

PARENT AND STUDENT ACKNOWLEDGMENT

This CODE has been written so students and family members know what behavior is expected and prohibited at school or at school activities. It is helpful if parents are aware of school rules so they can help support them from home. Failure to return this acknowledgment will not relieve a student or the parent(s) from the responsibility for knowledge of the contents of the Code of Student Conduct.

I have read the Code of Student Conduct, Section II: Public Notices and reviewed the Code of Student Conduct.

Student Last Name, First Name

Student Signature

Date

Parent Name

Parent Signature

Date

Homeroom Teacher

✂ PLEASE DETACH AND HAVE YOUR CHILD RETURN THIS PAGE TO SCHOOL AFTER SIGNING THE ACKNOWLEDGMENT.

**Whenever the term "parent" is used, it also refers to legal guardian.*

Recent amendments to section 790.33 of the Florida Statutes (effective October 1, 2011) required changes be made to pages 22, 23 and 44 after School Board approval of the Code of Student Conduct.

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THE SCHOOL BOARD OF MARION COUNTY OCALA, FLORIDA

CODE OF STUDENT CONDUCT

Marion County Public School students are subject to the rules and regulations of the Marion County School Board during the school day and regular school activities; while being transported on school buses or at public expense to and from school or other education facilities; at such time and places including, but not necessarily limited to, school sponsored events, field trips, athletic functions, and other activities where appropriate school personnel have jurisdiction over students. In addition, jurisdictional control over the student may be extended to the immediate vicinity of the school whenever the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of other students and/or of the school.

See School Board Policies online at
www.marion.k12.fl.us/dept/hrm/policies.cfm

BOARD POLICIES

CHAPTER ONE: DISTRICT PHILOSOPHY

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SECTION I
JURISDICTION OF THE SCHOOL BOARD
INTRODUCTION

The primary objective of the Marion County Public School District is to develop each student's potential for learning and to foster positive interpersonal relationships. If this is to be accomplished, it is necessary that the school environment be free of disruptions which interfere with teaching and learning activities. The student's conduct determines to a great extent the full development of his/her potential for learning and the development of positive relationships.

The purpose of this document is to assist students, parents, teachers, and school administrators in the maintenance of an environment which will enhance the achievement of the objective. To be fully effective, the Code of Student Conduct addresses not only the role of the parents, the students, and the school, but also specifies areas relative to: responsibilities and rights of students; grounds for disciplinary action; and procedures to be followed for acts requiring disciplinary action, including corporal punishment.

Each school is permitted and encouraged to develop rules, procedures, and expectations for student conduct.

IN LOCO PARENTIS

State and federal law recognizes that teachers and school administrators have a need to stand in the place of parents over children entrusted to them at school. This is a concept called *in loco parentis*. While this power is not equal to a parent's power over a child, it permits school personnel to exercise a degree of supervision and control over students that could not be exercised over free adults.

This concept is responsible for the fact that school personnel can search without a warrant based on reasonable suspicion and are not held to the higher standard of "probable cause" by which law enforcement is bound. This concept is responsible for the fact that school personnel can interrogate a student without providing him or her with Miranda warnings or allowing the student to call a parent or attorney.

MARION COUNTY PUBLIC SCHOOLS: AN EQUAL OPPORTUNITY SCHOOL DISTRICT

Students in Marion County are entitled to certain rights, standards and protections including those of due process, equal opportunity protection, accurate and confidential record keeping, safeguards to health and safety, and access to suitable employment. The School Board is committed to affording students the benefits of these rights, standards and protections.

Students who feel that they have questions concerning this matter have the right and the responsibility of discussing such questions with the school's administration.

The Marion County Public School District does not discriminate on the basis of race, color, religion, sex, age, national origin, marital status or qualified disability in its employment practices and in its access and admission to educational programs, services and activities.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990, the Florida Educational Equity Act of 1985, Section 504 of the Rehabilitation Act of 1973, Title IX Amendments of 1972 and the Civil Rights Act of 1964. Questions or request for additional information regarding the above mentioned acts may be forwarded to the designated contacts.

Rose Cohen, Equity Assurance Director, ADA, Title IX and Equity Issues
(352) 671-7582 from 7:30 a.m. – 4:30 p.m. or 512 SE Third St., Ocala, FL 34471

Brian Greene, District 504 Specialist, Section 504 Inquiries
(352) 671-6860 from 8:00 a.m. - 5:00 p.m. or 1517 SE 30th Avenue, Suite 1, Ocala, FL 34471

SECTION II **PUBLIC NOTICES**

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are as follows:

1. The right to inspect and review the student's education records within 30 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5901.

ANNUAL NOTICE: STUDENTS WITH DISABILITIES

Parents have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination due to his/her disabling condition(s).
2. Receive prior notice with respect to identification, evaluation, or educational programming for your child.
3. Have your child receive a free appropriate education.
4. Have your child receive educational services in facilities which are comparable to those provided to non-handicapped students.
5. Examine your child's educational programming decisions made, based on a variety of information sources and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
6. Have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
7. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
8. File a local grievance with the local school district's grievance officer.
9. File a complaint with the Office for Civil Rights (OCR).

10. Take action through Civil Court.
11. Be represented by an attorney or legal counsel.
12. Request an impartial hearing regarding district decisions concerning the identification, evaluation, or educational programming for the students. The parent/guardian and their legal representative will have full opportunity for participation.
 - The hearing request must be made to the Superintendent of the District.
 - The hearing will be held by an impartial hearing officer qualified to hear 504 proceedings.

STUDENT RECORDS

Marion County Public Schools maintain educational records in accordance with state and federal laws. Copies of Marion County Public Schools Student Records Policy are available for public use during school hours at each school or at the Marion County School Board Office, 512 S. E. 3rd Street, Ocala, Florida between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Parents, legal guardians or eligible students have the right to review records on their child, the right to a copy of the record (at a cost of 15¢ per page), the right to challenge information contained in the record, the right to a hearing if the school disagrees to change or destroy information when challenged, and the right to waive access to letters of statements of recommendations or evaluations.

Student education records are forwarded to other schools which have requested the records and in which the student seeks or intends to enroll.

NOTIFICATION OF STUDENT SOCIAL SECURITY NUMBER COLLECTION & USAGE

In compliance with Florida Statute 119.071(5), this statement provides notification of the purpose for the collection and usage of student social security numbers by Marion County School Board (MCSB). MCSB collects and uses a social security number only if specifically authorized by law to do so or it is imperative for the performance of its duties and responsibilities as prescribed by law.

According to Florida Statute 1008.386, each district school board shall request that each student enrolled in a public school in this state provide his or her social security number. Each school district shall use social security numbers as student identification numbers in the management information system maintained by the school district. A student satisfies this requirement by presenting to school enrollment officials his or her social security card or a copy of the card. The school district shall include the social security number in the student's permanent records.

All social security numbers are protected by federal regulations Family Educational Rights and Privacy (FERPA). To protect identity, Marion County School Board will secure student social security numbers from unauthorized access and assign a unique student identification number. This unique identification number will then be used for all associated education purposes.

SECONDARY SCHOOL EXTRACURRICULAR DRUG TESTING POLICY

The Marion County School Board has implemented a random drug testing policy 5.810 for all secondary school students participating in interscholastic athletics, extracurricular activities and co-curricular activities. The "use of" or "possession of" alcohol or drugs by a student at any time is both illegal and detrimental to that student's ability to participate in interscholastic athletics, extracurricular activities and co-curricular activities is hereby prohibited. Any student determined to be in violation of this policy is subject to disciplinary action related to his or her participating in interscholastic athletics, extracurricular activities or co-curricular activities which may include suspension or removal from athletic, extracurricular participation or co-curricular activities.

MAJORITY TO MINORITY STUDENT REASSIGNMENT POLICY

1. The Board authorizes and supports the voluntary transfer of a student from a school in which his/her race is in the majority to a school in which his/her race is the minority, including transfer by any minority student from a school where the total enrollment of minority students constitutes the majority. For the purposes of this policy, "minority" refers to non-white persons.
2. Application for reassignment made on the basis of majority-to-minority may be filed at any time.
3. Transportation will not be provided by the Board for students approved for reassignment under the majority-to-minority transfer policy.
4. In the event that space is not available due to severe overcrowding at the requested school on a reassignment request under the majority-to-minority transfer policy the district shall offer a reasonably comparable alternative school reassignment. If space is not available at the requested school, and the offer of an alternative is not accepted, the request shall be placed on "hold" until such time as space becomes available. At that time, the superintendent and/or his/her designee shall contact the originator of the request and offer the opportunity to reactivate the request.

5. Any out-of-area transfer request (reassignment request) which also qualifies as a majority-to-minority request shall be treated as such, regardless of whether the out-of-area transfer for which the student applied would be granted or denied on the basis for which the transfer was sought.

Please address questions or clarifications to Mr. Tony Burke, District Supervisor for Student Assignments and Reassignments at (352) 671-7747.

MEDICAID

In an effort to maintain and improve services provided to children within the confines of continually shrinking resources, the School Board has been exploring alternative sources of revenue for therapy services provided to children in our school district. The School Board has developed plans and procedures for billing Medicaid for therapy services.

Parents whose children are on Medicaid have the option of selecting the School Board to be their child's Medicaid Group Provider. The School Board will then be able to be reimbursed by Medicaid for part of the therapy services provided at school for their child. This would include both, screening or therapy services. This will in no way take away from services being provided by outside providers. If your child is on Medicaid:

1. You have the freedom of choice to obtain your child's medical services from any provider you choose.
2. Participation in this program is not mandatory to allow your child to stay in school.
3. This program is not mandatory to maintain Florida Medicaid eligibility.
4. All information that is obtained on your child is confidential.
5. Only one provider, be it the school or a community provider, can receive Medicaid reimbursement for the same type of services provided to the child per day.
6. If your child is already receiving therapy services from a private provider, a cooperative treatment plan can be worked out with your current provider to ensure continued private treatment and any additional needed services from the School Board.
7. Participation in this program will not change the status you already have with your current doctor or group provider.
8. Parental consent will be requested annually concerning the release of a student's personal and ESE information to Medicaid.

PUBLIC NOTICES WITH PARENTAL OPT-OUT PROVISIONS

DIRECTORY INFORMATION/PHOTOGRAPHS/PUBLICATIONS

Directory information includes student's name, address, telephone number if it is a listed number, date and place of birth, participation in school sponsored activities and sports, weight and height of members of athletic teams, date of attendance, graduation date, awards received, and photographs appearing in school publications such as yearbooks and newspapers. Personally identifiable information can be disclosed, transferred or released without prior consent of the parent of a student or the eligible student in connection with enrollment in another school, application for financial aid, research, a state statute, and an accrediting organization. Personally identifiable information will be released without parent consent to appropriate officials in emergency situations, to comply with a lawfully issued subpoena and in cases involving compulsory school attendance and child abuse.

From time to time, Marion County Public Schools photographs or videos students, and occasionally posts student-produced work online for public recognition. Local media often utilize these photographs and videos, and/or work, or come on campus with school permission to photograph or video students. Additionally, students may be videoed by school personnel for diagnostic/educational purposes. Marion County Public Schools may use these photographs and videos for an indefinite period of time unless this authorization is revoked in writing. However, if revoked, Marion County Public Schools shall not be required to recall affected publications, photographs, videos, and other recorded images then in use.

If the parent does not wish directory information, photographs and/or videos of his/her child released, or doesn't want their child's work posted online, he/she must notify the **Executive Director, Student Services, 1517 SE 30th Ave., Suite 6, Ocala, FL 34471**, in writing within thirty (30) calendar days of the beginning of the school year. The principal will then take every reasonable effort to ensure such photographs, videos, and work will not be released. This parental prohibition does include the publication of photographs or video taken for the school yearbook or similar publications.

Surveillance equipment may be used on buses, in certain areas of campus, and at school events for security, safety, and discipline purposes. These video/audio records may be utilized as evidence for certain disciplinary procedures. This evidence may be maintained as part of a student's record and available to the parent. Parental notice restricting photographs or videos will not apply to the use of surveillance equipment for safety, security, and disciplinary procedures.

INFORMATION TO MILITARY RECRUITERS

The No Child Left Behind Act requires the School Board to provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses and telephone listings. A secondary school student or the parent of the student may request that the student's name, address and telephone listing not be released to military recruiters or to institutions of higher education without prior written parental consent. A parent wishing to prohibit the release of this information should notify the **Executive Director, Student Services, 1517 SE 30th Ave., Suite 6, Ocala, FL 34471** within thirty (30) calendar days of the start of the school year in writing and shall specify in writing whether the prohibition applies to both military recruiters and institutions of higher education or only to military recruiters or only to institutions of higher education. This notification to the Executive Director, Student Services, 1517 SE 30th Ave., Suite 6, Ocala FL 34471, must be separate from the notification which the parent provided in regard to "directory information."

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

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

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

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. Marion County Public School District will/has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Marion County Public School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Marion County Public School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Marion County Public School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys **by written notice to the school principal**. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution;
- Administration of any protected information survey not funded in whole or in part by DOE;
- Any non-emergency, invasive physical examination or screening as described above;

Parents who believe their rights have been violated may file a complaint with Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5901.

SECTION III **STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES**

FS 1003.04 Student Conduct and Parental Involvement

1. Each public K-12 student must remain in attendance throughout the school year, unless excused by the school for illness or other good cause, and must comply fully with the school's code of conduct.
2. The parent of each public K-12 student must cooperate with the authority of the student's district school board, superintendent, principal, teachers, and school bus drivers, according to FS 1003.31 and FS 1003.32, to remove the student from the classroom and the school bus and, when appropriate and available, to place the student in an alternative educational setting, if the student is disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive.
3. It is the goal of the Legislature and each district school board that the parent of each public K-12 student comply with the school's reasonable and time-acceptable parental involvement requests.

STUDENT RIGHTS AND RESPONSIBILITIES

This section summarizes the basic principles of student rights. With each right comes a responsibility. The principal, under the supervision of the Superintendent and within School Board regulations, shall assume administrative responsibility and instructional leadership of the school to which he or she is assigned. The faculty and staff shall assist in the orderly operation of the school and ensure the rights of the students.

