



Code of Student Conduct

2019-2020



MARTIN COUNTY
SCHOOL DISTRICT

M|C|S|D

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CHAPTER I: OVERVIEW

The goal of the Code of Student Conduct is to promote positive school climates and opportunities for students to develop relationships, resulting in better decisions and choices. District policies and school norms set expectations for behavior and consequences that will help students make better choices, improve social-emotional behavior, increase engagement and self-efficacy and support achievements.

Students are responsible for their behavior and are held accountable when they behave inappropriately. They are expected to follow the Code of Student Conduct standards, federal and state laws, and school board policies while:

1. on school grounds
2. attending school-sponsored events, such as field trips, athletic functions and similar activities, whether on or off school grounds
3. being transported by school district transportation or waiting at the bus stop
4. the student is, or otherwise should be, en route to or from school.

These guidelines have been developed in order to present the expectations that the school district has for its students. Please read this Code carefully and retain for reference throughout the school year. Students are encouraged to make good decisions because there are serious consequences for making poor choices. Students are encouraged to promote responsibility among students and to assist in the reporting of criminal and/or inappropriate behavior(s) within the schools.

It is the desire of the school board and all educational personnel to create a healthy, positive, and safe environment for our students and staff. The purpose of this Code of Student Conduct (legal authority: FS 1006.07) is to provide information relative to policies, rules, rights, responsibilities, and disciplinary actions that may affect students while attending public schools within the Martin County School District. This Code of Student Conduct is not intended to be totally comprehensive; it reflects the basic policies and procedures in effect for student behavior expectations as well as basic responsibilities of other stakeholders in this school district. Individual schools' student handbooks may have additional rules and expectations within them, in addition to this Code of Student Conduct.

School administration may implement policies and procedures within their school site to address issues within the school; this applies to setting requirements for students to attend school-sponsored events such as prom, graduation, and others (including behavioral, attendance, and/or other guidelines). Individual schools may not implement rules or policies that conflict with district policy. Should this inadvertently occur, district policy will prevail. Alternative programs/settings may implement additional policies and rules that are more restrictive and/or may not apply to the other schools.

All parents, students, and school employees should read and be familiar with the contents of this Code. If further information is needed, any school official will be able to supply information, identify an appropriate resource office, and help you find the answer to your concern.

The school district recognizes the need for a team effort between the home and the school in the educational process. School staff, students, and parents must work together in order to maximize a student's success. We commit to working with the students and families.

Threats of Violence

Students are prohibited from making a verbal, written, or symbolic threat of violence, directly or indirectly, against anyone. Any threat of violence must be reported immediately to a teacher or school administrator. All threats of violence will be reported to law enforcement and investigated by school officials. A student found to have made a threat of violence that adversely impacts the school environment is subject to appropriate disciplinary consequences, up to and including: suspension, expulsion, arrest, and prosecution. In addition, law enforcement may be requested to conduct a home visit to assess the risk associated with the threat.

In addition to threats of violence, if a student's presence at the school poses a present and continuing danger to persons or property or a disruption of the teaching environment, whether in a classroom or elsewhere on the school premises, then the Superintendent may remove the student, either temporarily or permanently, from the school premises or from extra-curricular activities.

Restorative Practices

Restorative practices in schools are based on principles focused on promoting positive behavior and school culture. The first step is to build classroom communities that are supported by clear agreements, authentic communication, and specific tools to bring issues and conflicts forward through a positive discussion. They provide specific pathways to repair harms by bringing together those who are affected by misbehavior in a dialogue to address concerns, achieve understanding, and come to agreement about setting things right. In addition to serving the cause of fairness and justice, restorative approaches make safer schools, and contributes to social and emotional learning.

<http://www.iirp.edu/pdf/Defining-Restorative.pdf>

CHAPTER II: STUDENT AND ESSENTIAL PARTNER EXPECTATIONS

Students:

Students attending Martin County Public Schools are expected to follow all school rules and district policies (listed in Appendix A). They are expected to demonstrate behavior that has a positive impact on school climate.

Expectations...	In other words...
<ul style="list-style-type: none"> ▪ Make every reasonable effort to attend school all day, every day, and to be on time. 	<ul style="list-style-type: none"> ▪ Come to school every day on time.
<ul style="list-style-type: none"> ▪ Arrive to school with all necessary materials and be prepared to learn. 	<ul style="list-style-type: none"> ▪ Come to school prepared.
<ul style="list-style-type: none"> ▪ Follow district and school dress codes. 	<ul style="list-style-type: none"> ▪ Follow dress code.
<ul style="list-style-type: none"> ▪ Treat others with respect and courtesy. 	<ul style="list-style-type: none"> ▪ Be respectful.
<ul style="list-style-type: none"> ▪ Be aware that each student's conduct affects other students, school staff and the learning environment, and behave in a positive manner. 	<ul style="list-style-type: none"> ▪ Show good character.
<ul style="list-style-type: none"> ▪ Demonstrate respect for school property. 	<ul style="list-style-type: none"> ▪ Take care of things that belong to the school.
<ul style="list-style-type: none"> ▪ Refrain from publishing libelous and obscene materials; to seek full information on the topics about which they write; and to observe the normal rules for responsible journalism under the guidance of the faculty advisor. 	<ul style="list-style-type: none"> ▪ Don't write hurtful or harmful things that are untrue.
<ul style="list-style-type: none"> ▪ Follow the Student Network and Internet Responsible Use and Safety Agreement. 	<ul style="list-style-type: none"> ▪ Use technology as instructed.
<ul style="list-style-type: none"> ▪ Make every effort to restore relationships negatively affected by poor conduct. 	<ul style="list-style-type: none"> ▪ Apologize when it is appropriate.
<ul style="list-style-type: none"> ▪ Make every reasonable effort to participate in activities, interventions and appropriate programs recommended by school staff. 	<ul style="list-style-type: none"> ▪ Join school activities that will help you grow.
<ul style="list-style-type: none"> ▪ Demonstrate good citizenship by reporting threats and hazardous or dangerous situations to an adult in authority. 	<ul style="list-style-type: none"> ▪ If you see something say something.

Essential Partners

The board and district recognize the importance of developing positive and supportive relationships with all stakeholders in the educational process. The success of our students is incumbent upon the collective responsibility of everyone within the school community. With this in mind, it is important that each stakeholder assist in the following ways:

Expectations and Responsibilities of Parents/Guardians/Advocates

1. Encourage your children to:
 - a. contribute to a safe, supportive, and positive school climate
 - b. demonstrate courtesy and respect for self and others
2. Understand and make certain your child(ren) understand and know you expect them to follow the Code of Student Conduct. If you have questions about this Code or your child's school rules, please ask your school principal to ensure both you and your child clearly understand what is expected. Also see your child(ren)'s school student handbook for school-specific expectations.
3. Ensure that your child attends school regularly and arrives to school on time.
 - a. If your child is absent, report absences to the attendance clerk at your child's school within one week of the absence (preferably 48 hours). Failure to notify the school within one week of the absence will result in an unexcused absence.
 - b. Provide advance written notice if you need to remove your child from class for appointments.
4. Review and ensure that your children follow the district/school dress code policy. Parents are expected to monitor student dress before leaving home. Parents who are financially unable to provide clothing that meets their school's dress code should contact the school's guidance department for assistance. Please be advised that you may be contacted to provide appropriate clothing if your child violates the dress code and disciplinary measures may be taken. (Note: Individual schools may have dress code requirements in addition to those listed in this Code of Student Conduct, as detailed in each student handbook).
5. Support your child's school in accessing and implementing methods to improve conduct, such as counseling, after-school programs, and mental health services. Please work with your child's guidance counselor if you need assistance locating agencies to provide such services for your child.
6. Visit your school's website or attend school meetings for information regarding what your child is learning. Assist your child with assignments and homework to the best of your ability.
7. Be certain your child has the necessary school supplies each day.
8. Share concerns with school officials as they arise.
9. When visiting your child's school, report to the office and sign in.
10. Ensure that the school has your current home, work, and cellular telephone numbers, and updated home address, e-mail address, and emergency contact information. Only people listed as emergency contacts:
 - a. Can obtain emergency information about the student (if the student is ill, has been transported by emergency responders or needs a parent to come to the school, etc.)
 - b. Can pick up a student from school, unless specific written permission is given by the legal guardian. Identification will be required upon pick-up during the day, and signing out is required.
11. Make efforts to participate in your child's school activities, conferences, and problem-solving meetings.
12. Both parents have the right to access student records and information, and are provided information about what is happening at school. These parental rights apply regardless of marital status, unless a certified court document, stating otherwise, is delivered to the school's principal.

13. Schools will provide law enforcement, crowd control, and proper supervision during extracurricular school activities. If a student is attending a public event on Martin County School District property, as a spectator, the student's safety and well-being are the responsibility of the parent. Students are expected to follow the Code of Student Conduct whether or not their parent is present.
14. Damage done to school district property by a student, including lost or damaged books and teaching materials, is the responsibility of the parent. If property or damages are not restored, schools may require:
 - a. student loss of extracurricular activity privileges,
 - b. participation in community service,
 - c. restitution.

Expectations and Responsibilities of School Staff and Administration

1. Know rules and regulations, discipline policies, intervention strategies and programs, and sources of community support available to our students.
2. Promote a positive, professional, safe, and supportive school climate, where all students can grow academically, socially, and emotionally.
3. Utilize a positive system of supports and interventions, as needed, in an effort to keep students in school and engaged in the learning process.
4. Recognize, encourage, and reward appropriate and positive conduct by all students.
5. Participate in professional development promoting student engagement and support, positive classroom management, and a positive school climate.
6. Make every effort to communicate and respond to parents/guardians in a way that is accessible and easily understood.
7. Implement consequences that align with disciplinary actions, in a graduated and progressive manner, increasing in intensity as behaviors increase in severity and frequency, or when a pattern of behavior has been established (when appropriate and indicated by the Code of Student Conduct).
8. Administer interventions and consequences consistently and equitably, regardless of national origin, race, gender, ethnicity, religion, age, disability, sexual orientation and sexual identity.
9. Eliminate disproportionality in discipline referrals, as well as in-school and out-of-school suspensions.
10. Provide due process: the student will be told what he/she is accused of doing and be given the opportunity to explain his/her version of the facts (Policy 5611).
11. Use exclusionary disciplinary measures as a last resort, and in accordance with district policies (See Appendix A).
12. Provide students and parents/guardians with makeup work in a timely manner when students are suspended from school.
13. Ensure that students are under the supervision of school staff while on school premises during "reasonable time" before and after school, and while attending or participating in a school-sponsored activity. "Reasonable time" is defined as 30 minutes before and after school, and 30 minutes before and after a school activity is scheduled or occurs.

