

# **SCHOOL BOARD OF CLAY COUNTY**

**Green Cove Springs, Florida**

## **CODE of STUDENT CONDUCT Elementary and Secondary Students**



**2017-2018**



**Addison G. Davis**  
**Superintendent of Schools**  
**CLAY COUNTY SCHOOL BOARD**

<b>District 1:</b>	<b>Janice Kerekes</b>
<b>District 2:</b>	<b>Carol Studdard</b>
<b>District 3:</b>	<b>Betsy Condon</b>
<b>District 4:</b>	<b>Mary Bolla</b>
<b>District 5:</b>	<b>Ashley Gilhousen</b>



Addison G. Davis  
Superintendent of Schools

## SCHOOL BOARD OF CLAY COUNTY

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### BOARD MEMBERS:

Janice Kerekes  
District 1  
Carol Studdard  
District 2  
Betsy Condon  
District 3  
Mary Bolla  
District 4  
Ashley Gilhousen  
District 5

August, 2017

Dear Parents:

The goal of the School District of Clay County is to create an atmosphere of learning in an environment that values safety, discipline and civility. In this *Code of Student Conduct*, we want to give you and your student a clear understanding of the expectations for student conduct and to ask you to partner with us in this goal. We want you to know we value your help and support as active participants and partners with the School District of Clay County in upholding the *Code of Student Conduct*. Helping to create good order and discipline is a team effort. Order and respect established through firm, fair, and reasonable discipline have proven to be key ingredients in a successful school district. That is why this document is so important.

I am sure you will agree that, as students progress through school, it is reasonable to assume that an increase in age and maturity carries with it an expectation of greater responsibility. The procedures outlined in the *Code of Student Conduct* apply to all students in Clay County Public Schools. The *Code of Student Conduct* is in force while the student is traveling to and from school, including, but not necessarily limited to, school-sponsored events, field trips, athletic functions, and other activities where appropriate administrators have jurisdiction over students. Additionally, the Principal has the authority to take administrative action when a student's misconduct away from school is having, or could have, a detrimental effect on the other students or on the orderly educational process. The *Code of Student Conduct* provides for recognition of the rights of the student, including the right to learn. It provides for the recognition of responsibilities of students in respect to the rights of others and in respect to the obligation of all the schools to provide the order necessary for meaningful and effective instruction and learning. Most important of all, students in our schools have a responsibility to report crimes, dangerous or potentially dangerous situations to their teacher, administrator, or trusted adult to assist them in notifying the proper authorities. We also have an established toll-free **SCHOOL SAFETY HOTLINE (1-877-723-2728)** for students to call and remain anonymous.

**This *Code of Student Conduct* has been approved by the Clay County School Board. It contains important information that is essential to your child's education. We want to thank you for partnering with us to ensure student safety and discipline. Most parents want to read and study this document with their student to make sure they understand its contents. If you have any questions or need further explanation, your school principal will be happy to assist you. We ask that you please sign the acknowledgement page at the back of this document and have your child return it to his or her teacher.**

Sincerely,

Addison G. Davis  
Superintendent of Schools

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#### **Signature Form:**

**(Required) Parent/Student Acknowledgement Form**

## **NOTICE OF NON-DISCRIMINATION AND PROCEDURES FOR HANDLING ALLEGATIONS OF POSSIBLE DISCRIMINATION WITHIN THE CLAY COUNTY SCHOOLS – EMPLOYMENT, PROGRAMS**

Non-discrimination and diversity are foundation principles of the School Board. It is School Board policy to hire and promote the best qualified candidate measured against the requirements of the job and to provide equal employment and advancement opportunity for all individuals without discrimination because of race, color, gender, religion, age, national origin, disability, veteran, marital status or any other protected status.

The School Board also makes reasonable accommodations for disabled employees. Employees who would like to be considered for accommodation assistance should contact the Assistant Superintendent for Human Resources. Information obtained concerning individuals requesting accommodations is kept confidential, to the extent possible, except that principals and supervisors may be informed regarding restrictions on the work duties of disabled individuals and information regarding necessary accommodations.

The policy applies to all areas of employment, including recruitment, hiring, training, promotion, compensation, benefits, transfer, and social and recreational programs.

The Clay County School Board reaffirms its Equal Education Opportunity (EEO) commitment as follows:

1. Guidance counseling, financial assistance and access to academic, career and vocational opportunities are available without regard to race, religion, color, sex, marital status, age, national origin, disability, or other protected status.
2. Criteria for admission to programs and courses do not have the effect of restricting access.
3. Recreational and athletic activities do not exclude participation in, deny benefits of, or treat people differently on the basis of sex.

The Policy of the Clay County School Board (6GX-10-1.07) relative to Non-Discrimination states the following:

**DISCRIMINATION ON THE BASIS OF RACE, RELIGION, COLOR, SEX, MARITAL STATUS, AGE, NATIONAL ORIGIN, PREGNANCY, OR DISABILITY IS PROHIBITED IN THE EMPLOYMENT OF PERSONNEL IN THE PROVISION OF EDUCATIONAL PROGRAMS AND IN THE CONDUCT OF THE BUSINESS AFFAIRS OF THE CLAY COUNTY SCHOOL SYSTEM, AND PROVIDES EQUAL ACCESS TO THE BOY SCOUTS AND OTHER DESIGNATED PATRIOTIC GROUPS.**

(Ref. F.S. 760.10; F.S. 760.50; Federal Civil Rights Acts title VI, VII, IX; Section 504F. Rehabilitation Act, 1973-78; IDEA, ADEA; Equal Pay Act; Americans with Disabilities Act)

The procedures outlined below shall be used for the processing of allegations of possible discrimination.

1. All such allegations should be discussed initially on an informal basis with the school principal, supervisor or appropriate division head directly responsible for the area of concern. Such discussion should be held within ten (10) days of alleged incidents(s) if possible.
2. Any student matter not resolved by the school principal to the satisfaction of the aggrieved party shall be referred to the district School Board Office to the attention of the following administrator:

Michael Wingate, Director of Academic Services  
School District of Clay County  
900 Walnut Street  
Green Cove Springs, Florida 32043  
Telephone: 904-529-2613 or 904-284-6500

3. Any Human Resources matter not resolved by the school principal or division head to the satisfaction of the aggrieved party shall be referred to the district School Board Office to the attention of the following Assistant Superintendent:

David S. Broskie, Assistant Superintendent for Human Resources  
School District of Clay County  
900 Walnut Street  
Green Cove Springs, Florida 32043  
Telephone: 904-284-6500

4. All complaints of discrimination or harassment shall be investigated fully and all person(s) involved shall be questioned. The aggrieved party may be required to appear in person to answer questions.
5. Such investigation shall be initiated within fifteen (15) days of receipt of the complaint. If an extension of the timelines is deemed necessary, the aggrieved party shall be notified of such extension prior to the end of the fifteen (15) days.
6. Retaliation against any person who makes a complaint pursuant to this policy, or who participates in any investigation initiated pursuant to this policy, will not be tolerated. Any employee who engages in such retaliation shall be subject to disciplinary action up to and including termination.

# **SCHOOL DISTRICT OF CLAY COUNTY CODE OF STUDENT CONDUCT 2017-2018**

## **Mission Statement**

The Clay County School District, in partnership with the entire community, is dedicated to providing a quality education in a safe, inviting environment so that all students learn and become successful, responsible citizens.

## **Jurisdiction of the School Board**

The Code is in force twenty four (24) hours a day, seven (7) days a week on all school campuses/properties as well as such times and places, including, but not necessarily limited to, school sponsored events, field trips, athletic functions and other activities where school administrators have jurisdiction over students. All school regulations pertain to automobiles driven or parked on school property. With respect to student conduct while being transported on school buses, it should be understood that students are subject to denial of the privilege of riding a school bus for violation of appropriate standards, even if they are not otherwise denied educational participation.

## **Philosophical Basis**

Instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline which may be described as the absence of distractions, frictions, and disturbances which interfere with the effective functioning of the student, class, and school. It is also the presence of a friendly, yet businesslike, atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals.

As students progress in our public schools, it is reasonable to assume that an increase in age and maturity will result in the students assuming greater responsibility for their actions. It is recognized that differences in age and maturity require different types of disciplinary action; however, the procedures identified shall apply to all students in grades PreK-12.

To assist parents, administrators, and faculty in maintaining such an environment, the Code of Student Conduct will:

- Describe roles of the home, student, and school
- Describe student rights and responsibilities
- Identify informal and formal disciplinary actions
- Standardize disciplinary actions
- Identify classifications of violations and describe procedures for disciplinary action
- Be discussed at the beginning of every school year in student classes, School Advisory Councils and Parent & Faculty Associations in language understandable to those in attendance
- Be distributed to teachers, school personnel, students and parents/guardians at the beginning of each school year and all students will sign off when they have been in-serviced.

## **Roles of the Home, Student and School**

In order for effective instruction to occur, there must be a cooperative relationship between student, parent, and educator. This relationship may be described as follows:

### **PARENTS OR GUARDIANS WHO:**

- assume major responsibility for their child's behavior
- maintain regular communication with the school and encourage their child to maintain acceptable behavior in their home, community, and school
- ensure that their child is in daily attendance and who promptly report and explain an absence to the school
- provide their child with the resources needed to complete class work
- assist their child in being well-groomed, neat and clean
- bring to the attention of the school authorities any problem or condition which affects their child or other children of the school community
- discuss report cards and work assignments with their child, maintain up-to-date home, work, emergency telephone numbers, and addresses at the school, including doctor and/or hospital preference

### **STUDENTS WHO:**

- attend all classes daily and are on time
- are prepared to come to class with appropriate working materials
- are responsible for their own work
- are responsible for delivery of written communications to their parent/guardian
- are respectful to all individuals and property
- refrain from profane or inflammatory statements
- are well-groomed, neat, and clean
- abide by the rules and regulations set forth by the school and individual classroom teachers, while conducting themselves in a safe and responsible manner

### **SCHOOLS THAT:**

- encourage the use of good guidance procedures
- maintain an atmosphere conducive to good behavior
- exhibit an attitude of respect for students
- plan a flexible curriculum to meet the needs of all students
- promote effective training or discipline based upon fair and impartial treatment of all students
- develop a good working relationship among staff, students, and appropriate community agencies
- encourage the school staff, parents and student to use the service of community agencies
- encourage parents to keep in regular communication with the school and participate in its affairs
- seek to involve students in the development of policy
- inform all employees of their requirement to report to law enforcement felony offenses and violent misdemeanors or delinquent acts which would be a felony offense if committed by an adult on or near school property.

## Section 1: Student Rights and Responsibilities

It is the intent of the Student Rights and Responsibilities, as expressed in this document that students understand that individual rights involve associated responsibilities, and that individual rights must be viewed in relationship to the health, safety, and welfare of the majority of students within each school. The principal shall assume administrative responsibility and instructional leadership under the supervision of the Superintendent, in accordance with rules and regulations of the School Board for planning, management, and operation of the school to which he is assigned. The faculty and staff shall assist in the orderly operation of the school and assure the rights of students.

### Attendance

#### **Philosophical Basis:**

Florida Statute 1003.21 states that students who are six on or before February 1<sup>st</sup> must attend school every school day of the 180-day school year until their sixteenth birthday. Florida Statute 1003.24 establishes that the parent/legal guardian of a child of compulsory age is responsible for the child's daily school attendance. School staff, parents, students, and appropriate state agencies are expected to work together to ensure that all applicable school attendance laws are obeyed, including, but not limited to, referral to the state designated agency for possible court action for truancy. Regular attendance by students will facilitate the development of the skills and knowledge necessary to function in a modern democratic society.

<u>Student Responsibilities</u>	<u>Student Rights</u>
To take advantage of their educational opportunity by attending all classes daily and on time	*To be informed of School Board policies and individual school rules regarding absenteeism and tardiness
To provide the school with an adequate explanation with appropriate documentation indicating the reasons for an absence	To appeal a decision pertaining to an absence
To request the make-up assignment from their teachers upon their return from an excused absence and to complete the work within a reasonable length of time as determined by school board policy (1 day per each day of absence).	To make up class work within a prescribed length of time in case of an excused absence

\*School Board Rule Section IV 4.01, F. 1: Absence by a student for twenty (20) or more days during the school year shall create a strong presumption that the student has failed those subjects or courses in which he is enrolled during that period. For semester courses, ten (10) days shall apply; for individual grading periods, five (5) days shall apply. Such presumption may be overcome by effort or performance which satisfies the teacher(s) involved, that such student should receive other than a failing grade. A review committee representing the administration, the instructional staff, and guidance, appointed by the principal, will review each such case individually and will make recommendations. Individual teacher(s) shall give strong consideration to the recommendation of the review committee in determining the effort or performance of the student.

### Counseling

#### **Philosophical Basis:**

Personal concerns of students can seriously limit their educational development. Schools have the responsibility to provide a counseling program and to make relevant and objective information available to students.

<u>Student Responsibilities</u>	<u>Student Rights</u>
To use these services for their own educational and personal development	To be accurately informed as to the nature of the guidance services available in their school
To schedule appointments in advance unless the problem or concern is one of an emergency nature	To have an opportunity to participate in individual and group counseling



## **Curriculum**

### **Philosophical Basis:**

The degree of curriculum involvement is a function of age, grade, maturity, and sophistication on one hand and the level and complexities of courses on the other. Student opinion regarding curriculum offerings is extremely important and therefore deserves careful analysis and consideration.