ACADEMIC HONOR CODE

STUDENT RESPONSIBILITIES:

- To uphold the highest standards of academic integrity in school work.
- To present school work that is clearly their own on all tests, quizzes, reports, assignments, papers, homework and any school related test (PSAT, FCAT, SAT, etc.) unless otherwise stated by teacher.
- To not assist others in cheating or any other form of academic dishonesty.
- To refuse to tolerate academic dishonesty in others.

STUDENT RIGHTS:

- To be able to contribute to and work in an environment of trust and academic integrity.
- To know that all members of their school community will promote and uphold academic honesty.
- To know that all forms of cheating and plagiarism will not be tolerated.

ATTENDANCE

STUDENT RESPONSIBILITIES:

- To attend all classes daily and be on time.
- To provide the school with an adequate written explanation or appropriate documentation indicating the reason for the absence **within three (3) days of the absence**.
- To request makeup assignments from teachers upon the return to school and to complete this work within **one (1) day for each day of absence** except in the case of extenuating circumstances.

STUDENT RIGHTS:

- To be informed of School Board policies and individual school rules regarding absenteeism and tardiness.
- To appeal a decision pertaining to an absence.
- To make up class work within one (1) day for each day absent.

RIGHT TO LEARN AND PARTICIPATE - CURRICULUM / COUNSELING

STUDENT RESPONSIBILITIES:

- To request participation in academic programs and extracurricular activities that is commensurate with ability.

- To cooperate with the instructor and contribute to an atmosphere free from bias and prejudice.
- To cooperate fully and exert every effort to achieve mastery of the basic skills.

STUDENT RIGHTS:

- To have equal opportunity with regard to academic programs and extracurricular activities within feasible limits imposed on the school.
- To receive instruction in courses of study under competent instructors in an atmosphere free from bias and prejudice.
- To participate in appropriate basic skills programs in elementary, middle and senior high schools.

FREE SPEECH/EXPRESSION/ASSEMBLY

STUDENT RESPONSIBILITIES:

- To respect the rights of other individuals, to express disagreement in a manner which does not infringe upon the rights of others and does not interfere with the orderly educational process.
- To act in a manner which preserves the dignity of patriotic observances, including standing for the Pledge of Allegiance and National Anthem by following the guidelines established by the United States Congress in 36 U.S.C. 172 and 4 U.S.C. 4.
The right to not stand for the Pledge of Allegiance and the National Anthem can be exercised only upon written parental request, and students invoking this right with parental consent will not be penalized.
- To respect the religious beliefs of others.
- To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school.

STUDENT RIGHTS:

- To be respected as an individual and to perform and express viewpoints through speaking and writing in a manner which is not obscene, slanderous or libelous and which is not disruptive to an orderly school environment.
- To affirm their identity with the American ideals.
- To refrain from activity which violates the precepts of their religion or holds it up to ridicule.
- To assemble peaceably on school grounds or in school buildings. Such assembly shall be consistent with all applicable Federal, State, and local regulations.

STUDENTS MUST NOT:

- Slander, libel, or defame others.
- Discriminate when organizing or recruiting for clubs or groups.
- Violate the Code of Student Conduct in the areas of profanity, harassment, bullying and hazing.

GRADES

STUDENT RESPONSIBILITIES:

- To become informed of the grading criteria.
- To maintain standards and academic performance commensurate with ability and to make every effort to improve performance upon receipt of notification of unsatisfactory progress.

STUDENT RIGHTS:

- To receive a teacher's grading criteria at the beginning of each year or semester course.
- To receive reasonable notification of failure or potential failure at any time during the grading period when it is apparent unsatisfactory work is being performed.

PRIVACY AND PROPERTY RIGHTS

STUDENT RESPONSIBILITIES:

- To attend school and other school activities without bringing materials or objects prohibited by law or other items that will detract from the educational process.
- To respect the property rights of the public at large as well as those of individuals and to refrain from destruction of or damage to such property.
- To turn in to school officials property found on the school grounds that does not belong to the student.

STUDENT RIGHTS:

- To maintain privacy of personal possessions unless appropriate school personnel have reasonable cause to believe a student possesses any object or material which is prohibited by law or School Board policy.
- To attend school in an educational environment in which personal property is respected.

STUDENT PUBLICATIONS

STUDENT RESPONSIBILITIES:

- To refrain from publishing libelous and obscene materials; to seek full information on the topics about which they write; and to

observe the normal rules for responsible journalism under the guidance of the faculty advisor.

STUDENT RIGHTS:

- To participate in the development and distribution of publications as a part of the educational process.

STUDENT RECORDS

STUDENT RESPONSIBILITIES:

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

STUDENT, PARENT AND GUARDIAN RIGHTS:

- To inspect, review and challenge the information contained in records directly relating to the student.
- To be protected by legal provisions which prohibit the release of personally identifiable information to other than legally authorized persons without the consent of the parent, guardian, or eligible students. Eligible students are those 18 years of age or over and/or those attending a post-secondary institution.

STUDENT USE OF WIRELESS COMMUNICATION DEVICES

Cell phones and similar wireless devices may be in the possession of students on campus and on the school bus but cannot be visible or activated during regular school hours or while on the school bus. The exception to activation would be with administrative approval under the direct supervision of a teacher for instructional use as outlined in a lesson plan. Use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school and/or criminal penalties if the device is used in a criminal act. Using or possessing a wireless communication device to view, or transfer or store material of a sexual nature is a violation of the Code of Student Conduct and may be a criminal act. The unauthorized recording and/or photographing of employees, volunteers and/or students is prohibited.

ELECTRONIC EQUIPMENT

Cameras, video cameras, IPOD's and other similar electronic equipment are not allowed on the school campus or school bus unless pre-approved by school administration/designee.

ACCEPTABLE USE POLICY AND GUIDELINES FOR NETWORK ACCESS

The Marion County School Board (MCSB) believes network access is an exciting opportunity to expand learning for educators, students and parents. The fundamental goal of the network is to provide Marion County students and educators with equal access to the computing resources, which serve public education. Schools in the district will have the capacity to connect to the Internet, World Wide Web, electronic mail, and each other. With this opportunity comes the responsibility for appropriate use.

NETWORK WARNING

With access to computers and to people all over the world, there will be some material that may not be considered to be of educational value. There may be some material, individual contacts or communication, which is not suitable for school-age children. The MCSB supports only those materials which will enhance the research and inquiry of the learner within the context of a school setting. However, on a global network it is impossible to control all materials, and an industrious user may discover inappropriate information. The MCSB cannot prevent the possibility that some users may access material that is not consistent with the school district's educational mission, goals and policies.

GENERAL POLICY & GUIDELINES

It is a general policy that the network will be used in a responsible, efficient, ethical and legal manner in accordance with the mission of MCSB. Users must acknowledge their understanding and agreement with the Acceptable Use Policy and Guidelines as a condition of receiving access. Failure to adhere to the Policy and Guidelines may result in access privileges being suspended or revoked. In addition, school disciplinary action and/or appropriate legal action may be taken.

NETWORK RESOURCES

Classroom resources will be expanded enormously by making information and people from all over the world available to students, teachers, and others. It brings instant access to original source material, general information, data, images and computer software. It makes contact with people possible, bringing into the classroom experts from all over the world. Such

access spawns individual and group projects, collaboration, curriculum materials and idea sharing. As a hands-on tool, the network can motivate students.

GUIDELINE I

Acceptable uses of the network are activities which support teaching and learning. Users are encouraged to develop uses which meet their individual needs and which take advantage of the network's function: electronic mail, conferences (video or audio), bulletin boards, data bases and access to the Internet.

GUIDELINE II

Unacceptable uses of the network include:

1. Using the network to access materials that are considered inappropriate for educational purposes.
2. Trying in any way to interfere with the computer systems within the Marion County Schools or anywhere, in an effort to obtain private information, have the computer malfunction or destroy data.
3. Violating federal and state law dealing with students' rights to privacy.
4. Using profanity, obscenity or other language which may be offensive to another user.
5. Reposting personal communications without the author's prior consent.
6. Copying commercial software and other copyright protected material in violation of copyright law.
7. Using the network for any illegal activity.
8. Use of Proxy websites is prohibited.
9. Connecting computers, printers, switches, hubs, router, wireless access points, mini-devices, and any network attached device that is not the property of MCPS and approved by the District Technology Office is prohibited.
10. Sending unauthorized or unsolicited e-mail "spam" including the sending of "junk mail" or other advertising material.
11. Circumventing user authentication or security of any host, network, or account.
12. Any form of harassment via e-mail, text messaging, instant messaging, telephone or paging, whether through language, frequency, or size of messages.

GUIDELINE III

Users must cooperate to conserve resources and to assure equitable access for all. Users are expected to:

1. Log off or exit the appropriate MCPS Internet Browser (Internet Explorer) when not utilizing the Internet.
2. Use of streaming media, MP3, or radio websites is limited to instructional use only.

GUIDELINE IV

The person in whose name the account is issued is responsible at all times for its proper use and will not give his/her password to others.

GUIDELINE V

Users must avoid knowingly or inadvertently spreading computer viruses. They must not upload files from unknown sources. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity by state and federal law.

GUIDELINE VI

Students are authorized to utilize the marionstudents.net domain (live@edu) for e-mail and collaboration tools for instructional learning. Use of other web based e-mail and other collaboration tools are prohibited unless otherwise approved by the district technology office. Never consider electronic communications to be completely private. Instances of misdirected mail, mail inadvertently forwarded to others and public posting of private correspondence by users have occurred from time to time.

PARENT RESPONSIBILITIES

1. To read and discuss both the Code of Student Conduct and the school's handbook with your student.
2. To inform the school immediately of any changes in address, phone number, emergency numbers, and/or family status.
3. To follow the No Nit/Lice Policy. Marion County Public Schools abides by a **NO NIT** Policy concerning head lice. The **NO NIT** Policy is enforced to keep students lice free, nit free, and in school. Students are temporarily excluded from school to prevent the spread of lice caused by surviving and hatching nits (lice eggs). The family is responsible to remove all nits from the student's hair before the child returns to school for a nit-free inspection. Absences related to head lice are limited to one (1) excused day per occurrence.

4. To inform the school of any information that may be useful in making appropriate educational decisions.
5. To authorize release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the student.
6. To understand the right to inspect, review and challenge the information contained in records directly relating to the students.
7. To be protected by legal provisions which prohibit the release of personally identifiable information to other than legally authorized persons without the consent of the parent, guardian or eligible student. Eligible students are those 18 years of age or over, those attending a post-secondary institution or an emancipated minor under state law.
8. To not leave students at school more than **thirty minutes** before the start of the school day or more than **thirty minutes** after the school day unless special arrangements with a teacher, administrator or a before/after school care program have been made. Supervision will not be provided beyond that time, and *the proper authorities may be called*. This timeline includes after school activities.
9. To be aware that when parents are divorced or separated, both parents have full rights to participate in the child's school activities and know what is happening at school unless there is a court document limiting that access. If such a document exists, then the principal must have a certified copy. Each parent will be allowed to remove the child from school without the permission of the other parent unless there is a certified copy of a court order saying that one parent cannot remove the child from school. Each parent has access to student records and information unless a court order prohibits such access. If there is a designated primary residential parent/guardian, or if one parent has been designated as having authority/responsibility for educational decisions, then that parent is considered by the school to be the primary contact parent. If there is no such designation, or if both parents are designated in either capacity, then either parent is considered by the school to be a contact parent.
10. To know that when a child becomes ill or is injured at school, the school will make every effort to notify the parent. When requested by school personnel, parents are required to remove the child from school immediately. Children not picked up may be transported to the emergency room by EMS at the parent's expense.
11. **To understand that no student may carry any non-prescription (over the counter) medication or prescription medication in his/her pocket or purse or on his/her person during school hours.** Administration of any medication (prescription or non-prescription) will be administered in accordance with the policies and procedures of the Marion County School Board. Principal may authorize a student to carry certain supplies, equipment and medication as described in FS 1002.20 (3) as long as a permission form has been signed by the parent and the student's physician. Medicines must be picked up at the end of the school year or they will be discarded.
12. To reimburse at replacement value the school for lost or damaged textbooks, materials, equipment etc. belonging to the district.
13. To retrieve from principal/designee confiscated materials and lost and found items within forty-five (45) days of their loss or confiscation. These items may be discarded after forty-five (45) days.
14. To understand that student cell phones are not to be activated during regular school hours. A parent sent text may only be retrieved before or after regular school hours. Emergency contact of a student should be made through the school office.

DISCLAIMER OF RESPONSIBILITY FOR PERSONAL PROPERTY

Although the school attempts to maintain a safe and secure environment, theft and loss do sometimes occur. All personal property in possession of the student should be identified with the student's name. The school disclaims responsibility for any lost, stolen, broken or confiscated property. Parents send and students bring such items to school at their own risk. Students are expected to turn in to the office any found items.

CRISIS PROTOCOL

Providing a safe and secure environment for our students to learn is the top priority of the Marion County School Board. Measures have been taken to ensure our staff and students are prepared in the event a crisis situation occurs in one of our schools. A comprehensive Crisis Management Plan has been created to guide our staff through a wide variety of situations. Fire drills, tornado drills, code red and code yellow drills are practiced at each site to ensure that routines and safety procedures are well established and familiar to all.

In a code yellow all school doors will be locked and regular classroom instruction continues behind the locked doors. In a code red all school doors are locked and all students and staff are advised to get on the floor away from doors and windows. Classroom instruction is discontinued.

What parents need to know during either a code red or code yellow crisis:

1. Please DO expect to be notified with a special parent advisory sent home from the school and/or with a telephone message from our telephone notification service when the school is able to provide accurate information and/or the incident is resolved.
2. Please DO cooperate with school and/or district directives.
3. Please DO consult local media for regular updates about the incident. Listen for information updates on local radio and television stations. You may be directed to an off-campus parent staging area for the latest information regarding a campus crisis.
4. Please DO NOT call the school because phone lines will be needed for emergency communication.
5. Please DO NOT call your child's cell phone because cell phones are not to be used during a code red or code yellow.
6. Please DO NOT go to the school if a code red or code yellow situation should occur. Roads are closed, doors are locked and campuses are off-limits to anyone other than authorized personnel.