Expectations and Responsibilities of School Board Members

1. Collaborate with students, teachers, administrators, and parent organizations, school safety personnel and other school personnel to develop a Code of Student Conduct that clearly defines expectations for the conduct of students on school property and at school functions.
2. Adopt and review annually the district's Code of Student Conduct.
3. Lead by example by conducting board meetings in a professional, respectful, and courteous manner.
4. Be responsive to the concerns and needs of all stakeholders.

Expectations and Responsibilities for Community-Based Organizations

The School District of Martin County recognizes that “Schools Can’t Do it Alone” (Jamie Vollmer). Community members such as law enforcement, mental health service providers, and youth activity service providers play a crucial role in the establishment of a safe, supportive, and positive school climate. This is accomplished through mutual support and respect. Community-based partner organizations are expected to:

1. assist schools in creating positive, safe, supportive, healthy, and engaging learning environments,
2. serve as a resource for students, families, and school staff as needed,
3. collaborate with school district staff to share ideas and strategies that promote positive, healthy, and enriching school environments.

CHAPTER III: PREVENTION AND INTERVENTION PRACTICES

MTSS

An approach to prevention and intervention has been established to support our students. Interventions and strategies are provided to students through a Multi-Tiered System of Supports (MTSS) framework. Through MTSS, schools apply strategies to maximize student learning and behavioral outcomes. The interventions and supports provided match the level of support to student needs.

Our schools will take action steps to:

- create processes that support positive school climates by using evidence-based strategies through our MTSS framework,
- use school and student data to plan and implement the tiered strategies and interventions. Educators, administrators, and support staff may work with community-based organizations to provide support services as needed.

When students are experiencing difficulties in school, they may be referred for additional services and supports. MTSS is built upon three "tiers" of intervention. Tier 1 refers to supports and interventions available and/or provided to all students. Tier 2 interventions/supports are more student specific, often provided in a small group setting. Tier 3 interventions are created as student specific and are targeted to the specific needs of an individual student. The goal of MTSS as applied to discipline is to determine why a student is having behavioral issues and address that issue to improve behavior and reduce the impact of poor behavior.

Parents are encouraged to learn more about MTSS. Parents should address questions about how the process is implemented (if it is) in relation to their child to the school guidance department. More information about MTSS may be found at <http://www.fldoe.org/finance/school-business-services/fl-department-of-edus-multi-tiered-sys.stml>

Positive Behavior Intervention & Support (PBIS)

The Martin County School District PBIS initiative is supported by the University of South Florida's PBS collaborative. *"Positive Behavior Support (PBS) gives people a new way to think about behavior. PBS is based on understanding why problem behaviors occur - the behavior's function. This approach to behavior can occur on a school-wide level, in a specific setting, classroom, or with an individual student. PBS is the application of evidence-based strategies and systems to assist schools to increase academic performance, increase safety, decrease problem behavior, and establish positive school cultures."* (http://flpbs.fmhi.usf.edu/whatispbs_def.cfm)

The REACH Program

Beginning in the 2017-2018 school year, the Martin County School District began utilizing the REACH Program. This program is provided in collaboration with the Martin County Health & Human Services Department. More information on this program can be found in Chapter VI.

CHAPTER IV: STUDENT ATTENDANCE

School Board Policy 5200 – Attendance

The educational program offered by this district is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. School attendance is the responsibility of parents and students. Absences shall be reported to the school attendance office by the parent or adult student as soon as practicable.

In accordance with statute, the superintendent shall require from the parent of each student of compulsory school age, or from an adult student, who has been absent from school or from class for any reason, a statement of the cause for such absence. The school board reserves the right to verify such statements and to investigate the cause of each single absence.

In addition, educators have the responsibility to encourage regular attendance of students, maintain accurate attendance records, and follow reporting procedures prescribed by the superintendent. Schools will record absent and tardy students in the automated student attendance recordkeeping system.

Provision shall be made for promoting school attendance through adjustment of personal problems, education of parents, and enforcement of the compulsory attendance laws and related child-welfare legislation. Accordingly:

- A. absences must be reported to the school by the parent or adult student as soon as practicable; Failure to report and explain the absence(s) shall result in unexcused absence(s). The final authority for determining acceptability of the reason for the absence(s) shall rest with the principal.
- B. teachers shall record absentees each period of the school day and report absences, excused and unexcused, as required by the school;
- C. insofar as possible, parents should be contacted each time their child has an unexcused absence, or an absence for which the reason is unknown, to prevent the development of patterns of nonattendance;
- D. when a student has at least five (5) unexcused absences or absences for which the reasons are unknown, within a calendar month, or ten (10) unexcused absences, or absences for which the reasons are unknown, within a ninety (90) calendar day period, the teacher shall report to the principal or designee that the child may be exhibiting a pattern of nonattendance;

Unless there is clear evidence that the absences are not a pattern of nonattendance, the principal will refer the case to the school's problem solving team/multi-tiered systems of support team (MTSS) to determine if early patterns of truancy are developing. If the problem solving team/MTSS finds that a pattern of nonattendance is developing, a meeting with the parent must be scheduled to identify potential remedies. If the problem is not resolved, the problem solving team/MTSS will implement interventions as follows:

- 1. frequent attempts at communication between the teacher and the family,
 - 2. evaluation for alternative education programs,
 - 3. attendance contracts
- E. if the parent refuses to participate in the remedial strategies because s/he believes that those strategies are unnecessary or inappropriate, the parent may appeal to the district school board. If the district school board's final determination is that the strategies of the problem solving team/MTSS are appropriate, and the parent still refuses to participate or cooperate, the district school superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.

Each school should establish procedures to ensure good attendance.

A student who is absent more than nine (9) days within a semester, or more than four (4) days for schools on a block schedule, will not receive a passing grade for the semester unless:

- A. The student demonstrates mastery of the student performance standards in the course(s) as identified in curriculum guides and/or adopted textbooks.
- B. All educational requirements for the course have been met.

Make-Up for Absences

The student shall have a reasonable amount of time, up to one (1) day for each day of absence, to complete make-up work. Principals may grant extensions to the make-up time limit for extenuating circumstances.

Excused Absences

The school board considers the following factors to be reasonable excuses for time missed at school:

- A. Personal illness of the student (medical evidence may be required by the principal or designee for absences exceeding five (5) consecutive days).
- B. Court appearance of the student.
- C. Medical appointment of the student.
- D. An approved school activity.
- E. Insurmountable conditions. Insurmountable conditions are extreme weather conditions, communicable disease outbreaks, and local conditions determined by the school district which, after taking into account the materials circumstances, would render impracticable a student's attendance at school. (F.A.C. 6A-1.09513)
- F. Other absences with prior approval of the principal or designee.
- G. Attendance at a center under Children and Families Services supervision.
- H. Significant community events with prior permission of the principal.
- I. Religious instruction or religious holiday.
- J. Death in the immediate family. Immediate family shall be defined as father, mother, son, daughter, sister, brother, aunt, uncle, first cousin, niece, nephew, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter, half-brother, or half-sister.
- K. An accident resulting in bodily injury to the student;
- L. Extenuating circumstances determined by the principal or designee in accordance with state laws and school board rules.

Absences not included in excused absences listed above shall be unexcused.

Students may not be given excused absences to remain out of school for the purpose of working, unless the job is an integral part of the student's instructional program.

Discipline

No student will be suspended for unexcused tardiness, lateness, absence, or truancy but the student may be assigned to detention or placed in existing alternative programs.

Any student, who fails to attend any regularly scheduled class and has no excuse for absence, should be referred to the appropriate administrator. Disciplinary action should include notification to parents or guardians. Discipline is addressed in the Code of Student Conduct.

A student's grade in any course is based on his/her performance in the instructional setting and shall not be reduced for reasons of conduct. If a student violates the attendance or other rules of the school, s/he should be disciplined appropriately for the misconduct, but his/her grades shall be based upon what the student can demonstrate s/he has learned.

The superintendent shall develop administrative procedures that:

- A. require a school session that is in conformity with the rules of the State Board of Education;
- B. govern the keeping of attendance records in accordance with the rules of the State Board of Education;
- C. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- D. require that students whose absence has been excused have an opportunity to make up work they missed and receive credit for the work, if completed;
- E. require that a student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the district's limit on excused absence, is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 or other appropriate accommodation

Habitual Truancy

Whenever any student has a total of fifteen (15) unexcused absences from school within ninety (90) calendar days, with or without the knowledge or consent of the parent, s/he will be considered habitually truant. The school board authorizes the superintendent to inform the student and his/her parents of the record of excessive absences as well as the district's intent to notify the Department of Highway Safety and Motor Vehicles, if appropriate. The superintendent is authorized to file a truancy petition under F.S. 984.151 if a student has accrued at least five (5) unexcused absences, or absences for which the reasons are unknown, within a calendar month or ten (10) unexcused absences, or absences for which the reasons are unknown within a ninety (90) calendar day period or has had more than fifteen (15) unexcused absences in a ninety (90) calendar day period.

F.S. 984.151, 1002.20, 1003.02, 1003.21, 1003.23, 1003.24, 1003.26, 1003.27

F.A.C. 6A-1.044, Pupil Attendance Records

F.A.C. 6A-1.09512, Equivalent Minimum School Term for Compulsory Attendance Purposes

F.A.C. 6A-1.09513, Parents' Responsibility for School Attendance

F.A.C. 6A-1.09514, Excused Absences for Religious Instruction or Holiday

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CHAPTER V: INFRACTIONS AND CONSEQUENCES

A violation of any school rule will result in disciplinary action. Students are expected to behave appropriately and follow behavior expectations at all times while at school, during school activities, on the school bus, and at the school bus stop. Certain law violations or activities off campus may have consequences at the school.