<u>Student Responsibilities</u>	<u>Student Rights</u>
To request participation in academic programs and extracurricular activities that are commensurate with ability	To have equal educational opportunity with regard to academic programs and extracurricular activities
To seek assistance in course selection from informed persons in the school	To receive district curriculum course descriptions that will facilitate informed choices
To cooperate with the instructor and contribute to an atmosphere free from bias and prejudice	To receive instruction in courses of study under competent instructors in an atmosphere free from bias and prejudice
To cooperate fully and exert every effort to achieve mastery of the basic skills	To participate in appropriate basic skills programs in elementary, middle, and high schools
To take care of instructional materials issued to them and to pay for lost or damaged instructional materials (FL statutes 1006.42)	To receive the loan of instructional materials for the subject they are studying

Florida Statutes 1006.42(1)...Each Parent of a student to whom or for whom instructional materials have been issued, is liable for any loss or destruction of, or unnecessary damage to, the instructional materials or for failure of the student to return the instructional materials...and shall pay for such loss, destruction, or unnecessary damage as provided by law.

## **Free Speech/Expression**

### **Philosophical Basis:**

Citizens in our democracy are guaranteed self-expression under the 1<sup>st</sup> and 4<sup>th</sup> Amendments of the United States Constitution; therefore, in a democratic society, one of the basic purposes of education is to prepare students for responsible self-expression.

<u>Student Responsibilities</u>	<u>Student Rights</u>
To respect the rights and property 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 (School Board Rule IV, 4.04) F.S. 1006.07 (2)(c)	To form and express viewpoints through speaking and writing in a manner which is not obscene, slanderous, or libelous
To act in a manner which preserves the dignity of patriotic observances	To not be subjected to disciplinary action because of use of a language other than English if student has limited English proficiency
To respect the religious beliefs of others	To affirm their identity with the American ideals. (i.e., pledging allegiance to the flag) F.S.1002:20(12)
To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school	To affirm the student's right not to participate in standing and reciting the pledge of allegiance upon written request by his/her parent. F.S. 1003.44
	To refrain from any activity which violates the precepts of their religion
	To petition and survey student opinion in accordance with the procedures that are established by the principal and consistent with Florida Statutes and local regulations.

## **Grades**

### **Philosophical Basis:**

Grades at best are but an indication of the student's knowledge at any particular point in time. An academic grade should reflect the teacher's most objective assessment of the student's academic achievement.

<u>Student Responsibilities</u> To become informed of the grading criteria  To maintain standards of academic performance commensurate with ability, and to make every effort to improve performance upon receipt of notification of unsatisfactory progress	<u>Student Rights</u> 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 during the grading period when it is apparent unsatisfactory work is being performed
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## **Grievance Procedures**

### **Philosophical Basis:**

A grievance is a situation occurring in the course of the school's implementation of the County Code of Conduct that causes a student to consider himself aggrieved. Schools are responsible for providing mechanisms for the expression and resolution of grievances.

<u>Student Responsibilities</u>  To discuss their grievances informally with the persons involved prior to invoking formal grievance procedures  To state the grievance clearly and concisely, to follow the established procedures, and to accept the decision that is the outgrowth of this process	<u>Student Rights</u>  To have a standard procedure for the resolution of grievances  To participate in the formulation of the grievance procedures with the school administration through their student government
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## **Homeless Education**

### **Philosophical Basis:**

Homeless students are entitled to the educational protections of the McKinney-Vento Act. The Act defines homeless children as "individuals who lack a fixed, regular, and adequate nighttime residence."

<u>Student / Parent Responsibilities:</u>  To notify the school if you and/or your family meet one of the following criteria listed below: <ul style="list-style-type: none"><li>▪ Share the housing of other persons due to loss of housing, economic hardship, or a similar reason.</li><li>▪ Live in motels, hotels, travel trailer parks, or camping grounds due to the lack of alternative adequate accommodations, or emergency or transitional shelters.</li><li>▪ Youth who are abandoned in hospitals or awaiting foster care placement.</li><li>▪ Live in a car, park, public space, abandoned buildings, bus or train station, or similar setting.</li></ul>	<u>Student Rights:</u> <ul style="list-style-type: none"><li>▪ Your child is entitled to a "free and appropriate education." Your child does not need a permanent address in order to attend school. School enrollment can begin on a temporary basis while the Homeless Education Program School Social Workers assist in obtaining documentation such as birth certificates, immunization or school records.</li><li>▪ Free school meals</li><li>▪ Attendance and transportation to the school or origin when feasible</li><li>▪ To have a standard procedure for the resolution of grievances</li></ul>
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## **Privacy and Property Rights**

### **Philosophical Basis:**

Federal and State laws provide persons with reasonable expectation of privacy in addition to freedom from unreasonable search and seizure of property. Such guarantees are not unlimited and must be balanced by the school's responsibility to protect the health, safety, and welfare of all students (4<sup>th</sup> Amendment of the United States Constitution).

<u>Student Responsibilities</u>	<u>Student Rights</u>
<p>To not carry or conceal any such material that is prohibited by law or would detract from the educational process</p> <p>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</p> <p>To accept the consequences for the content stored within their lockers</p>	<p>To maintain privacy of personal possessions unless appropriate school personnel have reasonable suspicion to believe a student possesses any object or material which is prohibited by law or School Board Policy</p> <p>To attend school in an educational environment in which personal property is respected</p> <p>To have prior notification of any general search of lockers except in emergency situations (Clay County School Board Student Notice) F.S. 1006.09(9)</p>

NOTE: School officials may conduct a warrantless search of a student's locker, vehicle, or any storage area on school property if such officials have reason to believe that illegal, prohibited, or harmful items may be concealed.

## **Student Government**

### **Philosophical Basis:**

Effective student governments are the forums for the training and involvement of students in the democratic processes. Members of the school community share the responsibility for shaping governments into positive instruments for student involvement.

<u>Student Responsibilities</u>	<u>Student Rights</u>
<p>To elect student government officers and representatives who are responsive to the needs of the school and who will work constructively toward the resolution of such needs</p> <p>To conduct election campaigns in a positive, mature manner, with all due respect provided their opponents</p> <p>To attend regularly scheduled meetings, if an elected student representative, and exhibit appropriate conduct at all times</p>	<p>To form and operate a student government within the respective schools under the direction of a faculty advisor</p> <p>To seek office in student government or any organization regardless of race, sex, color, creed, or political beliefs</p> <p>To attend, as student government officers and representatives, official student government meetings upon approval of such meetings by the school principal</p>

## **Student Publications**

### **Philosophical Basis:**

Education is the process of inquiry and learning, acquiring and imparting knowledge, and exchanging ideas. One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects. Official student publications, such as school newspapers, should include viewpoints representative of the entire student body.

<u>Student Responsibilities</u>	<u>Student Rights</u>
<p>To use only those bulletin boards or wall areas designated for use by students and student organizations, and must also accept responsibility for the effect that the posting publication or distribution of this literature might have on the normal activities of the school</p> <p>To refrain from publishing libelous and obscene materials, to seek full information on the topics about which they write, and observe the normal rules for responsible journalism under the guidance of the faculty advisor.</p> <p>Principals may suppress or recall literature which they consider primarily commercial in nature or material which could endanger the orderly operation of the school.</p>	<p>To possess, post, and distribute any forms of literature that are not inherently disruptive to the school program including, but not limited to, newspapers, magazines, leaflets, and pamphlets</p> <p>To be free of censorship on their publications except within the framework of guidelines previously agreed upon by students and administrators</p>

## **Student Records**

### **Philosophical Basis:**

A well-developed student record file contains information needed for making appropriate educational decisions for the student. Student records are to be treated confidentially and should contain information that is relevant, accurate, and appropriate.

<u>Student Responsibilities</u>	<u>Student Rights</u>
<p>To inform the school of any information that may be useful in making appropriate educational decisions</p> <p>To authorize release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the students</p> <p>To have parents, guardians, or eligible students follow prescribed procedures for requesting access to records or transcripts</p>	<p>To inspect, review, and challenge the information contained in records directly relating to the student (Parents, guardians, or *eligible students).</p> <p>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 (18 years of age or attending a post-secondary institution)</p> <p>To have the right of access to records or transcripts (parents, guardians, or eligible students). <i>*Eligible students are those 18 years of age or over and/or those attending a postsecondary institution.</i></p>

Florida Statute 1002.22(2)(c)(8)...No public educational institution shall maintain any report or record relative to a pupil or student which includes a copy of the pupil's or student's fingerprints. Students must disclose upon initial registration all previous school expulsions, arrests resulting in a charge, and juvenile justice actions. [Florida Statute 1006.07 (1) (b)]

## **Student Activities and Clubs**

**Philosophical Basis:**

Organized clubs and activities are characteristic of student life from the elementary school through college, and are characteristic of adult life as well. All members of the school community share the responsibility for organizing and supporting clubs and activities that meet student needs and serve definite and worthwhile purposes.

<u>Student Responsibilities</u>	<u>Student Rights</u>
To follow these rules in forming and operating clubs and activities.	To form and operate clubs and activities within their respective schools under the direction of a faculty advisor.

Florida Statute 1006.14: Secret societies prohibited in public K-12 school. (1) It is unlawful for any person, group, or organization to organize or establish a fraternity, sorority, or other secret society whose membership is comprised in whole or in part of students enrolled in any public K-12 school or to go upon any public K-12 school premises for the purpose of soliciting any students to join such an organization.

**RULES FOR STUDENT ACTIVITIES AND CLUBS**

- Clubs and activities must be open to all qualified students.
- Clubs cannot interfere with school activities and School Board policies must be followed.
- Clubs must have a charter and a constitution that state the membership qualifications and the rules of conduct (written by both students and teachers, be approved by the administration, and be kept on file so that all students, parents, and school personnel may read them).
- Local chapters of national organizations whose charters are prescribed are exempted from the requirement that they must be written by both students and teachers.
- They must have a faculty sponsor approved by the administration and this sponsor must be at all meetings/events with chaperones when appropriate.
- Club members cannot be hazed. (School Board Policy 4.11) Hazing means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student. Hazing includes any forced activity that could adversely affect the mental health or dignity of the student. (FS 1006.135(1))
- Students, talk to your parents and school administrators about any activity you feel uncomfortable about. Demeaning or dangerous activities are not necessary to be a part of a team/group.
- Club dues must be reasonable.
- Club meetings must be held on the school grounds except for special meetings/events approved by the administration.
- Club money must be handled through the school.

**NOTE:****Youth  
Gang**

Students are not allowed to form, or participate in, groups which threaten, frighten or harm other students. These groups which may be called gangs, usually have common names, wear certain common colors, jewelry, signs or clothing. Students are not allowed to ask other students to join **Activity** such a group. If someone asks you to join a group such as this, tell your teacher or another adult.

## **Student Attendance**

### **Absences**

Absenteeism, excused or unexcused, regardless of the reason, negatively affects the continuity of the learning process. As a student's absenteeism increases, there is a greater responsibility for the school to deter future absenteeism, and there is a great responsibility for the student to demonstrate that such absenteeism has not negatively affected performance mastery.

#### **Excused/Unexcused absences per School Board Policy 4.01 (D)**

1. An absence from school under the following circumstances shall be considered excused:
  - a. With permission – The absence was with the knowledge and consent of the principal of the school, which the student attends.
  - b. Sickness, injury, or other insurmountable condition – Attendance was impracticable or inadvisable on account of sickness or injury, or was impracticable because of some other stated insurmountable condition.
  - c. Financial inability to provide necessary clothes for the student when reported by the parent in writing to the Superintendent and validated by the Superintendent (FS 1003.24(3))
  - d. Absence for religious instruction or holidays – A student with the written consent of his or her parent/guardian shall be excused from attendance in school on a particular day or days, or at a particular time of day, and shall be excused from any examination, study or work assignment at such time to participate in religious instruction, for observance of a religious holiday or because tenets of his or her religion forbid secular activity at such time. The principal shall reserve the right to refuse a student's request for released time, if according to the provisions of the district's student progression plan:
    - 1) The student is not enrolled in sufficient courses to allow for the student's promotion or graduation, and thus the released time would not be equivalent to an optional period.
    - 2) The student's grades/academic progress is insufficient to allow for the student's promotion or graduation.
  - e. Absences due to head lice will be excused, up to 2 days per incident and for a total of 10 days per school year. After a student has accumulated 10 excused absences due to head lice during a school year, further absences due to head lice will be considered unexcused. Unusual circumstances may be addressed by the principal to go beyond these 10 days for excused absences.
2. It is the responsibility of the parent/guardian to provide a written statement to the school explaining the absence within three (3) school days following the return of the student to school.
3. If a student is continually sick and repeatedly absent from school, he or she must be under the supervision of a physician in order to receive an excuse from attendance. Such excuse provides that a student's condition justifies absence for more than 5 days per grading period/ 10 days per semester/ 20 days per year. The principal of the school shall determine when it is necessary to require a physician's statement from the student's medical provider and require the parent/guardian to provide a copy to their child's school within a reasonable period of time as determined by the principal or designee.
4. An absence from school under the following circumstances may be considered unexcused.
  - a. The absence was without the parent/guardian's knowledge or consent.
  - b. Permission for the absence was requested but denied by the principal of the student's school
  - c. No written statement of the absence from the parent/guardian has been received by the school explaining the reason for the absence within three (3) school days following the return of the student to school.
5. The principal has administrative discretion in cases of excessive absences to reject a written note and consider the absence as unexcused when absences are seriously impacting academic progress, with the exception of sickness, injury or insurmountable conditions.

