

# Student and Family Handbook and Code of Student Conduct 2022–2023 - 2024



**David S. Broskie**  
**Superintendent of Schools**

CLAY COUNTY SCHOOL BOARD

District 1: **Erin Skipper** ~~Janice Kerekes~~

District 2: Mary Bolla

District 3: Beth Clark

District 4: **Michele Hanson** ~~Tina Bullock~~

District 5: Ashley Gilhousen

**Clay County District Schools**

# Table of Contents

<b>Table of Contents</b>	<b>1</b>
<b>Introduction</b>	<b>3</b>
Superintendent's Message	3
Jurisdiction of the School Board	3
<b>Mission, Vision, and Philosophy</b>	<b>4</b>
<b>Student Rights and Responsibilities</b>	<b>5</b>
School Participation	5
Learning Experiences and Outcomes	5
Freedom of Speech and Expression	6
Privacy and Property Rights	7
Student Executive Officers	7
Student Publications	8
Pledge of Allegiance Notice	8
Role of Home, Student, and School	8
<b>Equal Opportunity: Prevention of Discrimination, Harassment, and Bullying</b>	<b>9</b>
Notice of Non-Discrimination	9
Discrimination/Harassment	11
Sexual Harassment	12
Bullying	12
Reporting Discrimination, Harassment, and Bullying	12
Procedures for Investigating Accusations of Harassment and Bullying	13
HOPE Scholarship	14
Student-Led Organizations	14
Student Activities, Athletics, and Extracurricular Activities	14
Rules for Student Activities and Clubs	14
<b>Attendance</b>	<b>15</b>
Compulsory School Attendance	15
Absences/Truancy	16
Senior Attendance Policy	17
Truancy	18
Attendance Requirements for Minors to Maintain Driving Privileges	18
Make-Up Work	18
McKinney-Vento Homeless Assistance Act	18
<b>Student Conduct</b>	<b>19</b>
Academic Honesty	19
Dress Code	19
Student Use of the Internet	20
Wireless Communication Devices <del>Bring Your Own Device</del>	21
Student Conduct on a School Bus	22

<b>Student Conduct in the Restroom</b>	<b>22</b>
Parking/Vehicle Rules	23
Youth Gang Membership	23
Zero Tolerance Rule	23
<b>Student Accountability, Discipline, and Misconduct</b>	<b>25</b>
Hearing Office	26
In-School Suspension	26
Out of School Suspension, Alternative Placement, and Expulsion	27
Reports to Law Enforcement Agencies	29
Investigations of Suspected Student Misconduct	30
Tobacco, Drugs, and Alcohol	30
Weapons In School	31
Firearms	31
Striking or Threatening a School Board Employee	32
Discipline Action Matrix	33
Category Action	36
Discipline and Students with Disabilities	37
Students Charged with a Felony	38
<b>Student Safety</b>	<b>39</b>
Threat Management Assessment	39
FortifyFL - SaferWatch App	39
Random Searches	39
Family and Behavior Expectations	40
<b>Student Health</b>	<b>40</b>
Immunization	40
Health Services/Screenings	41
Food Allergens	41
Live Lice Policy	41
Home Responsibilities for General Health Updates	43
<b>Other Important Information for Families</b>	<b>43</b>
Family Educational Rights and Privacy Act (FERPA)	43
Student Device Electronic Agreement	46
Responsible Use Guidelines	48
Child Abuse Reporting	49
Notice of Child Find Activities	49
Use of Student Work, Video, and Photographs	51
Social Media Guidelines	51
Rights of Divorced Parents	52
Parental Concerns Regarding Employees	52
<b>Appendix A: Glossary</b>	<b>53</b>
<b>Appendix B: Behavior Infraction Codes</b>	<b>55</b>

# Introduction

## Superintendent's Message

Dear Parents and Guardians:

~~Clay County District Schools is committed to being a world-class education system that focuses on providing students a public education experience that is motivating, challenging, and rewarding for all students in a safe and healthy environment. The 2022-2023 Student Code of Conduct details the expectations for student behaviors that encourage a positive learning experience for all. These skills build a foundation for students to obtain academic and personal success.~~

Clay County District Schools is firmly committed to ensuring that every student can succeed within a safe and positive learning environment. The 2023-2024 Student Code of Conduct details the expectations for student behaviors that encourage a positive learning experience for all. These skills build a foundation for students to obtain academic and personal success.



The Student Code of Conduct is the District's policy that is approved each year by the Clay County School Board. This handbook contains important information to ensure your child has a successful school year. **Well-informed parents and guardians have always been our best partners in this work.** I ask that you please review the Student Code of Conduct with your child, discuss the content within the handbook, and complete the acknowledgment form. Should you have any questions or concerns, I encourage you to reach out to your child's principal and they will be happy to assist with any questions regarding our policies and procedures within the handbook. **As always,** parental and caregiver support is crucial to student success and well-being and I thank you for your partnership as we provide an educational experience to our students that will help them grow, achieve, and reach their full potential.

Respectfully,

David Broskie

## Jurisdiction of the School Board



This Handbook and all of its referenced policies and procedures is in force at all times on all school campuses and 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. Jurisdictional control over the student may extend to the immediate vicinity of the school when the conduct of the student is deemed to have a detrimental effect on the health, safety, or welfare of the school. With respect to bullying and harassment behavior, jurisdiction of the Board extends to data or computer software accessed at a non-school related location, activity, function, or program, or to technology or an electronic device that is not owned, leased, or used

by the Clay County District Schools.

Our primary role as School Board members is to ensure the safety of all school district members and guests, and to craft policies that reflect the spirit of our communities while also considering the future of our most precious asset – the kids. This Handbook is just one of those guides that help to make our schools great. We are honored to be given this opportunity, and look forward to the collaboration and partnership that makes Clay County a truly special place to live.

## Mission, Vision, and Philosophy

### Our Mission

Our mission is to work collaboratively with all stakeholders to provide a public education experience that is motivating, challenging, and rewarding for all children. We will increase student achievement by providing students with learning opportunities that are rigorous, relevant and transcend beyond the boundaries of the school walls. We will ensure a working and learning environment built upon honesty, integrity, and respect. Through these values, we will maximize student potential and promote individual responsibility.

### Our Vision

The School District of Clay County exists to prepare life-long learners for success in a global and competitive workplace and in acquiring applicable life skills.

### Our Philosophy

Instruction should occur in an environment that promotes the highest level of learning. Effective instruction requires high levels of student engagement, innovation of classroom rituals and routines, and clearly articulated behavioral expectations. This is described as the absence of distractions, frictions, and disturbances that interfere with the effective functioning of the student, class, and school. It is the presence of a friendly, student-centered environment in which students and school personnel work cooperatively toward mutually recognized and accepted goals, and in which the parent and the school develop and maintain a positive, collaborative relationship focused on what is best for the learner.

As a student progresses through the grade levels, it is reasonable to assume that an increase in age and maturity will result in the student assuming new opportunities to grow and greater responsibility for their actions. It is recognized that differences in age and maturity require different types of opportunities and disciplinary action; while maintaining a fair and equitable system that is applied to all students in grades PreK-12.

To assist parents, administrators, and faculty in maintaining a positive learning environment, this Student & Family Handbook, along with its embedded Code of Student Conduct, will:

- Describe the role of the home, student, and school in the education of the learner.
- Describe student's rights and responsibilities as part of the learning environment.
- Describe student conduct and processes associated with student misconduct.
- Describe aspects of student health and wellness, safety and security, and other relevant information that will help lead to a positive experience for all stakeholders.

The content of this Handbook will be shared with all students, parents, faculty, and councils associated with district and school teams, in language that is understandable to the audience, through multiple media and

sensory platforms, and in writing when requested by an individual, to ensure that a common understanding is established for the education of our children and youth.

# Student Rights and Responsibilities

It is the intent of this document to help 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 entire school community. The principal shall assume administrative responsibility and instructional leadership under the supervision of the Superintendent, and in accordance with rules and regulations of the School Board for planning, management, and operation of the school to which the principal is assigned. The faculty and staff shall assist in the orderly operation of the school and assure the rights of students.

## School Participation

Regular attendance by students will facilitate the development of the skills and knowledge necessary to function in a modern democratic society. School staff, parents, students, and appropriate state agencies are expected to work together to ensure that all applicable school attendance laws are obeyed.

Student Rights	Student Responsibilities
To be informed of School Board policies and individual school rules regarding absenteeism and tardiness.	Take advantage of their educational opportunity by attending all classes daily and on time.
To appeal a decision pertaining to an absence.	To provide the school with an adequate explanation and documentation indicating the reason for an absence.
To make up class work within a prescribed length of time in case of an excused 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).

Clay County District School employees are not responsible for supervising students who arrive on school property 30 or more minutes before school or a school-sponsored activity is scheduled to begin. Further, Clay County District School employees are not responsible for supervising students who remain on school property 30 minutes or more after school ends, or 30 or more minutes after a school-sponsored activity ends.

## Learning Experiences and Outcomes

Active involvement in the learning process is critical to academic success, and is a complex interaction between age, maturity, ability, and personal commitment. For all learners, the level of engagement with the material and the experiences will be reflected in grades and assessments.

Student Rights	Student Responsibilities
To have equal educational opportunity with regard to academic programs and extracurricular activities.	To pursue participation in academic programs and extracurricular activities of interest and that are commensurate with ability.

To be informed of district curriculum course descriptions that will facilitate informed choices.	To actively pursue assistance from qualified school staff with course selection that is consistent with ability and program of study.
To receive instruction in courses of study under competent instructors and in an atmosphere free from bias and prejudice.	To cooperate fully and exert every effort to achieve mastery at the highest level possible.
To receive access to instructional materials and resources for the subject(s) they are studying.	To take care of instructional materials/resources issued to them and to pay for lost or damaged instructional materials.*
To receive and have explained to a teacher's grading criteria at the beginning of each year long or semester course.	To become informed of the grading criteria and any updates to grading rubrics.
To receive reasonable notification of failure or potential failure during the grading period when it is apparent unsatisfactory work is being performed.	To maintain standards of academic performance commensurate with ability, and to make every effort to improve performance upon receipt of notification of unsatisfactory progress

\*[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.

## Freedom of Speech and Expression

Citizens in our democracy are guaranteed self-expression under the 1st and 4th 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.

Student Rights	Student Responsibilities
To form and express viewpoints through speaking and writing in a manner which is not obscene, slanderous, or libelous.	To respect the rights, property, and beliefs of other individuals, to express disagreement in a manner which does not infringe upon the rights of others, and does not interfere with the orderly educational process.**
To not be subject to disciplinary action because of use of a language other than English if the student has limited English proficiency.	To act in a manner which preserves the dignity of patriotic observances.
To affirm their identity with the American ideals as allowed and encouraged by state law.*	To respect the religious beliefs and observances of others.
To refrain from any activity which violates the precepts of their religion.	To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school.
To petition and survey student opinion in accordance with the procedures that are established by the principal and consistent with school district guidelines.	

\*Pursuant to [F.S. 1003.44](#).



## Privacy and Property Rights

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 (4th Amendment of the United States Constitution).

Student Rights	Student Responsibilities
To maintain privacy of personal possessions unless school personnel have reasonable suspicion to believe a student possesses any object or material which is prohibited by law or School Board Policy.	To not carry or conceal any such material that is prohibited by law or would detract from the educational process.
To attend school in an educational environment in which personal property is respected.	To respect the property rights of the public at large as well as those of individuals, and to refrain from destruction of, or damage to such property.
To be informed of state laws governing the search of personal effects while on school property, including lockers, backpacks, purses and gym bags.*	To accept the consequences for content stored within an assigned locker or other storage device.*

\*Pursuant to [F.S. 1006.09\(9\)](#), 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 Executive Officers

Effective student associations are the forums for the training and involvement of students in the democratic process, and promote the ideals of shared governance, respecting differing opinions, and engaging productive discourse with one another. Members of the school community share the responsibility for shaping such associations into positive instruments for student involvement.

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

## Student Publications

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.

Student Rights	Student Responsibilities
To possess, post, and distribute forms of literature that are not inherently disruptive to the school program through means such as, but not limited to, newspapers, magazines, leaflets, pamphlets, and online forums.	To use only those bulletin boards or wall areas designated for use by students and student organizations, and accept responsibility for the effect that the posting might have on the normal activities of the school.
To be free of censorship on their publications except within the framework of guidelines previously agreed upon by students and administrators.	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.
	Principals may suppress or recall literature which they consider primarily commercial in nature or material which could endanger the orderly operation of the school.

## Pledge of Allegiance Notice

Pursuant to [F.S. 1002.20\(12\)](#), students have the right not to participate in reciting the pledge. Upon a written request by his or her parent, a student must be excused from reciting the pledge, including standing and placing the right hand over his or her heart.

## Role of 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 responsibility for their child's behavior.
- maintain regular communication with the school and encourage their child to maintain acceptable behaviors specific to their home, community, and school.
- ensure that their child is in daily attendance, and promptly report and explain an absence to the school. provide their child with the resources needed to complete class work.
- assist their child in developing grooming habits consistent with a school environment.
- bring to the attention of 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 contact information and addresses at the school, including medical provider and hospital preference.

**Students Who:**

- attend all classes daily, and arrive on time.
- are prepared to come to class with appropriate working materials.
- are responsible for their own work and actions.
- are responsible for delivery of written communications to their parent/guardian.
- are respectful to all individuals and property.
- refrain from profane or inflammatory statements.
- maintain grooming habits appropriate for a school environment.
- 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 and discipline based upon fair and impartial treatment of all students.
- develop a positive working relationship among staff, students, and community partners.
- encourage the school staff, parents and students to use the services of community partners.
- encourage parents to maintain regular communication with the school and participate in its affairs.
- seek to involve students in the development of district 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.

## **Equal Opportunity: Prevention of Discrimination, Harassment, and Bullying**

### **Notice of Non-Discrimination**

#### **Notice of Non-Discrimination and Procedures for Handling Allegations of Possible Discrimination within Clay County District Schools - Employment and 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:

- 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.
- Criteria for admission to programs and courses do not have the effect of restricting access.
- 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-10-1.06](#)) 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.