Student disciplinary infractions and the responses to them are divided into five levels. Each level represents progressively more serious infractions, and responses to them become progressively more severe.

General

1. All infractions defined in this section of the Code are prohibited behaviors.
2. All responses and sanctions that include removal from class will involve a parent contact.

Level 1

Level 1 infractions are acts of misconduct that interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program or approved transportation and include repeated acts of misconduct and acts directed against people or property that do not seriously endanger the health or safety of others.

Level 1 Infractions:

1. Cheating/Plagiarism: Willful or deliberate unauthorized use of the work of another person for academic purposes, or inappropriate use of notes or other material in the completion of an academic assignment or test. Students who assist others in the act of cheating by providing information or assistance may also face disciplinary action. In addition to corrective measures, the assignment, quiz, or test may be scored as 0.
2. Dishonesty: Intentionally providing non-valid or misleading information or the withholding of valid information to a school system staff member.
3. Disrespect: Conduct or behavior which demeans, shames, irritates, humiliates, or embarrasses a person or group of persons.
4. Disrespect for Others' Property: Minor infractions involving property.
5. Disruption of Class: Conduct that interferes with the process of teaching/learning or disrupts the learning environment.
6. Failure to report to or complete assigned school detention.
7. Failure to Report: Failure to report to an office or area as designated by staff.
8. ID violation: Failure to have or visibly wear (on lanyard around your neck) the required school ID as required.
9. Inappropriate behavior: Any inappropriate behavior not elsewhere defined in the Code of Student conduct (to include horseplay).
10. Inappropriate Location: Presence of the student in an unapproved location and/or during an unapproved time.
11. Inappropriate Touching /Public Display of Affection (PDA): Engaging in clearly inappropriate contact not suitable in a school setting
12. Leaving Class or Designated Area Without Permission: Leaving a classroom or educational experience without staff permission, but remaining on the campus.
13. Skipping Class or School: Unauthorized absence from school and/or assigned class.
14. Tardy: Reporting to class or school function late.
15. Technology Infraction (Minor): Unauthorized use of cell phone or technology (i.e. games, unauthorized websites.)
16. Theft (under \$50): Taking of property from a person without threat, violence, or bodily harm. Student is in possession of, has passed onto someone else, or is responsible for removing someone else's property. May lead to criminal proceedings.
17. Vandalism (under \$100): Purposeful destruction of property with a replacement or repair cost of less than \$100.00. May lead to criminal proceedings.

Level 1 Response and Sanctions:

If a student commits a Level 1 infraction, the school administration shall take such action as deemed appropriate in the exercise of its judgment and discretion including, but not limited to:

Middle & High School*	Elementary*
Counseling and direction with the student	Counseling and direction with the student
Verbal reprimand/warning	Verbal reprimand/warning
Parental contact	Parental contact
Parent conference	Parent conference
Confiscation of item (with or without return to parent)	Confiscation of item (with or without return to parent)
Time out	Time out
Written apology	Written apology
Special work assignment	Special work assignment
Withdrawal of privileges which may include, but not be limited to, computer access, participation in extracurricular activities, bus riding privileges, and/or parking privileges, etc.	Withdrawal of privileges which may include, but not be limited to, computer access, participation in extracurricular activities, bus riding privilege, etc.
Return of property, payment for same (parent responsibility if a minor), or restitution for damages	Return of property, payment for same (parent responsibility) or restitution for damages
Behavior plan/contract	Behavior plan/contract
Lunch detention	Lunch detention
Detention (before or after school)	Detention (before or after school)
Extended Friday or Saturday detention (if available)	Referral to guidance/or other mental health professional
In-school suspension (if available) Not to be used for attendance or tardiness	Repeated infractions will be handled progressively and result in higher level consequences
Referral to guidance and/or other mental health professional	Other school-based consequences as deemed appropriate by administration
Repeated infractions will be handled progressively and result in higher level consequences	Referral to MTSS team (3 referrals at ES level): referrals will result in a referral to the MTSS (Multi-Tiered System of Support) Team for a review of student success to make recommendations for interventions and supports.
Referral to MTSS team: multiple referrals will result in a referral to the MTSS (Multi-Tiered System of Support) Team for a review of student success to make recommendations for interventions and supports.	Class change
Schedule change (if possible and appropriate)	
Mediation	Paired with a mentor
Paired with a mentor	Community service
Community service	Safety assessment
Safety assessment	In-school suspension (if available) not to be used for attendance or tardiness
Functional Behavior Assessment (FBA) and Behavior Intervention Plan if needed based on FBA	Functional Behavior Assessment (FBA) and Behavior Intervention Plan if needed based on FBA
Other school-based consequences as deemed appropriate by administration	Other school-based consequences as deemed appropriate by administration

*The above response and sanctions are not listed in a specific or progressive order.

Transportation, dress code and technology violations are found in following chapters.

Level 2

Level 2 infractions are major acts of misconduct. They include repeated misconduct acts from Level 1, serious disruptions of school order and threats to the health, safety and property of others. A student who commits a Level 2 infraction may also be subject to criminal proceedings.

Level 2 Infractions:

1. Ammunition Possession: Possession of any projectiles together with their fuses, propelling charges, and primers that are fired from guns.
2. Assault on Employee and/or Student (non-SESIR): An intentional threat on an employee and/or student by word or act to do violence to another person, or doing some act that creates a well-founded fear in another person that such violence is imminent without subjecting him or her to physical attack.
3. Buying/Selling Unauthorized Items: Buying and selling of items and/or materials that have not been previously approved by the principal and/or designee. (SB Policy 5830)
4. Computer/Technology (major): Misuse of a computer/technology, to include cell phone, with malicious intent. Examples may include "system hacking" or making unauthorized changes to operating systems, breaking into restricted accounts or networks, modifying or destroying files without permission, illegally copying software, taking/sending malicious texts or photos (including on social media), etc.
5. Defiance/Insubordination: Refusal or failure to comply with a direction or an order from a staff member. Failure to comply with state law, school board policy, local school rule, behavior contracts, or classroom rules.
6. Disruption (level 2): Conduct or behavior which interferes with or disrupts the teaching and learning process, the orderly process of the school environment, a school function, or extracurricular or co-curricular activities. (Includes, but is not limited to, loud talk, sustained out of seat behavior, etc.) Behavior that impedes the learning of others will result in immediate removal, which may include an alternate placement.
7. Elopement: Intentional leaving or running away from assigned area and/or staff supervision and not returning.
8. Excessive Referrals: 3 or more referrals in a five-day period.
9. Extortion: Willful or malicious threats of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, or items of material worth.
10. False Accusation Against Staff: Making any claim that is unfounded and may jeopardize the person's professional reputation.
11. False or Misleading Information (including but not limited to forgery): Making of a false or misleading communication, whether orally, in writing, or by other medium, to a school staff member with either the intent to deceive the staff member or under circumstances which would be reasonably calculated to deceive the staff member, but without intending or causing any person to be deprived of property or possessions. (e.g., forging parent's name). Intentionally providing non-valid or misleading information or the withholding of valid information to a school system staff member.
12. Fighting (non-SESIR): Two or more individuals participating in physical conflict with both parties engaged. Applies when there is no injury AND engaged party stops on verbal command.
13. Fireworks: Unauthorized possession and/or igniting of fireworks or firecrackers.

14. Gambling: The act of playing a game for financial gain. May be reported to SESIR as Other Major Misconduct.
15. Illegal/ Secret Organizations: Establishing, joining or participating in the initiation to any group that is not approved by school administration (including a "criminal street gang" as defined by section 874.03 FS) on school system property, at a school function or extracurricular activity.
16. Inciting Others: The willful act of inciting, leading or participating in any disruption or disturbance which interferes with the educational process or which can result in damage or destruction to public or private property, which may include fighting or cause personal injury to participants and others.
17. Indecent Exposure: To be naked or otherwise exhibit or exposure of sexual organs, buttocks or breasts.
18. Malicious Acts: Any intentional/malicious act(s) with no provocation by a student or a group of students directed against another student(s) with the intent to ridicule, humiliate, or intimidate.
19. Minor Physical Contact: A non-mutual physical contact, but without injury to the victim.
20. Non-Prescription Drug Possession/Use: Possession of any medication, other than prescription medication. Examples might include cold medications, pain medication, etc.
21. Off-Campus Felony: Any charging affidavit listing a felony crime for a student will be reviewed to determine if the student's presence may have an adverse effect on the school environment. (Florida Statute 1006.09)
22. Pantsing: Pulling down someone's pants/shorts/trousers, revealing underwear /undergarments or body parts.
23. Pornographic Materials: Possession of pornographic materials.
24. Possession of a Stolen Item: Possession of an item stolen by someone else.
25. Possession of Contraband Materials: Possession, use and/or distribution of materials or items which are forbidden at school include but are not limited to matches, lighters, ammunition, fireworks and lasers. Contraband shall be confiscated and may not be returned to student, including cigarettes or other forms of tobacco/nicotine. The possession, use, distribution, or sale of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person over the age of 18, including e-cigarettes and vapor products. Possession of a common pocketknife or other item that is not designed or constructed for use as an offensive weapon may be considered under this heading even if: (1) there has been no threatening or intimidating display of the item; (2) the item does not constitute a "concealed weapon" as defined in Section 790.001(3), Florida Statutes; (3) the item is not a gun or firearm of any type, and (4) no criminal charge is filed against the student as a result of the incident being reported to and investigated by law enforcement, as required by this Code.
26. Profane, Obscene, Abusive Language or Materials: The use of oral or written language or the drawing of pictures or the use of photographs, videos, recordings that include weapons, racial slurs, gang-related/cult-related gestures or signs and objects or pictures, photographs, videos, recording which are disrespectful or socially unacceptable and which tend to disrupt the orderly school environment, a school function or extracurricular/co-curricular activity.
27. Profanity to School District Employees: Any use of profanity and/or obscene gesture directed at any Martin County School District staff member.
28. Repeated Failure to Serve Detention: Failure to report and complete assigned detention as instructed by staff.