### **Truancy**

Truancy is absence from school without the parent or guardian's knowledge or consent. In some instances a student may be considered truant because of parent or guardian's negligence. Students with five (5) or more unexcused absences in a calendar month or ten (10) or more unexcused absences within a 90 calendar day period must be referred to the School's Attendance Team and school staff must meet with the parent/guardian. If the attendance problem continues, the Attendance Team will recommend appropriate interventions. Legal court action may be taken against a student who is classified as a habitual truant (F.S. 1003.26)

### **Driver's License (Secondary Students)**

“Recognizing the importance of education and keeping the students in school, the 1997 legislature enacted 322.091 F.S. relating to the driver’s license for students, ages 14 to 18, as an incentive for students to stay in school and continue their education” (Clay County School Board Policy 4.53). In order for a student to retain or obtain his/her regular Florida driver’s license or learner’s 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 by the Department of Highway Safety and Motor Vehicles. (F.S. 1003.27(2b))

### **Compulsory School Attendance**

A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the parent and student file a formal declaration of intent to terminate school enrollment with the district’s school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student’s earning potential and must be signed by the student and the student’s parent or legal guardian. F.S. 1003.21(1)(c)

### **Health Requirements for School Attendance**

**Communicable Disease** - Students having or suspected of having a communicable disease or infestation which can be transmitted to others are to be excluded from school and not allowed to return unless they have been successfully treated and/or present a note from a physician indicating that they are no longer contagious.

**Immunizations** - A Certificate of Immunization (DH 680) indicating compliance with the current required schedule of immunizations must be presented prior to enrollment in school. **A physical exam (performed within 1 year prior to initial enrollment in Florida public or private schools) is required** for all students new to the district. (FS 1003.22)



**Health Services/Screenings** - At the beginning of each school year, the Clay County Schools and the Florida Department of Health in Clay County are required, by law, (F.S. 381.0056) to inform parents of the health screening program. This program is carried out to appraise, protect and promote the health of students through assisting in the early identification of health problems in the areas of hearing, vision, growth & development, dental, mental health, and scoliosis. These screenings are limited to procedures that do not penetrate the skin or any body orifice (i.e., any invasive screening requires written parent permission). Written requests for exemption for these services should be made to your local school within fifteen (15) days of registration.

### **Procedures for the prevention of pediculosis (headlice)**

Head lice (Pediculosis capitis) continue to be a problem in all communities. Lice are highly communicable and difficult to prevent, but if every parent will take the responsibility to check the entire family weekly, these parasites can be controlled. The following information should be helpful in identifying head lice infestation:

- The actual louse is small and difficult to see.
- The nits (eggs) are tiny, yellowish-white oval specks attached to the hair shafts. They may resemble dandruff, but will not wash off or blow away.
- The primary symptom of infestation is itching that occurs when lice bite. (Children seen scratching their head frequently, should be examined at once.)
- Prevention guidelines include: students not using other students’ combs, brushes, hats, or clothing.



Your school, the Florida Department of Health in Clay County (529-2800 ext.2869) or your private medical doctor can provide more extensive information on treatment. Parental cooperation will help protect all children. [The Florida Department of Health in Clay County recommends the student to be free of nits \(eggs\) prior to re-entry into school after treatment.](#) The Clay County School Board has adopted [this recommended](#) a “no-nit” policy. Elementary school parents are required to accompany their students to school on the first day of entry after treatment.

All children should be back to school within two 2 days if treated properly. Habitual absentee cases may be referred to the community health nurse and the school attendance assistant/social worker. If the parent(s)/guardian(s) fail to comply with proper head lice treatment, they may be referred to the state attorney’s office for violation of compulsory school attendance law. (REF.F.S.1003.26)

### **Parent(s)/Guardian Responsibilities**

It is the responsibility of the parent(s)/guardian to notify the school of any health condition of their student(s) which may require medication, treatment, or monitoring at school or on school-sponsored trips or activities.

It is the responsibility of the parent(s)/guardian to submit a properly executed “Authorization for Medication/Treatment” form (MIS 12470) to school administration if their student requires medication (including over the counter) or treatment to be given during the school day. Parents will be responsible for delivery and retrieval of medications to the school nurse/health designee. No medications are to be transported via the school bus system. All medications to be administered by school personnel shall be received and stored in the ORIGINAL container.

It is the responsibility of the parent(s)/guardian to notify the school immediately of any chronic or acute medical conditions your child may have and of any necessity for your child to be allowed to self medicate during the school day. Health Services Manual may be viewed at [www.clay.k12.fl.us/PDF/health\\_manual.pdf](http://www.clay.k12.fl.us/PDF/health_manual.pdf).

### **Student Dress Code**

In Clay County, we believe the dress and personal appearance of students should be a positive reflection on the family, student, school and community. A good rule of thumb; if there is a question about whether an outfit would be acceptable, choose another. The following guidelines are to be followed:



School Board Rule Section IV, 4.03...APPROPRIATE DRESS FOR ALL STUDENTS.

- All students shall be properly groomed and attired when on school property or participating in school activities.
- Students shall be dressed so they will not present a clear danger to health and safety; should be tailored in such a manner that because of fit, design, color, texture, or inadequate coverage of the body does not create a classroom or school disruption as determined by administration.

School officials reserve the right to determine if the dress code is being violated.

#### **Permitted Apparel (Secondary Students):**

- Outfits are to be tailored in such a manner so as not to expose the inappropriate areas of the body while in normal activity.
- Shorts, dresses or skirts should be 3 inches above the knee or longer. If leggings are worn, then the top MUST be the proper length of 3 inches above the knee or longer.
- Pants and shorts should be worn at the waistline without the necessity of support whether a shirt is tucked in or out and fastened at the top closure. Belts will be buckled at all times if worn.
- Jeans/pants that have frays/holes above the knee must have something underneath them, such as leggings that cover the skin, so as not to expose skin or undergarments.
- Shirts must cover the shoulder and not expose undergarments in any manner or the midriff.
- The neckline of a shirt must limit exposure of the body.
- Footwear of some type must be worn at ALL times. Do not wear bedroom slippers.

#### **Non-Permitted Apparel (Secondary Students):**

- Apparel with off-color remarks, pictures, or emblazoned with drug, alcohol or tobacco related slogans.
- Apparel displaying violent imagery.
- Apparel that is deemed to be tight fitting, such as yoga pants, spandex skirts/dresses, leggings without proper length top, cheer shorts, etc. YOGA Pants are not acceptable attire for school.
- Sleepwear, such as bedroom slippers, pajamas, etc.
- Tank tops, halter tops, tube tops, spaghetti straps, mesh/see-through shirts.
- Muscle shirts.
- Hats, hoods, bandannas, and caps are not to be worn in class or the buildings unless approved by the administration or for special events.
- Any apparel or accessory determined by administration to present a safety hazard for the student or the school.

An administrator will determine the suitability of attire in question. Students found to be in violation of dress code policy will be required to change for the remainder of the day. Student refusal to change will result in the placement of in-school suspension for the remainder of the day or until a proper outfit can be brought for the student. Continued violation of dress code will result in disciplinary action.

### **Dress Code Discipline Policy**

Teachers and other school personnel are responsible for sending students to the school administration for dress code violations. Administrators will determine if the student is in violation of the school policies and be responsible for the discipline process.



1<sup>st</sup> Offense: the student will be given the following options and WILL NOT be issued a referral:

- Changing the clothing item that violated the school policy by (presented to student in school determined order):
  - Using clothing items that belong to the student (ex. Gym clothes, other personal garments, etc.)
  - Having a parent/guardian bring approved garment(s) to the student in order to change
  - The student is issued a school approved garment (ex. School shirt, gym clothes, plain shirt and/or pants, shorts or athletic gear)
- If the student refuses to take any of the options, they are placed in ISS for the remainder of the day and issued a referral for “failure to follow school rules.”

2<sup>nd</sup> Offense: the student will be given the following options and WILL be issued a referral:

- Same options as presented in 1<sup>st</sup> offense (change the clothing item)
- Assignment of school determined discipline (ex. Work detail, after school detention, conferencing with student, ISS for remainder of day, etc.)
- Parent informed of infraction and future discipline consequences.

3<sup>rd</sup> Offense: the student will be given the following options and WILL be issued a referral:

- Same options as presented in 1<sup>st</sup> offense (change the clothing item)
- ISS for 1 day or other discipline consequences determined by the administration
- Parent informed of infraction and future discipline consequences.

4<sup>th</sup> and Future Offenses: the student will be given the following options and WILL be issued a referral:

- Same options as presented in 1<sup>st</sup> offense (change the clothing item)
- ISS for 2 days or other discipline consequence determined by the administration (could include OSS)
- Required parent/guardian conference.

### **Section 3: Student Discipline**

#### **Preventive/Informal Disciplinary Actions**

A major consideration in the application of the Code is that the most appropriate disciplinary action taken by school personnel is the least extreme measure that can resolve the discipline problem. Teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior and ensuring the safety of all students in their classes and school.

- Teachers will establish classroom rules of conduct.
- Teachers and Principals will establish and implement consequences, designed to change behavior, for infractions of classroom rules.
- Methods may include:
  - monitoring student behavior through short-term progress reports and other strategies
  - conferences and/or contracts between administrators, parents, teachers, and students
  - referrals to Child Study Team, Core Team, or Student Services (i.e., group or individual counseling with a guidance counselor, psychological evaluation, direction to appropriate agencies for specific problems; and student curriculum adjustment)

### **Teacher Authority to Remove a Student from Class**

Florida Statute 1006.09(1)(a) and the rules of the School District of Clay County give teachers and other school staff, who have control and discipline of students assigned to them by the principal or the principal's designee, the authority to remove:

- |                 |                    |
|-----------------|--------------------|
| *Disobedient    | *Disrespectful     |
| *Violent        | *Abusive           |
| *Uncontrollable | and/or *Disruptive |

students from the classroom and other places in which he/she is assigned to be in charge of students.

In addition FS 1003.32 states: A teacher may remove from class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the students' classmates to learn. If the teacher requests the student not be returned to the classroom, the principal may not return the student to that teacher's class without the teacher's consent unless a committee determines that such placement is the best or only available alternative.

### **Formal Disciplinary Actions**

When formal disciplinary action is required, the parent should be informed by phone, written notice sent home with the student, or placed in the U. S. Mail. Registered letters will be used for all suspension or expulsion recommendations. (Sent by regular mail if parents or legal guardian contacted by phone.)

It is the responsibility of the student to notify his or her parent(s) or guardian of all written communications from the school. Failure to do so may result in further disciplinary action.

**DETENTION** - After parents/guardians are notified, students may be detained after school hours for reasons of poor conduct or failure to complete required schoolwork. Students may not be detained in excess of one (1) hour. It is the responsibility of the parents/guardians to provide transportation if a student is required to stay after regular school hours. (School Board Policy, Sect. IV.4.04 D)

**SCHOOL CHORES** - The student may be required to participate in properly supervised activities relating to the upkeep and maintenance of school facilities.

**DISCIPLINARY PROBATION** - Any student involved in a violation of the Code of Conduct may be placed on probation. The student on disciplinary probation may be denied participation in extracurricular activities, and may be assigned to report frequently to a specified staff member who will assist in monitoring the student's adjustment to the school situation during the probationary period. It is the responsibility of the parent to provide transportation if the student is required to stay after regular school hours. (School Board Policy, Sect. IV, 4.04(D)).

**CORPORAL PUNISHMENT** - Each principal shall prepare guidelines if corporal punishment is used as a disciplinary consequence in their school. Prior to corporal punishment - students shall be advised why they are being paddled and be provided with the opportunity to present their side of the story prior to the administration of corporal punishment. Such punishment shall be administered under conditions not calculated to hold them up to ridicule or shame and shall be administered in the presence of another adult who is informed beforehand and in the presence of the student the reason for the punishment.

Upon written request, the school will provide the student's parent(s) or guardian with a written explanation of the reason for the punishment and the name of the adult witness. A parent or guardian may make a written request that a student be exempted from corporal punishment and that an alternative punishment be used.

**SUSPENSION OF BUS PRIVILEGES** - School bus suspension is the denial of the privilege of riding a school bus, based on misconduct occurring while the student is being transported at public expense. State Board Rule 6A-3.01 7(3)(c), requires the School Board to take action on a suspension which exceeds ten (10) days.

**ALTERNATIVE EDUCATION / IN-SCHOOL SUSPENSION** - A school may elect to remove a student from regular classes and assign him/her to an alternative education or in-school suspension program. Each school specifies those types of conduct for which alternative education or in-school suspension programs may be used. Due to limitations of facilities and supervision, alternative education or in-school suspension programs may not be offered in all schools.

**REMOVAL OF STUDENT FROM THE EDUCATIONAL SCHOOL SETTING** - In order to maintain effective learning conditions, the Code also recognizes that it may be necessary to remove a student from the educational school setting for varying periods of time for reasons of persistent disobedience and/or gross misconduct. If a student is removed from the educational school setting (out-of-school suspension), every effort will be exerted to determine and resolve the causes of the problem so that the student might return to school.

**EXPULSION** - Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the school board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly.

**BANNERMAN LEARNING CENTER** - The principal may, at his/her discretion, suspend a student and recommend his/her expulsion or Superintendent's assignment to the Bannerman Learning Center. Bannerman Learning Center is an Alternative Education Program in a location other than the home school. Should the parent(s), guardian, or adult student be offered this opportunity and decline it, the principal may recommend expulsion and immediately send appropriate documentation to the Superintendent.

Per F.S. 1003.32, A teacher may send a student to the principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the student code of conduct under s. 1006.07.