Pursuant to FS 120.54, in the event of an emergency, the Superintendent or the School Board can enact additional rules governing student conduct which shall be enforced as included in this Code of Student Conduct.

SECTION IV **ATTENDANCE**

Florida Compulsory School Law states all children who are either six years of age, or who will be six years old by February 1 of any school year, but who have not attained the age of 16 must attend school regularly during the entire school term. Students between 16 and 18 are also within compulsory attendance age unless a formal Declaration of Intent to Terminate School Enrollment has been completed and signed by the parent.

Florida Law also states that each parent or legal guardian of a child is responsible for the child's regular school attendance (FS 1003.24). Failure to attend school in a regular and timely fashion hinders the education process and may result in failing grades. Each student enrolled in a Marion County Public School is expected to attend school every day and be punctual.

Schools are required to track excused and unexcused absences in order to prevent the development of a pattern of nonattendance.

Excused Absences

1. Illness of the student (if a student is continually sick and repeatedly absent from school, the student must be under the supervision of a physician in order to receive an excuse from attendance)
2. Major illness in the immediate family of the student
3. Medical appointment (physician note required)
4. Religious holiday
5. Death in the family
6. Head lice, a maximum of (1) excused day per occurrence
7. Approved school activity
8. Court appearance by student (summons or subpoena required)
9. Pre-arranged absence which has been approved.

A note from the parent/guardian is required to be provided to the school within three (3) days of the absence (preferably immediately upon return to school). The note should be dated and reflect the student's name, dates of absence, specific reason for the absence, and parent signature.

A student who has been absent five (5) or more consecutive days due to illness must present a note from a licensed physician. The principal or designee may also require a doctor's note after 10 excused absences (whether they be consecutive or sporadic) due to illness within a school year.

Administrative approval/denial of a pre-arranged absence request will be based on the student's academic standing, the student's attendance history, and/or the reason for the request.

Parent must provide a note for each absence, tardy, and early sign-out.

Unexcused Absences

Absences not included in the above list shall be unexcused. A student may be referred to School Social Work Services for intervention after they have **five** absences either excused or unexcused. A student may be referred to the Child Study Team for nonattendance when they have (FS 1003.26):

1. **Five** unexcused absences within a calendar month or
2. **Ten** unexcused absences within a 90 calendar day period.

A student who has 15 or more unexcused absences within a 90 calendar day period is considered a habitual truant and interventions leading to court action may occur. (FS 1003.27)

Tardy To School and Early Sign-Outs

Tardiness and early sign-outs are disruptive to the learning environment and can have a negative impact on student achievement. A tardy or early sign-out will only be excused due to sickness or injury, death in the immediate family, medical or dental appointments for student with a note from the physician/dentist, court date, religious observance, or school sponsored activities. Parents/guardians must provide a note for each tardy/early sign-out. Other reasons such as oversleeping, missing the school bus, etc. will be unexcused. A student is allowed **three (3)** excused tardies/early sign-outs within a nine-week grading period. Thereafter the school administration will address consequences for excessive tardiness and early sign-outs as outlined in the Level 1 – Corrective Measure Code, “Violation of Attendance Procedures.”

Driver's License

Recognizing the importance of education and keeping the students in school, the 1997 legislature enacted FS 322.091 relating to the driver's license for students, ages 14 to 17, as an incentive for students to stay in school and continue their education. In order for a student to retain or obtain his/her regular Florida driver's license, the student must comply with compulsory school attendance. Accumulating 15 unexcused absences in a period of 90 calendar days or failure to remain enrolled in school will result in being classified as a habitual truant and the loss of said license, or the withholding of the necessary forms to obtain a license.

Learn Fare

Families receiving cash assistance for needy families will have their benefits suspended if their child, between the ages of 6 and 18 has 15 or more unexcused absences, including suspensions within 90 calendar days, or if the child withdraws from school. Parents are also required to have a conference with their student's teacher or school administrator regarding school progress each semester.

SECTION V
DISCIPLINE

ALCOHOL

The student shall not knowingly possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, any other controlled or counterfeit substance defined in FS 893.03, or substitute for such, alcoholic beverage, inhalant or intoxicant, or over the counter drugs of any kind, on the school grounds either before, during or after school hours or off the school grounds at a school activity, function or event. Also, a student shall not possess, have under his/her control, sell or deliver any device, or contrivance, instrument or paraphernalia containing the substance or substances described in this paragraph or any residue of such substance or devices intended for use or used in injecting, inhaling/inhalant/huffing, smoking, administering, or using any of the foregoing prescribed drugs, narcotics or stimulants. Use of a drug authorized by a medical prescription from a registered physician for a specific student shall not be considered a violation of this rule.

THE USE OF ILLICIT DRUGS AND THE UNLAWFUL POSSESSION AND USE OF ALCOHOL IS WRONG AND HARMFUL. INFORMATION ABOUT DRUG AND ALCOHOL COUNSELING AND THE REACH PROGRAM (INTERVENTION PROGRAM INCLUDING SUBSTANCE ABUSE AND OTHER TEENAGE STRESSORS) ARE AVAILABLE TO STUDENTS THROUGH THE GUIDANCE COUNSELORS AT EACH SCHOOL. STUDENTS SUSPECTED OF BEING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS MAY BE TESTED. A test refusal is considered a positive test result.

ALCOHOL			
Parents/Guardians will be notified of each alcohol incident.			
	1st Offense	2nd Offense	3rd Offense
Possession	Level 3 Mandatory 10 Day Suspension	Level 3	Level 4 Mandatory Expulsion
Under the Influence	Level 3 Mandatory 10 Day Suspension	Level 3	Level 4 Mandatory Expulsion
Providing	Level 3 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Selling/Intent to Sell	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion

DRUGS

1. School Board Policy 5.62 will apply to all students regarding the administration of medication during school hours.
2. All students determined to have violated the provisions of School Board Policy 5.62 shall be subject to the following corrective measures listed in the Disciplinary Response Code.

DRUGS			
Parents/Guardians will be notified of each drug incident.			
OVER THE COUNTER DRUGS / MEDICATIONS			
	1st Offense	2nd Offense	3rd Offense
Possession	Level 1	Level 2	Level 3 Mandatory 10 Day Suspension
Misuse	Level 2 Mandatory Suspension up to 5 days	Level 3 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion
Providing	Level 2 Mandatory Suspension up to 5 days	Level 3 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion
Selling/Intent to Sell	Level 3 or 4 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
INHALING / INHALANT / HUFFING			
Misuse	Level 3 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Under the Influence	Level 3 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Providing/Selling (With Intent)	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
PRESCRIPTION DRUGS (Prescribed for Student)			
Possession	Level 2	Level 3	Level 4 Mandatory Expulsion
Misuse	Level 3 Mandatory 10 Day Suspension	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Providing	Level 3 Mandatory Alternative Placement	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Selling/Intent to Sell	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
ILLEGAL DRUGS Including Prescription Drugs Prescribed for Someone Other than Student			
Possession	Level 3 Mandatory Alternative Placement	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Under the Influence	Level 3 Mandatory Alternative Placement	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Providing	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion
Selling/Intent to Sell	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion	Level 4 Mandatory Expulsion

BUS CONDUCT

It is a privilege to ride a school bus, not a right. County policy prohibits students from riding any bus other than their assigned bus. Students may only get on or get off the bus at their assigned bus stop. For the safety of all students, no parents or other adults are allowed on the bus unless pre-approved by school personnel. Students are expected to adhere to the rules. Some buses may be equipped with cameras to monitor student behavior on the bus and may be used for disciplinary action. Students who use bus privileges are expected to follow the Code of Student Conduct. **Violation of the Code of Student Conduct on the school bus or at the bus stop when the bus is present will be addressed in the same manner as a violation on the school grounds.** Violation of District School Board transportation policies, including disruptive behavior on a school bus or at a school bus stop with the bus present (FS 1006.10), by a student is grounds for suspension of the student's privilege of riding on a school bus and may be grounds for disciplinary action by the school and may also result in criminal penalties being imposed (FS 1006.07). Students who receive courtesy transportation, such as students that live within two (2) miles of the school, may be removed from the bus for misbehavior.

Students must:

1. Remain in their seats at all times while bus is moving.
2. Remain in an assigned seat if the bus driver assigns seats.
3. Keep arms and head inside windows.
4. Cross the roadway ten (10) feet in front of the bus and wait for the driver's signal before crossing.
5. Avoid unnecessary conversation with the driver.
6. Observe classroom conduct.
7. Obey the driver who is in charge of the bus and the students.
8. Refrain from eating and drinking.
9. Refrain from having balloons or other large or disruptive items on the bus (the bus driver has the right to prohibit any article being taken on the bus).
10. Refrain from articles being thrown in or out of bus.
11. Obey the Code of Student Conduct.

DRESS CODE

The Board believes that proper etiquette, social customs, and good grooming are a definite part of the educational process. To this end, it is expected that students wear to school or school functions neat, clean, appropriate clothing that meets the standards of this educational environment. Any extreme in clothing, hair, cosmetics, jewelry, or appearance that may disrupt the normal operation of the school will not be acceptable. It is not the intention of these guidelines to usurp the authority of parents for determining what is appropriate dress and grooming for their children in accordance with the age and grade of those youngsters. The school will work with parents in encouraging our young people to assume this responsibility and to execute it sensibly as they mature. The purpose of the home and school working together should be to help students accept and cooperate with the guidelines. In view of this statement, the following rules will be in effect in all schools:

1. Students are expected to wear clothing and clothing accessories in keeping with their gender. Undergarments should not be visible at any time.
2. Students are not to wear hats of any kind within the school building unless approved by the school administration for special occasions. "Hats" should be interpreted literally as "hats" or head-coverings and will include bandanas, caps, sweat bands, visors, and similar hat-like apparel.
3. Students are not to wear T-shirts or other garments, or other items with pictures, logos, phrases, decals, patches, emblems, or words printed on them that are obscene or disruptive in the judgment of the school administration. This will include, but not be limited to: nude/semi-nude figures; figures in sexually suggestive postures; or logos of alcoholic beverages, tobacco products, or prohibited substances; or satanic/occult references or gang identification. A tattoo that is obscene or disruptive in the judgment of the school administration needs to be covered.
4. Tops must be long enough to clearly overlap the belt line or stay tucked in during the course of normal movement throughout the day. Shirts falling below mid-thigh length will be tucked in. No bare-midriff shirts/blouses, sleepwear, muscle shirts, or tank tops will be worn.
5. Garments will be secured at the waist. Shorts and skirts are permitted at all grade levels and will be mid-thigh length or longer.

6. Students shall wear shoes for foot protection and for hygienic reasons while on school grounds or school transportation. Bedroom slippers are not permitted. For safety reasons, shoes with wheels and/or skates may not be worn on the school campus/bus.
7. Jewelry shall be worn in a way that does not present a safety or health hazard or cause a disruption to the education process.
8. Wallet chains or dog collars shall not be permitted.

Regulations in reference to grooming and dress for special activities such as athletics, fine arts and drill team will be governed by the immediate person in charge of these activities under the direction of the principal.

Appropriateness and moderation in all things, concern for the health and safety of the students, and the avoidance of distractions to the educational process are the guiding principles of the student dress code. Styles and fads are constantly changing and cannot possibly be covered by specific rules and regulations. The task of evaluating what is proper in the way of dress and grooming is highly controversial, and opinion among people varies. The individual schools will assume responsibility for ruling on specific items of clothing and general appearance for reasons of safety and health, or for the order, well-being, and general welfare of students.

The Board authorizes school administrators to employ appropriate disciplinary procedures to carry out and enforce this policy. **These are minimum standards that will be enforced at each school. Schools have the right to set higher standards based on administrative procedures. School uniforms may be adopted at individual schools.**

PROHIBITION OF BULLYING AND HARASSMENT

It is the policy of the Marion County School District that all of its students and school employees (including school volunteers) have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The district will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

DEFINITIONS

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

1. Unwanted teasing
2. Social exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, or racial harassment
9. Public humiliation
10. Destruction of school or victim's personal property
11. Rumor or spreading of falsehoods.

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

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property.
2. Has the effect of substantially interfering with a student's or employee's performance, opportunities, or benefits.
3. Has the effect of substantially disrupting the orderly operation of a school.

Bullying and harassment also encompasses:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
 - a. Incitement or coercion.
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system.
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Cyberstalking as defined in FS 784.048(1)(d), means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

EXPECTED BEHAVIOR

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

The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate harassment or bullying.

The school district upholds that bullying or harassment of any student or school employee is prohibited:

1. During any education program or activity conducted by a public K-12 educational institution.
2. During any school-related or school-sponsored program or activity.
3. On a school bus of a public K-12 educational institution.
4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 education institution.

INCIDENT REPORT

At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy and must report both substantiated and unsubstantiated claims of bullying/harassment to parents. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in-person to the principal or principal's designee. Marion County Public Schools has established a district wide anonymous reporting system via the Save-A-Friend Hotline @ 1-877-7-FRIEND.

The principal of each school in the district shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians how a report of bullying or harassment may be filed either in-person or anonymously and how this report will be acted upon. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the district policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

DATING VIOLENCE AND ABUSE

It is the policy of the Marion County School District that all of its students and school employees have an educational setting that is safe, secure, and free from dating violence and abuse. The District shall not tolerate dating violence and abuse of any kind. Dating violence or abuse by any student is prohibited on school property, during any school related or school sponsored program or activity, or during school sponsored transportation.

PROHIBITION OF GANGS AND GANG ACTIVITY

No student shall commit any act which furthers gangs or gang-related activities. A criminal street gang is a formal or informal organization or group that has as one of its primary activities the commission of criminal or delinquent acts and that consists of three or more persons who have a common name or common identifying signs or symbols and have one or more members that engage in a pattern of criminal street gang activity. Conduct prohibited by this policy includes but is not limited to the following:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which may be evidence of membership or affiliation in any gang.
2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) to convey membership or affiliation in a gang.