- 29. Theft (\$50-\$300): Stealing of an item or possession of an item stolen by someone else.
- 30. Threat to Harm (non-criminal): Making a verbal or written statement or violent gesture which does not meet criminal criteria. The threat is vague and indirect; the information contained in the threat is implausible or seems unlikely to be carried out.
- 31. Threat to Property of Staff: Threat to harm property of a staff member. Examples might be written or verbal threats made directly to the staff member or shared with other students or staff. This could include a threat to “key” a staff member’s car or break into a home.
- 32. Unsafe Act: Endangering the safety of oneself or others.
- 33. Vandalism (\$100-\$1000): Malicious destruction of property with a repair or replacement value of between \$100.00 - \$1000.00.
- 34. Vehicle/Parking Violation: Any misconduct or repeated misconduct that involves misuse of a vehicle. May lead to law enforcement penalties. Examples might include (but are not limited to) speeding on campus or unauthorized parking.

Level 2 Responses and Sanctions:

If a student commits a Level 2 infraction, the school administration must apply the minimum Level 2 response and may in addition use any Level 1 response/ sanctions, as deemed appropriate in the exercise of its judgment and discretion.

Middle & High School*	Elementary*
Community service	Community service
Diversity assignment	Diversity assignment
Referred for counseling	Referred for counseling
Refer to MTSS for Tier 3 Intervention (initiation or modification)	Refer to MTSS for Tier 3 Intervention (initiation or modification)
Out-of-school suspension 5 days or less	Out-of-school suspension 5 days or less
Referral to the REACH Program (See page 30)	Referral to the REACH Program if age eligible
Alternative placement	Use any Level I response/sanction

*The above response and sanctions are not listed in a specific or progressive order.

Transportation, dress code and technology violations are found in following chapters.

Level 3

Level 3 acts of misconduct are serious and may result in a recommendation for expulsion. All infractions must be reported to the Student Services Department. A student who commits a Level 3 infraction will be reported to law enforcement and may be subject to criminal proceedings. Level 3 infractions must be coded into data using SESIR (School Environmental Safety Incident Reporting (<http://www.fldoe.org/schools/safe-healthy-schools/safe-schools/>) codes for data collection by the Florida Department of Education. The definitions of these events are provided directly by the FLDOE.

Level 3 Infractions (SESIR):

1. Alcohol Possession/Use/Sale (ALC) (FS562.111): Possession, sale, purchase, or use of alcoholic beverages. Use means the person is caught in the infraction of using, admits to use or is discovered to have used in the course of an investigation. Student is suspended for ten 10 days and assigned to the alternative school, or offered the REACH Program in lieu of alternate school placement if they qualify. (See the REACH Program on page 30).
2. Arson (ARS) (FS 806.01): Intentionally setting a fire that **does not result in bodily injury** on school property: to damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. All fires are reported to authorities so they can be investigated for intent. Report only intentionally-set fires to SESIR. **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
3. Battery with Injury (BAT) (FS 784.081): Physical attack/harm. The physical use of force or violence by an individual against another. The attack must be serious enough to warrant consulting law enforcement and result in more serious bodily injury. (To distinguish from fighting, report an incident as battery only when the force or violence is carried out against a person who is not fighting back.) **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
4. Breaking and Entering /Burglary (BRK) (FS 810.02): Illegal entry into a facility. Unlawful entry with force, or unauthorized presence in a building or other structure or conveyance with evidence of the intent to damage or remove property or harm a person(s). **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
5. Bullying (repeated) (BUL) (FS1006.147; SB Policy 5517.01 & 7540): Intimidating behaviors. Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation. **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
 - a. *Bullying" is further defined as unwanted and repeated written, verbal or physical behavior, including any threatening, insulting or dehumanizing gesture by a student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment; cause severe discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation and may involve but is not limited to: teasing, social exclusion, threat, intimidation, stalking, cyber stalking*, physical violence, theft, sexual, religious or racial harassment, public humiliation and destruction of property. Bullying includes cyber-bullying and cyber-stalking. "Cyber bullying" means bullying using technology or any electronic*

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

*i. **"Cyber stalking" means to engage in a course of conduct to communicate words, images, or language by or using electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.***

6. Disruption/Disorderly Conduct (DOC) (FS790.162 and 790.163): Major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation. Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others. Example: bomb threat, inciting a riot, initiating a false fire alarm. (Do not use this code for students defying authority, disobeying or showing disrespect to others, using inappropriate language or gestures, or classroom disruption.) **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
7. Drug Sale/Distribution (excluding alcohol) (DRD) (FS 577.111 and 893.147): Illegal sale or distribution of drugs. The manufacture, cultivation, sale, distribution *or attempted purchase* or solicitation of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance, including false substance used as a drug. (This offense includes the recipient.) **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
8. Drug Use/Possession (excluding alcohol) (DRU) (FS 499.03): (illegal drug possession or use) 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. Student is suspended for ten 10 days and assigned to the alternative school, or offered the REACH Program in lieu of alternate placement if they qualify. (See the REACH Program on page 30).
9. Fighting (FIT): Mutual combat, mutual altercation. When two or more persons mutually participate in use of force or physical violence that requires either 1) physical restraint or 2) results in injury requiring first aid or medical attention. (Does not include lower level fights involving pushing, shoving, or altercations that stop upon verbal command.)
10. Harassment (HAR) (FS 1006.147 and SB Policy 5517): Insulting behaviors. Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) 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.

11. Hazing (HAZ) (FS 1006.135): Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution. Such term includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity which could adversely affect the physical health or safety of the student, and also includes any activity which would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or other forced activity which could adversely affect the mental health or dignity of the student. Hazing may consist of activities that occur on or off school grounds. **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
12. Other Major Infractions (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. Examples: student producing or knowingly using counterfeit money, participating in gambling activities, possessing child pornography, or possessing drug paraphernalia.
13. Physical Attack (PHA): An actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.
14. Robbery (ROB) (FS 812.13(1)): Using force to take something from another. The taking or attempted taking of 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. **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
15. Sexual Harassment (SXH) (Title IX Of The Education Amendments Of 1972): Undesired sexual behavior. 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. **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).**
16. Sexual Infractions (other) (SXO) (FS 800): Lewdness, indecent exposure. Other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. (Law enforcement must be notified to investigate.)
17. Theft/Larceny (over \$300) (STL) (FS 812.014 and 812.061): Taking of property from a person, building, or a vehicle. The unauthorized taking, carrying, riding away with, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm.
18. Threat/Intimidation (TRE) (FS 836.05): Instilling fear in others. A threat to cause physical harm to another person with or without the use of a weapon that includes all of the following elements: 1) intent - an intention that the threat is heard or seen by the person who is the object of the threat; 2) fear - a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and 3) 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. **Student is suspended for ten 10 days, assigned to and must successfully complete the alternative school placement and must successfully**

complete the REACH Program or other approved mental health program as a condition of returning to their comprehensive campus. (See the REACH Program on page 30).

- 19. Tobacco/Electronic (TBC) (FS386.212): Cigarettes or other forms of tobacco/nicotine. The possession, use, distribution, or sale of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 18, including e-cigarettes and vapor products.
- 20. Trespassing (TRS) (FS 810.08): Illegal entry onto campus. To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry.
- 21. Vandalism (over \$1,000) (VAN) (FS 806.13): Destruction, damage, or defacement of school or personal property. The intentional destruction, damage, or defacement of public or private/personal property without the consent of the owner or the person having custody or control of it

Level 3 Responses and Sanctions

If a student commits a Level 3 infraction, the school administration must apply the minimum Level 3 response and may in addition use any Level 1 or 2 response/ sanctions, as deemed appropriate in the exercise of its judgment and discretion. The below response and sanctions are not listed in a specific or progressive order.

Middle & High School	Elementary
Out-of-school suspension up to 10 days	Out-of-school suspension up to 10 days
Alternative school placement	Alternative school placement
Referral to the REACH Program (See page 30)	Referral to the REACH Program (in lieu of alternative education if eligible)
May result in recommendation for expulsion	Reported to law enforcement
Reported to law enforcement	

NOTE: Students must successfully complete REACH and/or alternative school in order to return to comprehensive campus.

Transportation, dress code and technology violations are found in following chapters.

Level 4

Middle & High School Students: For the following infractions a student will be suspended for a minimum of 10 days and recommended for expulsion. The student will also be reported to law enforcement for prosecution. NOTE: Elementary students may receive the same consequences; however, all discipline recommendations will be reviewed at the district level prior to final decisions being made.

In accordance with the requirements of Florida Statute FS 1006.13, the School Board of Martin County has adopted a policy of zero tolerance with regard to school violence, possession or use of weapons and other crime(s) as part of a comprehensive approach to reducing school violence and crime. The recommendation of expulsion is mandatory for the following offenses committed at any time this code applies:

1. Armed Robbery (ROB) (FS 812.13(2a,b)) Using force to take something from another. The taking or attempted taking of 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. If in the course of committing the robbery the offender carried a firearm or other weapon.
2. Arson (ARS) (FS 806.031): Intentionally setting fire on school property **when bodily injury is involved**. To damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, when there is bodily injury. Note: Arson is a "Violent Incident if it Results in Bodily Injury" and must be reported in the related element "Injury-Related". All fires are reported to authorities so they can be investigated for intent. Report only intentionally-set fires to SESIR.
3. Battery or aggravated battery on a teacher or other school personnel (BAT) (FS 784.081).
4. False report concerning planting a bomb, an explosive, or a weapon of mass destruction, or concerning the use of firearms in a violent manner (FS 790.163 SB 7026). It is unlawful for any person to make a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive, or weapon of mass destruction as defined in FS [790.166](#), or concerning the use of firearms in a violent manner against a person or persons. A person who violates this subsection commits a felony of the second degree (FS 790.162 and 790.163).
5. Homicide (HOM) (FS 782.04 and 782.07): Murder, manslaughter. The unjustified killing of one human being by another.
6. Kidnapping (KID) (FS 776.08): Abduction of an individual. Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.
7. Sexual Assault (SXA) (FS 776.08): An incident that includes threat of rape, fondling, indecent liberties, child molestation, or sodomy. Both males and females can be victims of sexual assault. The threat must include all the following elements: 1) intent - an intention that the threat is heard or seen by the person who is the object of the threat; 2) fear - a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and 3) 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.
8. Sexual Battery (SXB) (FS 794.011): Sexual battery is a serious forced or attempted sexual act as specified in section 794.011, Florida Statutes.
9. Threat to throw, project, place, or discharge any destructive device, felony; penalty.—It is unlawful for any person to threaten to throw, project, place, or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person, and any person convicted thereof commits a felony of the second degree (FS 790.162).