### **Federal Guidelines for Zero Tolerance**

Florida Statute 1006.13 mandates that "each district school board shall adopt a policy of **zero tolerance** for crime and substance abuse...and victimization of students..." whenever and wherever students are under the jurisdiction of the district school board. That law further requires that expulsion be recommended for any student at school or at a school related function with a firearm or weapon, as defined in Chapter 790 or any student making a threat or false report as defined by state statutes 790.162 and 790.163. Simulating a firearm or weapon while playing or wearing clothing or accessories that depict a firearm or weapon or express an opinion regarding a right guaranteed by the Second Amendment to the United States Constitution is not grounds for disciplinary action or referral to the criminal justice or juvenile justice system under this section or s. 1006.13. Simulating a firearm or weapon while playing includes, but is not limited to:

1. Brandishing a partially consumed pastry or other food item to simulate a firearm or weapon.
2. Possessing a toy firearm or weapon that is 2 inches or less in overall length.
3. Possessing a toy firearm or weapon made of plastic snap-together building blocks.
4. Using a finger or hand to simulate a firearm or weapon.
5. Vocalizing an imaginary firearm or weapon.
6. Drawing a picture, or possessing an image, of a firearm or weapon.
7. Using a pencil, pen, or other writing or drawing utensil to simulate a firearm or weapon.

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

In fulfilling this statutory requirement, we have incorporated the specified legal definitions into the language of the Code of Conduct. Regardless of language to the contrary in federal or Florida Law, possession of a firearm, electric weapon or destructive device on the property of any school, school bus, or school bus stop is prohibited. This prohibition includes firearms in motor vehicles parked in parking lots, or anywhere on any school property.

It is important that all students and parents understand that certain criminal and/or disruptive behavior **must** be reported to appropriate law enforcement authorities. A referral to the criminal justice or juvenile delinquency system must be made on all violent acts noted below and weapon charges as defined in the Gun Free School Act of 1994 & F.S.790.115. The acts shall receive the most severe consequences provided for by School Board policy.

All of these policies have been enacted to ensure that your child is safe and has every opportunity to benefit from instruction.

The following incidents will be reported and may result in criminal prosecution. If the offense involves a victim, the school shall notify the victim and parents, if a minor, of the offense and the victim's right to press charges against the offender. The School District of Clay County will take all steps necessary to protect the victim of any violent crime from any further victimization. Florida law prohibits any student that commits any of the felony offenses specified by s. 985.455(2), against another student from attending school with, or riding the same school bus as, the victim or any sibling of the victim. All school personnel will be made aware of the Student Victimization and Zero Tolerance Rule Chapter 2009-53.

**XX Offenses that fall under Zero Tolerance Rule receive the most severe consequences provided for by School Board Policy.**

**Capital Crimes**

- **XX** Homicides (murder, manslaughter)
- **XX** Sexual Battery (forcible sex offenses)
- **XX** First degree arson
- **XX** Kidnapping or abduction

**Assault/Battery**

- A group of students ganging up on another student and assaulting him on school property.
- **XX** Any person who commits a felony violation relating to assault, battery, and culpable negligence involving serious injury to school personnel or students on school property including school bus.
- **XX** Battery or aggravated battery on a school personnel
- **XX** Any person offering or attempting bodily harm with the use of a weapon or any instrument capable of inflicting serious injury (aggravated assault) on school property.
- **XX** Any person making a threat or false report concerning planting a bomb, explosive, or a weapon of mass destructions, or concerning the use of a firearm in a violent manner (as defined by s. 790.162, s. 790.163) involving a person or persons, school or school personnel's property, school transportation, or a school sponsored activity .
- **XX** Intentional false accusation against school personnel. (s.790.162. s. 790.163)

**Possession of Weapons** (See Gun Free School Act Definition s. 790.115)

- **XX** Possession, use, or sale of a firearm, knife, razor blade, box cutter, or any other item which can be used as a weapon on school property or in attendance at a school function including firearms kept in motor vehicles on school property.

**Robbery**

- **XX** Armed robbery or felony related to car-jacking
- Verified incidents or reasonable suspicion to believe that students or non-students are taking or attempting to take money or property from other students or staff by force on school property

**Theft**

- Any person involved in the theft of school property, stealing or attempting to steal money or property from students or school personnel.

**Victimization**

- **XX** Whenever any person who is attending public school and is adjudicated guilty, delinquent, or has adjudication withheld for a felony violation of: homicide; assault; battery; culpable negligence; kidnapping; false imprisonment; luring or enticing a child and custody offenses; sexual battery; lewdness and indecent exposure; child abuse; robbery; robbery by sudden snatching; carjacking; home-invasion robbery; the Department of Juvenile Justice shall notify the appropriate district school board of the adjudication or plea and whether the offender is prohibited from attending the same school or riding the same school bus as the victim or the victim's siblings **unless** the court allows otherwise pursuant to a written disposition order. (F.S. 1006.13 section 812).

**Property Damage**

- Any person who willfully damages or attempts to damage school property, the property of students or school personnel while on school property.

- Any person involved in the willful or malicious burning or destruction of the school, contents of the building or personal property of another on school property.

**Offenses Against Intellectual Property** - Florida Statutes provide that:

- Whoever willfully, knowingly, and without authorization modifies data, programs, or supporting documentation residing or existing internal or external to a computer, computer system, or computer network commits an offense against intellectual property.
- Whoever willfully, knowingly, and without authorization destroys data, programs, or supporting documentation residing or existing internal or external to a computer, computer system, or computer network commits an offense against intellectual property.
- Whoever willfully, knowingly, and without authorization discloses or takes data, programs, or supporting documentation which is a trade secret as defined in s. 812.081 or is confidential as provided by law residing or existing internal or external to a computer, computer system, or computer network commits an offense against intellectual property.
- Except as otherwise provided in this subsection, an offense against intellectual property is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- If the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, then the offender is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- Violations of other computer guidelines may be a Level IV offense.

**Disruption of school life**

- **XX** Any person who makes a bomb threat or who falsely reports to school personnel the placing or planting of a bomb, dynamite, or other deadly explosive on school premises is automatically recommended for expulsion for not less than one (1) full year. (s.790.162, s. 790.163)
- Any person who knowingly advises, counsels, or instructs any student or school employee to disrupt any school function or classroom; knowingly interferes with the attendance of any student or employee in a school or classroom; conspires to riot, or engages in any disruption or disturbance which interferes with the education process.

**Drugs, Alcohol, and Tobacco**

- Any person involved in the use, possession, distribution, or sale of alcohol, tobacco, drugs/controlled substances, or synthetic drugs and other substances of similar design whether on school property or at a school function, will not be tolerated to include electronic cigarettes **and any vaporizing device**.
- It is unlawful for any person under 18 years of age to knowingly possess any tobacco product. Any person under 18 years of age who violates the provisions of this subsection commits a noncriminal violation as provided in s. 569.11.

**Other Serious Incidents**

- A fight or accident which results in apparent injury to one or more persons on school property.
- Any person who fights by appointment or challenges another to a duel with a dangerous weapon on school property.
- **XX** Any person involved in overt sexual acts including, but not limited to intercourse, sexual battery, attempted rape or rape, felony violation of lewd and indecent exposure, or abuse of children. These acts are expellable offenses and shall be processed as a referral for expulsion.
- **XX** Forming groups which threaten, frighten, or harm other students.
- Any person who produces or knowingly uses counterfeit money.
- Any person involved in the unlawful entry or attempted forcible entry of the school or personal property of students or school personnel while on school property.

History. - - s. 283, ch. 2002-387; s.129, ch. 2006-120; s. 3, ch. 2009-53

**THE CLAY COUNTY SCHOOL BOARD MAY ASSIGN MORE SEVERE CONSEQUENCES THAN NORMAL WHEN THE OFFENDER APPEARS MOTIVATED BY HOSTILITY TOWARD THE VICTIM'S REAL OR PERCEIVED RACE, RELIGION, COLOR, SEXUAL ORIENTATION, ETHNICITY, ANCESTRY, NATIONAL ORIGIN, POLITICAL BELIEFS, MARITAL STATUS, AGE, SOCIAL AND FAMILY BACKGROUND, LINGUISTIC PREFERENCE, DISABILITY, OR WHEN THE OFFENSE IS DETERMINED TO BE GANG-RELATED.**

**Wireless Communication Devices – Level II Offense (if in violation of Technology Agreement)**

Possession/Use of Wireless Communication Devices (F.S.1006.07(2)(f))

- Students may possess a wireless communication device while the student is on school property or in attendance at a school function. The wireless communication device is only to be in use in accordance with the Technology agreement.
  - Taking photographs or videos by any means whatsoever while on school property or while on school transportation is prohibited. The only exceptions to this prohibition are: 1) Taking photos for reproduction in a school sponsored publication. 2) Taking photos during a school sponsored social event, sporting event, awards ceremony or other school sponsored activity or function at which photography is allowed and the photographs are images of activities which are reasonably considered to be part of the activity or event. 3) Taking photographs with the permission of the school administration. Publication on any internet site of any photographs, videos or images taken in violation of the prohibitions listed above is strictly prohibited, will be deemed disruptive to the order of the school and will be sufficient reason to impose disciplinary measures which may include, but not be limited to, in- school suspension, out of school suspension and recommendation for expulsion.
  - Please refer to your local school handbook for school policy within these guidelines.
- Criminal penalties may result if a wireless communication device is used in a criminal act. (F.S.934.215)

### **Gun Free School Act of 1994 & Florida Statute 790.115**

The following are prohibited on any school property (including parking areas), school bus, school bus stop, and school sponsored event:

- Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any weapon described above;
- Any firearm muffler or firearm silencer;
- Any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device
- Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter;
- Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
- Any Firearm
- Any weapon as defined in Florida Statute 790.00 (13)

**F.S. 790.115(1) Possession or discharging of weapons or firearms:** Exhibition of any sword, sword cane, firearm, electric weapon or device, destructive device, or other weapon, as defined in FS.790.001(13) including a razor blade, box cutter, knife, or common pocketknife except as authorized in support of school sanctioned activities, in the presence of one or more persons in a rude, careless, angry, or threatening manner and not in lawful self-defense, at a school-sponsored event or on the grounds or facilities of any school, or on a school bus, or school bus stop when the bus is present at the bus stop (F.S. 1006.10(3)), or within 1,000 feet of the property that comprises a public or private school during school hours or during the time of a sanctioned school activity, commits a felony of the third degree.

### **Standards of Conduct for Students Transported by School Bus**

The Clay County School System has jurisdiction over students who are on the school bus or at the school bus stop when the bus is present at the bus stop. [F.S. 1006.10 (3)] Therefore it is the parent's responsibility to take any action with local law enforcement to correct a problem during the time students are waiting at the bus stop or when students are enroute to or from the school bus stop. In order to guarantee your child and other children who ride buses the safe and efficient transportation they deserve, the following has been established.

**Our Philosophy:** We believe that all pupils can behave appropriately and safely while riding the school bus. We will not tolerate behavior that is disruptive to the driver or which inhibits or interferes with the safe operation of the bus. Please do the following:

1. Be at the designated bus stop at least 5 minutes before the bus arrives.
2. Cross in front of the bus making sure that the driver sees you and you see the driver. Wait for the driver's signal that it is safe to cross.
3. Never run to or from the bus.



#### **The Following Rules Must be Observed on the Bus:**

- Obey the driver's directions the first time they are given.
- No loud talking, shouting, singing, swearing, hitting, rude or obscene gestures or language is permitted.
- Keep all parts of the body (head, arms, etc.) and all objects inside the bus and out of the aisle.
- Keep your hands and feet to yourself.
- Remain seated while the bus is in motion, facing the front of the bus.
- No eating, drinking, chewing of gum, or use of any tobacco products is permitted.
- Absolute silence is necessary at railroad crossing.
- Noise makers (Ex. Alarm bracelets, air horns, pagers, radios, etc.) are not allowed on the bus.
- All personal electronic devices including cellular phones must not be visible and shall be turned off.
- Large objects that cannot be kept on the student's lap are prohibited.
- Glass containers, balloons, live animals, and skateboards are prohibited.
- All school rules of conduct apply while students are on the bus.
- All students are to ride, only their assigned bus and board and exit the bus at their assigned stop location. ***Exception is on an emergency basis – if there is room on the bus and student obtains written permission on the school's permission form!***

#### **Consequences for students violating bus rules will be as follows:**

First Incident: Driver will give pupil a verbal warning.

Second Incident: Driver will record the pupil's name and have a conference with pupil on the bus.

Third Incident: Driver will assign the pupil to a seat in the front of the bus until the behavior changes.

Fourth Incident: Driver will write the pupil a report of misconduct and turn the pupil and the report over to the Principal or designee.

Severe Incident: If the offense is severe misconduct, the driver will proceed as if it were the fourth incident.

Continued misconduct will result in additional reports of misconduct. This is a Level II violation of the Student Code of Conduct.

**Penalty:** The school Principal, or designee, has the authority to suspend the pupil from riding the bus for up to ten (10) days. If serious misconduct continues, bus riding privileges can be denied for the entire school term, when necessary. These rules and their consequences will be discussed with your child by school personnel and by the bus driver. Please discuss this with your child and be sure that it is understood. Thank you in advance for your support of our program.

**NOTE:** Bicycle riders under the age of 16 must wear properly fitted, safety-related helmets when riding a bicycle. Law enforcement officers may issue traffic citation and assess fines to riders who do not comply.