- 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.
- In addition, each school has a school-based Title IX Coordinator, which is listed under each school's webpage under the administration tab. A compiled list can be found on the [District's Title IX webpage](#). Any student matter not resolved by the school principal to the satisfaction of the aggrieved party shall be referred to the attention of the Title IX Office.

Title IX Office  
School District of Clay County  
900 Walnut Street  
Green Cove Springs, Florida 32043  
Telephone: (904) 336-6919

- Any student matter not resolved by the school principal to the satisfaction of the aggrieved party shall be referred to the attention of the following office:

Coordinator of Student Engagement  
School District of Clay County  
900 Walnut Street  
Green Cove Springs, Florida 32043  
Telephone: (904) 336-5000 6917

- 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 attention of the following office:

Assistant Superintendent for Human Resources

- 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.
- 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.
- 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.

## Discrimination/Harassment

Discrimination is defined as treating a person of a particular group differently based on their protected class characteristic. Harassment is defined as verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of the person's protected status and has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, or offensive education environment. Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the district's premises or circulated by e-mail, phone (including voice messages), text messages, social networking sites, or other means. Harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum.

It shall be a violation of District policy for any student, teacher, administrator, or other district personnel to harass a student or adult 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.

Examples of conduct that may constitute harassment based on 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 based on 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 that 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

For additional information, please refer to District Policy Rule 1.11.

## **Sexual Harassment**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature in the workplace. 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.

All public schools receiving any federal funds must also comply with Title IX of the Education Amendments of 1972. A school has a responsibility to respond promptly and effectively to a claim of sexual harassment or sexual violence. Title IX requires schools to adopt and publish grievance procedures for students to file complaints of sex discrimination, including complaints of sexual harassment or sexual violence. Schools can use general disciplinary procedures to address complaints of sex discrimination but all procedures must provide for prompt and equitable resolution of sex discrimination complaints.

## **Bullying**

Bullying is defined as any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student, or would be reasonably assumed to cause harm. Bullying is prohibited against any student for any reason, including but not limited to, any such behavior that is directed toward a student on the basis of academic performance, or against whom federal and state laws prohibit discrimination.

To guide the investigation of alleged bullying, three key elements must be present in order to fall into the Substantiated Bullying category. This includes behaviors that are repeated, or could be reasonably repeated, intentional, and reflect a power imbalance between the individual engaged in bullying behavior and the one being bullied.

Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, or purposely excluding someone from a group. Cyberbullying is a specific form of bullying using technology to hurt, harm or humiliate another individual or group.

## **Reporting Discrimination, Harassment, and Bullying**

If you feel you have been a victim of, or witness to, discrimination, harassment, or bullying, report it immediately. Retaliation for reporting is not tolerated. 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. The following actions are encouraged in reporting this behavior:

- Students are always encouraged to report the complaint directly to a teacher, school counselor, school administrator, or parent.
- If a student or other person familiar with the situation would like to submit a report anonymously, they may call the Bullying Hotline at (904) 336-6799.
- If the accused is a district employee, the student or parent should contact Human Resources at (904) 336-6706.
- If the accused is an adult not employed by the school district, the student or parent should contact the school principal.

## ***Procedures for Investigating Accusations of Harassment and Bullying***

- When a report is made, the school principal will notify the parents of both the student(s) accused of bullying and the student(s) that has been allegedly bullied within 48 hours. This notification will include a description of the accusation and the process for investigation that will take place, along with a timeline of action.
  - It is expected that a thorough investigation will require more than one day but will be completed in a timely manner. It must review more than a single incident to be considered bullying behavior but not for harassment or hazing.
- The principal will designate a staff member that can remain neutral to lead the investigation.
- All interviews of students and adults will be documented and uploaded into the SIS referral system. All interviewees should be prepared to give as much detail as possible regarding who, what, when, where, and how the behavior allegedly occurred.
- The School Counselor will be notified within 48 hours of the report in order to meet with the student(s) that was harassed, bullied, or hazed, to determine their counseling needs.
- Collection and evaluation of facts will include:
  - the nature of the behavior
  - how often the behavior occurred
  - past incidents or past continuing patterns of behavior
  - relationship between the parties involved, including any positions of power one may have over another
  - race, national origin, sex, disability (if any) and age of the person being harassed or bullied
  - identity of the student(s) bullying others
  - locations of all incidents
  - impact on educational progress and educational environment
  - context in which the alleged incidents occurred
- Once an investigation is completed, information and findings are entered into the SIS and appropriate actions are taken regarding student discipline per this Code of Student Conduct and supports put in place for all individuals involved.

- The principal will notify the parent of the student being harassed or bullied of the Hope Scholarship program within 15 days of the initial report and provide them with requisite paperwork for submission to the state.

A 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.

## ***HOPE Scholarship***

Section 1002.40, Florida Statutes, was established in last year's legislative session and provides the parent of a public school student who was subjected to an incident of bullying or violence (a complete list of incidents is found in section [1002.40\(3\), F.S.](#), an opportunity to transfer to another public school, or request a scholarship for the student to enroll in and attend a participating private school. The law states in part, "Upon receipt of a report of an incident, the school principal, or his or her designee, shall provide a copy of the report to the parent and investigate the incident to determine if the incident must be reported as required by [1006.09\(6\) F.S.](#) Within 24 hours after receipt of the report, the principal or his or her designee shall provide a copy of the report to the parent of the alleged offender and to the superintendent.

Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the school district shall notify the parent of the program and offer the parent an opportunity to enroll his or her student in another public school that has capacity or to request and receive a scholarship to attend an eligible private school, subject to available funding."

Please go to the [FLDOE website](#) for more detailed information.

## **Student-Led Organizations**

Student-led organizations are permitted in secondary schools, and such organizations are allowed to meet on school premises during non-instructional time, as designated by the school principal. Students wishing to establish an organization shall work with their school and within district policy. Membership in all student organizations shall be on a voluntary basis and only open to students currently enrolled in the school at which meetings are to be held. Student organizations shall not engage in any activity which is contrary to law, district policy, or school rules.

## **Student Activities, Athletics, and Extracurricular Activities**

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.

## **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 exempt from the requirement that they must be written by both students and teachers.
- ❑ Clubs must have a faculty sponsor approved by the administration; this sponsor must be at all meetings/events and with chaperones when appropriate.
- ❑ Club members cannot be hazed pursuant to School Board Policy 4.11 and F.S. 1006.135(1). 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. Students are always encouraged to talk to parents and school administrators about any activity in which they are made to feel uncomfortable. Demeaning or dangerous activities are not necessary to be a part of a team or 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's internal accounts system.

NOTE: [Florida Statute 1006.14](#): Secret societies prohibited in public K-12 school states that (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.

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 pursuant to [F.S. 1006.195\(1\)](#).

Per [F.S. 1006.09\(2\)](#), 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 or not 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 Student 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 GPA 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.

## Attendance

## Compulsory School Attendance

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

Florida law ([Section 1003.26, Florida Statutes](#)) specifies steps for enforcement of regular school attendance. It is the responsibility of the school district superintendent to enforce school attendance of all children who are subject to compulsory school age requirements. The responsibility includes:

- Develop policies and procedures to ensure that schools respond in a timely manner to each unexcused absence, or absence for which the reason is unknown.
- Contact the home for every unexcused absence or absence for which the reason is unknown, to obtain parent justification for the absence.
- Evaluate each justification and, based on district policy, determine whether the absence is excused or unexcused; if excused, allow the student to make up assigned work without academic penalty.
- Track excused and unexcused absences.
- Identify and refer students who may be developing a pattern of nonattendance to the school child study team for intervention services.
- Schedule a meeting with certain identified parents to discuss their child's attendance.
- Implement prevention and intervention strategies to address truancy and attendance issues as required for drivers' licenses and related requirements for habitual truants.
- Send a notice to the superintendent of schools and to the district home education contact regarding patterns of nonattendance for specific students.
- Refer habitual truancy cases to the case staffing committee and/or child-in-need-of-services provider for assistance.

## Absences/Truancy

Absenteeism, 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 a greater responsibility for the student to demonstrate that such absenteeism has not negatively affected performance mastery. **One of the greatest indicators of success is simply showing up on a daily basis.**

The parent/guardian has the responsibility to ensure the student is rested and prepared for the rigor of a learning environment.

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

- Failure to do so within three (3) school days may cause the absence to be recorded as "unexcused".
- In the case of excessive or extended absences, which are claimed to be due to illness, upon request of the principal or designee, a parent must provide documentation (doctor's statement) of a student's illness.

- ❑ Excessive or extended absences are considered five (5) in one grading period, ten (10) in one semester or twenty (20) in a calendar year, or a history of excessive absences per period. Absences that meet this threshold as defined above will require a doctor's note. The principal of the school shall determine when it is necessary to require a doctor's note 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.

**Reasons for acceptable (excused) absences include but are not limited to:** ~~An absence from school under the following circumstances shall be considered excused:~~

- ~~❑ With permission—The absence was with the knowledge and consent of the principal of the school that the student attends. 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. 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.~~
- ❑ **Scheduled doctor or dentist appointments.**
- ❑ **Illness of the student.** ~~Sickness, injury, or other insurmountable condition—Attendance was impractical or inadvisable on account of sickness or injury, or was impractical because of some other stated insurmountable condition.~~
- ❑ **Major illness in the immediate family of the student (immediate family is determined as parents, brothers, sisters, grandparents, aunts, uncles, legal guardians or persons "in loco parentis," or a member of one's own household)**
- ❑ **Death in the immediate family of the student.**
- ❑ 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)).
- ❑ **Religious holiday of the student's faith** ~~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.~~
- ❑ **Religious instruction**
- ❑ **Religious institutes, conferences, or workshops, provided that the principal or designee approves the absence in advance.**
- ❑ 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:
  - 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.
  - The student's grades/academic progress is insufficient to allow for the student's promotion or graduation.
- ❑ Absences due to head lice will be excused. However, once a student has accumulated 10 absences during a school year due to head lice, the school will refer the case to the School Social Worker for family support and appropriate intervention, including a possible referral to the Truancy Arbitration Program through the State Attorney's Office. Unusual circumstances may be addressed by the principal to go beyond these 10 days for excused absences.

- Subpoena or forced absence by any law enforcement agency, a copy of the subpoena or court summons must be submitted to the school.
- For purposes of attendance, school related activities would not be counted as absences from school.
- Issues and occasions specific to military families

An absence from school under the following circumstances may be considered unexcused.

- The absence was without the parent/guardian's knowledge or consent.
- Permission for the absence was requested but denied by the principal of the student's school.
  - ~~This could include the following:~~ ~~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.~~
    - Shopping trips
    - Pleasure trips
    - Suspension
    - Appointments without prior approval
    - Truancy
    - Other avoidable absences

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.

For additional information, please refer to [District Policy Rule 4.01](#).

### ***Senior Attendance Policy***

Students must be in attendance for at least 90% of their total possible class periods during their senior year of high school to participate in commencement ceremonies. Once all attendance is recorded and verified, the rate of attendance will be pulled from the Student Information System.

This is not an excused/unexcused absence policy; it is an attendance policy. The type of absence does not matter with the following exceptions:

- doctor appointments or doctor mandated stay at home that is documented on a physician's professional stationary subpoenas to court
- bereavement time for an immediate family member
- participation in a school-sanctioned activity
- pre-approved college visits documented by email or regular mail correspondence
- parent approved absence from school

It is the student's responsibility to bring verification from the doctor, parent or court for an exception; otherwise the absence will count against the policy. Verification must be supplied within three school days following the absence.

NOTE: All decisions regarding participation in graduation activities as a function of the Senior Attendance Policy will be at the discretion of school administration.

### ***Truancy***

Florida law defines "habitual truant" as a student who has 15 or more unexcused absences within 90 calendar days with or without the knowledge or consent of the student's parent or guardian, and who is subject to compulsory school attendance.

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 a 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.

## **Attendance Requirements for Minors to Maintain Driving Privileges**

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. 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 Florida Department of Highway Safety and Motor Vehicles. ([F.S. 1003.27\(2b\)](#)). Parents and students will need to contact the school district at (904) 336-9639 for detailed information regarding reporting, reinstatement, and appeal procedures.

For additional information, please refer to [District Policy Rule 4.53](#).

## **Make-Up Work**

It is essential that students absent from school make up work missed. It is the responsibility of the student and the family to initiate requests for, and to pick up, make-up work on the day the student returns to class from an excused absence. All work missed from an excused absence can be made up within 24 hours for 100% credit. For example, if a student misses three days, they have three days to complete missing assignments for full credit.

## **McKinney-Vento Homeless Assistance Act**

The McKinney-Vento Homeless Assistance Act of 2000 (Subtitle VII-B) per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act, ensures homeless children transportation to and from school free of charge, allowing children to attend their school of origin (last school enrolled or the school they attended when they first became homeless) regardless of what district the family resides in. It further requires schools to register homeless children even if they lack normally required documents, such as immunization records or proof of residence. Local school districts must appoint Local Education Liaisons to ensure that school staff are aware of these rights, to provide public notice to homeless families (at shelters and at school) and to facilitate access to school and transportation services. Contact information and eligibility documents can be found at [Project REACH](#).

# Student Conduct

It is the belief of the Clay County District Schools that teachers and students deserve school environments that are safe, nurturing, and conducive to education and development. Creating a positive school/classroom climate while decreasing student time spent outside of the classroom now requires close attention to the social and emotional needs of the student as well as the behavioral intent. In the event that the school or classroom discipline has been disrupted to a level where a school must take action, the following information outlines the steps and the powers that the District will and must take.

## Academic Honesty

Clay County District Schools recognizes the importance of promoting a learning environment, whether traditional or distance learning, that values academic honesty. In order to foster ethical behavior among students, it is critical to educate all students regarding the characteristics of academic integrity. When engaged in learning activities, students should demonstrate the discipline necessary to seek guidance from their instructor rather than resorting to inappropriate behaviors that may undermine their own academic and personal development. This is a shared responsibility of all students, families, teachers, and staff.

## Dress Code

Responsibility for the dress and appearance of students generally rests with individual students and their families. Students may wish to express themselves by the manner of their dress and appearance; however, students shall not wear clothing or affect an appearance at school or school-sanctioned activities or events that are or may be disruptive to the educational environment. Clay County District Schools standards on student attire are intended to help students focus on schoolwork, reduce discipline problems, and improve school order and safety. Subject to approval, principals, working with their school community, may establish additional specific standards for their schools. Any such standards must be published and distributed to families.