10. Weapon - Firearm Possession/Other Weapons (WPO)(SB Policies 5772 & 7217; [FS 790.115](#)): Possession of firearms and other instruments that can cause harm. Possession of any instrument or object, as defined by [Section 790.001, 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. (Possession of a common pocketknife is exempted from state zero tolerance expulsion requirement [FS 1006.07\(2\)](#); however, law enforcement should be notified of any weapon or knife, including pocketknives, for investigation.)

11. Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism: As per FS 836.10, any person who writes or composes and also sends or procures the sending of any letter, inscribed communication, or electronic communication, whether such letter or communication be signed or anonymous, to any person, containing a threat to kill or to do bodily injury to the person to whom such letter or communication is sent, or a threat to kill or do bodily injury to any member of the family of the person to whom such letter or communication is sent, or any person who makes, posts, or transmits a threat in a writing or other record, including an electronic record, to conduct a mass shooting or an act of terrorism, in any manner that would allow another person to view the threat, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. [775.084](#). To include verbal communication of such.

CHAPTER VI: PROCEDURES FOR DISCIPLINARY REMOVAL

It is the goal of the Martin County School District to keep students in their scheduled education environment. However, at times, it is necessary to remove a student from their schedule for disciplinary reasons. Procedures for those situations are outlined in this chapter following the board's policy on Due Process Rights.

In the case of students with disabilities, suspensions and disciplinary alternative education placement shall be conducted pursuant to School Board Policy 5605.

5611 - DUE PROCESS RIGHTS

The school board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the district's disciplinary procedures.

The school board establishes the following regulations for due process rights for students:

A. Students subject to suspension:

Prior to a suspension (as outlined in Policy [5610](#)), a student will receive oral and written notice of the charges and an explanation of the evidence against him/her. The principal or designee will hold an informal hearing to give the student an opportunity to explain his/her side of the story. In instances when the principal's designee has conducted the informal hearing, an appeal may be addressed to the principal, whose decision will be final. In instances when the principal has conducted the informal hearing, an appeal may be addressed to the superintendent or designee, whose decision will be final. A good faith effort must be made to use parental assistance before suspension unless the situation requires immediate suspension.

B. Students subject to expulsion:

Prior to expulsion (as outlined in Policy [5610](#)), a student and his/her parent or guardian will be given written notice of the principal's recommendation and the reasons therefore, and an opportunity to meet with a representative of the superintendent to answer the charges.

The student and/or his/her parent or guardian shall also be provided a brief description of the student's rights and of the hearing procedure. The school board shall act on the superintendent's recommendation for an expulsion.

The superintendent or designee shall require that all members of the staff use the above regulations when dealing with students. In addition, this statement of due process rights is to be placed in the Code of Student Conduct (see Policy [5500](#)) in a manner that will facilitate understanding by students and their parents.

F.S. 1001.51, 1002.20, 1006.07, 1006.09

Adopted 6/21/16

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Procedures for In School Suspension

A student violates the Code of Student Conduct



Prior to an assignment to in school suspension, the student will receive oral and written notice of the infraction(s) and an explanation of the evidence. The principal or designee will provide the student an opportunity to explain his/her side of the story per School Board Policy 5611 Due Process Rights.



A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures prior to using in school suspension, except in the case of disruptive conditions which require immediate removal from the classroom or other campus facilities. The principal or designee will inform the parents in writing within 24 hours by U.S. Mail of the length of the in school suspension and the reasons for the disciplinary action.



A student shall be given the opportunity to make up schoolwork and course requirements during the time they are assigned to in school suspension as outlined in the [Student Progression Plan](#) and shall do so on his/her own initiative. This means the student is responsible for following the teacher's procedure for retrieving missed work (i.e. on Focus or in a missed work folder etc.). If a procedure is not in place then the student needs to ask the teacher what work is to be made up. Students may not be assigned zeros without the opportunity to make up the work missed while serving an in-school suspension.

Procedures for Out-of-School Suspension

A student violates the Code of Student Conduct



Prior to a suspension, the student will receive oral and written notice of the charges and an explanation of the evidence against him/her. The principal or designee will hold an informal hearing to give the student an opportunity to explain his/her side of the story.



A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which may require immediate suspension or in the case of a serious breach of conduct as defined by rules of the identified the board approved Code of Student Conduct. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him/her prior to the suspension.



The principal or designee will send formal written notice to the student's parent or guardian by U.S. Mail, to inform them of the discipline infraction and length of the suspension. The principal will also report each suspension to the superintendent or designee in writing within twenty-four (24) hours of the time the student is informed of the suspension.



Except in cases of emergency, all out-of-school suspensions shall begin at the end of the school day of the infraction, unless the parents or guardians have been notified and are able to pick up the student during the school day.



A student shall be given the opportunity to make up schoolwork and course requirements missed while serving out-of-school suspension as outlined in the [Student Progression Plan](#) and shall do so on his/her own initiative. This means the student is responsible for following the teacher's procedure for retrieving missed work (i.e. on Focus or in a missed work folder etc.). If a procedure is not in place then the student needs to ask the teacher what work is to be made up. Students may not be assigned zeros without the opportunity to make up the work missed while serving an out of school suspension.

Note:

- A teacher will not suspend a student from school or class.
- A student may not be suspended for unexcused tardiness, lateness, absence, or truancy.
- Students who are suspended out of school are encouraged to attend the Alternative to OSS (ALTOSS). <http://www.tykesandteens.org/altoss/>
- Information is available from your school administration. Students who attend this program are coded as present for attending the program and the OSS is not reflected on their attendance record.
- When school board action on a recommendation for the expulsion of a student is pending, the superintendent may extend the suspension assigned by the principal beyond ten (10) school days if such suspension expires before the next regular or special meeting of the school board.
- In the case of students with disabilities, suspensions and disciplinary alternative education placement shall be conducted pursuant to School Board Policy 5605.

Procedures for Felony Suspension

When a student is formally charged with a felony by a proper prosecuting attorney for an incident which allegedly occurred off school property but which incident is shown to have an adverse impact on the educational program, discipline or welfare in the school in which the student is enrolled, the principal may conduct an administrative hearing for the purpose of determining whether or not the student should be suspended pending court determination of his or her guilt or innocence or the dismissal of the charge is made by the court. In the event that a student is to be suspended pending resolution of felony charges, the following procedures shall apply.



Upon receiving proper notice that a student has been formally charged with a felony, the principal shall immediately notify the parent or guardian of the student, in writing, of the specific charges against the student and the right to a hearing prior to disciplinary action being instituted.



Such notice shall stipulate a date for hearing which shall be not less than two (2) school days nor more than five (5) school days from postmarked date, or delivery, of the notice and shall also advise the parent of the conditions under which a waiver of suspension may be granted, as prescribed in subsections (2) and (3) of Florida Statute 1006.09. Pending such hearing, the student may be temporarily suspended by the principal.



The hearing shall be conducted by the principal or designee and may be attended by the student, the parent, student's representative or counsel and any witnesses requested by the student or the principal. The student may speak in his or her own defense, may present any evidence indicating his or her eligibility for waiver of disciplinary action, and may be questioned on his or her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.



In conducting the hearing, the principal or designee shall not be bound by rules of evidence or any other courtroom procedure and no transcript of testimony shall be required. Following the hearing, the principal shall provide the student and parent with the decision, in writing, as to whether or not suspension will be made. Any suspension pending adjudication of guilt shall be made only upon a finding, based upon conclusive evidence, that a felony charge has been formally filed against the student by a proper prosecuting attorney. NOTE: Suspension may exceed 10 days. FS 1006.09

Procedures for Disciplinary Alternative Educational Setting Placement

Step One - Principal's Investigation: Upon receipt of information that a student has committed a discipline infraction that the Code of Student Conduct indicates may/will result in a disciplinary alternative placement, the principal or designee shall conduct a thorough and appropriate investigation. The principal or designee will hold an informal hearing to give the student an opportunity to explain his/her side of the story per School Board Policy 5611 Due Process Rights. The principal will follow procedures for out-of-school suspension and send a copy of the complete packet to Student Services for compliance review.



Step Two - Parent Meeting with Principal/Designee: Any principal whose investigation leads to a conclusion that a student may be assigned to an alternative educational setting shall notify the parent/guardian within 24 hours of conclusion of the investigation, in writing by U.S. Mail, and shall schedule a conference with the parent or guardian within 5 school days.



Step Three – Assignment to Alternative School and/or REACH:

1. If alternative placement is assigned by the principal:
 - a. the principal/designee will provide the parent/guardian, in writing, the period of time the student is assigned and
 - b. the principal/designee will provide information on how and when to register the student at the alternative site.
2. However, REACH will be offered at the discretion of the principal, if all of the following conditions are in place:
 - a. this is the first time during the student's enrollment at middle school (grades 6-8) and/or high school (grades 9-12) and
 - b. if the infraction allows for an in lieu of alternative education placement option.

NOTE: Please note the infractions when REACH is mandatory along with alternative placement.

NOTE: Students not offered or eligible for REACH may enroll in the alternative school and begin attending classes prior to the end of their ten day suspension.