3. Soliciting others for gang membership.
4. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans.
5. Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity.
6. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity.

THREAT OR FALSE REPORT OF ANY DESTRUCTIVE DEVICE

Any student who is determined to have made a threat or false report of destructive device, as defined by FS 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one full year and referred for criminal prosecution. The District School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. The Superintendent of Schools may consider the one-year expulsion on a case-by-case basis and request the District School Board to modify the requirement by assigning the student to a disciplinary program if it is determined to be in the best interest of the student and the school system.

TOBACCO PRODUCTS

No student is allowed to have tobacco products at school or school events. Further, it is unlawful for any person under age 18 to knowingly possess any tobacco product or to misrepresent age to acquire or purchase any tobacco product. Violation of the law may result in suspension from school.

VIOLENCE (OVERT THREATS TO COMMIT HARM)

The School Board must maintain a policy for all threats to commit violence or harm. Even threats made in jest or in exaggeration must be treated as serious threats that may subject the student to suspension or expulsion. When a student makes a threat of violence, the school administration will assess the situation and where appropriate implement the administrative procedures which require a violence risk evaluation at a participating mental health facility. In that event, the parent or legal guardian will be advised to seek a qualified violence risk evaluation by either registering the student in the Intake/Assessment Service at The Centers, or arranging for an evaluation with a similar mental health receiving facility or licensed mental health professional of their choice. For the protection of other students, the student will remain suspended (up to 10 days) until the assessment results can be obtained and evaluated by the school. **If results are not obtained and evaluated within 10 days, the school can make an alternative placement of the student.**

WEAPONS AND FIREARMS

According to Florida Statute 790.115(2)(a) students will not possess any firearm, electric weapon or device, destructive device, or other weapon as defined in FS 790.001(13), including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop. Notwithstanding the foregoing, pursuant to FS 790.115(2)(a) a person may carry a firearm: (i) In a case to a firearms program, class or function which has been approved in advance by the principal or chief administrative officer of the school as a program or class to which firearms could be carried; (ii) In a case to a career center having a firearms training range; or (iii) In a vehicle pursuant to FS 790.25(5); except that school districts may adopt written and published policies that waive the exception in this subparagraph for purposes of student and campus parking privileges. The Marion County School Board does not permit students to have firearms in vehicles parked on campus. The Marion County School Board has "Zero Tolerance" for guns and other weapons. Any student who is determined to have brought a firearm or weapon as defined in FS 790.001(13) to school, to any school function, or on to any school-sponsored transportation or possessing a firearm at school, will be expelled pursuant to FS 1006.13. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. The Superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program if it is determined to be in the best interest of the student and the school system.

AMNESTY CLAUSE

When a student knows or should have known that he/she has unknowingly brought a weapon other than firearms or ammunition on campus, bus, or bus stop, he/she must immediately notify an administrator, teacher or bus driver. The weapon will be turned over to school personnel. The student may not be disciplined by the school if he/she follows this procedure. Amnesty cannot be claimed once the school has initiated a search which would include the student's person, possessions, locker, and/or vehicle.

WEAPONS AND FIREARMS

Category A

Mandatory Expulsion

FS 1006-13 and FS 790.001(6)(13)

- A. Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
- B. The frame or receiver of any such weapon described above
- C. Any firearm muffler or firearm silencer
- D. Any machine gun
- E. Any destructive device as defined by FS 790.001(4) including but not limited to bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing an explosive, incendiary, or poison gas
- F. Any type of weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive and which has a barrel with a bore of ½ inch or more in diameter
- G. Ammunition for a destructive device (not including shotgun shells or ammunition for use in a firearm other than a destructive device) ammunition consists of all of the following: (1) a fixed metallic or nonmetallic hull or casing containing a primer; (2) projectile(s), bullet(s), or shot; (3) gunpowder
- H. Knife or dirk (excluding pocket knife, plastic knife and blunt bladed table knife)
 - I. Metallic or other knuckles
- J. Slungshot
- K. Billie
- L. Tear gas gun except a self-defense chemical spray carried solely for the purpose of self-defense in a compact size and containing not more than 2 ounces of chemical
- M. Chemical weapon or device or any other deadly weapon.

WEAPON-LIKE CONTRABAND

Category B

Suspension or Alternative Placement or Expulsion

FS 1006-13 and FS 790.001(6)(13)

- A. Slingshot
- B. Fireworks
- C. Razorblade/razor
- D. Common pocket knife
- E. Non-weapons used as weapons: A student using as a weapon any article or substance not normally considered to be a weapon (including but not limited to rocks, pens, pencils, lasers, chains, lumber, screwdriver, etc.) or facsimile (toy or otherwise) but which is used by a student as a weapon to intimidate, threaten, coerce or injure another individual shall be suspended and may be recommended for expulsion
- F. Any replica or facsimile of any item listed in Categories A or B, including toys, souvenirs, antiques, broken, unloaded or inoperable weapons, including but not limited to bb guns, pellet guns, paint guns, squirt guns, regardless of how they are used or displayed
- G. Electric weapon or device pursuant to FS 790.001(14).

In addition to the "corrective measures" listed in the Code of Student Conduct, possession of a weapon by any student while the student is on school property or in attendance at a school function may also result in criminal prosecution (FS 790.115).

SECTION VI

DISCIPLINARY RESPONSE CODE

In order to establish reasonable consistency in the schools, a uniform Disciplinary Response Code has been developed. This section of the Code of Student Conduct identifies infractions for which a student may be disciplined and sets forth corrective measures which are appropriate for the infraction. Each infraction is defined in the Glossary Section of the Code.

Progressive Discipline: Schools and teachers may develop classroom rules to deal with individual school and classroom problems which supplement this Code and which are not in conflict with it. The Code of Student Conduct applies to all students enrolled in the Marion County Public Schools in pre-kindergarten through grade 12. A minor misconduct should be handled first by the individual staff member involved through classroom management strategies such as: student redirection, warning, counseling, and parent contact. When additional action becomes necessary because of continued violation or seriousness of the misconduct, the student will be referred to the school administration/designee for disciplinary action. When deciding what intervention and/or disciplinary action should be taken, the principal or designee may consider the student's age, exceptionality, previous conduct, probability of a recurring violation, intent, attitude, severity of the offense and, whenever possible, will implement disciplinary action in a progressive manner.

Response to Intervention: Response to Intervention is a process that provides intervention and educational support to all students at increasing levels of intensity based on their individual needs. The goal is to prevent problems and intervene early so that students can be successful. The Response to Intervention process has three tiers that build upon each other. Each tier provides more intensive levels of support. Tier 1 is the school's core behavior program. Tier 1 emphasizes the school-wide systems of support that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Tier 2 supplemental supports are designed to provide additional or targeted interventions to support students who have access to Tier 1 universal supports and are not responding positively to them. Tier 2 focuses on supporting students at risk for more serious problem behavior. Tier 3 intensive/individual supports focus on the needs of individuals who exhibit patterns of severe and/or extreme problem behavior. The goal of Tier 3 intensive/individual support is to diminish problem behavior and, also, to increase the student's adaptive skills and opportunities for an enhanced quality of life.

Disciplinary infractions and the responses to them are divided into four levels. Each level represents progressively more serious infractions beginning with Level 1, petty acts of misconduct, culminating in Level 4 offenses, the most serious threats to school safety. Corrective responses to infractions become progressively more severe as one moves upward in the levels of misconduct. It is the administrator's responsibility to determine the level of the offense that has been committed and the appropriate response. In certain circumstances, a combination of corrective measures may be appropriate. For example, for Level 1 offenses it may be appropriate to contact the parents of the student while also offering a verbal reprimand. For a Level 2 offense, a student might receive a behavior contract accompanied by parental contact, counseling and directions.

In choosing an appropriate corrective measure for offenses below Level 4, school personnel may select from the corrective measures appropriate to the level of the offense or may select from the response options at lower levels as they deem appropriate to the circumstances and the nature of the student. Level 4 offenses require a ten (10) day suspension and a possible recommendation for expulsion. The School Board may expel a student for the remainder of the school year and all of the next school year in accordance with Florida Statutes.

STUDENTS WITH DISABILITIES

Students with disabilities will be disciplined under the guidelines of the 2005 Reauthorization of the Individuals with Disabilities Education Act (IDEA) with consideration given to behavioral assessment, manifestation determination and behavioral intervention plans. Parents/guardians of students with disabilities are advised of their rights to due process/procedural safeguards.

1. School expulsion proceedings against any student who has been properly identified and classified as a student with a disability shall be in accordance with Special Programs and Procedures for Exceptional Students.
2. If an administrator refers a student with a disability for expulsion, the Superintendent or designee shall convene an Individual Educational Plan (IEP) review committee in accordance with applicable law. The IEP committee shall review the appropriateness of the student's IEP. The committee shall meet and determine whether the misconduct is a manifestation of the student's disability.

3. If the misconduct is a manifestation of the student's disability, then the student may not be expelled. A change of placement may be initiated providing that all state and federal regulations have been followed. Services must ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving their IEP goals.
4. If the misconduct is not a manifestation of the student's disability, the student may be expelled in accordance with the Code of Student Conduct, however, education services must be continued in accordance with the IEP. If the incident is determined to be a manifestation of the disability, the IEP committee must determine the services necessary to ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving their IEP goals.

504 - STUDENTS WITH HANDICAPPING CONDITIONS

1. If an administrator refers a student with a handicapping condition for expulsion, the superintendent or designee shall convene a Section 504 committee meeting in accordance with applicable law. Under Section 504, a team of people knowledgeable about the student and his/her handicapping condition must convene and determine whether the misconduct is a manifestation of the student's handicapping condition.
2. If the misconduct is not a manifestation of the handicapping condition, then the disciplinary action can proceed.
3. If the misconduct is a manifestation of the handicapping condition, then the student may not be suspended or expelled without services and the 504 Team must document accommodation(s) and/or recommendation(s) with the intent to further reduce inappropriate behaviors, and determine how to appropriately deliver services.

ENGLISH LANGUAGE LEARNERS

English language learners (ELLs) are not to be subjected to disciplinary action exclusively because of their use of a language other than English. However, all Marion County Public School students, regardless of their ability to speak English, are governed by the Code of Student Conduct.

LEVEL 1 - DISCIPLINARY RESPONSE CODE

LEVEL 1 – INFRACTIONS/ INCIDENTS

- 1A Behavior (physical) Inappropriate for School Setting, School Activity or Bus
- 1B Behavior (other) Inappropriate for School Setting, School Activity or Bus
- 1D Disrespect for Others
- 1E Disruptive Conduct (minor)
- 1F Dress Code Violation including “Saggy Pants” ##
- 1G Failure to Comply with School Rules/Bus Rules
- 1I Inappropriate Gestures, Language or Materials
- 1J Insubordination
- 1K Medication (Over the Counter) - See chart on page 18.
- 1L Violation of Attendance Procedures

LEVEL 1 - CORRECTIVE ACTIONS

- Parental contact (recommended)
- Parent conference
- Counseling and direction
- Verbal reprimand
- Special work assignment
- Withdrawal of privileges
- Return of property, payment for same or restitution for damages
- School/classroom positive/negative reinforcement plan/intervention program
- Warning of referral to Level 2
- Behavioral contract (*)
- After school detention (*)
- In-school suspension (*)
- Saturday classes (*)
- Time out (temporary removal from setting)
- Work detail (*)
- Assign a school mentor
- Refer to school Child Study Team or Student Assistance Team

(*) Written parental notification mandatory

Pursuant to State Statute 1006.07, the penalty or corrective action for a violation of the “Saggy Pants” Dress Code is:

- a. For a first offense, a student shall be given a verbal warning and the school principal or designee shall call the student’s parent or guardian.
- b. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal or designee shall meet with the student’s parent or guardian.
- c. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to s. 1003.01(5) for a period not to exceed 3 days, the student is ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal 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.

LEVEL 2 - DISCIPLINARY RESPONSE CODE

LEVEL 2 – INFRACTIONS/INCIDENTS

- 2A Behavior (physical) Inappropriate for School Setting or School Activity, or Bus
- 2U Behavior (other) Inappropriate for School Setting, School Activity or Bus
- 2B Bullying- 1st Offense
- 2C Cell Phones and Wireless Communication or Electronic Devices that are Visible, Activated, or Inappropriately Used During Regular School Hours or on School Bus
- 2D Cheating or Plagiarism
- 2V Contraband
- 2E Disrespect for Others
- 2F Disruptive Conduct
- 2G Drugs - Over the Counter Drugs/Prescriptive - See chart on page 18.
- 2H Failure to Comply with School Rules/Bus Rules
- 2Z False or Misleading Information
- 2I Fighting where there is Mutual Combat and No Injury and No Weapon
- 2Y Harassment - 1st Offense
- 2K Insubordination - Repeated
- 2L Intentional Damage of Personal/School Property (\$26-\$200) **(LE-Optional)**
- 2N Profane, Obscene or Abusive Language, Gestures or Materials (Including Internet)
- 2O Repeated Misconduct
- 2P Theft (Less than \$300) **(LE-Optional)**
- 2X Threat
- 2Q Tobacco (Possession/Use if under the age 18) **(s) (LE)**
- 2R Tobacco (Possession/Use if 18 years of age or older)
- 2S Unauthorized Use of Other Person's Name, Signature, or Identifying Number
- 2T Violation of Attendance Procedures ‡
- 2AA Violation of School Code Red/Code Yellow Procedures

LEVEL 2 - CORRECTIVE ACTIONS

- Parental contact
- Parent conference
- Behavioral contract (*)
- In-school suspension (*)
- Work detail (*)
- Confiscation of unauthorized materials
- Alternative classroom assignment (*)
- Suspension from bus (for bus-related misconduct) (*)
- School/classroom positive/negative reinforcement plan/intervention program (including but not limited to REACH, Check In Check Out, I Can Problem Solve)
- Appropriate corrective measure from Level 1
- Warning of referral to Level 3 (*)
- Suspension from school (**) (‡)
- Saturday classes (*)
- Time out
- After school detention (*)
- Return of property, payment for same, or restitution for damages
- Assign a school mentor
- Refer to school Child Study Team or Student Assistance Team
- Temporary or permanent removal from extracurricular/co-curricular program or activity

(*) Written parental notification mandatory

() FS 1006.09(1)(b) Written notification, within 24 hours, by U.S. Mail**

(‡) FS 1006.09(1)(b) No Student shall be suspended for unexcused tardiness, lateness, absence, or truancy.