#### **Interscholastic Extracurricular Activities (Athletics)**

- A student not currently suspended for interscholastic extracurricular activities, or suspended or expelled from school, pursuant to the district's suspension or expulsion authority provided in law is eligible to participate interscholastic extracurricular activities F. S. 1006.195(1)
- If a student is convicted of, or is found to have committed a felony or a delinquent act, including an off-campus incident which would have been a felony if committed by an adult, the student's eligibility in interscholastic extracurricular activities is contingent upon local administration policy, regardless of whether adjudication is withheld.
- Students who participate in interscholastic extracurricular activities for, but are not enrolled in a district public school, are subject to the district's code of conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.
- All junior high students must have a 2.0 on a 4.0 GPA scale at the conclusion of each semester. A high school student must have a cumulative 2.0 GPA on a 4.0 unweighted scale at the conclusion of each semester.
- Students are limited to four years of athletic eligibility upon entering high school.
- The Florida High School Athletic Association continues to retain jurisdiction over eligibility rules dealing with recruitment violations and sanctions against students.



## Section 4: Procedures Relating to Disciplinary Actions

### **Procedures for Firearms Violations, Weapons (Per F.S. 790.115(1), Assault and other Major Offenses**

- Any student who is determined to have brought a firearm or weapon (as defined in Chapter 790.115(1), F.S.) to school, onto any school ground (including parking areas), to any school function, or onto any school-sponsored transportation and for making threats or false reports against a person or persons (as defined in F.S. 790.162 and 790.163) is automatically recommended TO BE EXPELLED FOR NOT LESS THAN ONE (1) FULL YEAR.
- The Superintendent may consider the one year expulsion on a case by case basis and request the School Board to modify the requirement, including placement in Bannerman Learning Center, if in the best interest of the student and school system.
- Possession of an artificial firearm is an automatic suspension and/or possible expulsion recommendation to the Superintendent.

#### **Clay County School Board Policy 4.12(P) Use of Metal Detectors**

School officials or school employees designated by the principal may conduct metal detector checks of groups of individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal container, object, or weapon he or she may conduct a metal detector check of the student's person and personal effects.

A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action, including suspension.

The Superintendent shall develop procedures for implementing this policy. (These procedures are found in the Administrative Procedures Handbook - # SD-SS04-011 under "Support Services".)



#### **Student Crime Watch Programs**

To ensure that you continue to enjoy a safe school environment...we all need to do our part.  
A toll-free hotline has been established for anonymously reporting crimes, dangerous, or potentially dangerous situations or criminal activity.

**The Clay County School Safety Hotline is 1-877-723-2728**

### **Student Locker Search**

**School personnel may conduct** a search of a student's possessions, a student's locker, or any other storage area on school property or student vehicle without a warrant when school personnel have reasonable suspicion that illegal, prohibited, harmful items or substance, or stolen property may be concealed in such location. School personnel have the authority to search a student's possessions upon reasonable suspicion, if the student refuses to reveal the contents inside.

**School personnel are encouraged** to attempt to obtain consent from a student to search for illegal, prohibited, harmful items or substances, or stolen property, but may proceed with a search without a student's consent, upon reasonable suspicion of a prohibited or illegally-possessed substance or object.

**Principals are authorized** to utilize trained dogs to detect the presence of illegally possessed substances or objects in student lockers and in student automobiles parked on campus. This will be done in cooperation with the Sheriff's Department at the Principal's request. *Florida Statute 1006.09(9)*

### **Procedures for Drug and Alcohol Violations**

As per Florida Statute 1006.09(8): School personnel are **REQUIRED** to report to the principal or the principal's designee any suspected unlawful use, possession, or sale by a student of any controlled substance, as defined in s.893.02; any counterfeit controlled substance, as defined in s.831.31; any alcoholic beverage, as defined in s.561.01(4); or model glue. School personnel are exempt from civil liability when reporting in good faith to the proper school authority such as suspected unlawful use, possession, or sale by a student. Only a principal or principal's designee is authorized to contact a parent or legal guardian of a student regarding this situation.

**Violations may include:**

- Use, possession, under the influence of, or sale of alcohol or other controlled substance or alleged substance, including over-the-counter drugs and synthetic drugs.
- Endangering the health and safety of students by distribution or preparation of information, written or oral, while on school property for the purpose of soliciting, participation or attendance in parties or gatherings where it is known, represented or likely that statutorily prohibited chemical substances will be distributed or consumed.
- Criminal use of wireless communication device on campus. (Individual school administration will establish and publish guidelines for “authorized possession” of wireless communication devices while the student is on school property or in attendance at a school function within the guidelines of the district policy.)

#### **First Offense:**

- Notify police and parents
- Issue 10-day suspension notice and recommendation for expulsion (see ESE District procedures and guidelines for students referred or staffed into ESE).
- Notify Superintendent by sending paperwork and recommendations. Options to be used to reduce 10 day suspension and expulsion recommendation are made using STD-1-2424 if thorough investigation uncovers unusual circumstances.
- Limited to Unusual Circumstances: After Principal confers with Superintendent or his designees:  
Secondary schools - may use Level III and IV options after Superintendent’s approval to reduce the 10-day suspension and expulsion recommendation at the school level administrative hearing, conducted by the principal. Up to seven of the 10 days may be waived if student and parent agree to complete a family education program authorized by the principal.

Elementary schools - may use Level II through IV options to reduce the 10-day suspension and expulsion recommendation at the school level administrative hearing conducted by the principal. It will be the principal’s decision on suspension days waived including, but not limited to, suspensions waived if parents and students agree to complete a family education program when available.

#### **Secondary or elementary options may include but are not limited to:**

- Family Education Program for secondary student’s only (county substance abuse and violence prevention program with parents’ and students’ participation).
- Approved counseling by outside agency (documentation of enrollment required within 4 weeks).
- Recommended Bannerman Learning Center placement including parents’ and students’ participation in the Family Education Program (for secondary students only).
- Other local and district administrative recommendations (after principal confers with Superintendent or County Office staff designee).

#### **Second and Subsequent Offenses**

- Suspend 10 days with recommendation for expulsion of student
- Send expulsion recommendation to the Superintendent
- The Student Hearing Officer may convene the District Discipline Review Committee to examine a situation or unusual circumstances and make the recommendation to the Superintendent.

#### **Recommendations to the Superintendent may include:**

- Expulsion recommendation reaffirmed
- Other actions deemed appropriate by the District Discipline Review Committee
- Bannerman Learning Center placement

### **Procedures for Out-of-School Suspension**

A school principal may suspend a student from school for up to ten school days from all classes of instruction on school grounds and all other school sponsored activities, except as authorized by the principal or principal’s designee, for persistent disobedience and/or gross misconduct. Principals take this action when they have exhausted informal and other formal disciplinary strategies, or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. Pursuant to Florida Statute 1006.09(1)(b), no student who is required by law to attend school shall be suspended for unexcused tardiness, or absences. Therefore, suspension is not an appropriate disciplinary action for Truancy as it relates to students who fall within the mandatory state attendance requirements.

- Prior to suspension, the student shall be advised why he/she is being suspended, be provided an opportunity to refute the charges, and be given an opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident.
- Written notice shall be sent to parent(s) or guardian regarding the reason disciplinary action was taken. Generally, a notice and conference should precede the student's suspension from school.
- If the immediate suspension of the student is justified because the student's presence endangers others or school property or would disrupt the orderly academic process, the necessary notice and conference, if requested, will follow as soon as practicable.
- During the out-of-school suspension, the student is placed in the custody of his/her parent or legal guardian.
- The school is required to provide homework assignments to the student to be completed by the student.

### **Procedures for Expulsion**

A school principal may request the Superintendent to recommend the expulsion of a student. Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the school board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly.

- Prior to expulsion, the student shall be advised why he/she has been recommended for expulsion, be provided with an opportunity to refute the charges, and be given the opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident.
- Should the principal make a recommendation to the Superintendent for expulsion, the parent and student or adult student has a right to a hearing with the principal.
- At that time, the parent or adult student may request to have any willing witnesses that they deem appropriate who were involved in the case be present.
- At the Principal's suspension hearing, the parent or adult student shall also be advised of the right to appeal and be advised of the appeal procedures to the District Discipline Review Committee.
- If the parent or adult student feels they have not been afforded a fair hearing at the school and district level, they have the right to request in writing a hearing before the School Board.
- In the event that a student who has been recommended to expulsion withdraws from enrollment in the Clay County School, the expulsion proceedings shall continue as though the student had not withdrawn. The Principal, Superintendent and School Board shall not delay action on an expulsion recommendation pending re-entry/re-registration of the student in Clay County District schools.
- If a student is recommended for expulsion, a student may not return to their home school until the completion of the District Review Committee.

### **Suspension Process and Appeal of a Suspension**

- The principal is initially responsible for determining that a suspension offense has been committed.
- In investigating such incidents, the student will be given in writing the pending charges and an opportunity to admit or refute those charges.
- It should be noted that any statement that a student makes may be used, along with other documentation, to prove whether the student is guilty or not guilty of the offense(s) charged.
- The principal's conclusions should be based on documentation of the facts pertaining to the incident.
- The school principal, after reviewing the case with the parent or adult student, will either affirm the length of suspension as originally stated in the Suspension Letter, or reduce the length of suspension upon consideration of the results of the parental conference.
- Clay County Public Schools Suspension Review, STD-1-2424, or changes on the original suspension notice, shall be used for reducing the length of a suspension.
- The parent, or adult student, at the initial conference, should be advised of his/her right to appeal the action to the Superintendent through his designee (Director of Academic Support).
- If the parent, guardian, or adult student feels that they were not afforded a fair hearing, or disagree with a result at the school, he/she shall appeal to the Superintendent's designee (Director of Academic Support) in writing within 3 days.
- The Superintendent or designee may convene the District Discipline Review Committee. This committee may consist of one or more of the following administrators: The Clay County Student Hearing Officer; Director of Academic Support or designee; Director of Exceptional Student Education or designee; Bannerman Learning Center Principal or designee; or other appropriate administrators.
- This committee shall hear any additional testimony that may be deemed necessary to aid the Superintendent's review.

- This Committee shall attempt to rectify any procedural errors. This policy shall not be interpreted as permitting the Committee to substitute their judgment for the judgment of the Principal.
- The Committee's recommendation will be presented to the Superintendent.
- Provisions shall be made for District School Board review of the case if such an appeal is made by the parent by phone to the county office or writing within 3 days of receiving the Superintendent's decision.

These hearings will be conducted pursuant to Florida Statutes 1006.07(1)(a) and 1006.08(1). Suspension hearings are exempted from provisions of Ch. 120 F.S. Expulsion hearings shall be governed by F.S. 120.57(2) and are exempt from F.S. 286.0111.

### **Discipline Procedures for Students with Disabilities**

The School District of Clay County is committed to providing all students with disabilities a free, appropriate public education. While this commitment includes all aspects of the disabled students learning experience, it in no way lessens the School Board's intention to maintain a safe, orderly environment for the entire student and staff population. Additionally, the School Board believes that the implementation of thoughtful, carefully constructed disciplinary procedures is a necessary component of student education.

Formal disciplinary actions described in the Clay County Code of Student Conduct may be used with students with disabilities when trained professionals have evidence that such strategies are appropriate to the student's conduct and contribute to his learning process. When necessary to ensure the overall safety, welfare, and/or order of the school environment, a student with disabilities may be subjected to short-term suspension with all alternative procedures and safeguards affirmed. More serious violations may result in a recommendation for expulsion and/or an administrative placement in an Alternative Exceptional Education setting.

Procedures which govern a change of setting generally follow these guidelines:

- Students with disabilities who have been determined to have committed certain Level III or Level IV violations of the Code of Student Conduct may be recommended for expulsion.
- A group of professionals trained to provide input regarding the student's disabling condition documents evidence that the on campus expellable event is not a manifestation of this condition. The group shall include, at least, the school psychologist, appropriate ESE (Exceptional Student Education) personnel, and administrative representation of the referring campus.
- This group shall convene with the parents of the student recommended for expulsion to generate an appropriate IEP (individual education plan) or 504 Plan.
- If it is determined that the offense is a manifestation of the disabling condition, the student may not be expelled, but may be provided services for a limited time in an alternative setting. The setting will be determined by an IEP or 504 Plan committee. Appropriate goal and objectives to address the inappropriate behavior will be generated and implemented in the resulting educational setting.
- In addition to the student's placement in an appropriate ESE Program or 504 Plan, there is documented evidence of the availability of necessary support services and concentrated alternatives. Further, a Functional Behavior Assessment/Intervention Plan (FBAI Plan) is to be generated or reviewed and added to the IEP or 504 Plan.
- A district-wide discipline hearing may be held to consider the Principal's recommendations to the Superintendent.
- The recommendations will be based on the Statement of Manifestation and the determination of eligibility for expulsion.
- After a review of the following documentation by the ESE Director or Student Services staff, the Superintendent may notify the parents (*regarding*) the Clay County School Board hearing schedule and the rights accorded the student at the hearing:
  - Statement of Manifestation
  - Current IEP, including relevant matrix amendments, or 504 Plan
  - and LRE (least restrictive environment)
  - FBA/BIP FBAI Plan
- All Due Process Rights and Procedures are granted students with disabilities.
- Under no circumstances shall expulsion of a student with disabilities result in a complete cessation of educational services. Students will be provided an alternative setting in order to insure that the IEP or 504 Plan is continued.
- When a student commits multiple Level III offenses, recommendation of expulsion is an optional response. This response is not usually appropriate for the disabled student.
- If the recurring Level III violations persist even after implementing FBA/BIP for a reasonable period of time, recommendation for more restrictive placement can be considered.

**NOTE:** In reference to Section 504 students, the consequences for drug or alcohol use or possession by any student with a disability are not different from non-disabled students. DUE PROCESS PROCEDURES DO NOT PROTECT SECTION 504 STUDENTS CURRENTLY USING DRUGS OR ALCOHOL.