The REACH Program

The REACH Program stands for

R – Rethink behavior
E – Embrace change
A – Accept Responsibility
C – Commit to positive behavior
H – Help yourself and others

This program is offered to our students through the Martin County Health and Human Services Department (MCHHSD). It is not run or governed by the Martin County School District. When a student exhibits certain behaviors that would result in alternative placement according to the Code of Student Conduct, students age 12 and over may be eligible for the REACH Program.

The REACH Program will be offered at the discretion of the principal, if all of the following conditions are in place:

- a. this is the first time during the student's enrollment at middle school (grades 6-8) and/or high school (grades 9-12) and
- b. if the infraction allows for an in lieu of alternative education placement option.

NOTE:

- **Cost of the program and any recommendations made by the MCHHSD is the parents' responsibility.** However, the MCHHSD states they will attempt to work with any income challenges individual students may have.
- See the infractions pages in the Code of Student Conduct for behaviors that are or are not eligible for this program.

REACH Program Procedures

Follow the steps for alternative placement with the following changes:

- Step One – Principal's Investigation – Same as alternative placement
- Step Two – Same as alternative placement
- Step Three – Same as alternative placement. In addition, if this is the first time during the student's enrollment at middle school (grades 6-8) and/or high school (grades 9-12), that s/he has been assigned to an alternative educational setting and the infraction allows for an in lieu of alternative education option, the principal or designee will explain and provide the parent information on the optional REACH Program.

The principal or designee will offer the REACH Program contract form to the parent. If the student and parent choose for the student to participate in the REACH Program in lieu of alternate placement, the parent and the student will sign a referral/contract and also sign for a release of information between the Martin County School District and the MCHHSD.

The parent will have 48 hours to contact the MCHHSD to make an appointment for the student.

The appointment(s) for the student will include a psycho-social assessment and a drug/alcohol test.

MCHHSD, based on assessment results, will make recommendations for the interventions the student may need. All recommendations must be followed through by the student and parent to qualify as successful program completion.

MCHHSD will communicate student's progress to the Student Services Department at the Martin County School District.

- The student's parent may choose to opt out of the program at any time. **However, opting out or breaking the conditions of the contract/sanctions (at any time) will result in the student being assigned to Alternative placement, for the full time period recommended at the time the infraction occurred.**
- In the case of seniors who commit an offense between 60 and 10 days from graduation that would ordinarily result in Alternative Placement per the Code of Student Conduct, the student will not be permitted to attend graduation programs and related senior events even if they choose to enter the REACH program.

Procedures for Expulsion from Martin County Schools

The School Board of Martin County, Florida may expel a regular program student who has committed a serious breach of conduct. The recommendation for expulsion is generally preceded by a suspension which remains in effect until the expulsion proceedings are complete. The procedures for suspension should apply with additional notice to the parent that a recommendation for expulsion may be made.

From Martin County School Board Policy 5611: "Prior to expulsion, a student and his/her parent or guardian will be given written notice of the principal's recommendation and the reasons therefore, and an opportunity to meet with a representative of the superintendent to answer the charges. The student and/or his/her parent or guardian shall also be provided a brief description of the student's rights and of the hearing procedure. The school board shall act on the Superintendent's recommendation for an expulsion."

Step One - Principal's Investigation. Upon receipt of information that a student has committed a serious breach of conduct, the principal or designee shall conduct an appropriate investigation.



Step Two - Principal's Recommendation. Any principal who feels that expulsion of a student is required shall so recommend to the superintendent in writing. The recommendation shall include a detailed report by the principal, or the principal's designee, complete with names, witnesses and facts to which each witness may testify. The principal shall notify the parent/guardian confirming the recommendation for expulsion, and direct the parent/guardian to contact the superintendent for further review of the matter.



Step Three - Superintendent's Investigation. Upon receipt of the recommendation for expulsion, the Superintendent or designee will investigate the occurrence. A district level review will ensure compliance with federal and state laws and district policies. Once the Superintendent's investigation is complete, if the recommendation for expulsion stands, the proceedings will continue even if the student has withdrawn from the district.



Step Four - Superintendent's Informal Review. After the investigation, the Superintendent or designee will provide an opportunity to the student and parent/guardian to informally review the results of the investigation.



If the Superintendent has found that cause exists to recommend the student's expulsion, the student has the opportunity to either present their case to the School Board or waive their right to a hearing by not contesting the charges. If the adult student or parent/guardian chooses to waive their right, this will result in the student and/or parent/guardian signing an agreement to the charges and the expulsion will be noted in the student's record. If a hearing is requested, move to Step 5. The School Board reviews all expulsions, even if a final hearing is waived.



Step Five – The student and/or their parent/guardian will be scheduled before the School Board at which time a hearing will be held and a Final Order will be issued. At the hearing, the parent/guardian and student have an opportunity to speak and present evidence. The School Board is not required to adopt the recommendation of the Superintendent. After the hearing, the parent/guardian and/or the student will receive a copy of the School Board's Final Order. The Final Order will be noted in the student's record, whether or not the student has withdrawn from the District. The hearing before the School Board is an administrative hearing pursuant to F.S. 120.569 and 120.57(2).

In the case of students with disabilities, suspensions and disciplinary alternative education placement shall be conducted pursuant to School Board Policy 5605.

**Procedures for Appealing School Disciplinary Consequence Including Suspension
(except expulsion)**

Principal or designee will provide a copy of the discipline appeal process upon notification of action.



A consequence including Out of School Suspension or Alternative Placement is assigned to a student based on the behavior and what the established response is in the Code of Student Conduct. The student and/or the student's parent/guardian do not agree with the assignment.



The student and parent/guardian will meet with the school site administrator to appeal the disciplinary-action.
The school administrator will hear appeals within 48 hours of the request.



If the student and/or the student's parent/guardian are not yet satisfied with the outcome following the appeal to the principal, they should contact the district Student Services Department and request an appeal meeting.
A Student Services administrator will hear appeals within 48 hours of the request.



If the student and/or the student's parent/guardian are not yet satisfied with the outcome following the appeal to Student Services Administration, they should contact the Deputy Superintendent's office and request a final appeal meeting.

CHAPTER VII: TRANSPORTATION

Student Transportation Responsibilities and Safety Rules

The District School Board of Martin County provides free transportation to and from school for students who live more than two miles away from school. Students will be assigned one bus stop. Parents/ guardians are responsible for their child(ren) at the bus stop. Once the bus arrives at the stop, and only at that time does the student become the responsibility of the District School Board of Martin County. Such responsibility shall end when the student is delivered to the regular bus stop and the bus has departed, at the close of the school day.

Each student using district transportation must abide by the rules, which are established to ensure the safety of all passengers. When waiting for the bus, loading or unloading, and riding on the bus, students must follow the Code of Student Conduct. Bus drivers will report students who violate the Code of Student Conduct and/or school bus rules to the school administration for appropriate disciplinary action. Administrators shall investigate and issue discipline accordingly. Behavior not directly observed at bus stops, but reported and confirmed by witnesses, may be investigated and potentially acted upon.

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

Although bus drivers are the authority while in transit, teachers who chaperone bus trips do not abdicate their responsibility for student welfare. Teachers have the same authority and responsibilities as they have in the classroom.

Parent conferences with drivers are not permitted while the bus is en route or stopped at a bus stop. Any conference that the parents wish to have must be schedule with school's administration and transportation administrator.

NOTE: It is unlawful for a parent/guardian to board a school bus.

Bus transportation is a privilege. By paying attention to the surroundings and obeying the rules, students help to keep themselves, their fellow students, their bus driver and our community safer.

The responsibilities of students transported by Martin County School District are as follows:

- 1) Students should arrive to their bus stop at least five minutes prior to their scheduled pick-up time since drivers are not allowed to wait. Parents are responsible for their child's behavior at the bus stop and should be present if possible to ensure appropriate behavior prior to the arrival of the bus in the morning and after the departure of the bus at the end of the day. School officials have jurisdiction at bus stops. Bus drivers may issue bus referrals based on behavior observed at bus stops, and administrators may investigate and assign discipline accordingly. In addition, behavior not directly observed at bus stops, but reported and confirmed by witnesses, may be acted upon.
- 2) Students may only board or exit the bus at their assigned or designated stop.
- 3) While waiting for the bus students should KEEP OFF THE ROAD. Once the bus arrives, students should line up and board the bus in a single file.
- 4) When the bus arrives, wait for it to come to a complete stop before walking in front of the bus to get on.
- 5) As they board, students are to take their assigned seat quickly and remain seated while the bus is in motion. Drivers shall assign each student a seat number.
- 6) Secure seatbelts if available.
- 7) A student may be assigned a seat on the bus. If this is the case s/he must sit in their assigned seat.
- 8) Keep the aisle and doorway clear of all obstacles. No large items can be transported on the bus.
- 9) Busses should be considered "mobile school sites" where students are expected to be on their best behavior. Bus drivers and assistants should be treated with respect and obeyed just as teachers and administrators are. By displaying proper behavior, you allow the driver to concentrate on driving, which keeps everyone safer.
- 10) Classroom conduct is to be observed on the bus, including having quiet conversations. Code of Student Conduct rules apply to bus riders the same as students in school: For example, students may not use tobacco or other prohibited products, engage in rough-housing, fighting, or harassing, bullying, or foul language or gestures.

- 11) Keep your HANDS AND ARMS INSIDE the bus and DO NOT throw anything inside the bus or out the windows.
- 12) Eating and drinking are not allowed while riding the bus.
- 13) Be absolutely quiet when the dome lights are on (railroad crossings, emergencies).
- 14) Report any hazardous conditions to your driver or principal.
- 15) For students who must cross the street on exiting the bus, please be aware of the following:
 - a) After standing 10 feet in front of the bus, and only after thoroughly checking for traffic, students may cross the highway, upon direction from the bus driver.
 - b) When a school bus stops on a four-lane highway with a median strip, only those vehicles moving in the same direction are required to stop.
- 16) A student must ride their assigned bus. **Switching buses is not permitted.** Transportation is provided only to the documented address on file, and any change in address should be updated immediately.
 - a) Written parental requests are required and must be signed by school officials before a student may change their assigned bus stop or ride a different bus.
 - b) **Non-authorized riders are prohibited**
- 17) If a student causes any damage (vandalism) to the bus or another vehicle, the parent shall be responsible to pay for the damage. Restitution or arrangements must be made with transportation within 30 days of notification. Failure to make full restitution for vandalism cost can result in loss of bus riding privileges for the remainder of the current school year.