(LE) Notify Law Enforcement

(s) SESIR Report to DOE

LEVEL 3 - DISCIPLINARY RESPONSE CODE

LEVEL 3 - INFRACTIONS/INCIDENTS

- 3A Alcohol **(s)** **(LE)** - See chart on page 17.
- 3Z Arson **(s)** **(LE)**
- 3T Bullying – Repeated **(s)** **(LE)**
- 3C Computer Fraud (Accessing or Breaking into Documents That Are Unauthorized) **(LE)**
- 3D Contraband
- 3B Criminal Street Gang Activity **(s)** **(LE)**
- 3E Disorderly Conduct (Disruption) **(s)** **(LE)**.
- 3F Drugs; Over the Counter Drugs; Prescription Drugs, Illegal Drugs **(s)** **(LE)** - See chart on page 18.
- 3G Extortion, Threats, Intimidation **(s)** **(LE)**
- 3Y False Fire Alarms/Expelling a Fire Extinguisher **(s)** **(LE)**
- 3H Fighting - Injury or Weapon or Not Mutual Combat **(s)** **(LE)**
- 3I Fireworks/Fireworks with Fuses **(LE)**
- 3W Force or Violence Against a School Board Employee or Volunteer (Elementary) **(LE)**
- 3J Gross Insubordination or Open Defiance
- 3V Harassment – Repeated **(s)** **(LE)**
- 3U Inhalant/Inhaling/Huffing **(LE)**
- 3X Intentional Damage of Personal/School Property (\$201 to \$1,000) **(LE)**
- 3K Other Serious Misconduct **(s)** **(LE)**
- 3L Repeated Misconduct of a More Serious Nature **(s)** **(LE)**
- 3M Sexual Harassment **(s)** **(LE)** **(DCF)**
- 3N Sexual Offenses (Lewd Behavior or Indecent Exposure) **(s)** **(LE)** **(DCF)**
- 3O Theft over \$300 **(s)** **(LE)**
- 3P Trespassing **(s)** **(LE)**
- 3Q Unauthorized Use of Internet
- 3S Weapons (Category B) **(LE)**

LEVEL 3 - CORRECTIVE ACTIONS

- Parental contact, oral communication immediately, followed by written notification
- Behavioral contract (*)
- Recommend assignment to special program/school (*)
- Suspension from bus (*)
- Suspension from school (**) (‡)
- Suspension from school (for bus-related misconduct) (**)
- Temporary or permanent removal from extracurricular/co-curricular program or activity (*)
- Appropriate measure from Levels 1 or 2 (*)
- Warning of referral to Level 4 (*)
- Saturday classes (*)
- Return of property, payment for same, or restitution for damages
- Assign a school mentor
- Refer to school Child Study Team or Student Assistance Team

(*) Written parental notification mandatory

() FS 1006.09(1)(b) Written notification, within 24 hours, by U.S. Mail**

(‡) FS 1006.09(1)(b) No Student shall be suspended for unexcused tardiness, lateness, absence, or truancy.

(LE) Notify Law Enforcement

(s) SESIR Report to DOE

(DCF) Notify Department of Children & Families

LEVEL 4 – DISCIPLINARY RESPONSE CODE

LEVEL 4 – INFRACTIONS/INCIDENTS

- 4A Alcohol **(s) (LE)** - See chart on page 17.
- 4B Bomb Threats or Explosions **(s) (LE)**
- 4C Burglary **(s) (LE)**
- 4T Criminal Street Gang Activity **(s) (LE)**
- 4D Cyber Attack (Introducing Programs or Tools into Network Server) **(LE)**
- 4E Drugs: Over-the-Counter, Prescription or Illegal Drugs **(s) (LE)** - See chart on page 18.
- 4F False Accusation – Teacher or School Board Employee **(LE)**
- 4H Felony Charge
- 4I Fighting – Injury or Weapon or Not Mutual Combat **(s) (LE)**
- 4J Force or Violence against School Employees or Volunteers **(s) (LE) Elementary/Secondary**
- 4U Hazing **(LE)**
- 4K Inciting, Leading or Participating in a Major Student Disorder **(s) (LE)**
- 4L Other More Serious Misconduct **(s) (LE)**
- 4M Repeated Misconduct of a More Serious Nature **(s) (LE)**
- 4N Serious Campus Disruption **(s) (LE)**
- 4O Sexual Battery **(s) (LE) (DCF)**
- 4P Sexual Offenses (Sexual Contact, Lewd Behavior of a More Serious Nature) **(s) (LE) (DCF)**
- 4Q Victimization/Extortion or Threats/Intimidation of More Serious Nature **(s) (LE)**
- 4S Vandalism over \$1000 **(s) (LE)**
- 4R Weapons **(s) (LE)** (Category A or B)

LEVEL 4 – CORRECTIVE ACTIONS

- Parental contact- immediate oral communication, followed by written notification of the following action:
- Recommendation for Expulsion with Mandatory 10 Day Suspension from School (**)
- Assignment to special program/school if expulsion is not appropriate (**)
- Felony Transfer (*)

(*) Written parental notification mandatory

() FS 1006.09(1)(b) Written notification, within 24 hours, by U.S. Mail**

(LE) Notify Law Enforcement

(s) SESIR Report to DOE

(DCF) Notify Department of Children & Families

SECTION VII

PROCEDURES RELATING TO DISCIPLINARY ACTIONS

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

Students in honors, advanced placement or magnet courses that are expelled or reassigned must be aware that their curriculum will be impacted.

REMOVAL FROM EXTRACURRICULAR/CO-CURRICULAR PROGRAMS

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

CORPORAL PUNISHMENT

The School Board of Marion County prohibits the administration of corporal punishment.

SUSPENSION FROM TRANSPORTATION PRIVILEGES

A student accused of serious or repeated misconduct which is in violation of the Bus Conduct Rules or the Code of Student Conduct, shall be afforded the following due process procedures prior to the suspension of his/her transportation privileges. In emergency situations these procedures may be modified as long as reasonable efforts are made to provide substantially similar opportunities to due process.

- STEP 1: Principal/designee shall inform the student as to the reason(s) for consideration of suspension from transportation privileges for a period of one to ten days.
- STEP 2: Principal/designee shall provide the student the opportunity to present his side of the story (either orally or written), and to present his/her witnesses.
- STEP 3: The principal/designee shall make a determination based on factual evidence presented. Once the determination to suspend from transportation privileges has been made the principal/designee shall inform the student as to the terms and condition of the suspension.
- STEP 4: Principal/designee reports each suspension from transportation privileges in writing to the parent/guardian of the student.

The Principal/designee shall make a reasonable effort to notify the parent/guardian prior to the start of the suspension.

- STEP 5: The parent/guardian may request a conference to discuss the reasons for the suspension of transportation privileges with the principal/designee within three (3) school days of the first notification received by the parent. The principal/designee may sustain or alter the suspension assignment if, in the best interest of the student and the school, the parent/guardian agrees to alternative measures or agrees to assist the school in redirecting the student's unacceptable behavior.

The principal can suspend a student's transportation privileges for up to ten (10) days at any one time. After the third ten (10) day bus suspension in the same school year or if the principal believes that because of the severity of the behavior a longer bus suspension is warranted, he/she may request that the Superintendent recommend a bus suspension to the School Board. In the case of bus suspensions longer than ten (10) days, the parties will follow the same procedures as expulsions.

SUSPENSION FROM SCHOOL

Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the Principal or the Principal's designee, for a period not to exceed ten (10) school days and remanding the student to the custody of the student's parent with specific homework assignments for the student to complete. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student's parents by United

States mail. Each suspension and the reasons for the suspension shall also be reported in writing within 24 hours to the District School Superintendent or designee (FS 1006.09).

A student accused of serious misconduct which, in the opinion of the principal or his/her designated representative, would require suspension from school as defined by FS 1003.01 shall be afforded the following due process procedures. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for due process.

- STEP 1: The student must be told by the principal/designee of the reason(s) for consideration of suspension or expulsion.
- STEP 2: The student must be given the opportunity to present his side of the matter either orally or in writing and must have the opportunity to present witnesses to the incident.
- STEP 3: The principal/designee shall make a determination as to whether or not the student is guilty of the misconduct and, if so, what the terms of the punishment will be. The student shall be informed of the determination. If the determination is to impose suspension, the notice of suspension shall be in writing.
- STEP 4: The principal/designee shall report each suspension in writing to the student's parent or guardian and to the Superintendent/designee. The parent(s) or legal guardian shall be provided an opportunity for a conference within twenty-four (24) hours of the effective date of suspension. The report of the suspension shall be mailed or delivery initiated within 24 hours of the start of the suspension or on the next regular work day. Reasonable efforts shall be made to contact the parent or guardian prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal/designee may determine that the suspension will start without the prior contact with the parent or guardian, but continued reasonable efforts to contact the parent or guardian shall be made.
- STEP 5: The student and parent have a right to schedule an appointment with the principal or his designee upon request of the parent to appeal the discipline imposed. All such requests must be made within three (3) school days of the first notification of suspension that the parent receives. The principal shall have the discretion to reduce or cancel the suspension if it is felt that it would be in the best interest of the student and school to do so.
- STEP 6: At the discretion of the principal, a written behavior contract may be required upon return of the student. The final appeal of the suspension rests with the principal.

SUSPENSION

QUESTIONS AND ANSWERS

You have a right to attend school and have an opportunity to learn. You can lose that right if you violate the Code of Student Conduct or a school rule. You lose the right by being suspended or expelled.

Q. Who can suspend you?

A. The principal or someone designated by the principal (such as an assistant principal) can suspend you.

Q. How long can you be suspended?

A. You can be suspended from school for one school day or up to ten (10) school days.

Q. What happens before a suspension?

A. The principal or assistant principal becomes aware that a student has broken a rule in the Code of Student Conduct or a school rule. He or she will investigate by talking to students, teachers or others who may know something about what happened. Even if you are one of the students who broke the rule, the principal or assistant principal may talk to you as part of the investigation. After talking to everyone that was involved, the principal or assistant principal will determine whom he or she thinks broke a rule.

Q. What if the principal or assistant principal determines that you broke a rule?

A. As soon as possible the principal or assistant principal will talk to you. The administrator will tell you that you have broken a rule in the Code of Student Conduct or a school rule. You also will be given something in writing, like a discipline referral, that tells you the same thing. You will then be told why the administrator thinks that you have broken the rule. After this happens, you should know what you are accused of doing and what evidence there is that supports the accusations.

Q. What happens next?

A. You will now have an opportunity to tell the principal or assistant principal your side of the story. You can ask that they talk to someone you think may know something about what happened. You can give the principal or assistant principal a written statement to read. After listening to you and reading anything that you have given them, the principal or assistant principal may talk to the people you told them about and anybody else that they need to contact. After that, the principal or assistant principal will decide if you have broken a rule in the Code of Student Conduct or a school rule. If he or she decides that you have broken a rule, they will then decide if you should be suspended from school and how long you will be suspended. You will be told about this decision.

Q. Will my parents know?

A. The principal or assistant principal will try to telephone your parents and let them know about the suspension. If they cannot reach your parents by telephone, then they will write down how many times they tried and what happened. Your parents will be mailed a letter titled *Written Notice of Suspension* within 24 hours of the decision. You will be given a copy of that letter. If you or your parents claim that you did not receive the letter, it will not change the suspension. You will be given another copy of the letter if you request one.

Q. Can you review a suspension?

A. Yes. If your parents want a suspension review they should notify the principal in writing before your suspension is over. When the principal receives the notice from your parents that they wish a review, he or she will offer to arrange a conference with your parents. Your parents may prefer to discuss their review with the principal by telephone. If your parents do not notify the principal in writing before the end of your suspension that they want a review, the suspension is final.

Q. What happens at the conference?

A. Your parents (and you if you are present) will discuss with the principal what has occurred. The principal will go over the incident that led to the suspension and review the evidence supporting the suspension. The principal also will review the process that was followed leading up to the decision to suspend you. This will include a review of how you were told about the accusations and the evidence against you, and how you were allowed an opportunity to tell your side of the story.

If you or your parents believe that the school did not follow all of the requirements for suspending you, you must tell the principal exactly what was not done that you believe should have been done. If the principal agrees with your parents that one or more requirements for suspending you were overlooked, the principal can then comply with those requirements at the conference or can start the suspension process from the beginning and go through it again.

Q. When will the principal decide the review?

A. The principal will provide you and your parents a written decision within five school days of the conference.

Q. Am I suspended during the review?

A. You will continue to serve the suspension until a final decision is made.

Q. What if the suspension was not appropriate?

A. Any record of the suspension will be taken out of your student records and you will be given the opportunity to make up all schoolwork that you missed, **without penalty**.

Q. Can I appeal the principal's decision?

A. Yes. You may appeal the principal's procedures to the Executive Director of Student Services in writing. To request a review by the Executive Director of Student Services you must notify him or her in writing within five school days of the date of the principal's final decision.

Q. What will be reviewed on this appeal?

A. This review only concerns whether or not the proper procedures were followed in making the final decision to suspend you. There will be no further investigation or interviews with witnesses about the incident, although the facts of the case will be reviewed.

Q. Do I have schoolwork to complete while I am suspended?

A. Yes. A student who receives out of school suspension will be assigned schoolwork to complete. In addition, it will be your responsibility to request homework assignments from your teacher(s). Because a suspension is considered an unexcused absence, you will receive 50% credit for work that is appropriately completed and turned in at the time designated by your school.