### **Procedures for Suspension for Felony Committed Outside the Clay County School System**

1. Section 1006.09(2), Florida Statutes, gives the principal the authority to suspend a student who is formally charged by a proper prosecuting attorney (not just arrested) with a felony which occurred on property other than public school property.
2. It must be shown that the incident has an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled.
3. Upon receiving proper notice that a student has been formally charged with a felony, the principal shall immediately notify the parent or guardian of the student, in writing, of the specific charges against the student and of the right to a hearing prior to disciplinary action being instituted under the provisions of Section 1006.09(2), Florida Statutes.
4. Such notice shall stipulate a date for hearing which shall be not less than two (2) school days nor more than five (5) school days from postmarked date, or delivery, of the notice and shall also advise the parent of the conditions under which a waiver of suspension may be granted, as prescribed in subsections (2)(a) and (2)(b) of Section 1006.09, Florida Statutes. Pending such hearing, the student may be temporarily suspended by the principal.
5. The hearing shall be conducted by the principal, or designee, and may be attended by the student, the parent, the student's representative or counsel, and any witnesses requested by the student or the principal.
6. The student may speak in his or her own defense, may present any evidence indicating his or her eligibility for waiver of disciplinary action, and may be questioned on his or her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.
7. In conducting the hearing, the principal or designee shall not be bound by rules of evidence or any other courtroom procedure, and no transcript of testimony shall be required.  
Following the hearing, the principal shall provide the student and parent with a decision, in writing, as to whether or not suspension will be made. In arriving at this decision, the principal shall consider the conditions prescribed by subsections 2(a) and (b) of Section 1006.09(2), Florida Statutes, under which a waiver of suspension may be granted, and may grant such a waiver when he or she determines such action to be in the best interests of the school and the student; provided, however, that any suspension pending adjudication of guilt shall be made only upon a finding, based upon conclusive evidence, that a felony charge has been formally filed against the student by a proper prosecuting attorney.
8. Any student subject to felony suspension as a result of the possession or use of any controlled substance under chapter 893 of Florida Statutes may be entitled to a waiver of the discipline:
  - (a) If the pupil divulges information leading to the arrest and conviction of the person who supplied such controlled substance to him or her, or if the student voluntarily discloses his or her unlawful possession of such controlled substance prior to his or her arrest.
  - (b) If the pupil commits him or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.
    - (1) The principal shall have authority to modify the decision to either grant or deny a waiver at any time prior to adjudication of the student's guilt by a court, provided that any such modification adverse to the student shall be made only following a hearing conducted in accordance with this rule.
9. Suspension pursuant to this process shall not affect the delivery of educational services to the student and the student shall be enrolled in an alternative education program.
10. If the charges are dismissed, dropped, reduced to a misdemeanor, or if a court adjudicates the student not guilty of the felony, the suspension shall be terminated and the student shall be returned to his home school.
11. If the court determines that the student did commit the felony or delinquent act which would be a felony if committed by an adult, the principal may recommend that the student be expelled, provided that the expulsion shall not affect the delivery of educational services.
12. Students who are eligible for services under the IDEA and/or 504 are subject to those procedural requirements.

### **Procedures for Assault and Battery to School Board Personnel**

#### **Violations may include:**

- Striking a school board employee
- Any person threatening or attempting bodily harm when the person being threatened feels that the threat is real and may be carried out.

**Procedures:**

- Notify police (staff presses charges to assure CCEA or CESPA involvement)
- Notify parents
- Issue 10-day suspension notice to **all** students under this infraction with recommendation for expulsion (see ESE guidelines for students referred or staffed into ESE and the ten-day suspension must be addressed at the district-wide meeting).
- Notify Superintendent by sending paperwork and recommendations. Recommendations may include temporary placement in Bannerman Learning Center prior to School Board hearing
- The Superintendent or designee will convene the District Discipline Review Committee to investigate the violations. The Superintendent or designee will select the members of the committee, including members of the Clay County Education Association (CCEA) or Clay Educational Staff Professional Association Local 7409 (CESPA) when the injured staff member presses charges. If the school personnel (victim) press charges on the student, they should attend the district-wide meeting unless they choose not to.
- The student must attend this review meeting. (Unusual circumstances to prevent this should be processed as part of the discipline backup material.)
- The committee will present its findings to the Superintendent to be forwarded to the School Board.

**Procedures Relating to Harassment**

**It is the policy** of the Clay County School District to maintain a learning environment that is free from harassment based on sex, race, color, sexual orientation, national origin, or disability as required by federal laws prohibiting discrimination by school districts receiving federal financial assistance.

**It shall be a violation** of District policy for any student, teacher, administrator, or other school personnel of this district to harass a student through conduct of a sexual nature, or regarding race, color, sexual orientation, national origin or disability as defined by this policy.

**It shall also be a violation** of District policy for any teacher, administrator, or other school personnel of this District to tolerate sexual harassment or harassment based on race, color, sexual orientation, national origin, or disability by a student, teacher, administrator, or other school personnel, or by any third parties who are participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

**For purposes of this policy**, harassment of a student consists of verbal, written (to include electronic communication), or physical conduct relating to an individual's sex, race, color, sexual orientation, national origin, or disability when the harassing conduct is sufficiently severe, persistent, pervasive, and objectively offensive so that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school.

**Definitions of Harassment**

**Sexual harassment** consists of unwelcome and unsolicited sexual advances, requests for sexual favors, sexually motivated physical conduct, or any other verbal or physical conduct or communication of a sexual nature. Sexual harassment can take two forms: 1) hostile environment and 2) "quid pro quo" which means "you do something for me and I'll do something for you" in a sexual context.

**Examples of sexual harassment may include:**

- sexual advances
- unnecessary touching, patting, grabbing, pinching, or brushing against the body of the same or opposite sex
- unwelcome physical behavior, verbal or written words or symbols directed at an individual's gender, clothing, body, or activities
- suggestive or obscene sounds or gestures
- sexual or dirty jokes
- touching oneself sexually or talking about one's sexual activity in front of others
- spreading rumors about or rating other students as to sexual activity or performance
- inappropriate physical exposure
- sexually cyberharassing – publishing a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without such person's consent, for no legitimate purpose and with the intent to cause substantial emotional distress to such person.

**Harassment because of race, color, sexual orientation, or national origin consists of** verbal or physical conduct relating to an individual's race, color, sexual orientation, or national origin when the harassing conduct is sufficiently severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment.

**Examples of conduct, which may constitute harassment because of race, color, sexual orientation, or national origin, include:**

- graffiti containing offensive language which refers to a person's race, color, sexual orientation, or national origin
- name calling, jokes, or rumors
- threatening or intimidating conduct directed at a person because of his/her race, color, sexual orientation, or national origin
- racial or ethnic slurs, negative stereotypes, and hostile acts based on another's race, color, sexual orientation, or national origin
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, that person's race, color, sexual orientation, or national origin
- other kinds of aggressive conduct such as theft or damage to property which is motivated by race, color, sexual orientation, or national origin

**Harassment because of a disability consists of** verbal or physical conduct relating to an individual's physical or mental impairment when the harassing conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from services or opportunities in an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.

**Examples of conduct, which may constitute harassment because of a disability include:**

- graffiti containing offensive language derogatory to a person because of their physical or mental disability
- threatening or intimidating conduct directed at another because of that person's physical or mental disability
- jokes, rumors, taunting, belittling, or name calling based on that person's physical or mental disability
- slurs, negative stereotypes, and hostile acts which are based upon an individual's physical or mental disability
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability
- other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

### **Definition of Bullying**

**Bullying** –The incident is bullying if the incident includes systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.

**Examples may include** - Student spreads nasty rumors at school about another student, school board employee or person in conversation, in a note, or through cyberbullying to include e-mail, instant messaging or other forms of social media. Student repeatedly teases another person in a mean way, calling him/her inappropriate names, making fun of his/her appearance, or the way he/she talks, dresses, or acts.

### **Definition of Hazing**

**Hazing** – Means any action or situation that endangers the mental or physical health or safety of a student at a school with grades 6 through 12 for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school with grades 6 through 12. "Hazing" includes, but is not limited to:

- Pressuring, coercing, or forcing a student into:
  - Violating state or federal law
  - Consuming any food, liquor, drug, or other substance; or
  - Participating in physical activity that could adversely affect the health or safety of the student.
- Any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

### **Procedures for Reporting Harassment/Bullying/Hazing**

**Students should report** the complaint directly to a teacher, guidance counselor, or administrator. (If the accused harasser/bully/hazer should be the principal, students should contact the Director of Academic Support at (904) 529-2613 or (from Keystone Heights) 1-888-663-2529

**Students should tell their parents.**

**Students may ask** their teacher, counselor, or parent to help them report the incident to their principal or assistant principal.



**Students should be prepared** to give accurate details of who, what, when, where, and how.

### **Procedures for Investigating Harassment/Bullying/Hazing**

- Principal immediately notifies victim's parent/guardian of the reported bullying/harassment/hazing.
- Principal selects a neutral designee to initiate the investigation.
- Interviews of the victim, alleged harasser/bully/hazer, and witnesses are conducted individually and documented. School counselor should be notified to schedule individual counseling session to determine the counseling needs of the victim and perpetrator.
- The administrative designee shall collect and evaluate the facts including:
  - the nature of the behavior
  - how often the conduct occurred
  - whether there were past incidents or past continuing patterns of behavior
  - the relationship between the parties involved
  - the race, national origin, sex, disability (if any) and age of the victim
  - the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment/bullying/hazing
  - the number of alleged harassers/bullies/hazers
  - the age of the alleged harasser/bully/hazer
  - where the harassment/bullying/hazing occurred
  - whether there have been other incidents in the school involving the same or other students
  - whether the conduct adversely affected the student's education or educational environment
  - the context in which the alleged incidents occurred

*Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.*

- Recommend remedial steps necessary to stop the harassing/bullying/hazing behavior.
- Write a final report to the Principal.
- Actions taken to protect the victim are reported to the victim's parent/guardian.

**The maximum of 60 school days** shall be the limit for the initial filing of incidents that fall under the Federal guidelines for harassing behavior and completion of the investigative procedural steps. All reports of bullying/hazing will be handled in a timely manner. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or report of harassment/bullying/hazing and the investigative procedures that follow.

**Submission of a good faith complaint** or report of harassment/bullying/hazing will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Retaliation against one who reports an incident of harassment/bullying/hazing in good faith will not be tolerated. However, if frivolous actions are brought against the school board or school officials under Title IX, it is important to note that Rule 11 of the Federal Rules of Civil Procedure is aimed at curbing abuses of the judicial system.

Any person who wrongfully and intentionally accuses another person of bullying/harassment/hazing will be subject to disciplinary action. (Reference SB Policy 1.12, 4.11)



### **Section 5: Classification of Violations**



The Code of Student Conduct defines violations identified by principals, administrators, teachers, and students, and the community members which are representatives of those acts frequently causing disruption of the orderly educational process.

THIS LIST IS NOT ALL INCLUSIVE, AND A STUDENT COMMITTING AN ACT OF MISCONDUCT NOT LISTED WILL, NEVERTHELESS, BE SUBJECT TO THE DISCRETIONARY AUTHORITY OF THE PRINCIPAL.

A major consideration in the application of the Code of Student Conduct is the identification of the most appropriate disciplinary action necessary to bring about positive student behavior. To that end, specific grounds for disciplinary action have been divided into four subgroups and a variety of administrative actions have been suggested or mandated. The violations in various subgroups represent a continuum of misbehavior based on the seriousness of the act and the frequency of occurrences. Violations classified at Level I are relatively minor and involve acts which only minimally disrupt the orderly conduct of the educational process in the classroom. By contrast, Level IV misconducts involve criminal acts or acts that cause extreme disruption and are so serious that they represent a direct and immediate threat to the welfare of other individuals.

It is important to note that the administrator and teacher, consistent with the power delegated to him/her, has the authority to take additional or more severe administrative action under this Code if, in his/her opinion, the nature of the misconduct warrants it.

Each classroom teacher should deal with general classroom disruption by taking in-class disciplinary action, by making a personal call to the parents or guardians when feasible, and by scheduling conferences with parent(s) or guardian and other school staff. Only when the action taken by the teacher is ineffective, or the disruption is sufficiently severe, should the student be referred to the principal or his/her designee. Teachers will be notified of the results of the action taken.

*The charts on the following pages list these violations and the recommended or mandated disciplinary action.*

In addition to the Statutes noted in this document, other F.S. referring to discipline and control of students include:

1001.41	General powers of School Board
1001.42	Powers & duties of the School Board
1001.43	Supplemental powers and duties of School Board/Student management
1003.01(5)(a)(b)(6)	Definitions of Suspension and Expulsion
1003.31	Pupils subject to control of school
1003.32	Authority of Teacher
1003.32(4)(5)(6)(7)	Teacher authority to remove a student
1006.08	Duties and Responsibilities of the Superintendent
1006.09	Authority of Principal
1006.09(9)	Search of student locker or storage area
1006.09(8)	Reports of suspected substance or alcohol abuse; exemption from liability
1006.10	Authority of school bus driver
1006.11(2)	Liability of Teacher or Principal
1006.13	Zero Tolerance for Crime & Victimization
1006.13(5)	School attendance and transportation of certain offenders
1006.14	Pupils prohibited from belonging to secret societies
69.11; 569.101; & 569.12	Penalties/reporting of tobacco products
790.115	Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.
6A1.0404	Zero Tolerance for School Related Violent Crime
6A1.0956	Suspension on the basis of felony charge

## **Level I**

**Level 1 offense is relatively minor misbehavior or general classroom disruption which interferes with the orderly educational process in the classroom or other areas.**

The school district employee who is supervising the student or who observes the misbehavior should intervene in the misconduct. If repeated misbehavior or further action is necessary the school district employee should refer the student to the school administrator. After hearing the student's explanation, consulting with staff members and doing any other investigation necessary, the administrator will decide on disciplinary action.

