IX?**

Please visit PCS’s Title IX Website at <https://pasco.k12.fl.us/legal/page/equity-and-civil-rights-compliance>