Q. May I make up and receive credit for assessments that I miss while I am suspended?

A. Yes. In order to receive full credit, you must make arrangements **immediately** upon your return to make up the test/assessment at a time and location established by your teacher and/or administrator including but not limited to before school, after school, or at Saturday school. The make-up assessment may be a modified form of the missed assessment.

Q. May I attend extra-curricular events at any regular school?

A. No, while suspended you cannot attend any extra-curricular events at your regular school or any other school in the district.

ALTERNATIVE PLACEMENT

FS 1006.07(2)(J) Policies to be followed for the assignment of violent or disruptive students to an alternative education program.

Alternative Placement is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the Supervisor of Alternative Programs for a **minimum** period of forty-five (45) days. The alternative school principal is the person responsible for referring the student back to his/her public school upon completion of the program.

The principal/designee shall fully support the authority of his/her teachers and school bus drivers to remove disobedient, disrespectful, violent, abusive, uncontrollable or disruptive students from the classroom and the school bus when appropriate and available by placing the student in an alternative education setting.

This will be in accordance with the rules of the District School Board. All incident codes in Level 3 of the Student Code of Conduct may result in the student's assignment. Steps 1-7 below for suspension from school will be followed with a recommendation of placement in an alternative program.

- STEP 1: The student must be told by the principal/designee of the reason(s) for consideration of suspension and alternative placement.
- STEP 2: The student must be given the opportunity to present his side of the matter either orally or in writing and must have the opportunity to present witnesses to the incident.
- STEP 3: The principal/designee shall make a determination as to whether or not the student is guilty of the misconduct and, if so, what the terms of the punishment will be. The student shall be informed of the determination. If the determination is to impose suspension and alternative placement, the notice of suspension and recommendation of alternative placement shall be in writing.
- STEP 4: The principal/designee shall report each suspension/alternative placement in writing to the student's parent or guardian and to the Superintendent or his designee. The parent(s) or legal guardian shall be provided an opportunity for a conference within twenty-four (24) hours of the effective date of suspension. The report of the suspension shall be mailed or delivery initiated within 24 hours of the start of the suspension or on the next regular work day. Reasonable efforts shall be made to contact the parent or guardian prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal or his designee may determine that the suspension will start without the prior contact with the parent or guardian, but continued reasonable efforts to contact the parent or guardian shall be made.
- STEP 5: The student and parent have a right to schedule an appointment with the principal upon request of the parent to review the evidence and the student's position. All such requests must be made within three (3) school days of the first notification of suspension/alternative placement that the parent receives.
- STEP 6: The principal shall initiate notification of the Superintendent/designee in writing within 24 hours or the next regular work day of the imposition of the suspension and of the recommendation of alternative placement.
- STEP 7: The district will notify the principal of the alternative school placement, and the principal will notify the parent.

Q. Can I review the alternative placement procedures?

- A. Yes. You may request a review of the alternative placement procedures to the Supervisor of Alternative Programs. To request a procedures review, you must notify the Supervisor of Alternative Programs in writing within five school days of the date of the principal's final decision.

Q. What will be reviewed?

- A. This review only concerns whether or not the proper procedures were followed in making the final decision to suspend/alternatively place you. There will be no further investigation or interviews with witnesses about the incident, although the records will be reviewed.

Q. May I attend extracurricular events at any regular school?

- A. No, while alternatively placed you cannot attend any extracurricular events at your regular school or any other regular school in the district. If you attend an alternative school, you may attend extracurricular events only at the alternative school.

FELONY TRANSFER

FS 1006.09 allows the principal to recommend to the Superintendent the felony transfer of any enrolled student who is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, **by a proper prosecuting attorney** for an incident which occurred on property other than public school property, if the incident is shown **to have an adverse impact on the educational program, discipline or welfare in the school in which the student is enrolled.**

It is the administration's responsibility to notify teacher(s) that a student has committed a felony.

- STEP 1: Determine that the student has been formally charged with a felony (or has been charged with an offense by the court system which, if the student were an adult, would be classified as a felony). District personnel will verify that a student has been formally charged.
- STEP 2: Further action need be taken only if the student attempts to return to any public school other than the assigned alternative school.
- STEP 3: If the student attempts to return to school, the principal must decide whether or not the student's return would have an adverse impact on the school. A waiver of transfer may be granted in a drug-related situation (see E below). In other than drug offenses, the principal should consider the relative possibility of harm to the accused student or to others by the presence of the accused student in school. Felony transfer should be used only when the principal perceives a definite adverse impact on staff or other students or on the accused student. If the principal decides to impose a felony transfer, the parent or guardian must be notified in writing of:
- A. Recommendation for transfer until the determination of guilt or innocence, or dismissal of charges. If the student is found guilty of a felony, the Superintendent shall have the authority to determine if a recommendation for expulsion shall be made to the School Board. If the student is not subsequently adjudicated delinquent or found guilty, the transfer shall be terminated immediately.
 - B. Specific charges against a student.
 - C. The right to a hearing:
 1. A hearing is conducted in every felony transfer procedure. It is not necessary for the parent to request a hearing. A hearing can be held without the attendance of the parent after proper notification.
 2. The purpose of the hearing is not to determine guilt or innocence. The purpose of the hearing is to determine whether the offense with which the student has been charged would have an adverse impact on the educational program, discipline or welfare of the school. In determining "adverse impact", the principal should consider the nature of the alleged offense (e.g., a student charged with rape, robbery, murder, etc., would probably affect the educational environment more adversely than a student charged with a computer-related crime). The principal should also consider the publicity attendant to the offense or any other circumstances which might either increase or diminish the possibility that the student charged would pose a threat to the students and staff or that continued attendance would pose a threat to the student charged with the felony.
 3. The principal must establish a date for the hearing which shall be not less than two days nor more than five school days from the postmarked date of the notice. The hearing date is established in the initial letter from the principal.
 - D. Pending the hearing, the student is temporarily suspended by the principal. (Not to exceed 10 days.)
 - E. Conditions under which a waiver of suspension may be granted in the case of unlawful use of an illegal controlled substance:
 1. If the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him.
 2. If he voluntarily discloses his unlawful possession of such controlled substances prior to his arrest.
 3. If the student commits himself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.
- STEP 4: The hearing is conducted by the principal and may be attended by district personnel, the student, the parent, the student's representative or counsel and any witnesses requested by the student or the principal. The student may speak in his own defense, may present any evidence indicating his or her eligibility for waiver of disciplinary action, and may be questioned on his testimony. The student shall not be threatened with punishment or later punished for refusal to testify. The person conducting the hearing is not bound by courtroom procedure, no testimony and no transcript of the testimony shall be required.
- STEP 5: Following the hearing, the principal will provide the student and parent with a decision in writing as to whether or not transfer will be recommended. The Superintendent shall determine, after the administrative hearing, the period of time for transferring the student from the home school. The student shall be immediately enrolled in a day alternative education program.
- STEP 6: If the student is adjudicated guilty by the criminal court, the student may be recommended for expulsion through the normal expulsion procedure. District personnel should be contacted to confirm the adjudication. Such action by the Superintendent shall not affect the delivery of educational services to students attending a residential or nonresidential program outside the public school.

NO CONTACT ORDER

Students who are found to have committed certain felony offenses against another student are prohibited from attending the same school or riding on the same school bus with the victim or the victim's siblings. FS 1006.13 makes certain exceptions if the victim or victim's parents affirmatively state (in writing) that they have no objection to their child attending the same school or riding the same bus as the offender. This requires a "No Contact" order issued by the Court. According to FS 1006.13(5)(d), "The offender, or the parents of the offender if the offender is a juvenile, shall arrange and pay for transportation associated with

or required by the offender's attending another school or that would be required as a consequence of the prohibition against riding on a school bus on which the victim or a sibling of the victim is riding. However, the offender or the parents of the offender may not be charged for existing modes of transportation that can be used by the offender at no additional cost to the District School Board."

EXPULSION

FS 1006.07 A student accused of a violation of the Code of Student Conduct which, in the opinion of the principal or his designated representative, would require expulsion from school shall be afforded the due process procedure described below. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for due process.

- STEP 1: The student must be told by the principal or designee of the reason(s) for consideration of the expulsion.
- STEP 2: The student must be given the opportunity to present his side of the matter either orally or in writing and must have the opportunity to present witnesses to the incident.
- STEP 3: The principal or his designee shall make a determination in writing as to whether or not the student is guilty of the misconduct and, if so, what the terms of the punishment will be. The student shall be informed of the determination. If the principal or his designee determines that there are sufficient grounds for expulsion, then the principal or designee shall inform the student that he or she is being suspended from school for ten (10) days and a recommendation that the student be expelled is being forwarded to the School Board through the Superintendent.
- STEP 4: The principal or designee shall report in writing to the student's parent or guardian that the student has been suspended for ten (10) days and a recommendation that the student be expelled from school has been forwarded to the School Board through the Superintendent. This report shall be mailed or delivery initiated within 24 hours of the start of the initial ten (10) day suspension or on the next regular work day. Reasonable effort shall be made to contact the parent or guardian prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal or his designee may determine that the suspension will start without the prior contact with the parent or guardian.
- STEP 5: The principal shall initiate notification of the Superintendent or designee in writing within 24 hours or the next regular work day of the imposition of the suspension and of the recommendation of the expulsion. The principal shall include along with the recommendation for expulsion a detailed report by the principal or designee on the alternative measures, if applicable, taken prior to the recommendation of expulsion.
- STEP 6: If the student's ten (10) day suspension expires prior to the next School Board meeting, the Superintendent shall have the authority to extend the suspension of the student until the next meeting of the School Board. The Superintendent may assign any student so suspended to an individually-designated program or other special placement or may continue the suspension.
- STEP 7: The Superintendent shall notify the parent or guardian in writing that the Superintendent will recommend to the School Board that the student be expelled for a specified period of time. The written notification shall indicate the grounds for recommendation and of the parent's rights.
- STEP 8: The parent or guardian shall have the right to request a hearing before the School Board takes action on the Superintendent's recommendation for expulsion. This request must be in writing. If requested, the School Board will schedule an appropriate hearing at a separate meeting.
- STEP 9: If the parent or guardian does not request to appear before the School Board, the School Board may take action thereon as if the parent or guardian and child have consented to such action.

EXPULSION FOR VIOLATION OF ZERO TOLERANCE POLICY

FS 1006.13 Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one full year and be referred to the criminal justice or juvenile justice system.

1. Bringing a firearm or weapon, as defined in FS 790, to school, at any school function, or onto any school-sponsored transportation or possessing a firearm at school.
2. Making a threat or false report defined in FS 790.162 and FS 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity. Even threats or false reports made in jest or exaggeration may be treated as serious threats for purposes of this provision.
3. Assault or battery on any elected official or employee of a school district is in violation of FS 784.081(1)(2).
4. Hazing as defined in FS 1006.135.

District school boards may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the

school system. If a student committing any of the offenses in this subsection is a student who has a disability, the district school board shall comply with applicable State Board of Education rules.

Any disciplinary or prosecutorial action taken against a student who violates a zero-tolerance policy must be based on the particular circumstances of the student's misconduct.

The legislature finds that zero-tolerance policies must apply equally to all students regardless of their economic status, race, or disability.

EXPULSION FROM AN ALTERNATIVE SCHOOL

Marion County students who have been **expelled** and are allowed to continue their education in an alternative program will have educational services terminated from school should they commit a Level 3 or 4 Infraction while enrolled at the alternative school.

Marion County students who have been **alternatively placed** in an alternative school shall be brought before the Marion County School Board for expulsion should they commit a Level 3 or 4 Infraction while enrolled at the alternative school.

PLACEMENT FROM ANOTHER DISTRICT OR PRIVATE SCHOOL

Students found to have been expelled from another district or private school where a Level 3 or 4 Infraction had been committed will remain expelled through the duration of the original expulsion as defined in FS 1003.01. Additionally, students found to have been alternatively placed or felony transferred from another district or private school will remain placed in an alternative setting.

EXPULSION QUESTIONS AND ANSWERS

Q. Who can expel you?

A. Only the School Board can expel you based upon a recommendation by the Superintendent. The Superintendent will make a recommendation for expulsion only after receiving a recommendation from the principal. The principal will make such a recommendation for expulsion only after having suspended you for ten (10) school days. The principal's recommendation will contain a detailed explanation of the incident and your record of attendance, academics, and discipline.

Q. Will my parents be notified?

A. You and your parents will be notified in writing if the Superintendent recommends that the School Board expel you. The allegations against you will be explained. You will also be told that you can request a hearing.

Q. What if my parents want to request a hearing?

A. Your parents must submit a written request for a hearing to the Superintendent's Designee, Supervisor of Alternative Education.

Q. What if my parents do not request a hearing?

A. If you do not ask for a hearing, the School Board may attempt to place you in an alternative school if space is available. Transportation is generally provided.

Q. Who conducts the hearing?

A. The School Board.

Q. When will the hearing take place?

A. The staff attorney will schedule the hearing and notify you and your parents in writing of the date, time and place of the hearing, as well as the pre-hearing conference. This will be handled in a timely fashion.

Q. Is the hearing public?

A. Your parents have the choice of a hearing being open or closed to the public.

Q. Can I have an attorney at the hearing?

A. You are entitled to have an attorney or other qualified representative provide you with representation. Any fees for such representation will be your parents' responsibility.

Q. What happens at the hearing?

A. The Superintendent's attorney will present witnesses and documents to support the charges against you. Your parents or attorney will have an opportunity to cross-examine the witnesses and to present witnesses and evidence on your behalf.

Q. Will there be a record of the hearing?

A. The School Board will provide a certified court reporter for the hearing. The court reporter will take down everything that is

said at the hearing. If you want a full or partial transcript of the hearing, you can pay the court reporter to provide one for you. The court reporter may require payment in advance.

Q. What happens after the hearing?

A. At the conclusion of the hearing and after hearing the evidence and arguments of both sides, the School Board will make the final decision on whether or not you should be expelled and, if so, for how long.

Q. How long can the School Board expel me?

A. You can be expelled for the remainder of the current school year and up to one additional school year. Usually the length of the expulsion is specified by the number of semesters.