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 a different outfit. Ultimately, school leadership reserves the right to determine if the dress code is being violated.

The following guidelines are to be followed:

- All students shall be properly groomed and attired appropriate to the activity when on school property or participating in school-sponsored events.
- Students should have a school ID in their possession while on campus, and present their school ID to staff upon request.** ~~School IDs must be worn and visible at all times.~~
- Students shall be dressed so they will not present a clear danger to health and safety. **Clothing** 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, **or expose inappropriate areas of the body while in normal activity.**

### Permitted Apparel:

- ~~Outfits are to be tailored in such a manner so as not to expose inappropriate areas of the body while in normal activity.~~

- Shorts, dresses or skirts should **come to the middle thigh** ~~be 3 inches above the knee~~ or longer. If leggings are worn **with the above mentioned clothing items**, then the top **layer of clothing (shorts, dress, skirt, etc.)** **MUST come to the middle thigh** ~~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 **middle thigh** ~~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 **any part of the torso**. ~~the midriff.~~
- The neckline of a shirt must limit exposure of the body.
- Footwear of some type must be worn at ALL times.

### **Non-Permitted Apparel:**

- Apparel or personal items **may not have imagery regarding drugs or alcohol, indecent remarks, tobacco slogans or advertisements, or display violence or sexually suggestive imagery.** ~~with off-color remarks or pictures, or emblazoned with drug, alcohol or tobacco related slogans.~~
- ~~Apparel, or personal items, displaying violent or pornographic imagery.~~
- Sleepwear, such as bedroom slippers, pajamas, etc.
- Tank tops, halter tops, muscle shirts, tube tops, spaghetti straps, mesh/see-through shirts, sheer-tops or bottoms.
- Head coverings** - ~~Hats, hoods, bandannas, and caps are not to be worn in class or in 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.

Disciplinary action for violation of the student dress code shall include notifying the student of the violation and a requirement that the dress or appearance be corrected before the student reenters the classroom, school environment, or school sanctioned activity or event. An administrator will determine the suitability of attire in question as it reflects the spirit of the dress code policy. Students found to be in violation of dress code policy will **have the following options; 1) change into appropriate school provided dress for the remainder of the day, 2) change into their own appropriate dress for the remainder of the day,** ~~be required to change for the remainder of the day. Student refusal to change will result in their placement~~ **or 3) be assigned to** the in-school suspension class for the remainder of the day or until a proper outfit can be brought for the student. At the discretion of the building level administrator, a family conference may be held. More serious consequences may result from repeated or serious violations.

For additional information, please refer to [District Policy Rule 4.03](#).

## **Student Use of the Internet**

The Internet and related electronic instructional resources are used in schools to support student learning and distance learning. The use of these resources are for educational purposes only when on district property, at district or school sanctioned activities or events, when students are being transported in vehicles dispatched by Clay County District Schools, and off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event. Teachers and school administration determine use of the Clay County District Schools Instructional Network based on educational goals of the school and classroom, and may determine to limit access. Students are encouraged to use the network to do homework, class-related research, and class work when appropriate. Students should not use this network for music, gaming, or non-educational video streaming. In compliance with the Child Information Protection Act (CIPA) requirements,

this network will be monitored. Clay County District Schools accept no responsibility associated with loss, damage, or theft of a device connected to the network.

## Wireless Communication Devices-Bring Your Own Device

The School Board is aware that parents and students use Wireless Communication Devices (WCDs) (laptops, chromebooks, tablets, smartphones, smartwatches, bluetooth devices (to include earbuds), etc.) to communicate with each other. However, the use of wireless communication devices on school grounds must be appropriately regulated to protect students, staff, and the learning environment.

Possession of a WCD by a student at school during school hours and/or during extracurricular activities is a privilege that may be forfeited by any student who fails to abide by the terms outlined in the Code of Conduct, or otherwise abuses this privilege.

~~Clay County District Schools is committed to helping students learn the skills they need to succeed in a world filled with technology. Our network allows secure access to the Internet for students who want to use their own personal devices (laptops, netbooks, tablets, smartphone, smartwatches, etc.) during the school day for classroom activities. Bring Your Own Device (BYOD) fosters student ownership of learning, extends learning for students from home to classroom, provides easier access to online instructional material, and supplements school equipment. Students are expected to use their devices in accordance with district policy.~~

Taking **audio recordings**, photographs or videos by any means whatsoever while on school property or while on school transportation is prohibited. The only exceptions to this **rule prohibition** are:

- Taking photos **or video** for reproduction in a school sponsored publication.
- Taking photos **or video** 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.
- Taking photographs **or video** with the permission of the school administration.

Publication on any internet site **or social media platforms** of any **audio recordings**, photographs, videos or images taken in violation of the **rules prohibitions** listed above **or recording fights or similar events** is strictly prohibited, will be deemed disruptive to the order of the school and will be sufficient reason to impose disciplinary action.

### All Students Elementary

- Students may have an electronic device on school property.
- Students may **NOT** use their electronic devices during instructional time for **any reason. educational purposes when it is sanctioned by the classroom teacher. If School Issued Technology is not available, Wireless Communication Devices may be used if the following criteria are met:**
  - It is approved by school administration
  - It is under the guidance of school staff
  - It is used only for educational purposes

Otherwise, the electronic device must be **silenced or powered off AND** ~~and~~ out of sight **once students enter the classroom.** ~~during the instructional day.~~

- Students may not use an electronic device in areas considered personal space ( i.e. - bathroom, locker room) and other areas designated by Administration.
- Students may not use their Wireless Communication Devices to accept or make phone calls or video conferencing during school hours unless instructed to do so by Administration/School Personnel.



## Secondary Only

- ~~Students may have an electronic device on school property.~~
- Students may use an electronic device before and after school, during lunch break, **transitions between classes**, at school related functions, and extracurricular activities as long as the electronic devices are not audible. (cannot be heard by others)
- ~~Students may use their electronic devices during instructional time for educational purposes when it is sanctioned by the classroom teacher. Otherwise, the electronic device must be powered off and out of sight once they enter the classroom.~~
- ~~Students may not use an electronic device in areas considered personal space (ie bathroom, locker room) and other areas designated by Administration.~~
- ~~Students may not use their electronic devices to accept or make phone calls or video conferencing during school hours unless instructed to do so by Administration/School Personnel.~~

Use of a Wireless Communication Device during standardized testing is prohibited and can cause the student's test to be invalidated.

## Student Conduct on a School Bus

The privilege of students to ride a school bus is contingent upon following the expectations outlined in this handbook. The driver of the school bus shall be in complete charge of the bus during the ride and while students are entering or leaving the vehicle. Students shall be required to conform to all regulations concerning discipline, safety, and behavior while riding on the school bus. The driver shall notify appropriate authorities if a student persists in violating the established rules of conduct. After due warning has been given to the student and/or families, the privilege of riding the bus may be withheld from the student. Violation of district policies and regulations while on the school bus may result in student discipline up to and including suspension or expulsion, in accordance with district policy.

The Clay County District Schools have 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 en route to or from the school bus stop. Other responsibilities of parents of transported students include (exerted from [F.A.C. 6A-3.0121](#)):

- To ensure the safe travel of students to and from school, ~~and home when students are not under the custody and control of the district~~, including to and from ~~home and~~ the assigned bus stop.
- To ensure that students ride only in their assigned school buses and get off only at assigned bus stops, except when alternative buses or arrangements have been made **and documented by the district**.
- To ensure students are aware of and follow the expected rules of behavior while they are at the bus stops and to provide the necessary supervision during times when the bus is not present.
- To provide the necessary assistance for students to get on and off at the bus stop when the physical disability of the student renders them unable to get on and off the bus without assistance (as required by district policy or the student's individual education plan).

We believe that all pupils can behave appropriately and safely while riding the school bus, and as such we will not tolerate behavior that is disruptive to the driver or which inhibits or interferes with the safe operation of the bus. In order to guarantee your child and other children who ride buses the safe and efficient transportation they deserve, the following has been established:

- Arrive at the bus stop ten (10) minutes prior to the scheduled pick up time.

- Take responsibility for their behavior and conduct themselves in a respectful, orderly manner while waiting at the bus stop for the bus to arrive.
- Wait until the bus comes to a stop before attempting to get on or off the bus.
- Enter and leave the bus only at the front door after it has come to a stop, except in the case of an emergency as directed by the driver.
- Leave the bus only with the consent of the driver.
- Be silent when approaching or crossing railroad tracks.
- Keep the aisle and stepwell clear at all times.
- Do not tamper with door handles, windows, and other safety equipment at any time.
- Do not use wireless communication devices, or electronic devices. Exception: Field trips in which the school administration approves the use of these devices or as a planned intervention for special needs students. Do not use wireless communication devices except in an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay).

Large Objects on the School Bus: Oversized objects, including, but not limited to, large band instruments or cases, school projects or athletic equipment which cannot be held in the seat, are prohibited, unless prior approval is obtained from the bus driver and the school administration.

Cameras: School buses are equipped with video cameras for the purposes of ensuring the health, welfare and safety of all staff, students, and drivers.

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

## **Student Conduct in the Restroom**

The restroom is a place on campus with an expectation of privacy. Students should not perform any action, engage in any behavior, or promote behavior in others which could result in the loss of privacy, or the dignity, of any individual. In order to promote the safety and welfare of all students, the following restroom procedures are to be followed within Clay County District Schools:

- Students shall make every effort to maintain the cleanliness and effective working order of the restrooms.
- Students may not loiter, or use the restroom as a place to socialize. At no time should more than one person be in a restroom stall.
- Students may not utilize recording devices of any kind while in the restroom – including but not limited to, cell phones, audio recording devices or cameras.
- Students may only utilize the restroom which corresponds to their biological sex assigned at birth.
- Upon request through the school administration, students may be provided access to single-use restroom facilities.
- A student should exit the restroom immediately if they observe others engaged in actions that violate school policy, or procedures of conduct. At their earliest opportunity, they should report the behavior to a staff member.

## **Parking /Vehicle Rules**

All parking areas are the property of Clay County District Schools. The parking of a student's vehicle on campus is a privilege granted by the Clay County District Schools upon availability of parking, Written consent

from parent/guardian, purchase of a parking decal at the school of attendance, and written agreement to comply with the Student Code of Conduct. The Clay County District Schools regard the use of motor vehicles for travel to and from school by students as an assumption of responsibility on the part of those students to care for school property, in the observation of safety rules, and in the display of courtesy and consideration toward others. Students who violate school parking rules may have their parking decal revoked and/or are subject to disciplinary action that may result in loss of privileges, suspension, alternative disciplinary placement, or expulsion from school. Searches of motor vehicles on school grounds may be conducted by the principal or designee when that official has reasonable grounds to suspect that the search will uncover evidence of a violation of Board and/or district policies, school rules, or federal, state, or local laws or uncover the presence of an item that presents an immediate danger of physical harm or illness to any person.

## Youth Gang Membership

Students are not allowed to form or participate in groups **virtually or in person** which threaten, frighten or harm other students. Such groups, when they become known by school and district authorities, **may** will be considered a gang. These groups generally have common names, and wear common colors, jewelry, signs or clothing. Students are encouraged to alert an adult if such activity or groups become known to them.

## Zero Tolerance Rule

[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 school district. The law requires that expulsion be recommended for any student at school or at a school-related function that was determined to have had possession of 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 [Chapter 790](#) or s.[1006.13](#). Simulating a firearm or weapon while playing includes, but is not limited to:

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

A student may be subject to disciplinary action if simulating a firearm or weapon while playing that 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 Student 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.

Certain disruptive behavior(s) will be reported to law enforcement authorities as defined by the state SESIR codes. A referral by law enforcement 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 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 \(13\)](#).

Incidents defined in the next section of this Handbook will be reported and may result in criminal prosecution. If the infraction involves a victim, the school shall notify the victim and parents, if a minor, of the infraction and the victim's right to press charges against the offender. The Clay County District Schools 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 [F.S. 1006.13 Chapter 2009-53](#).

Infractions that fall under Zero Tolerance Rule are defined by the Florida Department of Education through the School Environmental Safety Incident Reporting (SESIR) and receive the most severe consequences provided for by School Board Policy.

THE DISTRICT MAY ASSIGN MORE SEVERE CONSEQUENCES THAN NORMAL WHEN THE STUDENT 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.

## Student Accountability, Discipline, and Misconduct

Self-direction and personal responsibility are goals of Clay County District Schools. Students must be accountable for their actions, and CCDS recognizes that effective student discipline is a major contributor to

the creation of a positive and productive learning environment for all students. In accordance with state law, CCDS uses this student/parent handbook as a written code of conduct, based upon the principle that every student is expected to follow accepted rules of conduct and show respect for persons of authority. Certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. Clay County District Schools uses proportionate disciplinary action and/or restorative practices to keep students engaged in learning.

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, on school grounds, and at school sponsored events.

- Establish classroom rules of conduct that includes positive reinforcement of desired behaviors.
- Establish and implement consequences, designed to modify undesired behavior.
- Methods may include:
  - monitoring student behavior through short-term progress reports.
  - conferences and/or contracts between administrators, parents, teachers, and students.
  - referrals to school or district services, e.g., school social worker, school counselor, and/or district mental health therapist, etc.

The Code of Student Conduct defines infractions that have been committed by students while under the supervision of district staff or designees.

- 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 three categories: the offense, disciplinary actions, and restorative practices. Administrators may choose the discipline for each event.
- 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.

## Hearing Office

The Student Hearing Office is designed for circumstances that warrant District-level review of intervention beyond a school administration decision. This is the case for zero-tolerance infractions, as well as school-based decisions that a parent wishes to appeal.

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.

Florida Statute [1003.32\(4\)](#) and [1006.09\(1\)\(a\)](#), along with School Board policies of the Clay County District Schools, give teachers and other school staff who have control and direction of students assigned to them by the principal or the principal's designee, the authority to remove students who are disobedient, disrespectful, violent, abusive, uncontrollable or disruptive to the learning environment. 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. In the event of a disagreement on the student's return to the teacher's classroom, a committee determines that such placement is the best or only available alternative.