**Examples of Violations:**

- Cheating
- Disrespectful language or behavior
- Disobeying rules on the school bus
- Dress Code Violation
- Failure to comply with class or school rules
- Lying and/or false and misleading information
- Name calling (not related to racial or ethnic)
- Tardiness, habitual
- Other: Any other minor act of misconduct which interferes with the orderly operation of the classroom, the school program, a school function or activity, an ircular activity or on school approved transportation.

**Disciplinary Response:** One or more may be used.

- Behavioral contract
- Counseling and direction
- Detention
- Parental Contact (Written and/or verbal)
- Special assignment related to offense
- Time-out area
- Verbal reprimand
- Others as defined by school-based administrators

## **Level II**

**Level II offenses are acts of misbehavior whose frequency and seriousness tends to disrupt the learning climate of the school.** These infractions usually result from a continuation of Level I misbehavior and require administrative personnel intervention because execution of Level I disciplinary procedures and options has failed to correct the situation.

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

**Examples of Violations:**

- Abuse of school property/minor vandalism
- Bus Disruption
- Technology Misuse
- Disobedience/Insubordination
- Forgery of a document or signature
- Gambling
- Profane/obscene or abusive language/materials
- Participation in prohibited/secret societies
- Petty Theft/Stealing
- Threat (non-criminal)
- Use of wireless communication devices in an inappropriate manner
- Repeated misconduct of Level I offenses

**Disciplinary Response:** One or more may be used.

- Behavioral contract
- Bus Suspension
- Corporal Punishment
- Counseling and direction
- Detention
- In-School/Out-of-School Suspension
- Parental Contact (Written and/or verbal)
- Peer Mediation
- Special assignment related to offense
- Time-out area
- Verbal reprimand
- Others as defined by school-based administrator

## **Level III**

**Level III infractions are major acts of misconduct.** They include repeated misconduct acts from Level II, serious disruptions of school order and threats to the health, safety and property of others. The misconduct must be reported promptly to the school administrator, who may remove the student from the school or activity immediately.

**Examples of Violations:**

- Battery
- Breaking and entering/Burglary
- Bullying/Harassment
- Computer Misuse
- Distribution of obscene material
- Extortion/blackmail/coercion
- False Fire Alarm
- Fighting (Physical Contact)
- Inappropriate or obscene act
- Inappropriate use of photographic or image recording device
- Larceny/Theft (Stealing less than \$300)
- Possession/Use of Tobacco Products
- Selling, possession or use of drug paraphernalia
- Unauthorized possession or use of prescription or non-prescription medications
- Unauthorized videoing/recording of a school board employee

- Inappropriate distribution of photographs, images or audiovisual material.

**Disciplinary Response:** One or more may be used.

- Assignment to an Alternative Program/School including completion of a School District or State approved Drug Prevention/Family Education Program
- Behavior Contract (Written)
- In-school / Out-of-school Suspension
- Parental Contact (Mandatory)
- Referral to law enforcement
- Return of property, payment for same or restitution for damages
- Suspension from bus (for bus-related offenses)

**Level IV**

**Level IV acts of misconduct are the most serious.** Any Level IV act is grounds for expulsion, and will result in a mandatory 10-day suspension. These acts are clearly criminal and are so serious as to require administrative actions which will result in immediate removal of the student from school, the intervention of law enforcement authorities and/or action by the Superintendent, or the Clay County School Board. Level IV also includes repeated misconduct acts from Level III.

**Examples of Violations:**

- Arson or Bomb Threat/False Report
- Aggravated Assault/Battery
- Aggravated Assault/Battery on School Board Employee
- Being under the influence of, or possession, use, sale, intent to sell, or distribution of drugs (including imitation drugs, prescription or non-prescription drugs represented as drugs), alcoholic beverages & inhalants
- Hazing
- Kidnapping or abduction/Homicide
- Making false accusations against School Board Employee (to include electronic communication)
- Possession of a firearm
- Possession or transfer of a deadly weapon
- Possession, use, sale, storage, or distribution of an explosive device
- Robbery/Larceny/Theft  $\geq$ \$300
- Sexual Battery/ Sex Offense

- Sexual Harassment/cyberharassing
- Threat of violence, high level
- Vandalism
- Any other Zero Tolerance Policy act

**Disciplinary Response:** One or more may be used.

- Administrative assignment to Alternative School
- Completion of a Family Education Program (school district or state approved)
- Referral to law enforcement
- Recommended expulsion
- School bus suspension or expulsion
- Ten (10) days out-of-school suspension

**Required Discipline Response:** Administrative removal from a leadership position and extra-curricular activities including school sponsored activities for one semester or a minimum of 60 school days.

**A Reminder from our Safe and Drug Free Schools Department:**

*If your children know of any problems at school, tell them to share the information with an adult.*



**Together, we make a difference!**

**PUBLIC NOTICES**  
**TO**  
**STUDENTS AND PARENTS**  
**2017-2018**

## **RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (Buckley Amendment)**

### **Introduction**

The revised Family Educational Rights and Privacy Act (FERPA) became a Federal law in November, 1974 (amended 1976). The intent of this law is to protect the accuracy and privacy of student educational records. The Clay County School Board has adopted a policy for the implementation of this Act and the Superintendent of Schools has approved administrative procedures for this purpose.

Accordingly, this notice outlines the type of student information collected and how that information is maintained and released. It further indicates the school officials who have the responsibility to follow appropriate procedures regarding the information.

Section 1003.25 and Section 1002.22, F.S. mandates that each principal maintain a permanent cumulative record for each student enrolled in a public school. Such records are to be maintained according to a format prescribed by rules of the State Board of Education. These State Board Rules also define the data which must be kept.

### **WHAT INFORMATION IS IN A STUDENT'S RECORD?**

Education records of a student include but are not necessarily limited to: personally identifiable data (student and parent name, address, birth date, birthplace, sex, race), academic record, standardized test results, attendance records, health data, family background information, teacher or counselor ratings and observation, psychological reports, extra-curricular activities, honors and awards, list of schools attended, and any other evidence, knowledge, or information recorded in any medium and maintained and used by an educational institution or by a person acting for such institution. The principal may maintain a separate disciplinary file for students involved in misconduct to include, but not be limited to, description of misconduct, suspension notices, records of action taken, etc. As amended by NCLB (No Child Left Behind), the district will transfer disciplinary records, with respect to a suspension or expulsion, as part of the student's educational record to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full-or part-time basis, in the school (Section 4155 of the Elementary and Secondary Education Act of 1965). Confidential records created by the Department of Juvenile Justice are not included in a Student's Educational record. The destruction of student records is in accordance with a retention schedule approved by the Bureau of Archives.

### **WHO HAS ACCESS TO STUDENT RECORDS?**

Those persons having access to student records are the School Board, the Superintendent, school personnel within a school or school district with a legitimate educational interest and others specified by Section 1002.22 F.S. A Record of Request shall be maintained in the records. These records are maintained under the direction of the principal.

### **WHAT ARE THE RIGHTS OF A PARENT OR ADULT STUDENT?**

According to (34C.F.R. § 300.20), a parent means:

- A natural or adoptive parent of a child;
- A guardian;
- A person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare); or
- A **surrogate parent**; or
- A **foster parent** if the natural parent's authority to make educational decisions on the child's behalf has been extinguished under State law and the foster parent has an "ongoing, long-term parental relationship with the child; is willing to make the educational decisions required of parents under the Act; and has no interest that would conflict with the interests of the child."

Parents, legal guardians, or adult students (age 18 and/or in post-secondary education) have the right of access, right of waiver of access, right to revoke waiver of access, right to challenge and hearing, and right of privacy of records maintained on their child, and a right of a copy of the record (at the cost of reproduction).

Transfer, disclosure, or release of student records requires prior written consent of the parent of eligible student exceptions include:

- disclosures made to school officials with legitimate educational interests;
- disclosures made to another school at which the student intends to enroll;
- disclosures made to state or local education authorities for auditing or evaluating federal-or state-supported education programs, or enforcing relevant federal laws; and
- disclosures including information the school has designated as "directory information"

A parent who wishes to review his/her child's record should make an appointment with the principal or school counselor. School personnel are available to interpret student record information. All such requests will be honored by school officials as soon as

possible. It is required that requests be honored within thirty (30) days. A copy of the Clay County Student Records Policy is available in all schools, and at the School Board offices in Green Cove Springs.

In case of divorce or legal separation, either parent may have access to a child's educational record unless an appropriate court order to the contrary has been filed with the school.

Whatever rights are vested in the parent shall pass to the student whenever the student has attained eighteen (18) years of age or is attending a postsecondary educational institution, unless the student continues to be carried as a dependent on the parent's income tax return. [Ref. 1002.22(3)] Students under age 18 may assume adult rights if they become married or are emancipated by court order. [Ref. F.S. 743.01 and 743.015] Note: Pregnant and parenting teens continue as minors unless they become married or emancipated by court order.

Parents or eligible students have the right to file a complaint with the Department of Health and Human Services concerning the alleged failure by the educational agency to comply with Section 438 of the Act. (200 Independence Avenue, S.W., Washington, D. C., 20207). F.S. 1000.21(5) defines "Parent" as: either or both parents, any guardian, or any person who is in a parental relationship to a student, or who is exercising supervisory authority in place of a parent over a student of public school age. The school district specific guidelines regarding "in-loco parentis" situation are detailed in School Board Policy 4.08.

#### **ARE THERE ANY RECORDS WHICH THE SCHOOL CAN REFUSE TO SHOW A PARENT OR ELIGIBLE STUDENT?**

The right to access does not pertain to the following educational records: teacher's/counselor's /administrator's personal notes and records that are not accessible to any other person except a substitute of any such person; law enforcement records which are maintained solely for their purposes; personnel records, physician, psychologist, psychiatrist records, or other recognized professional or paraprofessional records that are maintained solely in connection with treatment; letters of recommendation/evaluation which were considered confidential and entered into the record prior to July 1, 1977. No public educational institution shall maintain any report or record relative to a pupil or student which includes a copy of the pupil's or student's fingerprints. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920; See additional details in **F.S. 1002.22(2)(c)1-8**.

#### **WHAT INFORMATION IS RELEASED WITHOUT PARENT PERMISSION?**

The School District of Clay County reserves the right for its agents to release "directory information" without prior permission of the parent or adult student. Directory information is information that is generally not considered harmful or an invasion of privacy if released. Such information will be limited to name, address, telephone number (if listed), date and place of birth, field of study, age, participation in school sponsored activities, height and weight of athletic team members, dates of attendance, most recent school attended, and degrees and awards received.

This information relating to the student body in general may not be released to any individual or agency unless it is normally published for the public in general or to a business rendering services under contract with the School Board. Examples: the local newspapers, television, school newspaper, school yearbook, or military services.

**Section 9528 of the No Child Left Behind (NCLB) Act requires local education agencies (LEAs) to provide military recruiters with the name, address, and telephone listing of secondary students.** The District shall honor any request of a parent or eligible student to withhold any or all of the information relating to a particular student. Photographs are designated as directory information and annual yearbooks and other publications may customarily include student photographs. **Parents or eligible students objecting to the use of specific directory information must notify the school principal of such objection in writing within the first month of the student's enrollment.**

Personally identifiable information may be disclosed, transferred, or released without prior consent of the parent or eligible student in connection with enrollment in another school, in emergency situations, application for financial aid, research, a state statute, or an accrediting organization; a court of competent jurisdiction in compliance with an order of that court, or a lawfully issued subpoena upon the condition that the pupil or student and his parent are notified of the order or subpoena in advance of compliance therewith by the educational institution.

In preparation of cases for prosecution under the Compulsory School Attendance and Child Welfare Law (F.S. 1003.21), the school system is authorized to release pertinent data in interpretative form to the State Attorney's Office, to the Department of Juvenile Justice, and the appropriate court without parent consent.

#### **Child Abuse Reporting**

All employees and agents of the District School Board are authorized and mandated by Florida Statute 1006.061 to report all actual or suspected cases of child abuse, abandonment, or neglect to the Department of Children and Families, Central Abuse Hotline (1-800-962-2873), and to provide them with the necessary information to pursue such complaints. Employees have immunity from liability if they report such cases in good faith.

## **Student Surveys**

No Child Left Behind (NCLB) requires Local Education Agencies (LEA's) to notify parents and/or obtain parental consent prior to the administration of a student survey that is:

- part of an "applicable program" (funded in whole or in part by any program administered by the United States Department of Education (USDOE) require LEAs to obtain prior written consent of the parent
- surveys that are created by a third party (funded by sources other than USDOE programs) required LEAs to adopt specific policies (These surveys do not require prior written parental consent but instead require districts to offer parents the opportunity to opt the student out of participation.)
- LEAs are required to make the survey instrument available for inspection by parents regardless of funding source.

By request of the State of Florida, school districts administer the Florida Youth Survey (FYS) which is funded from sources other than the USDOE. The district is required to offer parents the opportunity to opt their child out of the survey.

## **Notice of Child Identification and Evaluation Activities**

The School District of Clay County will actively seek to locate exceptional students and maintain information on those students screened and identified as exceptional. The term "exceptional student" includes the mentally handicapped, the speech and language impaired, the deaf and hard-of-hearing, the blind and partially sighted, the physically impaired, the other health impaired, the emotionally handicapped, the gifted, the homebound or hospitalized and those with specific learning disabilities.