Q. May I attend extra-curricular events at my regular school?

A. No, while expelled you cannot attend any extra-curricular events at your regular school or any other regular school in the district. If you attend an alternative school, you may attend extracurricular events only at the alternative school.

ACCESS TO CAMPUS AND SCHOOL EVENTS

While students are suspended out of school, alternatively placed, felony transferred, or expelled, they may not enter or remain on any public school property during the school day or at such time and places including but not necessarily limited to school sponsored events, field trips, athletic functions, and other activities where school personnel have jurisdiction over students.

EARLY RE-ENTRY OF EXPELLED STUDENTS

Following School Board action to expel a student, the student shall have no right to attend public schools in Marion County, Florida unless the School Board in its sole discretion and acting upon the recommendation of the Superintendent revokes the existing expulsion based upon an early re-entry plan. Failure of the student to abide by an early re-entry plan shall be grounds for immediate expulsion of the same length or longer than the original expulsion.

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

Steps 1-8 listed below must occur prior to re-entry.

Early re-entry plans are to be developed when appropriate, following the procedures described below. The decision to recommend a re-entry shall be the prerogative of the Superintendent and **both sending and receiving principal must support the early re-entry. A student must remain at an approved alternative school a minimum of one full semester before being allowed to request early re-entry.**

STEP 1: The parent or guardian shall be informed that a request for early re-entry may be considered at the time that they are notified of official Board action concerning the expulsion of the student. The notice shall indicate that such a request must be initiated by the parent or guardian and made to the Student Services Department to the attention of Supervisor of Alternative Programs.

STEP 2: If the Student Services Department receives the request for re-entry, a member of the staff shall review the record of expulsion, other school records relating to the performance of the student, and consult with appropriate personnel concerning the grounds for expulsion and circumstances leading to the recommendation for expulsion as well as the opinions of appropriate school personnel concerning the probability of success of an early re-entry plan.

STEP 3: After review of this information, the representative of Student Services may schedule a staffing meeting to consider the request if there is reason to believe that early re-entry would be in the best interest of the student and that a reasonable expectation of an early re-entry would not adversely impact the health, safety, and welfare of others.

STEP 4: The Staffing Committee shall include appropriate school personnel and others including but not limited to the principal who originally recommended the expulsion or his designee; a representative of the Superintendent; appropriate school-based staff; a representative of Student Services; the parent/guardian; and the student.

STEP 5: During the staffing meeting an attempt shall be made to develop a written early re-entry plan which shall detail the conditions for re-entry at school. Re-entry plans must be reasonable and realistic in demands placed upon the student and at the school and achievable by both parties. The re-entry plan shall include:

- A. Decisions of the student relative to his/her future conduct. Such a statement shall reflect the student's commitment in his/her own words that he/she will follow the rules of conduct established by the school.
- B. Requirements developed in the staffing conference may include (but not limited to) evaluation by the Department of Student Services, contact with a community agency (where appropriate), counseling, completion of special school work, and such requirements as may be deemed reasonable to assure that the misconduct leading to expulsion will not recur. The entry requirements shall not include those which would cause negative feelings toward the instructional program but may include special classes or transfer of schools or assignments.

- C. A listing of any adjustments to the student program of study or school day or a special assignment.
 - D. A statement by the school citing the resources which will be utilized to assist the student in his/her re-entry to school.
 - E. A statement relative to procedures or actions to be taken in the event the agreement between the school and student is broken.
 - F. An indication from the parents/guardians that they understand and accept the conditions set forth in the re-entry plan.
- STEP 6: Following completion of the re-entry plan which is acceptable to the school administrator who will be responsible for supervision of the student, the plan shall be submitted to the Superintendent or his designee for review and approval. If approved, the Superintendent shall recommend early re-entry of the student to the School Board.
- STEP 7: Parent and student are required to attend the School Board Meeting at which the recommendation for re-entry is before the Board.
- STEP 8: If the School Board approves the early re-entry of the student, the parents/guardians will be notified of the approval and, in accordance with the re-entry plan, the student may then re-enter public school.

REPORTS TO LAW ENFORCEMENT AGENCIES

The School Board views disruptive and criminal acts, and those which may affect the health, safety and welfare or pose a serious threat of those on a school campus as extremely serious in nature. In addition to disciplinary action administered at the school level, certain acts are expected to be reported to law enforcement as required by the State Attorney Office. The actions of law enforcement do not dictate the corrective measure enforced by the school.

REPORTS TO DEPARTMENT OF CHILDREN AND FAMILIES (DCF)

All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect. All employees of the District shall have immunity from liability if they report such cases in good faith.

Abuse is defined as "any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental or emotional health to be significantly impaired."

SEARCH OF INDIVIDUAL STUDENT AND/OR STUDENT LOCKER OR STORAGE AREA /VEHICLE

FS 1006.09 Search of student locker or storage areas; authority

1. The Legislature finds that the case law of this state provides that relaxed standards of search and seizure apply under the state Constitution to searches of students' effects by school officials, owing to the special relationship between students and school officials and, to a limited degree, the school officials' standing in loco parentis to students. Accordingly, it is the purpose of this section to provide procedures by which school officials may search students' effects within the bounds of the case law established by the courts of this state.
2. A principal of a public school or a school employee designated by the principal, if she or he has reasonable suspicion that a prohibited or illegally possessed substance, item or object is contained within a student's locker or other storage area, may search the locker or storage area. The storage area may include but not be limited to electronic device, book bag, purse and/or vehicle.
3. The School Board shall cause to be posted in each public school, in a place readily seen by students, a notice stating that a student's locker or other storage area is subject to search, upon reasonable suspicion, for prohibited or illegally possessed substances or objects.
4. This section shall not be construed to prohibit the use of metal detectors or specially trained animals in the course of a search authorized by subsection (2) or subsection (3).

If a principal/designee has reasonable suspicion to believe that a student is in possession of contraband, he shall request the student submit to a search of his or her person or his or her belongings. If the student refuses, the principal may call the appropriate law enforcement agency and/or the student's parents. Strip searches of students by school staff are prohibited.

SECTION VIII

STUDENT COMPLAINTS AND GRIEVANCES

Grievance procedure is inapplicable to out-of-school suspensions and expulsions or a student challenging a teacher's evaluation of his or her performance.

A student complaint exists when a student believes that he/she has been treated unfairly or has not been afforded due process. A grievance is a written allegation, officially presented to a principal by a student that there has been an unfair action or inaction committed at the school against the student by a specified individual or individuals, or some other situation, circumstance, condition or factor within the school system's scope of responsibility that needs to be resolved. Other grievances arise from actual or perceived situations and circumstances related to the prohibition of discrimination on the basis of race, color, sex, national or ethnic origin, political beliefs, marital status, religion, age, or disability. It is the intent of the Marion County School District to assure that complaints and grievances are resolved in an expeditious, orderly and equitable manner.

- Step 1: When a student has a complaint, she/he must first discuss the complaint informally with the person against who it is directed. The student may seek the assistance from a guidance counselor, or other faculty members and/or his/her parent(s) or guardian(s) in mediating the dispute. (The student may be accompanied by his/her parents(s) or guardian(s) or other representative at all steps in this process in order to arrive at an equitable resolution to a dispute.)
- Step 2: If the complaint is not resolved informally, the student shall communicate to the principal or guidance counselor his/her desire to discuss the complaint. If the complaint is not scheduled within three (3) school days following the initial communication through no fault of the student, a grievance may be filed. If the discussion is scheduled and held within three (3) school days following the initial communication and the complaint is not resolved the student may file a grievance.
- Step 3: If the complaint is not resolved by the above informal steps, the student shall submit a written, signed grievance to the principal no later than the close of the sixtieth (60th) school day following the alleged incident that prompted the grievance. The written grievance must include a description of the dispute and the facts, as well as an explanation of desired resolution of the grievance. The principal will be responsible for scheduling a discussion of the grievance with the plaintiff within five (5) school days following receipt of the written grievance. The principal shall provide a written answer to the student.
- Step 4: If the grievance is not satisfactorily resolved as determined by the plaintiff, an appeal for a ruling may be made by the student five (5) school days following the receipt of the decision to the Executive Director, Student Services of the nature and substance of the grievance filed for a final ruling.

SPECIAL PROVISIONS

Failure on the part of a student to observe the time limits for initiation and/or follow-up on a complaint or grievance will automatically result in the complaint or grievance being considered abandoned. Failure by a principal to respond to a complaint or grievance within the prescribed time limits will automatically move the complaint or grievance to the next step. Students are required to continue attendance at school and pursue their studies as directed while complaints or grievances are pending resolution. No reprisals of any kind shall be taken by or against any participants in the grievance procedure by reason of such participation.

Copies of all communications pertaining to a complaint or grievance may be provided to a student and if appropriate, copies should be furnished to the Section 504, Title IX, ADA, and Educational Equity Assurance Director for input.

STUDENT GRIEVANCE FORMS

Student grievance forms are available in each school's office. The Superintendent's designee for coordinating all student grievances is the Executive Director, Student Services and may be reached by phone at 671-6868 from 8:00 a.m. - 5:00 p.m. on school days or by mail to 1517 SE 30th Avenue, Suite 6, Ocala, FL 34471.

The Section 504 Coordinator may be reached at 671-6860 from 8:00 a.m. - 5:00 p.m. on school days or you can mail information to 1517 SE 30th Avenue, Suite 1, Ocala, FL 34471.

The Title IX, ADA, and Educational Equity Assurance Director may be reached by phone at 671-7711 from 7:30 a.m. – 4:30 p.m. on school days or you can mail information to 512 SE 3rd Street, Ocala, FL 34471.

GLOSSARY

Alcohol: See chart on page 17.

Arson: Intentionally setting a fire.

Behavior Contract: A contract either oral or written developed between the student and a teacher, the principal, and/or other school personnel. Parental involvement is highly recommended.

Behavior (physical) Inappropriate for School Setting, Activity, or Bus (Level 1) Examples: Kicking, poking, pinching, running, fighting, pushing.

Behavior (other) Inappropriate for School Setting, Activity, or Bus (Level 1). Example: shouting.

Behavior (physical or other) Inappropriate for School Setting, Activity, or Bus (Level 2): Repeated or extreme instances of the above defined behavior.

Bomb Threat (Level 4): Any communication which has the effect of threatening an explosion to do malicious, destructive or bodily harm to school system property, at a school function or extra-curricular/co-curricular activity or to the person(s) in or on that property or attending that event.

Bullying: An aggressive behavior that is intended to cause distress or harm, exists in a relationship in which there is an imbalance of power or strength, and is repeated over time. Examples: hitting, teasing, obscene gestures, rumors, getting someone else to bully, cyber-bullying. School Board Policy 2.15. (Level 2- first offense, Level 3 – subsequent offenses).

Burglary (Level 4): Entering or remaining in a structure or on a conveyance with the intent to commit an offense therein unless the premises are at the time open to the public or the person is licensed or invited to enter. FS 810.02.

Cell Phones In Use (Level 2): Cell phones and similar wireless devices may be in the possession of students on campus but cannot be visible, activated, and/or inappropriately used during regular school hours or on the school bus.

Cheating/Plagiarism (Level 2): Willful or deliberate unauthorized use of the work of another person for academic purposes and/or inappropriate use of notes/material in the completion of an academic assignment or test and/or inappropriately providing information.

Child Abuse: Abuse is defined as “any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child’s physical, mental or emotional health to be significantly impaired.”

Co-Curricular Program or Activity: A school sponsored activity which is an extension of the actual course of study.

Complaint: An allegation, verbal or written, officially made to a principal/administrator or guidance counselor.

Computer Fraud (Level 3): Accessing or breaking into documents that are unauthorized.

Contraband (Level 2): Possession, use and/or distribution of materials or items which are forbidden including but not limited to, i.e. matches, toys, animals, lighters, stink bombs, cards. The type of contraband and the context in which the contraband is used and/or discovered will be considered in determining whether the contraband is a Level 2 or Level 3 infraction. Contraband may be confiscated and not returned to the student.

Contraband (Level 3): Possession, use and/or distribution of materials or items which are forbidden including but not limited to, drug paraphernalia, imitation alcohol, imitation drugs (K-2), or stolen property. Contraband may be confiscated and not returned to the student.

Counsel and Direction: Students involved in misconduct may be given counsel and direction in a conference with the staff or administration; the misconduct is discussed and future expectations outlined. Parents can be involved.

Criminal Street Gang Activity (Level 3): Activity that intentionally benefits, promotes or furthers the interest of a criminal street gang. A criminal street gang is a formal or informal organization or group that has as one of its primary activities the commission of criminal or delinquent acts and that consists of three or more persons who have a common name or common identifying signs or symbols and have one or more members that engage in a pattern of criminal street gang activity.

Criminal Street Gang Activity (Level 4): Activity as a gang member that includes threats, intimidation or violence.

Cyber Attack (Level 4): Introducing unwarranted programs or tools into network server.

Detention: Students can be detained before, during, or after school hours for misconduct with approval of the principal or his designee. Parents or guardians are to be notified that the student will be detained. Responsibility for transportation is that of the student and/or the parent.

Disorderly Conduct (Level 3): Creation of disorder at any school property, school sponsored or related event, or on any school sponsored transportation.

Disrespect for Others (Level 1 & 2): Conduct or behavior which demeans, degrades, antagonizes, humiliates or embarrasses a person or group of persons.

Disruptive Conduct (Level 1) (Minor): Creating disruption of activity or education of others.

Disruptive Conduct (Level 2): Repeated or extreme instances of the activity described above.

Dress Code Violation (Level 1): See page 19.

Drugs: See chart on page 18.

Early Re-Entry Plan for Expelled Students: Parents or guardians may request that consideration be given to the development of an early re-entry plan from expulsions in accordance with procedures described. See page 37.

Early Sign-Out: Student leaving school prior to scheduled dismissal time.

Electric Weapon or Device: Any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury. Example: stun gun, electric weapon

Expulsion: Expulsion is defined as the removal of the right and obligation of a student to attend a public school in Marion County for a period of time and under conditions set by the School Board not to exceed the remainder of the term or school year and one additional school year of attendance. Expulsion also bars attendance at any public school function. **THE SCHOOL BOARD OF MARION COUNTY HAS THE SOLE RIGHT TO EXPEL A STUDENT FROM SCHOOL UPON RECOMMENDATION OF THE SUPERINTENDENT.** See page 35.