Transportation Infractions

Remember, your behavior determines whether you may continue riding the bus. Students may be audio/video recorded while on a school bus. School bus surveillance videos are considered "student records," and can be viewed by school administrators and school officials involved with student discipline when considering consequences to be assigned.

Violation of district school board transportation policies, including disruptive behavior on a school bus or that is a witnessed act at the school bus stop with the bus present (FS 1006.10) by a student, is grounds for suspension of the student's privilege of riding on a school bus, may be grounds for other disciplinary action by the school, and may also result in criminal penalties being imposed.

If a student engages in violent or very unsafe behavior while riding the bus, or uses tobacco, drugs or alcohol while riding the bus, the school principal/designee may immediately suspend bus riding privileges. After a conference is held with the parent/guardian, the principal/designee will then determine whether to take additional disciplinary steps, including bus expulsion, and whether to impose further conditions for the student's return to bus riding.

The school board believes that all students, as well as the bus driver, should be able to ride safely on school buses. Therefore, if students severely misbehave, they will be removed from the bus. If a student commits minor infractions, the school bus driver has the authority to address the behavior appropriately. If a student causes repeated problems on the bus or does something the bus driver considers a more serious rule violation, the bus driver will report it to the school principal/designee. The bus driver will give the school a written referral that details what the student did and what actions were taken by the driver. School administrators/designees can take any of the following disciplinary steps against a student for misbehaving at a bus stop or on a bus, and will notify the parent/guardian immediately by phone within 24 hours when they take any of these steps; in writing for suspensions; in writing delivered by mail for expulsions:

- 1) Warn the student that the behavior is not allowed and will result in further discipline as well as suspension of bus riding privilege if the behavior is repeated.
- 2) Assign consequences the same as if the student had misbehaved at school.
- 3) Suspend the student from riding the bus if prior warning and other discipline options have not improved the behavior. The student can be suspended for up to 10 days at a time.
- 4) Recommend the student be expelled from riding a school bus if previous discipline has not worked or if a student commits a serious offense. The process by which a student is expelled from riding the bus is the same as the process for being expelled from school. The principal/designee will make a recommendation to the superintendent, who then recommends bus expulsion to the school board.

- 5) The student is not permitted to ride any district school bus until the school board rules on the expulsion.

Students who transfer to a different school within the district will be held responsible for any incidents of bus misconduct from the previous school.

Bus Incident Procedures

Step 1 - Verbal Warning, Parent/ Guardian Contacted

1. Students who misbehave or who demonstrate potentially unsafe behavior shall receive a verbal warning, documented on a bus incident report log. The student's behavior will be described on the log and will also include the date, time, student's name, name of the person spoken to, and a brief description of the conversation.
2. The driver shall ask the school administration to telephone the student's parent/guardian to seek help in correcting the student's behavior.
3. After this step, a student's behavior is expected to become acceptable immediately.
4. If an additional incident occurs, the next step will be taken.

Step 2 - Written Notice to Parent/Guardian

1. Written notice shall be sent to the parent/guardian if a student's behavior has not become acceptable immediately.
2. If the written notice is not signed and returned to the driver or school the next day, the school will contact the parent again by phone and mail the written notice.
3. If the written notice is not signed and returned to the driver or school within 3 days, or if student's behavior does not improve, driver will proceed to step 3.

Step 3 - Administrative Referral

1. Students who continue to violate bus rules, jeopardizing the safety of others, engage in severely dangerous or violent behavior or use, possess or sell drugs, tobacco or alcohol while on the bus will receive an immediate referral to the school administrator/designee.
 - a. Bus referrals must be signed by the parent before the student may resume riding the bus
2. After presentation of detailed documentation by the driver to the administrator/designee, the school administrator/designee will determine if there is cause for suspension or recommendation of expulsion. Based on the infraction, suspension time is determined by the administration. **NOTE: A student may be suspended from the bus for a period exceeding the (10) days for willfully and persistently violating school board policies.**

NOTE: Riding the bus or attempting to ride the bus while on suspension could result in another referral, loss of bus riding privileges, and referral to the School Resource Officer for a trespass warrant.

Due to safety concerns, penalties may result for not wearing a seat belt, when it is part of the available equipment or for unbuckling a seat belt prior to the arrival at school or bus stop.

Appeal of Bus Suspension

A parent may appeal a bus suspension by calling the school principal/designee. The parent must come to the school and have a conference with a school administrator/designee and a representative from the transportation department/district office as part of the appeal. The student may be permitted to ride a bus pending the outcome of a bus suspension appeal as long as there are no additional incidents of misconduct.

Appeal of Bus Expulsion

Once the school board provides a final order for a bus expulsion there are no appeals.

CHAPTER VIII: TECHNOLOGY

Student Use of Wireless Communication Devices

Students may use wireless communication devices (WCDs) in the following instances:

1. Before and after school, and/or during after school activities (e.g. extra-curricular activities).
2. For instructional purposes (e.g., taking notes, recording classroom lectures, writing papers).
3. WCDs on a school bus or school board provided vehicle during school-sponsored activities,

Students may use school phones to contact parents/guardians during the school day.

Exceptions to these allowable uses may be invoked as deemed necessary by a teacher, administrator, or IEP Team.

Use of WCDs at any other time is prohibited and they must be powered completely off (i.e. not just placed into vibrate or silent mode) and stored out of sight.

Below is the agreement students acknowledge to sign in to access technology devices at school:

User Log-on Agreement Revised 033017

You are accessing a restricted information system. Use of this system indicates consent to monitoring and recording.

Unauthorized use of this system is prohibited and may be subject to criminal and/or civil penalties.

Unauthorized sharing of Protected Health Information (PHI) is prohibited.

You are responsible for the protection of student and employee data in hard copy and electronic form, including flash drives, optical and removable media. Files containing protected data should be stored in appropriate locations to ensure its protection, integrity and confidentiality.

**You are responsible for all activity associated with your network login.
Therefore, protect and do not share your password.**

You are responsible for the appropriate use of technology. **School Board Rules 7540, 7540.01, 7540.02, 7540.03, 7540.04, 7540.05, 7542, and 7543** govern the use of telecommunications, including networks, email, telephones and computers, which shall be consistent with the mission, goals, policies and priorities of the Martin County School District.

Violations include but are not limited to:

- Personal email
- Selling goods or services
- Personal shopping
- Jokes, holiday greetings and chain letters
- Cyberbullying
- Anything in violation of CIPA (e.g., pornography, racism, hate speech, hacking)

All district network traffic and email is archived, monitored, audited, and subject to public record laws.

Do not connect non-district computers, laptops, hubs, or wireless access points to the district network. The Educational Technology Department must approve any network devices and/or any software prior to using it on the district's network or computers. All software is subject to appropriate licensing and copyright laws.

If you have questions, please contact the Educational Technology Department at x30359

Click **Agree** below if you agree to abide by the terms listed above; otherwise click **Disagree** to be logged off of this workstation. Your response will be logged.

CHAPTER IX: DRESS CODE

SCHOOL BOARD POLICY 5511 - STUDENT DRESS CODE

Students have the right to learn without being offended or distracted by the way other people are dressed. Students have the responsibility to dress neatly, be clean, and well groomed, and avoid dressing in a manner that offends or distracts others. Clothing or hairstyles worn by students of all grades shall be neat and clean (not distracting or disruptive to the learning environment), and shall not present a safety or health hazard to the wearer or to others.

Procedures:

1. Clothing that exposes the torso is not allowed. Clothing that displays/exposes cleavage is not allowed. The following examples include but are not limited to what is considered unacceptable: tube tops, tank tops, spaghetti straps and halters, bare back or midriff clothing, skin tight clothing, see-through clothing, bathing suits (except with permission for specified events).
2. Skirts, skorts and dresses may be no shorter than two (2) inches above the top of the knee. Shorts must be no shorter than four (4) inches above the top of the knee.
3. Appropriate undergarments must be worn but shall not be exposed, i.e., boxer shorts, underwear, bras. Pajamas shall not be worn to school.
4. Students must wear shoes at all times. Slippers are prohibited as are shoes with containers, cleats, wheels, or tap shoes are prohibited. Athletic shoes may be required for physical education classes. Shoes with laces and/or straps must be secured at all times. For safety reasons, elementary students may not wear sandals or open toe shoes. Elementary and middle school students are not permitted to wear flip flops or shoes without a back. Middle school students may wear open toe shoes with a back strap.
5. Headgear (with exception of safety helmets) are not to be brought to school unless for medical purposes. Students may wear sunglasses, hats, or other sun-protective wear while outdoors during school hours, such as when students are at recess.
6. No clothes or accessories with metal studs, ornaments, chains, or other objects which can scratch furniture, damage property, or cause harm to oneself or others, may be worn.
7. Clothing, jewelry, and accessories shall not convey messages that are crude; vulgar/profane; violent/death-oriented (Gothic); gang related; sexually suggestive; and/or promoting alcohol, drugs, or tobacco.
8. Clothing which is not worn appropriately, is not properly fastened, or has tears or holes will not be permitted.
9. Pants, jeans, slacks, and shorts must be worn to the top of the hipbone or higher. Pants must be secured at the hip, must not be baggy or oversized and the hem of the pant leg must not drag on the ground.
10. No hairstyles, jewelry, or tattoo that is a distraction to the learning environment is allowed.

These samples are not all-inclusive but serve as a guide for individual schools. Individual schools may have a stricter dress code approved by the school advisory council (SAC), but all such restrictions must be justifiable with a rationale related to the health, safety, or welfare of the students. All school dress codes should be reviewed and approved by the superintendent/superintendent's designee before implementation.