### **Due Process Procedures**

Students will be informed of the infraction and have the opportunity to be heard before disciplinary action. Students will be notified of the school rules that have been violated, either verbally or in writing, by an administrator or designee. Students will be given the right to present evidence or provide a list of witnesses concerning the charges. The following steps will be taken to guarantee due process:

- Proper notification of the infraction or complaint against the student and proposed disciplinary action.
- Explanation of evidence against the student.
- Opportunity to present evidence and/or provide a list of witnesses on their behalf.
- Opportunity to refute charges with an administrator/designee.

### **In-School Suspension**

In-school suspension (ISS) is a strategy used to discipline students for their behavior while ensuring that they continue to participate in learning activities. It consists of students being removed from their classroom environment, and spending their day or assigned time working on their class work in a designated location for these students. Adult supervision and assistance will be provided to students with their assignments and activities.

#### **The goals and primary student outcomes of ISS are:**

- Allows students to continue with school work.
- Gives students a "time out" to regroup and refocus.
- Provides the student an opportunity to remediate behavioral concerns.
- Keeps students in their school routine.
- Makes transition back into a regular school day easier.

### **In-School Suspension For Students With Disabilities**

Like all students, students with disabilities can be placed in ISS for violating the school's code of conduct. However, the Individuals with Disabilities Education Act (IDEA) requires schools to follow additional procedures when placing students with disabilities in ISS.

#### **Students with Disabilities Must Be Able to:**

- Appropriately progress in the general curriculum.** Generally, this means that the student is receiving all of their regular education assignments and that regular education teachers are involved in the setting, either through supervising it or making regular appearances there.
- Receive the services specified on the child's IEP or 504.** Generally this means that the student is receiving an appropriate amount of specialized instruction, supplementary aids and services, and all related services (E.g. – Speech, OT/PT, Adaptive PE, Counseling, etc.).
- Participate with nondisabled students to the same extent.** This means that the student is not in a setting that is exclusively for students with disabilities or that he is permitted to leave the setting to attend certain activities with nondisabled peers.

The ISS program should include both an academic and behavioral component. The behavior component should address the specific behavior for which the student is placed in ISS.

**Note:** The school does not have to include ISS in counting removal days if, during the suspension, it affords the student the opportunity to continue to progress in the general curriculum, receive ESE services, and participate with non-disabled peers.

## **Out of School Suspension, Alternative Placement, and Expulsion**

Clay County District Schools may consider the following factors to determine whether to suspend or expel a student:

- Age;
- Disciplinary history;
- Eligibility as a student with a disability;
- Seriousness of the infraction;
- Threat posed to other students and staff; and
- Likelihood that a lesser intervention would properly address the violation.

In matters involving student behavior which may result in the suspension or expulsion of a student, it is district policy that the family will be provided the opportunity to be involved in all such disciplinary procedures.

### **Out of School Suspension**

A school principal may suspend a student 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.

### **Procedures for OSS**

- Prior to suspension, the student shall be advised of why he/she is being suspended (i.e., infraction code), be provided an opportunity to refute the charges verbally or through a written statement, and be given an opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident. It should be noted that any statement a student makes may be used, along with other documentation, to prove whether the student is guilty or not guilty of the infraction.
- If the student is found to be guilty of the misconduct, determination of the suspension will be provided in writing through the notification of consequences.
- Written notice such as a copy of the electronic referral and a notification of consequences shall be sent to the parent(s) or guardian by mail within 24 hours. All reasonable attempts to conference with the parent via phone or in person must be made during the suspension process.
- If the immediate suspension of the student is justified because the student's presence endangers others or school property, the necessary notice and conference, if requested, will follow as soon as possible.
- The school is required to provide all work assignments to be completed by the student.

- Principal Review will be held for any student referred to the hearing office.

### **Appeal of Suspension/Principal Review**

- The school principal, after reviewing the case with the parent or adult student, will either affirm or adjudicate the length of suspension as originally stated in the suspension notification during a Principals review. This change shall be made on the electronic referral in the Student Information System.
- The parent, or adult student, at the Principal's Review should be advised of his/her right to appeal the action to the Hearing Office.
- If the parent/guardian, or adult student feels that they were not afforded due process at the Principal's Review, he/she shall appeal to the Hearing Office in writing within 3 days.
- The Hearing Office shall review the case to rectify any procedural errors.
- The Hearing Office recommendation will be presented back to the school for a modification of the original suspension decision or uphold the original suspension.

### **Alternative Learning Placement**

The removal of a student from the traditional educational setting to an alternative learning placement with continued educational services.

### **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. All Level IV infractions and Level III infractions that are especially egregious, violent, or otherwise significant enough to warrant such a decision will be considered for expulsion.

### **Procedures for Alternative Learning Placement/Expulsion/District Hearing Office**

- Prior to a meeting with the District Hearing Office, a Principal's Review will be held to advise the student as to why he/she has been recommended for alternative learning placement and/or expulsion, be provided with an opportunity to refute the charges in a meeting with the principal or principal designee, and be given the opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident leading to the recommendation.
- The parent or adult student shall also be advised in the Principal Review of the right to appeal and be advised of the appeal procedures to the District Hearing Office.
- Once the Principal Review is completed, a referral is made to the Hearing Office for final review and consideration of expulsion recommendation to the Superintendent.
- The District Hearing Office will determine if sufficient basis is found for a recommendation to an alternative learning placement or expulsion to the School Board.

In the event that a student who has been recommended for expulsion withdraws from the Clay County District Schools, the expulsion proceedings with the School Board shall continue as though the student had not withdrawn. The Superintendent and School Board shall not delay action on an expulsion recommendation pending re-entry/reregistration of the student in Clay County District Schools.

Clay County District Schools will uphold and enforce disciplinary proceedings from other public school districts. A student who has been expelled from another school district, shall not be permitted to transfer, enroll, or be admitted into a Clay County District School. If a student was expelled with services or alternatively placed in another district, Clay County District Schools will uphold said expulsion or alternative disciplinary placement.



## Reports To Law Enforcement Agencies

The School Board views criminal acts committed by students to be extremely serious. In addition to School District disciplinary action, criminal acts will be reported to the appropriate law enforcement agency as outlined in the School District's zero tolerance policy. These include:

~~Must be reported as a SESIR incident and shall be Reported to Law Enforcement:~~

School Districts must report the following SESIR incidents, as defined in Rule 6A-1.0017, F.A.C., to law enforcement:

- Aggravated Battery
- Alcohol
- Arson
- Burglary
- Criminal Mischief** Vandalism <\$1000
- Disruption on Campus Major
- Drug Sale/Distribution excluding Alcohol
- Drug Use-Possession excluding Alcohol
- Fighting**
- Grand Theft** Larceny-Theft <\$750
- Hazing
- Homicide
- Kidnapping
- Other Major Incidents**
- Robbery
- Sexual Assault
- Sexual Battery
- Sexual Offenses Other
- Simple Battery** Physical Attack
- Threat/Intimidation
- Trespassing
- Weapons Possession

~~Must be reported as a SESIR incident and is expected to include consultation with Law Enforcement to determine if Law Enforcement action is required:~~

~~Must be reported as a SESIR incident but MAY NOT need to include consultation with Law Enforcement:~~

School Districts must report all SESIR incidents to law enforcement where the incident includes one or more of the following related elements, as defined Rule 6A-1.0017, F.A.C.:

- ~~Bullying~~
- ~~Fighting~~
- ~~Harassment~~
- ~~Tobacco-Nicotine~~
- Alcohol-Related**
- Drug-Related**
- Gang-Related**
- Hate Crime-Related**
- Hazing-Related**

- Injury-Related
- Vaping-Related
- Weapon-Related

“Law enforcement action” means that official action was taken by a School Resource Officer (SRO) or local law enforcement officer in response to a SESIR incident, including but not limited to: an arrest, referral to a civil citation or similar prearrest diversion program authorized by Section [985.12](#), F.S., or initiation of an involuntary examination authorized by Section [394.463](#), F.S.

“Reported to law enforcement” means that a school district or charter school communicated with a School Resource Officer (SRO) or other law enforcement agency or official about an incident. Reporting to law enforcement may not always result in law enforcement action being taken.

~~“Reported To Law Enforcement” means that an official action was taken by a School Resource Officer or a Local Law Enforcement Officer such as: a case number was assigned, a report was filed, an affidavit was filed, a civil citation was issued, an investigation was conducted and found to be an incident reportable as a SESIR, or an arrest was made. The presence of, notification of, or consultation with a Law Enforcement Officer, or SRO, is not sufficient for an incident to be coded as “Reportable To Law Enforcement.”~~

## Investigations of Suspected Student Misconduct

In order to protect the safety and welfare of students and school personnel, and to maintain order and discipline on school property or at school-sponsored activities or events, school authorities may search a student’s locker or desk and its contents, personal property, or automobile under the circumstances described in policy and may seize any illegal, unauthorized, or contraband materials.

School lockers, desks, and other storage areas provided for student use on school premises are school property and remain at all times under the ownership and control of the school. Lockers, desks, and storage areas, as well as the contents therein, are subject to inspection at any time, without notice and without cause, at the discretion of the Clay County District Schools. No student shall lock or impede access to any locker or storage areas except with a lock provided or approved by school authorities. Searches of a student’s person or personal effects such as a backpack, purse, book bag, electronic devices, motor vehicle, etc, within the school or on school grounds may be conducted by the principal or designee when that official has reasonable grounds to suspect that the search will uncover evidence of a violation of Board and/or district policies, school rules, or federal, state, or local laws or uncover the presence of an item that presents an immediate danger of physical harm or illness to any person.

## Tobacco, Vapes, Drugs, and Alcohol

Clay County District Schools is committed to promoting the general health, welfare, and well-being of our school community. Consequently, it is district policy that no student shall be permitted to use, be under the influence of, possess, distribute, gift, purchase, exchange, or sell any tobacco product, alcohol, or illegal drug while on district property, at district or school-sanctioned activities or events, when students are being transported in vehicles dispatched CCDS or one of its schools, and off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event. As used in this policy, “illegal drugs” are all substances defined under either federal statutes as “drugs” or “controlled substances,” or state statutes as a controlled substance including marijuana or marijuana concentrate as well as counterfeit or synthetic illegal drugs and substances falsely represented as being drugs. As used in this policy, “drugs” also are legal and illegal drugs not properly possessed under state or federal law. An exception to this policy will be made for the administration of medical marijuana in accordance with state law and district policy. 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 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.

Compliance with the standards of conduct set forth in this policy and its accompanying regulations are mandatory for all students. A violation shall subject a student to appropriate disciplinary action, up to and including expulsion and referral for prosecution. For tobacco violations, students may have the option to complete an alternative to suspension program, in lieu of other disciplinary procedures.

All students, families, and community members are expected to be aware of the prohibited conduct addressed in district policy and comply with the prohibitions. Failure to comply may result in student discipline up to and including expulsion; or family member or community member trespass from district property.

“School property” means all property owned, leased, rented, or otherwise used or contracted for by a school. This includes, but is not limited to: all buildings used for instruction, administration, support services, maintenance, or storage; the grounds surrounding those buildings if the school is authorized to exercise dominion and control over the grounds; and all vehicles used by the school for transporting students, workers, visitors, or other persons.

“Tobacco product” means any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested, inhaled, or applied to the skin of an individual. “Tobacco product” does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product. However, due to the wide range of nicotine levels available in tobacco cessation products, the school may request a written document from a medical provider, for anyone under the age of 18, detailing dosage recommendation for tobacco cessation product use. “Use” means the lighting, chewing, smoking, inhaling, vaporizing, ingesting or application of any other tobacco substance.

## **Weapons In School**

The possession and/or use of a weapon by a student is detrimental to the welfare and safety of students and school personnel within the district. Carrying, bringing, using, or possessing a weapon in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity without the authorization of the school or the school district is prohibited.

## **Firearms**

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 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 an alternative program if in the best interest of the student and school system.

- Possession of an artificial firearm is an automatic suspension and possible expulsion recommendation to the Superintendent.

## Striking or Threatening a School Board Employee

Infractions include:

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

Procedures for investigating the striking or threatening of school district employees will include, but not be limited to, the following:

- Collect all relevant information, including witness statements.
- Consult with law enforcement at the staff member's direction; school administration and the district Human Resources office should assist the staff member if needed in notifying CCEA or CESPA.
- Notify the parent of the incident; notice the family with a certified letter of principal review.
- Issue suspension notice with recommendation for expulsion (see ESE guidelines if student is a Student with Disabilities; a ten-day recommended suspension must be addressed at the district meeting).
- Notify the Hearing Office by sending paperwork and recommendations.
- Recommendations may include temporary placement in an appropriate alternative setting prior to any district level hearing.
- The Superintendent or designee will convene the District Discipline Review Committee to investigate the incident. 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 district employee chooses to press charges, they can attend the district-wide meeting.
- The student must attend the review meeting. Unusual circumstances that prevent their participation should be processed as part of the discipline backup material.
- The committee will present its findings to the Superintendent through the Hearing Office for his expulsion recommendation to the School Board.

## Discipline Action Matrix

All infractions can be paired with multiple actions as set forth in the guidelines for assessing consequences of student misconduct. School principals have the discretion to deviate from these guidelines by assessing an appropriate consequence other than ones stated in the guidelines if it is determined that there are mitigating or aggravating circumstances. Clay County District Schools has implemented the use of restorative practices designed to strengthen relationships. Restorative practices focus on responsibility/accountability, repairing harm, communication, and appropriate responses.

The nature of the misbehavior and the student's past disciplinary record may be considered in disciplinary action under progressive discipline. Students may be referred for mental health services as indicated by need and history. 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 investigating as necessary, the administrator will decide on disciplinary action and/or restorative practice.

Following are disciplinary actions and/or restorative practices that can be used to address student misconduct. Each disciplinary action and/or restorative practice is coded in the Student Information System (SIS) to guide the user when choosing which action/intervention to apply. ALL INFRACTIONS REQUIRE PARENT CONTACT SUCH AS A CONFERENCE. More than one disciplinary action and/or restorative practice can be used for a single incident.

It is strongly encouraged that an action and/or restorative practice is focused on building better coping skills or desired behavior be used when an exclusionary action is also utilized.