Extortion (Level 3): The willful or malicious threat of harm, injury or violence to a person, property or reputation of another with the intent to obtain money, information, services or items of material worth.

Extra-curricular Program or Activity: A school-sponsored activity which is outside of the actual course of study and which carries no academic credit. Certain academic and behavioral expectations must be met for participation.

Failure to Comply with School Rules (Level 1): Examples: out of area without permission; failure to sign in and out; missing identification badge; public display of affection; truancy; tardiness; lack of required materials and equipment.

Failure to Comply with School Rules (Level 2): Repeated or extreme instances of the examples listed above; disobedience of rules that involve risk to safety or welfare of others.

False Accusation (Level 4): A student may be recommended for expulsion if he/she is found to have intentionally made false accusations against a school board employee that could jeopardize the employee's employment, professional reputation or certification.

False Fire Alarm (Level 3): The willful and/or malicious activation of a fire alarm system or the willful and/or malicious reporting of a false fire.

False and Misleading Information (Level 2): Providing false, misleading or invalid statements, making false accusations, and/or withholding valid information.

Felony Transfer (Level 4): F.S. 1006.09(2) permits suspension proceedings against any enrolled student who is formally charged with a felony or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property if that incident is shown in an administrative hearing with notice provided to the parents of the student by the principal of the school to have an adverse impact on the education program, discipline or welfare in the school in which the student is enrolled. See page 33.

Fighting (Level 2): Physical conflict between two or more individuals where the participation is mutual and equitable and/or there is no weapon or injury.

Fighting (Level 3): Physical contact between two or more individuals where the participation is not mutual or equal, or a weapon is used, or in which injury that requires immediate first aid or subsequent medical attention occurs.

Fighting (Level 4): Physical contact between two or more individuals where the participation is not mutual or equal, or a weapon is used, or with greater violence, or more serious injury, or physical restraint is required.

Fireworks with Fuses (Level 3): Unauthorized possession and/or igniting of fireworks with fuses or firecrackers on school system property, at a school function or extra-curricular/co-curricular activity.

Force or Violence Against School Employees or Volunteers – Elementary (Level 3): Use of force or violence upon or against any employee of the Marion County School Board.

Force or Violence Against School Employees or Volunteers – Elementary/Secondary (Level 4): Use of force or violence upon or against any employee of the Marion County School Board.

Grievance: A written allegation, officially presented to a principal/administrator or guidance counselor.

Gross Insubordination or Open Defiance (Level 3): Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order.

Harassment: Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student. (Level 2- first offense, Level 3 – subsequent offenses)

Hazing (Level 4): Action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student at a high school with grades 9 through 12 for the purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a high school with grades 9 through 12.

Imitation Alcohol Products (Contraband Level 3): Possession of beverages such as O'Doul's which contain traces of alcohol.

Inappropriate Language, Gestures or Materials (Level 1): Examples: Possession of adult or sexually explicit printed materials or pictures; using vulgar language in an inappropriate setting; making rude gestures.

Inciting, Leading or Participating in a Major Student Disorder (Level 4): The willful act of inciting, leading or participating in a disruption or disturbance which interferes with the educational process or which can result in damage or destruction to public or private property, or cause personal injury to participants and others.

Inhalant/Inhaling/Huffing (Level 3): To inhale or ingest, or to possess with intent to breathe, inhale, or drink, any compound, liquid, or chemical substance which will lead to impairment.

Insubordination (Level 1): Refusal or failure to comply with a direction or an order from a school employee.

Insubordination (Level 2): Repeated or extreme instances of the behavior described above.

Intentional Damage of School Property/Personal Property): Destruction or defacing of school property/personal property which the repair costs are between \$26 - \$200 (Level 2) or between \$201 - \$1,000 (Level 3).

Intimidation (Level 3): To force or deter with threats or violence, to instill fear in someone, to make someone afraid.

Manifestation: If a child's misbehavior is a result of his or her disability, the misbehavior is called a "manifestation" of the disability.

Medication (Over the Counter) (Level 1): Possession of over the counter, non-prescription drugs. See chart on page 18.

Other Serious Misconduct (Level 3): Conduct which is not listed as a specific infraction but which results in injury, damage to property, or serious harm other than of a physical nature to one or more individuals.

Other More Serious Misconduct (Level 4): Conduct which is not listed as a specific infraction but which results in more serious injury, damage to property, or serious harm other than of a physical nature to one or more individuals than that listed above

Parent Conferences/Contact: In cases of student misconduct, a conference between school personnel and the parent or guardian may be held to discuss student behavior. During this conference future plan, alternative educational opportunities, or behavior contracts may be determined.

Payment for Damages: Students destroying school property or property of others may be assessed for payment of damages and their parents may be held responsible to assure payment.

Permanent Removal from Extra-curricular/Co-curricular Program or Activity: Removal from such program or activity for the remainder of the school year.

Profane, Obscene or Abusive Language, Gestures or Materials (Including Internet) (Level 2): Use of either oral or written language, gestures, objects or pictures which are socially unacceptable or which may tend to disrupt the orderly school environment, a school function, or extra-curricular - co-curricular activity. Sexual, vulgar or lewd gestures or motions, making sexual, vulgar or lewd remarks.

Reasonable Suspicion: Reasonable suspicion means that the person who initiates the warrantless search has a well founded suspicion – based on facts that can be articulated – of either criminal activity or a violation of school rules.

School/Classroom Positive/Negative Reinforcement Plans: Individual schools and/or teachers may develop structured discipline plans to encourage appropriate behaviors. Examples of such plans would be those modeled after concepts set forth in "Teacher Expectations and Student Achievement" (TESA), "Teacher Effectiveness" (TET), or "Assertive Discipline" programs. Such plans may not conflict with the Code of Student Conduct.

Serious Campus Disruption (Level 4): Creation of serious disorder at any school property, school sponsored or related event, or on any school sponsored transportation.

Sexual Battery (Level 4): Any sexual act directed against a person, forcibly or against the person's will, or not forcibly against the person's will where the victim is not capable of giving consent because of his or her youth or because of temporary or permanent incapacity.

Sexual Harassment (Level 3): Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical contact of a sexual nature when such conduct substantially interferes with a student's academic performance or creates an intimidating hostile or offensive school environment. Sexual harassment may include the following: verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome or inappropriate touching, suggestive or demanding sexual involvement accompanied by implied or explicit threats.

Sexual Offenses (Level 3): Exposing or exhibiting one's private areas in public in a vulgar or indecent manner. Intentionally touching in a lewd or lascivious manner the clothed private areas of another or of oneself, using or possessing a wireless communication device to view, or transfer or store material of a sexual nature.

Sexual Offenses (Level 4): Intentionally touching in a lewd or lascivious manner the private areas of another person or oneself. Forcing a person to so touch the perpetrator, or sexual contact/activity.

Smoking (and Other Use of Tobacco Products) (Level 2): The unauthorized possession, use, distribution or sale of tobacco products on school system property, at a school function or extracurricular/co-curricular activity. Smoking prohibited by students on or within 1000 feet of school property between 6 a.m. and midnight unless they are in a moving vehicle or a private residence.

Special Programs-Alternative Classrooms: Students may be assigned to special programs on the school campus or at special centers to assist in correcting student misbehavior and disruptive behavior.

Special Work Assignments: The assignment of a reasonable task to be completed by a student is permissible. Such a work assignment should not be to complete additional academic work.

Substance Abuse: Using, without medical reason, any psychoactive or mood-altering drug, including alcohol, in such a manner as to induce impairment resulting in dysfunctional social behavior.

Suspension: Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the Principal or the Principal's designee, for a period not to exceed ten (10) school days and remanding of the student to the custody of the student's parent with specific homework assignments for the student to complete.

Suspension (In-School): Students may be removed from a class or classes and assigned to other activities on the school campus. Other activities may include supervised work details.

Suspension from Bus Riding Privileges: Students may be suspended from bus riding privileges for misconduct on the school bus for up to ten (10) school days. The School Board may suspend a student from bus riding privileges for longer periods of time. A student suspended from bus riding privileges continues with the responsibility to attend school. The responsibility for transportation to and from school for the duration of the suspension now becomes the responsibility of the student, or the student's parents.

Tardiness: Excessive late arrival to school or class.

Temporary Removal from Extra-curricular/Co-curricular Program or Activities: May result in suspension or removal of an activity or extra-curricular events.

Theft (Level 2): The taking of property of another without permission of the owner where the property has a value of less than \$300.

Theft (Level 3): The taking of property of another without permission of the owner where the property has a value of over \$300.

Threat (Level 2): Orally or by written or printed communication expressing one's intention of hurting or punishing or otherwise harming an individual or a member of the individual's family.

Threat (Level 3): Orally or by written or printed communication expressing one's intention of hurting or punishing or otherwise harming an individual or a member of the individual's family such that a reasonable person would be fearful and having the ability to carry out the threat.

Threat (Level 4): See Victimization/Extortion or Threats/Intimidation of a More Serious Nature.

Trespassing (Level 3): Entering upon or remaining on any property, a structure or conveyance without being authorized, licensed or invited to do so and being warned by the owner or owner's agent or by notice pursuant to FS 810.09, or, in the case of entry upon or remaining on school grounds or buildings, not having legitimate business on the campus or authorization, license or invitation to be there or being under suspension, alternative placement or expulsion.

Unauthorized Absence from School or Class: Violation of the State Attendance Laws requiring school attendance or "skipping" an individual class or classes. Unexcused absence.

Unauthorized Assembly, Publication, Etc.: Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.

Unauthorized Use of Internet (Level 3): Use of internet on any computer located on school grounds in violation of the current School Board acceptable use policy and guidelines.

Unauthorized Use of Other Person's Name or Signature (Level 2): Using the name, identifying number or symbol or signature of another person for any purpose without that person's authorization or permission with the intention of deceiving a School Board employee or under circumstances which could be reasonably calculated to deceive the employee.

Under the Influence-Alcohol: Positive test results or student admission of alcohol consumption or observation of student's alcohol consumption or behavior (slurred speech, breath scent, unsteady gait, etc.) suggesting recent alcohol consumption.

Under the Influence-Drugs: Positive test results or student admission of drug usage or observations of student's drug usage or behavior (red eyes, lethargic or erratic behavior, dilated pupils, etc.) suggesting recent drug usage.

Unsubstantiated Bullying and/or Harassment: After a complete investigation of a reported incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act.

Vandalism (Level 4): Destruction of school property causing disruption of normal school activities (Cost to repair over \$1000).

Verbal Correction/Reprimand: Any member of the school staff may verbally correct a student for misconduct in the classroom, hallways, on the school grounds, going to and from school, or a scheduled school function.

Victimization/Extortion or Threats/Intimidation of a More Serious Nature (Level 4): A person who willfully, maliciously, and repeatedly follows and/or harasses student, employee, or volunteer with intent to place that person in reasonable fear of death or bodily injury.

Violation of Attendance Procedures (Level 1): Ex.: Tardiness, truancy, failure to check in when tardy, failure to check out when leaving.

Violation of Attendance Procedures (Level 2): Repeated or excessive violations as described above.

Violation of Early Re-Entry Plan/Probation: Any act or series of acts which violates or has the practical effect of violating an early re-entry or a probationary plan.

Weapon-like Contraband (Level 3): Possession of any weapon defined in Category B on Page 23 of the Code of Student Conduct will be at least a Level 3 infraction. The type of weapon (Category B, rather than Category A), and the context in which the weapon is used and/or discovered will be considered in determining whether the weapon is a Level 3 or 4 infraction. Pursuant to FS 790.115(2)(a)(3) the School Board has adopted a published policy prohibiting the provision of any firearm, electric weapon or device, destructive device, or other weapon as defined in FS 790.001 (13), including a razor blade or box cutter, in a student vehicle parked on campus. This policy is permissible contravention of FS 790.025 regarding weapons in vehicles. See Page 23.

Weapons and Firearms (Level 4): Possession of any weapon defined in Category A on page 23 of the Code of Student Conduct will be a Level 4 infraction and will require mandatory expulsion. See page 35. The School Board has the discretion to expel any student in possession of a weapon listed in Category B on page 23 of the Code of Student Conduct. The type of weapon (Category B, rather than Category A), and the context in which the weapon is used and/or discovered will be considered in determining whether the weapon is a Level 3 or 4 infraction. Pursuant to FS 790.115(2)(a)(3) the School Board has adopted a published policy prohibiting the provision of any firearm, electric weapon or device, destructive device, or other weapon as defined in FS 790.001 (13), including a razor blade or box cutter, in a student vehicle parked on campus. This policy is permissible contravention of FS 790.025 regarding weapons in vehicles. See Page 23.

Wireless Device: Any device that can communicate with other devices without being physically attached to them, including but not limited to cellular telephone, camera telephone or pager.

Withdrawal of Privileges: The temporary withdrawal of privileges which do not impact the health and safety of students nor impair the development of the basic academic program for the student.

Work Details: Students may be required to serve on work details at the school for misconduct. Each work detail shall not endanger the health or safety of a student.

2011-2012 Code of Student Conduct Committee

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Marion County School Board Members

Mrs. Judi Zanetti, Chairperson

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Gillian Davis	Sunrise
Diane Guilfoil	Harbour View
Christopher Hagerman	Marion Oaks
Joseph Suranni	Shady Hill

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Dama Abshier	Exceptional Student Educ.
Lou Archibald	Alternative Education
Brian Greene	Alternative Education
Brian Marcum	Risk Management
Terry McCray	Social Work Services
Reggie Thomas	Transportation
Cathy Trammell	Social Work Services
Mark Vianello	Student Services

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Diane Leinenbach	Dunnellon
Tom Mottl	Bellevue
Mary Rivera	Fort McCoy
Columbus Watts	Howard

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Rod Marques	Parent
Wendy Thrower	Parent
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Sgt. Woods	Ocala Police Dept.

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Donald Maier	North Marion
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