Information gathered may include the student's social, emotional, physical, psychological, academic and communication behaviors and abilities. Information is collected through screening programs, check lists, teacher observations, standardized tests, and from such individuals as parents, teachers, psychologists, and other professional personnel, and the child himself. The information is used to assist in the development of appropriate educational programs for exceptional students and for reports to state and federal agencies.

Students are screened periodically for vision, hearing, speech, and academic achievement as the initial step in the process of identifying those students with suspected exceptionalities. If your child is considered for further testing, you will be invited to participate in the decision-making process in a Child Study Team meeting at your child's school. Before you are asked to give your permission, you will be informed of the purpose of the evaluation and the procedural safeguards made available to you.

Should you have any questions, please contact your child's principal or guidance counselor.

## **ESE Parent Notification**

### **Notice of Procedural Safeguards for Parents of Student with Disabilities**

As a parent you can access the electronic Procedural Safeguards on the district website at: [www.oneclay.net/wp-content/uploads/2014/05/procedural-safeguards7.PDF](http://www.oneclay.net/wp-content/uploads/2014/05/procedural-safeguards7.PDF). This provides information about Exceptional Student Educational programs regarding: notice, meetings, independent evaluations, records, mediation, hearings, administrative law judges, due process hearing rights, appeals of due process, placement during due process hearings and appeals, attorney's fees, discipline including long term removals and interim alternative educational settings (IAES), consent and revocation, private school placements, local education agency complaints (LEA) and state education agency complaints (SEA).

### **Parental Notification of McKay Scholarship**

Effective July 1, 2006, Florida Statute, Section 1002.39(5)(a)1, states that by April 1 of each year or within 10 days after an individual educational plan meeting out district must notify you of all available options. This includes informing you of the availability of the DOE toll free information hotline (1-800-447-1636) and internet website, [www.floridaschoolchoice.org](http://www.floridaschoolchoice.org) and offering the parents an opportunity to enroll the student in another public school within the district during the required time limit if the school is not closed or otherwise at capacity. This notice is one of several ways the district meets the Florida Statute requirements.

### **Notice of Request for Individuals with Disabilities Education Act Input**

The Clay County Exceptional Student Education Department receives federal funding through the Individuals with Disabilities Education Act (IDEA). We solicit input from Parents, Administrators, Specialists, Teachers, Assistants, and ESE secretaries in developing our federal IDEA grants. Currently it is spent almost entirely for personnel. This includes over 150 assistants, 30 teachers, nurses, mental health counselors, secretaries, private school services, particularly speech therapy, and specialists. We also provide training for teachers and parents through the IDEA grants. Our current district goals include augmenting the autistic (ASD) program and training, and expanding PreK, InD and E/BD programs to more sites closer to home. Another goal is to increase specialized programs in the Oakleaf and Keystone areas and offering new VI/HI classes at additional grade levels.

For questions or additional information please contact the ESE Department at (904)284-6509.

### **Use of Student Work, Video, and Photographs**

From time to time, students have the opportunity to be recorded, photographed, or display artwork. Some of these recordings, photographs, schoolwork or artwork may be archived, included in the local news, on the school's CCTV or web page, and may eventually air on the School District of Clay County educational channel or be used at local, state or national conferences.

If you have an objection to your student's work or name being used for any of the above purposes, or if you object to photographs or recordings of your student being used, you must notify the school of your objection, in writing, within 48 hours of your receipt of this information.

For your information, if your student is an exceptional education student, your explicit, written permission will be obtained prior to any media release which identifies your student by name, along with his exceptionality or exceptional placement designation.

### **Rights of Divorced Parents**

Under current divorce laws "shared parental responsibility" awards both parents full rights to the child, although "primary physical residence" is awarded one parent or the other. Neither parent has priority over the other with regard to any aspect of the child's education and either parent has full and complete rights to pick up the children, to inquire about their school work, participate in school activities without priority to one or the other. The parent(s) should provide the school with a copy of the final court judgment to determine new shared responsibility concept. Additional court documents, such as injunctions or modifications to the final judgments, should be provided to the school immediately as these may limit the rights of a parent. In the event the parent who is not named as the primary residential custodian resides any place other than in Duval, Clay, St. Johns, Putnam, Alachua, Nassau, or Bradford counties in Florida, then that parent may not pick up or check out the child unless the parent who is the primary residential custodian informs the school in writing that such actions are acceptable.

Custody papers issued by a court outside the state of Florida will not be accepted at face value. Out-of-state documents must be domesticated through the Florida Courts.

### **Parental Concerns Regarding Employees**

The Clay County School Board recommends that parents who have a complaint about an employee begin by registering their concern directly with the employee in question, if possible. The vast majority of parental concerns are solved at this level. If not, parents are urged to contact the principal, district office staff, the Deputy Superintendent or the Superintendent to express their concerns.

Parents are often asked to put their concerns in writing. While this is not a requirement, it is often important, depending on the seriousness of the charge and the ultimate action proposed as the result of investigation.

It is not the school system's intent to discourage parental concerns by establishing complex procedures for registering them. It is our intent, however, to make certain that parents are heard, that their concerns are investigated, if appropriate, and that our employees' due process rights are protected.

### **Acknowledgements**

A number of teachers, administrators, parents, students and school board members contributed directly and indirectly to the development and revisions of this document.

#### **MEMBERS OF THE 2017-2018 CODE OF CONDUCT REVIEW COMMITTEE**

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# School District of Clay County

## Responsible Use Guidelines

### Student



Technology is an integral part of the SDCC curriculum across subjects and grades in developmentally appropriate ways, and it is aligned to the competencies listed in the Florida Standards which include: seek knowledge and understanding; think critically and solve problems; listen, communicate and interact effectively; exhibit strong personal qualities; and engage and compete in a global environment.

#### Technology Agreement

I understand that using digital devices (whether personal or school owned) and the SDCC network is a privilege, and when I use them according to the Responsible Use Guidelines I will keep that privilege.

I understand that I have no right to privacy when using the SDCC network.

All students of the School District of Clay County agree to follow the School District of Clay County Code of Student Conduct, school rules, and commit to the following Responsible Use Guidelines:

#### I will:

- use digital devices, networks, email, and software in school for **educational** purposes and activities as directed by the teacher and supported by policy set by school administration.
- keep my personal information (including home/mobile phone number, mailing address, and user password) and that of others **private**.
- show **respect** for myself and others when using technology, including social media.
- give **acknowledgement** to others for their ideas and work.
- promptly **report** inappropriate use of technology.

The **Responsible Use Guidelines** will be reviewed each school year together with students and teachers and will provide a springboard for teaching and learning around topics such as Internet safety, digital citizenship, ethical, and appropriate use of technology.

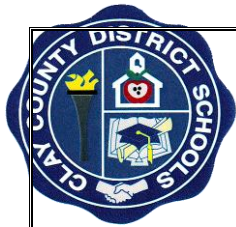
# School District of Clay County Student Social Media Guidelines



In accordance with the School District of Clay County's Student Code of Conduct, the District expects students to set and maintain high ethical standards in their use of social networking. Personal use of social media may have an effect at school. While at times it is easy to tell whether social media use is school-related or personal, at other times it may be difficult to distinguish fully between different uses. Sometimes, personal social media use, including off-hours use, may result in disruption at school and the school may need to get involved. This could include disciplinary action such as a parent conference, suspension and/or expulsion. It is important to remember that infractions outlined in the SDCC Student Code of Conduct prohibiting certain types of communication also apply to electronic communication. To be safe, be in control of what you do online, even if it is during personal time.

## Guidelines for Student Use of Social Media

- Think before you post. The School District of Clay County recommends that students use discretion when posting to social media sites at all times and requires that students follow the SDCC Student Code of Conduct when on school district property.
- If you see anything of concern on a fellow student's social networking page or account, you should promptly contact your school based administration, your teacher, or other school staff.
- Be thoughtful about what you share online and consider how it would appear to family, friends, colleges, and future employers. Do not post or link anything (photos, videos, web pages, audio files, forums, groups, fan pages, etc.) to your social networking site(s) that you would not want anyone to access. Social media venues are public and information can be shared beyond your control.
- When responding to others, remember to be respectful and avoid comments that may be hurtful. You should refrain from using profane, obscene, or threatening language.
- Use of school or district logos or images on your personal social networking sites is prohibited. The School District of Clay County reserves the right to request school-related images or content posted without permission to be removed from the internet. If you wish to promote a specific activity or event, you may do so only by means of a link to school or district official social media accounts.
- You should always take responsibility for what you post. Do not misrepresent yourself by using someone else's identity.
- Only accept invitations to share information from people you know. Utilize privacy settings to control access to your network, web pages, profile, posts, blogs, wikis, podcasts, digital media, forums, groups, fan pages, etc.
- Online stalkers and identity thieves are a real threat. Never share personal information, including, but not limited to: Social Security numbers, phone numbers, addresses, exact birthdates, and pictures with parties you do not know or on unsecure sites.
- Users should keep their passwords secure and never share passwords with others. If someone tampers with your blog, email, or social networking account without you knowing about it, you could be held accountable.
- Cyberbullying is considered an act of harassment. See the SDCC Student Code of Conduct for detailed information.



THE SCHOOL DISTRICT OF CLAY COUNTY  
2017-2018

Parent/Student Acknowledgements of  
Code of Student Conduct, Virtual Notification, & Responsible Use Guidelines

Student Name (*print*) \_\_\_\_\_ Grade \_\_\_\_\_

Teacher Name (*print*) \_\_\_\_\_ Date \_\_\_\_\_

These policies have been drawn up to help your son/daughter gain the greatest possible benefit from his/her school experience. Parents/guardians have the responsibility for the actions of their children and should be involved in the education of their children. Pertaining to the Code of Conduct, students are responsible to be an active part of their school safety through involvement in the reporting of potential violent acts. All students will sign annually when they have been in-serviced in the major areas of the Code of Student and Responsible Use Policy. The teacher or administrator will house the signature sheet.

Parent(s)/guardian(s) need to become involved in the education of their children and have the responsibility to provide the school with the current emergency contact person and/or telephone numbers. They also have the responsibility to notify the school of anything (such as medical information) that may affect their child's ability to learn, to attend school regularly, or to take part in school activities. Parents should take special notice of the Attendance section of this Booklet as well as the Suspension and Expulsion provisions, which are in accordance with School Board Policy.

The school system must have proof that every student and every parent/guardian has had a chance to review the Code of Student Conduct and Responsible Use Policy. Signed acknowledgement must be part of every student's record. Your signature means that you have received information about the Code of Conduct rules and Responsible Use Policy and have been made aware of how to electronically access the Code of Student Conduct and Responsible Use Policy @ [www.oneclay.net](http://www.oneclay.net). (It does not mean that you agree or disagree with them.) A printed copy of this document may be requested from your child's school.

Parent(s)/guardian(s) should take special notice of the Zero Tolerance Policy, the Terms and Conditions for Use of Telecommunications and Networks, the Gun Free School Act of 1994, the Teacher's Authority to Remove Student from Class, and all Level IV violations and consequences, as well as receipt of the Notice of Privacy Practices contained in this Student Code of Conduct and Responsible Use Policy.

Clay Virtual Academy is an academic alternative for all students in the school system (K-12). Students work independently, but have interaction with other CVA students on a monthly basis. Students may be eligible to participate in their zoned schools extracurricular activities. Students can participate in the CVA as fulltime, part-time, and after hours (7<sup>th</sup> period). To learn more about Clay Virtual Academy, please go to [www.clayvirtual.net](http://www.clayvirtual.net) or call 904-529-4903.

**Failure to return this acknowledgement will not relieve a student or the Parent(s)/Guardian(s) from responsibility to know the contents of the Code of Student Conduct and Responsible Use Policy and will not excuse the student's non-compliance with this document. Contact your local Principal or the District Office Academic Services Department if you have questions or concerns.**

☐ Please check if you would like to request a printed copy of the 2017-2018 Student Code of Conduct and Responsible Use Policy.

\_\_\_\_\_  
Signature of Parent/Guardian Date

\_\_\_\_\_  
Signature of Parent/Guardian Date

\_\_\_\_\_  
Signature of Student Date



## District Office Phone Directory

Directory Information Switchboard FROM:  
Green Cove Springs Area: (904) 284-6500  
Orange Park/Middleburg Area: (904) 272-8100  
Keystone Heights Area: Toll Free (888) 663-2529

[www.oneclay.net](http://www.oneclay.net)

### Administrative Offices

(Extensions are to be used with main switchboard numbers listed above.)

Adult & Community Education	ext. 5252170	Instructional Support Services	ext. 5900508
Applied Technology	ext. 5900574	Professional Development	ext. 5900993
Business Affairs/Insurance	ext. 5900549	Public Relations	ext. 5900904
Elementary Education	ext. 5900925	Secondary Education	ext. 5900926
Exceptional Student Education	ext. 5900509	Student Services	ext. 5900511
Food Services	ext. 5900521	Superintendent	ext. 5900510
Human Resources	ext. 5900908	Transportation	ext. 5391252

### After Hours Transportation Dispatcher (until 6:00pm)

272-8159, 284-6500 ext. 5900895 or toll free (888) 663-2529 ext. 5900895

### Clay County School Board

District 1	Janice Kerekes	(904) 571-9618
District 2	Carol Studdard	(904) 264-9649
District 3	Betsy Condon	(904) 510-0516
District 4	Mary Bolla	(904) 295-4732
District 5	Ashley Gilhousen	(904) 679-9169