Level 0/Minor Offenses		
Incident Description	Disciplinary Actions	Restorative Practices
<ul style="list-style-type: none"> <li>Behavior Incident Tracking (BIT)</li> <li>Unsubstantiated Bullying (UBL)</li> <li>Unsubstantiated Harassment (UHR)</li> </ul>	<ul style="list-style-type: none"> <li>Letter of Apology</li> <li>Loss of Privileges</li> <li>Time Out</li> <li>School Defined Consequence</li> <li>Warning/Verbal Reprimand</li> </ul> <p>***Alphabetized all categories</p>	<ul style="list-style-type: none"> <li>Check In/Check Out with Identified Staff Member</li> <li>Counseling</li> <li>Parent Contact</li> <li>Reflection Sheet</li> <li>School Defined Practice</li> <li>Student Conference</li> <li>Teach/Reteach Student Expectations</li> </ul>

Level 1/ Minor Offenses		
Incident Description	Disciplinary Actions	Restorative Practices
<ul style="list-style-type: none"> <li>Dress Code Violation (DRS)</li> <li>Profanity/Obscene Language or Gesture (PRO)</li> <li>Providing False Information/Forgery (FLS)</li> <li>Skipping Class (SKP)</li> <li>Tardy (TAR)</li> <li>Violation of Classroom Rule (VCR)</li> <li>Wireless Communication Device (WCD)</li> </ul>	<ul style="list-style-type: none"> <li>Contract</li> <li>ISS (1-5)</li> <li>Loss of Privileges</li> <li>School Detention</li> <li>School Defined Consequence</li> <li>Work Detail/School Chores</li> </ul> <p>***Alphabetized all categories</p>	<ul style="list-style-type: none"> <li>Check In/Check Out with Identified Staff Member</li> <li>Counseling</li> <li>Letter of Apology</li> <li>Parent Contact</li> <li>Reflection Sheet</li> <li>School Defined Practice</li> <li>Student Conference</li> <li>Teach/Reteach Student Expectations</li> </ul>

Level 2/ Major Offenses		
Incident Description	Disciplinary Actions	Restorative Practices

<ul style="list-style-type: none"> <li>Abuse of School Property - vandalism under \$1000 (ABS)</li> <li>Defiance/ Disrespect Insubordination (DEF)</li> <li>Dispute/Student to Student Verbal Confrontation(DSP)</li> <li>Inappropriate Conduct (IAC)</li> <li>Leaving School Without Permission (LVS)</li> <li>Possession of Inappropriate Object (POS)</li> <li>Student uses Profanity or Gesture/School Board Employee (SPE)</li> <li>Stealing/Petty Theft &lt; \$750 (STP)</li> </ul>	<ul style="list-style-type: none"> <li>Bus Suspension (1-10)</li> <li>Consultation</li> <li>Consultation with Law Enforcement</li> <li>Contract</li> <li>ISS (1-10)</li> <li>Loss of Privileges</li> <li>OSS (1-10)</li> <li>School Defined Consequence</li> <li>School Detention</li> <li>Work Detail/School Chores</li> </ul> <p>***Alphabetized all categories</p>	<ul style="list-style-type: none"> <li>Check In/Check Out with Identified Staff Member</li> <li>Counseling</li> <li>FEP- Family Education Program</li> <li>Letter of Apology</li> <li>Parent Contact</li> <li>Reflection Sheet</li> <li>School Defined Practice</li> <li>Student Conference</li> <li>Teach/Reteach Student Expectations</li> </ul>
---	---	--

Level 3/Major Offenses		
Incident Description	Disciplinary Actions	Restorative Practices
<p><b>Local District Codes</b></p> <ul style="list-style-type: none"> <li>Felony Charges filed outside of the school (SAO)</li> <li>Identity Theft (IDT)</li> <li>Inappropriate Use of Technology (TEC)</li> <li>Multiple Level 2 Referrals (MUL)</li> <li>Room Clearing Event (RCE)</li> <li>Student Confrontation/School Board Employee non physical (SCE)</li> <li>Violation of Behavior Contract (VBC)</li> </ul> <p><b>SESIR Violation Codes</b></p> <ul style="list-style-type: none"> <li>Bullying/ Cyberbullying (BUL)</li> <li>Breaking and Entering/Burglary (BRK)</li> <li>Disruption on Campus - Major Disorderly Conduct (DOC)</li> <li>Fighting (FIT)</li> <li>Harassment (HAR)</li> <li>Hazing (HAZ)</li> <li>Other Major OMC</li> <li>Sexual Offense SXO</li> </ul>	<ul style="list-style-type: none"> <li>Alternative Learning Placement</li> <li>Bus Suspension (1-10)</li> <li>Consultation</li> <li>Contract</li> <li>ISS (1-10)</li> <li>Loss of Privileges</li> <li>OSS (1-10)</li> <li>Recommendation for Expulsion with or without services</li> <li>Refer to Hearing Office</li> <li>Refer to Consultation with Law Enforcement</li> <li>School Defined Consequence</li> <li>School Detention</li> <li>Work Detail/School Chores</li> </ul> <p>***Alphabetized all categories</p>	<ul style="list-style-type: none"> <li>Check In/Check Out with Identified Staff Member</li> <li>Counseling</li> <li>FEP- Family Education Program</li> <li>Letter of Apology</li> <li>Parent Contact</li> <li>Reflection Sheet</li> <li>School Defined Practice</li> <li>Student Conference</li> <li>Teach/Reteach Student Expectations</li> <li>Tobacco Education Program</li> </ul>

<ul style="list-style-type: none"> <li>● <b>Simple Battery</b> Physical Attack - including school board personnel (PHA)</li> <li>● Tobacco (TBC)</li> <li>● Threat/Intimidation (TRE)</li> </ul>		
--	--	--

Level 4/Major Offenses		
Incident Description	Disciplinary Actions	Restorative Practices
<ul style="list-style-type: none"> <li>● <b>Aggravated Battery</b> (BAT)</li> <li>● Alcohol (ALC)</li> <li>● Arson (ARS)</li> <li>● <b>Criminal Mischief</b> Vandalism &gt; \$1000 (VAN)</li> <li>● Drug Sale and Distribution, Excluding Alcohol (DRD)</li> <li>● Drug Use Possession, Excluding Alcohol (DRU)</li> <li>● <b>Grand Theft</b> Larceny/Theft &gt; \$750-3000, including Motor Vehicle Theft (STL)</li> <li>● Kidnapping (KID)</li> <li>● Homicide (HOM)</li> <li>● Robbery/Extortion (ROB)</li> <li>● Sexual Assault (SXA)</li> <li>● Sexual Battery (SXB)</li> <li>● Sexual Harassment (SXH)</li> <li>● Trespassing (TRS)</li> <li>● Weapon Possession (WPO)</li> </ul>	<ul style="list-style-type: none"> <li>● Alternative Learning Placement</li> <li>● OSS (10)</li> <li>● Recommendation for Expulsion with or without services</li> <li>● Refer to Hearing Office</li> <li>● Refer to Law Enforcement</li> <li>● School Defined Consequence</li> </ul> <p>***Alphabetized all categories</p>	<ul style="list-style-type: none"> <li>● Check In/Check Out with Identified Staff Member</li> <li>● Counseling</li> <li>● FEP- Family Education Program</li> <li>● Letter of Apology</li> <li>● Parent Contact</li> <li>● Reflection Sheet</li> <li>● School Defined Practice</li> </ul>

Category Action		
Parent Involvement	Parent Involvement is critical to upholding the Code of Conduct	<ul style="list-style-type: none"> <li>● Admin/Parent/Student Conference</li> <li>● Parent Phone Call</li> </ul>
School Defined	The School has the authority to define consequences based on the offenses	<ul style="list-style-type: none"> <li>● Consequence</li> <li>● Restorative Practice</li> </ul>
Restorative Practice	Restorative practices help students in taking ownership of their behavior and understanding how it affects others.	<ul style="list-style-type: none"> <li>● Apology Letter (required for each infraction)</li> <li>● Peer Mediation</li> <li>● Reflection Sheet</li> <li>● Restitution</li> <li>● <b>Work Detail/School Chores</b></li> </ul>

Contract	Students may be placed on a contract as a way to correct behavior	<ul style="list-style-type: none"> <li>• Attendance Contract</li> <li>• Behavior Contract</li> <li>• No Contact Contract</li> </ul>
Detention	Students may be assigned detention as a consequence for Code of Conduct violations	<ul style="list-style-type: none"> <li>• After School Detention</li> <li>• Class Detention</li> <li>• Saturday Detention</li> <li>• Silent Lunch Detention</li> </ul>
Removal	Removal from Extracurricular Activities based on Code of Conduct Violations	<ul style="list-style-type: none"> <li>• Loss of Privilege(s)/Extracurricular Activities</li> </ul>
Consultation	Consultation with various departments to ensure student needs are met	<ul style="list-style-type: none"> <li>• <del>Bus Suspension</del></li> <li>• ESE Department Collaboration</li> <li>• Referral to Family Education Program</li> <li>• Referral to <b>School Counselor</b> Guidance Services</li> <li>• Referral to Hearing Office</li> <li>• Referral to <del>for</del> Social Worker or Mental Health</li> <li>• <b>Referral to Tobacco Education Program</b></li> <li>• <del>School Suspension</del></li> </ul>
Suspension	Students may be suspended from school for violations of the Code of Conduct	<ul style="list-style-type: none"> <li>• School Bus Suspension</li> <li>• In-School Suspension</li> <li>• Out-of-School Suspension</li> </ul>
Alternative Learning Placement	Students may be placed at the alternative school in lieu of expulsion	<ul style="list-style-type: none"> <li>• Alternative Learning Placement</li> </ul>
Expulsion	The School Board of Clay County must hear and vote on any case of Expulsion	<ul style="list-style-type: none"> <li>• Expulsion</li> </ul>

\*\*\*Alphabetized all categories

## Discipline and 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 experiences **for students with disabilities**, 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~~ **out of school suspension (not to exceed 10 school days within a school year)** 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.



When working with students with disabilities, the goal is to focus on proactive strategies using positive behavioral interventions and supports with an intentionally reduced focus on exclusionary methods (i.e. out-of-school suspension). Individualized Education Plan (IEP) or 504 teams must convene when a student reaches his or her fifth **day, or any time prior to the fifth** day of out-of-school suspension in order to proactively address the student's needs. ~~Teams may convene any time prior to the fifth day of suspension if the need is warranted.~~

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

- ❑ The district prohibits any student with a disability from being suspended out-of-school for more than ten (10) consecutive days or ten (10) cumulative days within a school year. Any disciplinary removal of a student with a disability for more than ten (10) days in a school year is considered a change of placement. If a decision is made that a change of placement will occur for a student with a disability, the student's IEP or 504 team will be convened to conduct a manifestation determination review.
- ❑ Students with disabilities who have been determined to have committed certain Level III or Level IV infractions of the Code of Student Conduct may be recommended for expulsion.
- ❑ **The manifestation review committee is a team** ~~A group~~ of professionals trained to provide input regarding the student's ~~disabling condition~~ **needs and disability. The team conducts a comprehensive records/data review and makes a determination if the student's behavior was or was not** ~~documents evidence that the on-campus expellable event is not~~ **the student's disability** ~~this condition.~~ The **team** ~~group~~ shall include the school psychologist, appropriate Exceptional Student Education (ESE) **or 504** personnel, **parents/student**, and administrative representation of the referring campus. ~~This group shall convene with the parents of the student recommended for expulsion to generate an appropriate Individualized Education Plan or 504 Plan.~~ **If the student's behavior is determined to be a manifestation of the student's disability and the student's misconduct did not involve weapons, drugs, or serious bodily injury, the student may not be expelled and the student's original placement is restored. The IEP or 504 team will ensure the student's needs are addressed via the IEP or 504 plan.**
- ❑ If it is determined that the offense is a manifestation of the **student's disability** ~~disabling condition~~, **but the conduct involves drugs, weapons, or serious bodily injury**, 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. For Students with Disabilities, appropriate goals and objectives to address the inappropriate behavior(s) will be reviewed or generated and will be 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. Furthermore,~~ **For students with an IEP**, a Functional Behavior Assessment/ Positive Behavior Support Plan (FBA/PBSP) is to be generated or reviewed and added to the IEP. For students with 504 Plan, a behavior plan will be generated or reviewed.
- ❑ **If the manifestation determination team determines that the student's behavior is not a manifestation of the student's disability, the district may discipline the student according to its regular discipline code of conduct.**
- ❑ 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 or Least Restrictive Environment (LRE)
  - ❑ Functional Behavior Assessment/Positive Behavior Support Plan
- ❑ All Due Process Rights and Procedures are granted to students with disabilities. Parents must be provided with a copy of the procedural safeguards at the IEP/Manifestation Determination or 504/Manifestation Determination meeting as applicable.
- ❑ 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 ensure that the IEP or 504 Plan is continued.

NOTE: In reference to students with a 504 Plan, the consequences for drug or alcohol use or possession by any student with a disability are not different from non-disabled students.

### **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:

<https://www.oneclay.net/Page/5109>. A copy of the ESE procedural safeguards will be provided to you when your child is initially referred and placed in the exceptional student education program and at each annual IEP meeting thereafter. You will also receive a copy when a decision is made to take a disciplinary action against your child that constitutes a change of placement, upon receipt of your first State or due process complaint, when you request an evaluation, and upon your request. For easy reference, the procedural safeguards are located on the Clay County District Website's Exceptional Student Education page. This provides information about This document provides parents with a full explanation of the procedural safeguards available under IDEA and the Department of Education regulation such as: Exceptional Student Educational programs regarding: prior written notice, parent consent meetings, independent evaluations, records, state complaint procedures, 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), placement consent and revocation, and private school placements, local education agency complaints (LEA) and state education agency complaints (SEA).

### **Notice of Rights for Students With Disabilities and Their Parents Under Section 504 of the Rehabilitation Act of 1973**

A copy of the 504 procedural safeguards will be provided to you when your child is initially determined eligible for a 504 plan and at each annual 504 plan meeting thereafter. You will also receive a copy when a decision is made to take a disciplinary action against your child that constitutes a change of placement, upon receipt of an impartial due process hearing, and upon your request. For easy reference the procedural safeguards are located on the Clay County district's website Climate and Culture page.

The purpose of this notice is to inform parents and students of their rights granted to them under 504 [34 CFR 104.32] such as, the right to receive a free and appropriate education, evaluation, placement decisions, educational records, and grievance or complaint procedures.

## Students Charged with a Felony

Pursuant to Section 1006.09(2), Florida Statutes, a student charged with a felony or delinquent act that would be a felony if committed by an adult, whether it occurred on or away from school board property, may be suspended or assigned to an alternative education program. Such assignment may be made upon determination that the student is eligible according to federal and state program criteria, and:

- the nature of the offense is such that the student poses a threat to safety of other students or personnel at school
- the student's safety is at risk by remaining in school or at a school-sponsored event with other students.

A principal can initiate this process in writing through the Hearing Office under authority of F.S. [1001.54](#) and guidance of F.S. [1006.13\(6\)](#). 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. Students who are eligible for services under the IDEA or Section 504 of the Americans with Disabilities Act are subject to those procedural safeguards. The recommendation of the principal to exercise this policy must be approved by the principal supervisor.

## Student Safety

### Threat Management Assessment

In support of maintaining school safety, staff will investigate reports of, or evidence regarding, student behavior on or off school grounds that could pose a threat to the safety or welfare of other students or staff.

Threatening or potentially dangerous behavior may include verbal, written, or non-verbal communications or gestures. Threats may be direct, indirect, conditional, or veiled. Threats may be communicated in person, electronically, through a third party, or by other intentional or unintentional means.

In assessing the potential level of danger of a student's behavior, school staff may conduct a threat assessment following district policy. Families may be invited to assist school staff in completing the assessment. However, family refusal to assist staff in completing the assessment will not prevent staff from completing those parts of the assessment about which staff is knowledgeable. Clay County District Schools may also make a determination of risk based on information received from law enforcement agencies, court personnel, mental health professionals, human services, or other agency partners.

Families will be notified when a threat assessment is being conducted, or as soon as possible after such assessment has been conducted, regarding their student. Records of student threat management assessments shall be provided to families upon request. Students may be required to participate in the development of a safety plan and comply with such a plan.

## FortifyFL

FortifyFL is a suspicious activity reporting tool that allows you to instantly relay information to appropriate law enforcement agencies and school officials. It is available on the CCDS student portal, and may be downloaded to any portable device through the FLDOE website.

## SaferWatch App

SaferWatch is a free emergency notification app. Please take a short moment to download the free app to your phone by accessing the App Store for iPhone users or Google Play for Android users. The app is programmed so that when CCDS teachers and staff are on any of our district's properties, a mobile panic button is available for use in the event of an immediate emergency. For CCDS students, the app allows them to report suspicious activity and tips occurring in schools.

The SaferWatch App Terms of Service (ToS) prohibits using the app for **fraudulent, abusive, or illegal activity**. SaferWatch makes it clear that any suspected fraudulent, abusive, or illegal activity may be grounds for terminating the User's right to use the SaferWatch app.

SaferWatch's User Privacy Policy (UPP) states that anonymous tips may not remain anonymous in the event that a user makes a False Report with the app, and that SaferWatch may release the user's information to law enforcement in these circumstances.

Since SaferWatch connects to the 911/E911 system, the misuse of the app could result in criminal charges.

## Random Searches

School officials or school employees designated by the principal may conduct random searches 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, etc.). Random searches 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 search as provided in this policy will be considered grounds for disciplinary action, including suspension.

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 substance, or stolen property, but may proceed with a search without a student's consent, upon reasonable suspicion of a prohibited or illegally-possessioned substance or object.

Principals are authorized to request from law enforcement the need to utilize trained dogs to detect the presence of illegally possessed substances or objects in student lockers, in student automobiles parked on campus, and any student possession that is located on campus per Florida Statute [1006.09\(9\)](#).

## Family and Behavior Expectations

All Clay County District Schools students and staff deserve to learn and work in an environment free from disruption, threat or intimidation. Family members and adult visitors will display appropriate and professional adult behavior in schools, during school events and at sanctioned school activities at all times. In accordance with Florida law, failure of a family member or adult visitor to act appropriately may result in the violator being prohibited (trespassed) from being on school property or attending any school sanctioned events. In cases of significant disruption, law enforcement will be contacted regarding the matter.

## Student Health

### Immunization

The Florida Department of Health has published the 2020-21 School Entry Immunization Requirements on their [website](#), along with multiple resources to help families navigate the [Immunization Guidelines](#) for school-age and preschool/daycare requirements. There is a [FAQ](#) section to assist in this process.

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

The new Florida Statute [1014.06](#) titled “Parents’ Bill of Rights”, requires parental consent to provide health services in our schools. Parents will need to have a consent form for care provided in the school health rooms signed for each student and on file with the school. 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).

### Food Allergens

For the safety and wellness of our student body, outside foods and beverages that are not commercially prepared and/or packaged are not allowable at school events or for shared consumption. All outside foods and beverages must contain an FDA-compliant nutrition label and/or a complete list of ingredients that will allow school personnel and/or students to identify potential allergens.

## Live Lice Policy

The Florida Department of Health in Clay County is committed to utilizing best practice recommendations for lice management in schools in a manner that respects the privacy of students and families. No Clay County District School (CCDS) personnel, parents of other students or unauthorized personnel other than clinic staff and school principal (on a need to know basis) will be notified of a student having lice/nits. Lice exclusions are viewed as necessary only when excessive infestations (more than 10 live lice, diagnosed by a treating health care provider) are present or there is lack of follow up with treating lice.

Per the Centers for Disease Control and Prevention, head lice can be a nuisance but they have not been shown to spread disease. Personal hygiene or cleanliness in the home or school has nothing to do with getting head lice. For more information, go to [head lice information for schools from the CDC](#).

Both the [American Academy of Pediatrics \(AAP\)](#) and the [National Association of School Nurses \(NASN\)](#) offers the following information and advocates that school districts review policies regularly based on the following reasons:

- Many nits are more than ¼ inch from the scalp. Such nits are usually not viable and very unlikely to hatch to become crawling lice, or may in fact be empty shells, also known as ‘casings’.
- Nits are cemented to hair shafts and are very unlikely to be transferred successfully to other people.
- The burden of unnecessary absenteeism to the students, families and communities far outweighs the risks associated with head lice.
- Misidentification of nits is very common during nit checks conducted by nonmedical personnel.
- Lice are typically not spread within the school setting. Lice transmission requires close head-to-head contact or the sharing of personal hair related items.

School health room staff responsibilities regarding lice in schools:

- Educate school staff regarding head lice causes, treatment and common misconceptions such as:
  - Getting head lice is not related to cleanliness of the person or his/her environment.
  - Head lice are mainly spread by direct contact with the hair of an infested person.
  - Head lice are not known to transmit disease.
  - Head lice move by crawling, not hopping or flying.
  - Head lice are not reportable to the public health departments unless there are other communicable disease related concerns.
- Educate students and their families about how to prevent lice and what to do if a family member has lice.
- Collaborate with the Public Health Department or other resources in planning assistance to families who have chronic infestation.

### Treatment:

If you suspect a child has head lice, it's important to encourage the parent(s)/guardian(s) to consult with a pediatrician or family physician for proper care as soon as possible. Treatment failure may be caused by lack of response to a treatment, incorrect product usage, misdiagnosis of the original condition, or re-infestation. To help avoid these pitfalls, the physician can confirm the diagnosis, discuss treatment options, provide an appropriate recommendation, and advise parent(s)/guardian(s) on how to properly use the medication.

### Key treatment considerations:

- ❑ A common approach to head lice treatment is to use an over-the-counter (OTC) medication. While these treatments have been effective in the past, resistance to some OTC head lice treatments has been reported in recent years. A 2016 study showed that 48 states now have lice that may be genetically predisposed to resistance to commonly used treatments.
- ❑ There are new prescription treatment options available that are safe and do not require nit combing.
- ❑ Parent(s)/guardian(s) should closely follow treatment instructions. Using extra amounts or multiple applications of the same medication is not recommended, unless directed by a healthcare professional.
- ❑ Family bed linens and recently used clothes, hats, and towels should be washed in very hot water and dried on the highest setting.
- ❑ Personal articles such as combs, brushes, and hair clips should be soaked in very hot water (at least 130° F) for 5 to 10 minutes.
- ❑ All household members and other close contacts should be checked, and anyone with evidence of an active infestation should be treated. All persons with active head lice should be treated at the same time.

### **Communicating with families:**

School nurses will help educate the community about head lice and treatment options, including OTC and prescription products, through letters to parents at the beginning of the school year or during a lice outbreak, handouts in the nurse’s office, and presentations during parent-teacher nights.

School nurses can also help prevent stigmatization in the community by spreading the word that head lice infest children from all backgrounds and walks of life. Anyone can get head lice, no matter how clean their home or hair is, or where they live or go to school or play.

### **Head Lice Protocol:**

- ❑ When live lice are identified, the child’s parent or guardian WILL be notified that same day by telephone stating that prompt, proper treatment must be completed before return to school after live lice diagnosis.
- ❑ There are many acceptable treatment options; however, treatment with a product that is both a pediculicide as well as ovicidal is the surest way to kill lice and prevent further re-infestation.
- ❑ Students will not be allowed to return to school until proof of treatment is presented by parent(s)/guardians(s). Acceptable proof of treatment is a health care provider note, receipt from purchase of over-the-counter lice treatment or visual confirmation from CCDS health room staff of no live lice on scalp upon students return to school.
- ❑ Notification letters should be sent home to alert parents only if a high percentage (20% or more) of children in a classroom are infested with lice.

## **Home Responsibilities for General Health Updates**

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; this includes over-the-counter medications.

It is the responsibility of the parent(s)/guardian to notify the school immediately of any chronic or acute medical conditions a child may have and of any necessity for a child to be allowed to self-medicate during the school day. The Health Services Manual may be viewed at [Health Services](#).

## Other Important Information for Families

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

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, extracurricular 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:

[Return to Table of Contents](#)



- 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" situations 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 not unlisted), electronic mail address, 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 (bulk information release) may not be released to any individual or agency unless it is normally published for the public in general. Such information may be released only 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. Notification objecting to the use or disclosure of directory information must be in writing and either hand delivered to the Principal of the school at which the student is attending, sent by mail to the Director of Information Services/Public Records Officer at the county office of the Clay County District Schools, 900 Walnut Street, Green Cove Springs, Florida 32043 or sent by email to [optoutferpa@myoneclay.net](mailto:optoutferpa@myoneclay.net).

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.

# Student Device Electronic Agreement

Please read the following carefully before electronically signing this document. This is a legally binding contract and must be signed by the student (“Student”) and a Parent or Legal Guardian (“Parent/Guardian”) before a Chromebook (hereafter “Electronic Device”) is assigned to you.

## Purpose

The primary purpose of Clay County District School's provision of access to electronic devices, network resources, and computer support services is to facilitate education and research consistent with the educational objectives of Clay County District Schools (“CCDS”).

This Agreement must be signed by both the Student and the Parent/Guardian and is binding upon both parties.

## Terms and Conditions

Term and Termination: This Agreement shall commence on the issue date and shall terminate at the end of the school year the agreement is signed.

## Student and Parent/Guardian's Obligations

Student and their Parent/Guardian agrees to:

- Use, maintain, and keep the Electronic Device in good operating order, at their own expense, in the manner for which it was designed and intended
- Not allow or make any alterations or additions to the Electronic Device without the prior written consent of CCDS
- Return the Electronic Device to CCDS in the same condition as received on the beginning date of the Agreement, minus reasonable wear and tear
- Use the Electronic Device in ways that are not disruptive, offensive, harmful, or otherwise improper or against the acceptable use policies of CCDS
- Provide CCDS with written notice to any change in address or telephone number during the term of this Agreement

## Issuing Electronic Devices

If you have an objection to your student using CCDS electronic devices, you must notify the school of your objection, in writing, within 48 hours of your receipt of this information.

## Return of Electronic Device

Students are required to return the Electronic Device to the assigned school administrative office upon:

Graduation OR

- Transfer from CCDS School OR
- Temporary or permanent discontinuance of schooling OR
- Last Day of School OR
- Termination of this Agreement for Failure to Comply

Student and Parent/Guardian acknowledge that failure to return the property after notice of termination constitutes theft.

## Failure to Comply

Failure to comply with any of the terms of this Agreement may result in the imposition of fines (for repair or replacement of the device), termination of the Student's ability to participate in this Program, and/or the imposition of appropriate civil or criminal penalties against Student and/or Parent/Guardian.

## **Criminal or Civil Liability**

Student and Parent/Guardian acknowledge that they are subject to criminal prosecution or civil liability for the destruction or misuse of the device. A theft report will be filed with the local Law Enforcement if a device is reported as stolen and Student and Parent/Guardian would still be financially responsible for the Electronic Device.

## **Ownership of Electronic Device**

The Electronic Device is, and shall remain, the property of CCDSB. Student and Parent/Guardian shall have no right, title, or interest herein or thereto except as expressly set forth in this Agreement.

Student and Parent/Guardian shall not assign rights or obligations under this Agreement or enter into any sublease of all or any part of the Electronic Device.

## **Warranty**

Student is being issued the device acknowledges that the device is being presented “as is” without warranty, other than any warranty provided by the manufacturer of the Electronic Device.

## **Lost or Damaged Electronic Device**

Should the Student damage or lose the Electronic Device, the Student and Parent/Guardian will be responsible for paying all outstanding lease payments for the entire term of this Agreement or repair cost, as applicable.

## **Right to Audit**

As permitted by law, CCDS reserves and intends to exercise the right to review, audit, intercept, access, and search the Electronic Device at will, monitor data usage and messages on the Electronic Device at any time for any reason, without notice or other restrictions.

## **Computer Resource Use Policies**

All users of CCDS devices and network resources are required to comply with the following:

- Files, user ID's, passwords, and computer output belonging to an individual or to CCDS are considered to be personal property, but may be subject to audit by CCDS.
- Users shall not examine, change, or use CCDS or another person's files, output, or usernames for which they do not have explicit authorization.
- Users shall not deliberately attempt to degrade system performance or capability. Knowledge of systems or special passwords shall not be used to damage a system or file, or to change or remove information without authorization.
- Users shall not use the system for any illegal purpose or to enter or send any material that is obscene, pornographic, or defamatory, or material that is intended to annoy, harass, or alarm another person.
- All users shall use software only in accordance with applicable license agreements. Users shall not make unauthorized copies of any software under any circumstances. Duplication of licensed software for any purpose except for backup and archival purposes or when otherwise specifically authorized is prohibited. Users shall not give or transfer software to anyone except other authorized users of the CCDS network or device without specific approval from the CCDS. All software must be lawfully purchased or acquired.
- Use of computer systems and databases shall be limited to the purpose(s) for which access is granted. Unless such use is specifically granted, use of CCDS digital resources for personal or private use for-profit, is prohibited.

- Students are authorized to use electronic devices and network services for incidental personal use, provided such use does not interfere with the educational objectives of CCDS or overload network resources, thereby denying it to others.
- Repeated minor infractions of the Student Responsible Use Guidelines or violations of a serious nature may result in the temporary or permanent loss of network access and/or Electronic Device use. More serious violations that may result in permanent loss of network access and/or Electronic Device use include, but are not limited to, extending computing resources to unauthorized users, attempts to steal passwords or data, unauthorized use or copying of licensed software, unauthorized attachment of personal computers to the CCDS network, unauthorized use of another's account, or overloading network resources thereby denying it to others. No payments made for the Electronic Device will be refunded if network access and/or Electronic Device use is denied due to violations or infractions of any CCDS or computer use policies, whether or not such infractions are mentioned in this Agreement.
- Filtering will be provided by CCDS for school and off-site use. This filtering is a best effort to ensure that inappropriate material is not accessed by students whether in school or off site. No filtering solution is perfect, and this service is being provided free of any warranty.

## Responsible Use Guidelines

### Discovering Endless Possibilities

Technology is an integral part of the CCDS 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 CCDS 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 CCDS network.

All students of Clay County District Schools agree to follow the Clay County District Schools 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.
- 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.
- report inappropriate use of technology immediately.

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.

## 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 Find 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 school counselor.~~

**\*\*\*ESE Parent Notification moved to Section on ESE Discipline - Page 39/40\*\*\***

#### *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 offer new VI/II classes at additional grade levels.~~

~~For questions or additional information please contact the ESE Department at (904) 336-6866.~~

## **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.

## **Social Media Guidelines**

In accordance with the Clay County District Schools' 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, alternative disciplinary placement, and/or expulsion. It is important to remember that infractions outlined in the CCDS 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. Clay County District Schools recommends that students use discretion when posting to social media sites at all times and requires that students follow the CCDS 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 wouldn't 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 Clay County District Schools 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 birth dates, and pictures with parties you don't 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 CCDS Student Code of Conduct for detailed information.

## **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 to one parent. Neither parent has priority over the other with regard to the child's education, both parents have full and complete rights to pick up the child, to inquire about school work, and participate in school activities. The parent(s) should provide the school with a copy of the final court judgment to determine new shared responsibility. Additional court documents, such as injunctions or modifications to the final judgments, should be provided to the school immediately as these may put new limits on access rights of a parent. In the event a parent is not granted shared parental responsibility 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.





# Appendix A: Glossary

Commonly used acronyms and definitions of educational terms frequently used in Clay County District Schools:

Glossary of Acronyms and Definition of Terms	
<b>504 Plan</b>	Disability Accommodation Plan under Section 504 Rehabilitation Act of 1973
<b>Access Points</b>	Expectations written for students with significant cognitive disabilities to access the general education curriculum
<b>Achieve3000</b>	Reading and writing intervention program using non-fiction text to differentiate instruction
<b>ACT</b>	American College Test; college entrance exam
<b>ADD/ADHD</b>	Attention Deficit/Hyperactivity Disorder
<b>AP</b>	Advanced Placement
<b>ASD</b>	Autism Spectrum Disorder
<b>AYP</b>	Adequate Yearly Progress
<b>CCEA</b>	Clay County Education Association
<b>CESPA</b>	Clay Educational Staff Professional Association
<b>CTE</b>	Career and Technical Education
<b>CVA</b>	Clay Virtual Academy
<b>ELA</b>	English Language Arts
<b>ELL</b>	English Language Learners
<b>EOC</b>	End of Course Exam
<b>ESE</b>	Exceptional Student Education
<b>ESL</b>	English as a Second Language
<b>ESY</b>	Extended School Year
<b>FERPA</b>	Family Educational Rights and Privacy Act
<b>FHSAA</b>	Florida High School Athletic Association
<b>FLDOE</b>	Florida Department of Education
<b>Focus</b>	CCDS Student Information System
<b>FSA</b>	Florida Standards Assessment
<b>GPA</b>	Grade Point Average

<b>Guardian</b>	School employee qualified and trained to carry a gun on a school campus
<b>IDEA</b>	Individuals with Disabilities Education Act
<b>IEP</b>	Individualized Education Plan
<b>IQ</b>	Intelligence Quotient
<b>i-Ready</b>	An interactive online learning environment for reading and math
<b>LLI</b>	Leveled Literacy Intervention
<b>PSAT</b>	Preliminary SAT; practice college entrance exam
<b>RAIT</b>	Risk Assessment & Intervention Team
<b>SAC</b>	School Advisory Council
<b>SAT</b>	Scholastic Assessment Test; college entrance exam
<b>SEDNET</b>	The Multi-agency Network for Students with Emotional/Behavioral Disabilities creates and facilitates a network of key stakeholders committed to assisting in the provision of a quality system of care for students with or at-risk of emotional or behavioral challenges
<b>SEL</b>	Social-Emotional Learning
<b>SESIR</b>	School Environmental Safety Incident Reporting; FLDOE student behavior coding system
<b>SIPPS</b>	Systematic Instruction in Phonological Awareness, Phonics, and Sight Words
<b>SIS</b>	Student Information System
<b>SRO</b>	School Resource Officer
<b>STEAM</b>	Science, Technology, Engineering, Arts, and Mathematics
<b>STEM</b>	Science, Technology, Engineering, and Mathematics
<b>YMHFA</b>	Youth Mental Health First Aid

# Appendix B: Behavior Infraction Codes

## Level 0

Level 0 codes are reserved for documentation purposes only for state reporting purposes and student behavior records. Any actions/intervention can be administered and recorded in the student information system at the principal's discretion. Suspension of any kind should not be used with these codes.

**Behavior Incident Tracking (BIT)** - To be used for documentation of problematic student behaviors. Consequences can be issued using this code.

**Unsubstantiated Bullying (UBL)** – After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under definition of bullying as listed in the Jeffrey Johnston Stand Up for all Students Act (Florida Statute [1006.147](#)).

**Unsubstantiated Harassment (UHR)** – After a complete investigation and follow up of a reported harassment incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under definition of harassment as listed in the Jeffrey Johnston Stand Up for all Students Act (Florida Statute [1006.147](#)).

## Level 1

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

**Dress Code Violation (DRS)** - To dress in a manner that would constitute a disruption in the school, create a safety hazard or exhibit impropriety. Non-conformity to the general code of appearance as outlined in Board Policy.

**Profanity/Obscene Language or Gesture (PRO)** – Abusive, profane, obscene or vulgar language (verbal, written, or gestures) or conduct in the presence of another person.

**Providing False Information Lying/Forgery (FLS)** - Giving false or misleading information, either oral or written, which may injure another person's character or reputation or disrupt the orderly process of the school. Intentionally providing false or misleading information to, or withholding valid information from, a school staff member. This includes Forgery - to fashion or reproduce for fraudulent purposes, such as signing parents' name to a note.

**Skipping Class (SKP)** – If the student does not report to their assigned class but has been marked present throughout the school day or if the student reports 15 minutes or later to their assigned class.

**Tardiness (TAR)** - Late to class or school; if the student arrives 15 minutes after the beginning of class w/o permission then the student is considered SKP/skipping class.

**Violation of Classroom Rules (VCR)** - Violation of specific posted or written class rules that are not necessarily a disruptive behavior. Breaking behavioral contract, thereby progressing to the next disciplinary level as specified in the school student handbook.

- ❑ **Cheating** - Academic cheating is defined as representing someone else's work as your own. If the student cheated on their own with no other student or participant then the cheating will be a Violation of Classroom Rules. In the event the student was cheating with multiple participants or on a state assessment, the student will receive Inappropriate Conduct.
  - Example: having answers prior to an exam.

**Wireless Communication Device (WCD)** - Use of a wireless communication device in a way that is not outlined in the Wireless Communication Device Guidelines. (Refer to Inappropriate Use of Technology/Wireless Communication Devices as a possible code)

### Level 2

Level 2 infractions 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 1 misbehavior and require administrative personnel intervention. This misconduct must be reported to the appropriate school administrator for disciplinary action. The administrator will follow the procedure designated for major violations (Level 1) when investigating the situation and deciding on disciplinary action.

**Abuse of School Property vandalism under \$1,000 (ABS)** - To use wrongly or improperly, or to maltreat any school equipment or property, including, but not limited to, the inappropriate use of a computer by breaking into restricted accounts or networks, modifying or destroying files without permission, illegally copying software and entering, distributing or printing unauthorized files.

**Defiance/Disrespect Insubordination (DEF)** - Refusal or failure to obey, marked by resistance to authority. The flagrant or hostile challenge of the authority of a school staff member, bus driver, or any other adult in authority. Examples see below:

- ❑ Leaving Class Without Permission - Student did not have permission granted by the teacher or other school entity to leave the classroom environment; unauthorized leaving of assigned class.

**Inappropriate Conduct (IAC)** - Violation of specific posted or written school rules that are not necessarily a disruptive behavior. Breaking behavioral contract, thereby progressing to the next disciplinary level as specified in the school student handbook.

- ❑ Cheating - Academic cheating is defined as representing someone else's work as your own. If the student cheated on their own with no other student or participant, the cheating will be a Violation of Classroom Rules. In the event the student was cheating with multiple participants or on a state assessment, the student will receive IAC: Inappropriate Conduct. Several examples of IAC include sharing work with someone else, purchasing an academic paper or test questions in advance, paying another student to do the work, and plagiarism.
- ❑ Gambling - One who participates in games of chance or skill for money or profit.

**Leaving School Without Permission (LVS)** – Unauthorized leaving of school grounds.

**Low Level Confrontation (DSP)** - Student who deliberately pushes, pulls, shoves, strikes, taunts, antagonizes, or mutual physical altercation with another student or by acts or words that does not result in any injuries and is stopped by verbal intervention.

**Possession of an Inappropriate Object (POS)** - Possession and/or use of items or contraband designated by the school as inappropriate materials such as portable paging devices, beepers, cellular telephones, portable cassette or CD players, electronic games, rollerblades, skateboards, lighters, hats, etc. and any other items that cause distraction and/or damage to persons or property or otherwise interferes with learning. An example

is the possession of a pocket knife which may be potentially dangerous or harmful to others. These items will be confiscated.

**Stealing/Petty Theft <del>\$750300 (STP) - taking of property while on school grounds or from a vehicle on school property worth under ~~\$750300~~**

**Student uses Profanity directed at a School Board Employee (SPE)** - A student who intentionally engages in a verbal confrontation involving a school board employee with profanity/obscene gestures. If the verbal confrontation involves a threat, the behavior will be coded as Threat/**Intimidation (TRE)**.

### Level 3

Level 3 infractions are major acts of misconduct. They include serious disruptions of school order and threats to the health, safety and property of others. The misconduct must be reported promptly to a school administrator, who may remove the student from the school or activity immediately.

### **Local Codes**

**Felony Charges (SAO)** - Previously defined as State Attorney Charges.

**Identity Theft (IDT)** - When a student represents themselves as another individual (including but not limited to students and district employees) with the intent of creating confusion or disruption to another's well-being. The fraudulent acquisition and use of a person's private identifying information.

**Inappropriate use of Technology/Wireless Communication Devices (TEC)** - When the possession of a wireless communication device disrupts the educational process. This includes the unauthorized use of a wireless communication device to capture images or recordings without permission during school hours, attaching power cords to school devices, and/or the unauthorized use on school buses in the absence of an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay).

**Multiple Level 2 Infractions (MUL)** - If a student commits 7 or more Level 2 infractions they may receive a "multiple level 2" infraction. This code can be used to initiate a Hearing Office Referral.

**Room Clearing Event (RCE)** – Should a student create an unsafe environment and the student population of the classroom needs to be removed for their safety.

Examples:

- Student is throwing objects and turning over chairs
- Student is running around the classroom and refuses to stop while pushing into other students.

Non-Example:

- Student refuses to do work and yells when asked to begin.
- Student throws an object not directed towards another student

**Student Confrontation/ School Board Employee Non Physical (SCE)** - A student who intentionally engages in a confrontation involving a school board employee.

**Violation of Behavior Contract (VBC)** – If a student violates the school or district behavior contract.

**SESIR Codes** - These are violations defined by the Florida Department of Education and are to be reported as School Environmental Safety Incident Reporting incidents.

**Bullying/Cyberbullying (BUL)** - Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Section [1006.147\(3\)\(b\), F.S.](#) Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment. Bullying is unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems. Cyberbullying is bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behavior.

Examples:

- Student uses a cell phone to take a picture of a student using the bathroom at school and shares it electronically.
- Student spreads nasty rumors at school about another person, in conversation, in a note, or electronically.
- 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.

Non-Examples:

- Student calls another student an inappropriate name once.

The most common places where cyberbullying occurs are:

- Social Media, such as Facebook, Instagram, Snapchat, and Twitter
- SMS (Short Message Service) also known as Text Message sent through devices
- Instant Message (via devices, email provider services, apps, and social media messaging features)
- Email

**Breaking and Entering/Burglary (BRK)** - Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein. The unlawful entry with force, or unauthorized presence in a building or other structure, or conveyance with evidence, or the intent to damage or remove property or harm a person(s):

Examples:

- Student or other breaking and entering into:
  - a school building during athletic events,
  - a school bus, or
  - a residential garage that is being used for a school-sponsored event
- Student or other willfully remaining within a building after it has been secured and committing a crime, such as vandalism or theft.

Non-Examples:

- Student or other entering an unlocked gym, without permission, and using the basketball court.
- Student or other wandering the halls, after hours, after entering through an unlocked door.

**Disruption on Campus (DOC) - Major** - Majorly Disorderly Conduct Disruptive behavior that poses a serious threat to the learning environment, health, safety or welfare of others.

Examples:

- Student or other making a bomb threat.

- Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group.
- Student or other causing an incident that results in closing the cafeteria.
- Student or other inciting a riot.
- Student or other pulling the fire alarm.
- Student or other deliberately crashing the school computer system.
- Student or other causing an incident that prevents others from proceeding to the next class or prevents egress.

Non-Examples:

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

**Fighting (FIT)** - When two or more persons mutually participate in use of force or physical violence that requires physical restraint or results in injury.

Examples:

- Student or other engaging in a fight/combat with another and physical restraint is necessary to stop it.
- Student becoming engaged in a fight which results in the need for first aid or medical attention for one or both of the participants.

Non-Examples:

- Student verbally confronting another student/teacher.
- Student or other engaging in pushing and shoving who is easily separated or stopped.
- Student or other engaging in a fight which is resolved without injury or need for physical **intervention** restraint.

**Harassment (HAR)** - Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that **places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property; has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school, including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related.**

- ~~places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property~~
- ~~has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.~~

Example:

- One student approaches another student and makes an insulting gesture. The targeted student runs off in tears and is visibly upset.

Non-Example:

- Two students approach each other and one student makes an insulting gesture towards the other student. Both students are good friends, no offense was taken by either student from the interaction.



**Hazing (HAZ)** - Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. **Hazing includes, but is not limited to pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.** “Hazing” includes but is not limited to: (1) pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, (2) any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

Examples:

- Pressuring, coercing or forcing a student into: 1) violating state or federal law; 2) consuming food, liquid, drug, or other substance; or 3) participating in physical activity that could adversely affect the health or safety of the student.

Non-Examples:

- Requiring new team members to attend additional supervised practices.

**Other Major (OMC)** - (Major incidents that do not fit within the other definitions) Any serious, harmful incident resulting in the need for law enforcement intervention not previously classified. **This includes any drug or weapon found unattended and not linked to any individual; such incidents must be coded with the appropriate Related element (such as Drug-related or Weapon-related) and incident involvement must be reported as unknown.** ~~Students selling items on school grounds that have not been authorized by the school or for school sanctioned events.~~

Examples:

- Student produces or uses counterfeit money.
- Student participates in gambling **activities.**
- Student possessing drug paraphernalia., ~~vaping oils, device used to vape.~~
- Student possesses pornographic materials depicting others under the age of 18.**
- ~~Student is selling goods, services or food that has not been authorized by the school for a sanctioned event~~

Non-Examples

- Student arrested for violating probation.
- Student or other arrested for committing crimes off-campus.

**Sexual Offenses (SXO)** - Other sexual contact, including intercourse, without force or threat of force, subjecting an individual to lewd sexual gestures or comments or sexual activity, or exposing private body parts in a lewd manner.

Examples:

- Student or other participating in sexual activity in front of a student.
- Student or other intentionally exposing genitals.**
- Student or other touching the buttocks of another in lewd, lascivious manner.**
- Two or more students engaging in sexual activity.
- Student or other soliciting or encouraging a person to commit a sexual act.

Non-Examples:

- Students kissing consensually
- A kindergarten child relieving himself publicly.**
- A first grade student hugging another
- Student inadvertently touching the breasts, buttocks or groin of another student.
- Inappropriate or suggestive gestures.**

**Simple BatteryPhysical Attack (PHA)** - ~~An~~ Refers to an actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.

Example:

- Throwing an object and hitting someone hard enough to cause injury.
- Aggressively punching another person in the face.
- Student committing a battery upon a school district employee such as a teacher or other staff person.

Non-Examples:

- Horseplay, low-level pushing and shoving between students.
- Student or other engaging in a fight/combat with another and physical restraint is necessary to stop it. o Student becoming engaged in a fight which results in the need for first aid or medical attention for one or both of the participants. (Refer to Fighting as a possible alternative code.)

**Tobacco (TBC)** -The possession, use, distribution, or sale of tobacco products and vape/vaping related products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21 18.

Examples:

- A student under 21 possessing and/or smoking cigarettes, cigars, etc.
- A student under 21 possessing and/or using a nicotine dispensing device or electronic nicotine delivery system (ENDS) such as electronic cigarettes, vape pens, hookah pens, etc.
- A student using smokeless tobacco or nicotine products.
- ~~Students using any device, or in possession of any part of a device, that allows for the inhalation of vapor.~~
- ~~Student sharing device with another student for the purpose of use or possession.~~

Non-Examples:

- Student in possession of any oils or products containing THC or CBD (refer to **DRU**).
- Student in possession of aromatic essential oils.

**Threat/Intimidation (TRE)** - An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means. ~~A threat to cause physical harm to another person with or without the use of a weapon that includes all of the following elements:~~

- ~~intent that the threat is heard or seen by the person who is the object of the threat.~~
- ~~fear a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and~~
- ~~capability the ability of the offender to actually carry out the threat directly or by a weapon or other instrument that can easily be obtained.~~

Examples:

- Student or other willfully and repeatedly following another or stalking with intent to cause the person to fear for their safety.
- Student or other who willfully and repeatedly uses email or text messages to cause another to fear for their safety or cause substantial emotional distress (cyber stalking).

Non-Examples:

- ~~Student or other engaging in mutual combat with another.~~
- ~~Student or other actually using force or violence against another. (Refer to Battery or Fighting as possible alternative codes.)~~
- ~~Student waving to another student in the hallway, waiting after class to talk to him/her and calling to ask him/her out.~~

## Level 4

Level 4 acts of misconduct are the most serious. All Level 4 infractions are grounds for expulsion, and will result in a mandatory 10-day suspension. These acts are clearly criminal and are serious enough to require administrative actions that result in immediate removal of the student from school, the intervention of law enforcement authorities, or action by the Superintendent and Clay County School Board.

**Aggravated Battery (BAT)** - A battery where the attacker intentionally or knowingly causes more serious injury (as defined in paragraph (8)(g) of 6A-1.0017 (SESIR), such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant. ~~The physical use of force or violence by an individual against another.~~

Examples:

- Student hitting another with a heavy object over the head.
- Student jabbing a pen into another's arm resulting in serious injury.
- Student or other engaging in a mutual physical altercation with another and continuing to hit/beat that person even after that person stops fighting, or is no longer able to fight back resulting in serious injury.
- Student committing aggravated battery upon a school district employee such as a teacher or other staff person.

Non-Examples:

- Student or other delivering a single poke to the chest.
- Student or other delivers a single, non-injuring strike to the arm of another.
- Students or others actively engaging in a fight with each other (refer to Fighting code as a possible SESIR code).
- Student or other striking back when hit by an aggressor and becoming engaged in a fight with the aggressor (refer to Fighting code as a possible SESIR code).

**Alcohol (ALC)** - Possession, sale, purchase, **distribution**, or use of alcoholic beverages. Use should be reported only if the person is caught in the act of using, **admits to use or is discovered to have used in the course of an investigation. Alcohol incidents cannot be Drug-related.** ~~or in the course of the investigation it is discovered that the person is impaired.~~

Examples:

- Student testing positive for alcohol by law enforcement.
- Student possessing, using, or selling alcohol.

Non-Examples:

- Student suspected of using alcohol without evidence.
- Student smelled of alcohol who after investigation, was found to be diabetic.

**Arson (ARS)**- To **intentionally** damage or cause to be damaged, by fire or explosion, any dwelling, structure or conveyance, whether occupied or not, or its contents. **Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.**

Examples:

- Student or other deliberately setting a fire on campus.

Non-Examples:

- Student or other unintentionally starting a fire.

**Criminal Mischief Vandalism > \$1,000 (VAN)** - Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti

thereon or other acts of vandalism thereto. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies. ~~The intentional destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it.~~

Examples:

- Student or other extensively defacing school with graffiti.
- Student or other keying or scratching a car in a campus parking lot.
- Student or other trashing a classroom resulting in damages of \$1,000 or more.
- Student(s) damaging a hotel room (\$1,000 or more) on a school-sponsored trip.

Non-Examples:

- Student or other accidentally damaging chemistry lab equipment.
- Student or other causing damages under \$1,000.

**Drug Sale/Distribution Excluding Alcohol (DRD)** - The manufacture, cultivation, sale or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, **narcotic, or controlled substance.**

Examples:

- Student passing a marijuana cigarette around in the school bathroom.
- Student giving prescription drugs prescribed for someone else to another.
- Student selling cocaine to another.
- Student or other misrepresenting substances as illegal drugs.

Non-Examples:

- Student taking medication prescribed for themselves.
- Student giving an aspirin or other over-the-counter medication to another in dosage prescribed.
- Student smoking a marijuana cigarette alone. (Refer to DRU: Drug Use/Possession)
- Student found with a single marijuana cigarette in backpack. (Refer to DRU: Drug Use/Possession)

**Drug Use Possession Excluding Alcohol (DRU)** - The use, or possession of any drug, narcotic, controlled substance or any substance when used for **chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.** ~~hallucinogenic purposes.~~

Examples:

- Student or other possessing or being under the influence of illegal drugs at school, at school-sponsored events, or on school transportation.
- Student possessing or observed swallowing prescription drugs that are not prescribed for him/her.
- Student found inhaling or ingesting intoxicants, glue, solvents, or aerosols for hallucinogenic purposes.

Non-Examples:

- Student possessing or using over-the-counter medications in dosage prescribed.
- Student using inhalers for asthmatic condition.
- Student possessing drug paraphernalia (refer to Other Major, **OMC**).

**Grand Theft/Larceny/Theft (STL)**, ~~The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery. including motor vehicle theft—The unauthorized taking, carrying, riding away or concealing the property of another person, including motor vehicles, without threat, violence or bodily harm.~~

Examples:

- Student or other embezzling public funds.
- Student or other stealing an item/items worth \$750 ~~300~~ or more.
- Student finding a checkbook, signing owner's name and making a purchase.
- Student or other stealing a car or motorcycle.

Non-Examples:

- Student or other borrowing an item without permission.
- Student or other committing robbery (code as Robbery instead)
- Student or other stealing an item less than \$750~~300~~.
- Student steals a credit card but no charges are made to the card.

**Homicide (HOM)** - The unjustified killing of one human being by another.

Examples:

- Student or other person, known or unknown, committing any homicide on school campus, at school-sponsored events, or on school transportation.

Non-Examples:

- Student or other accidentally dying
- Student or other committing suicide.

**Kidnapping (KID)** - Forcibly, **secretly**, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.

Examples:

- Student or other holding another person for ransom or reward, as a shield, or as a hostage.
- Non-custodial caregiver, with a restraining order, picking up a student.

Non-Example:

- Student running away with her boyfriend after being picked up from school by him.

**Robbery (ROB)** - The taking or attempted taking of **money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property** ~~anything of value that is owned by another person or organization~~, under the confrontational circumstances of force or threat of force or violence and/or by putting the victim in fear. **A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear**

Examples:

- Student or other snatching a gold chain off someone's neck
- Student or other extorting lunch money
- Student or other engaging in "Carjacking"

Non-Examples:

- Student or other taking money or **valuable worth \$750 or more** from an unattended purse. (Refer to **Grand Theft** ~~STL:Larceny/Theft~~ as a possible alternative code.)

**Sexual Assault (SXA)** - An incident that includes **fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault.** ~~a threat of rape, fondling, indecent liberties, child molestation, or sodomy. The threat must include all of the following elements: 1) intent; 2) fear; and 3) capability.~~

Example:

- Student or other threatening to rape another.
- Student or other intentionally touching anyone younger than 16 years old in a lewd manner.

Non-Example:

- Kindergarten student threatening another with a sexual act.

**Sexual Battery (Rape) (SXB)** - Forced or attempted oral, anal or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object. **Both males and females can be victims of sexual battery.**

Examples:

- Student or other raping someone.
- Student or other attempting to rape someone.

Non-Examples:

- Students engaging in consensual sex acts. (Consensual sex is not Sexual Battery. Refer to SXO: Sexual Offenses (Other) as a possible alternative code.)
- Student or other threatening to rape someone. (Refer to Sexual Assault as a possible SESIR code.)

**Sexual Harassment (SXH)** - Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties. Unwanted verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation or unreasonably interfere with the individual's school performance or participation. (6A-19.008(1)SBE Rule) An incident when one person demands a sexual favor from another under the threat of physical harm or adverse consequence.

Examples:

- Student or other causing unwanted and ongoing episodes of leering, pinching, grabbing.
- Student or other making repeated suggestive comments or jokes or actions of a sexual nature.
- Student or other pressuring one to engage in sexual activity.
- Teacher threatening to lower a student's grade if sexual favors are not given.
- Student or other repeatedly showing a photograph, poster or other images of nudity, lewd or sexual activity.
- Student or other pressuring another student for sexual favors by threatening to prevent him/her from participating in a school activity.

Non-Examples:

- Student engaging in consensual sex. (Refer to Sexual Offenses (other) code as a possible SESIR code.)
- Student unintentionally brushing up against another in the hallway.
- A single incident of a kiss that may be unwanted.

**Trespassing (TRS)** - To enter or remain on a school grounds/campus, school transportation, or at a school-sponsored function/off campus without authorization or invitation and with no lawful purpose for entry.

Examples:

- Any unauthorized person entering the campus.
- Any unauthorized person remaining on property after being **issued an official trespass warning by school officials** ~~directed to leave by the chief administrator or designee.~~
- A student currently under suspension or expulsion returning to campus without authorization or invitation.

Non-Examples

- Parent entering the building to pick up his/her child without first getting clearance through the office.
- Person searching for **assistance** ~~a phone~~ at a school facility after his/her car has broken down.

**Weapons Possession (WPO)** - Possession of any instrument or object (as defined by Section 790.001 (13), Florida Statutes, or district code of student conduct) that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

Examples:

- Student or other possessing a firearm or knife.
- Student or other using a knife, pocket knife, or other sharp or pointed implement **as a weapon** ~~to threaten or harm another.~~

Non-Examples:

- Student, after investigation, found to possess a common pocket knife, or eating utensil with no intent to harm.
- Student possessing items not covered under law or district policy such as pointed instruments, pens, or pencils.
- Student possessing a cutting tool that is being used in art shop or other class.



**A reminder from the Office of Climate and Culture:  
We are in this together and together we make a  
difference!**