Violation of Dress Code

- A. Students may be subject to disciplinary action for violation of the dress code.
- B. Students may be provided alternate clothing at school to comply with the dress code.
- C. Parents will be requested to bring alternative clothing to the school, and/or the student will be subject to disciplinary action when s/he violates the dress code.

Elementary

At the discretion of the administration, blouses, shirts without sleeves and sleeveless dresses may not be permitted. Administration may require that students wear shirts with collars.

Secondary

All students enrolled in a vocational program must dress to reflect current business and industry standards for the particular program.

Pursuant to FS 1006.07(2)(d)2,

“Any student who violates the school dress code is subject to the following disciplinary actions:

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

CHAPTER X: OTHER INFORMATION

A. Interscholastic and Extracurricular Activities

- a. **General Information:** Interscholastic athletics and sports have a positive impact on students and are an integral part of the school experience, benefitting the community as a whole. The program should foster the growth of school loyalty within the student body and stimulate community interest in athletics. Participation in the district's interscholastic athletics programs is a privilege. All middle schools and high schools are members of the FHSAA and are governed by its rules and regulations. All district students (including transfer students) shall satisfy the eligibility requirements established by the FHSAA, Florida law, and school board policy.
- b. Participation in extracurricular activities, including interscholastic sports, is a privilege. Therefore, the school board authorizes the superintendent, principals, and assistant principals to prohibit a student from participating in extracurricular activities of the school district for offenses or violations of the Code of Student Conduct.
- c. In addition, student athletes are further subject to the Florida High School Athletic Association (FHSAA) Code of Student Conduct and may be prohibited from participating in all or part of any interscholastic sport for violations therein.
- d. **Extracurricular Grade Point Average Requirement**
 - i. High School: To be eligible to participate in interscholastic extracurricular student activities, a student entering the 9th grade must be regularly promoted and thereafter must maintain a cumulative unweighted grade point average of 2.0 or above on a 4.0 scale. Students in the 9th and 10th grades may participate without having a cumulative 2.0 grade point average, if they agree to an Academic Performance Contract as prescribed by state statute. Middle school students must be regularly promoted (not administratively placed) in order to be eligible and meet the 2.0 grade point average as noted below for extracurricular participation.
 - ii. Additionally, a student must maintain satisfactory conduct, and, if a student is convicted of, or is found to have committed a felony or a delinquent act which would have been a felony if committed by any adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities may be denied by the principal.
 - iii. Middle School: In order to participate in any extracurricular activity, middle school students must maintain a minimum un-weighted grade point average of 2.0 for the semester immediately preceding participation.

B. Legal Investigations Involving Students

- a. School employees have a duty to cooperate with law enforcement agencies and the Department of Children and Family Services, and comply with investigations relating to child abuse, abandonment, neglect, or an alleged unlawful sexual offense involving a child. The principal may also assist authorities in their investigations of other violations of law in which students are alleged to be involved.
- b. Before student(s) are questioned as a witness to, or a suspect in, an alleged violation of law, the principal shall attempt to contact the parent to notify him/her of questioning, unless compelling reasons for not doing so are provided by the law enforcement agency.

C. Required Notice:

In accordance with Florida Statute 1006.07(2) students and their parents or guardians are hereby notified that:

- a. Illegal use, possession or sale of controlled substances as defined in chapter 893 by any student while such student is upon school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed.

- b. The possession of a firearm, a knife, a weapon or an item which can be used as a weapon by any student while the student is on school property or in attendance at a school function is grounds for disciplinary action and may also result in criminal prosecution.
- c. Violence against any school district personnel by a student is grounds for in-school suspension, out-of-school suspension, expulsion or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed.
- d. Violation of school board transportation policies, including disruptive behavior on a school bus or at a school bus stop, by a student is grounds for suspension of a student's privilege of riding on a school bus and may be grounds for disciplinary action by the school and may also result in criminal penalties being imposed.
- e. Violation of the school board's sexual harassment policy by a student is grounds for in-school suspension, out-of-school suspension, expulsion or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed.
- f. It is a violation of this code for any person to threaten to throw, project, and place or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to property. It is also a violation of this code for any person to make a false report with intent to deceive, mislead or otherwise misinform any person concerning the placing or planting of any bomb, dynamite or other deadly explosive.
 - i. Any student who is determined to have committed either of these acts which involves a school, school personnel's property, school transportation or school sponsored activity will be expelled with or without continuing educational services from the student's regular school for a period of not less than one full year and referred to criminal prosecution. The school board may assign the student to a disciplinary program or a second chance school for the purposes of continuing educational services during the period of expulsion. The superintendent may consider the one year expulsion requirement on a case-by-case basis and request that the school board modify the requirement by assigning the student to a disciplinary program or alternative school if it is determined to be in the best interest of the student and school system.

D. Search and Seizures (School Board Policy 5771; F.S. 1001.41, 100143, 1006.09)

- a. Students are subject to a search of their person, possessions, locker and/or vehicle if school personnel have reasonable suspicion that they are in possession of illegal materials or other forms of contraband. The use of metal detection devices or electronic surveillance equipment may be employed.

E. Suspension/Expulsion of Students with Disabilities

- a. In matters relating to the disciplining of disabled students, the school board shall abide by federal and state laws regarding suspension and expulsion. (See [Martin County School District Special Program and Procedures Manual](#); and A Plan for Expanding Educational Accommodations to all Disabled Students (504)).

F. Peaceful Assembly/Free Speech

- a. Students shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of schools. Students have the right to participate in the development and distribution of publications as a part of the educational process.
- b. School facilities or equipment may not be used as a means of producing or disseminating to the community any materials that advertises or promotes a political party, a political cause or the candidacy of an individual for public office. Students and employees of the School Board shall not be used to distribute campaign literature within the schools or on school grounds (SB Policy 9700).

- G. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)** The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are as follows:
- a. The right to inspect and review the student’s education records within thirty (30) days of the day the school receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
 - b. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
 - c. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]
 - d. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5901.

Appendices

Appendix A

School Board Policies Relating to the Code of Student Conduct

To view the complete policy click [here](#) and type the policy number

BOARD POLICIES
2430: District-Sponsored Clubs and Activities
2431: Interscholastic Athletics
2451: Alternative School Plans/Programs
5111.01: Homeless Students
5112: Entrance Requirements
5200: Attendance
5223: Absences for Religious Instruction
5230: Late Arrival and Early Dismissal
5310: Health Examinations and screenings
5320: Immunization
5330: Use of Medications
5410: Student Progression
5500: Student Conduct
5511: Dress Code
5512: Tobacco-Free Environment
5516: Student Hazing
5517: Anti-Harassment
5517.01: Bullying and Harassment
5517.02 : Nondiscrimination Grievance Procedure
5517.03: Dating Violence and Abuse
5530: Drug Prevention
5540: The Schools and Investigations Involving Students
5600: Behavior Management of Student
5605: Suspension/Expulsion of Disabled Students
5610: Removal, Suspension and Expulsion of Students
5610.04: Suspension of Bus Riding/Transportation Privileges
5610.05: Prohibition from Extra-Curricular Activities
5630: Corporal Punishment and Use of Reasonable Force and Restraint
5771: Search and Seizure
5772: Weapons
7440.42 Vandalism, Damage, Loss and Malicious Mischief
7540.05: Computer Technology and Networks
8330: Student Records
8462: Student Abuse and Neglect
8600: Transportation
8965: Discrimination/Harassment Complaint Procedure
9700: Relations with Special Interest Groups

Policy 5500

Book	Policy Manual
Section	5000 Students
Title	STUDENT CONDUCT
Code	po5500
Status	Active
Legal	<u>F.S. 1006.07</u> <u>F.S. 1006.13</u> <u>F.S. 1012.584</u>
Adopted	June 19, 2012
Last Revised	July 16, 2019

5500 - STUDENT CONDUCT

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.

The School Board has zero tolerance for conduct that poses a threat to school safety. Zero tolerance policies must apply equally to all students and are not intended to be rigorously applied to petty acts of misconduct.

Florida law requires that students found to have committed one of the following offenses:

- A. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school-sponsored transportation, or possessing a firearm at school; or
- B. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school or school personnel's property, school transportation, or a school-sponsored activity;

shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and shall be referred to mental health services identified by the District and to the criminal justice or juvenile justice system.

The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request that the School Board modify the requirement by assigning a student to a disciplinary program or second chance school. The Superintendent's request for modification must be in writing and the student and/or the student's parent(s) must agree in writing to accept the Superintendent's recommendation before it is presented to the School Board. The School Board may approve the request if it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is a student who has a disability, the School Board shall comply with applicable State Board of Education rules for the discipline of such students.

The District shall enter into agreements with local law enforcement specifying procedures so that acts that pose a threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction.

Those acts that pose a threat to school safety are listed in the Student Code of Conduct and referenced in Florida State statute. The following are examples of acts that pose a threat to school safety, but are not all inclusive:

- A. possession of firearms or other weapons
- B. placing, discharging, or throwing an explosive item or noxious substance or making threats to do so
- C. arson
- D. felony assault
- E. threats of unsafe and potentially harmful, dangerous, violent, or criminal activities

Petty acts of misconduct that are not a threat to school safety do not require consultation with law enforcement.

Each act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement. The following are typically considered petty acts of misconduct but are not all inclusive:

- A. disorderly conduct
- B. disrupting a school function
- C. simple assault or battery
- D. verbal abuse or use of profanity
- E. cheating
- F. theft of less than \$300, trespassing, and vandalism of less than \$1,000
- G. possession or use of tobacco

Notwithstanding any other provision of School Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any elected official of the School District, teacher, administrator, or other School District personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate, for a minimum period of one (1) year. The student shall be referred to the criminal justice or juvenile justice system.

Further, upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

The Student Code of Conduct which is adopted and reviewed annually consistent with F.S. 1006.07, shall provide for review of a decision to suspend or expel a student pursuant to this policy consistent with F.S. 1006.07.

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in F.S. 1006.13(6)(a), the School Board shall, pursuant to State law and the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense or a sibling of the victim.

Students may be subject to discipline for violation of the Student Code of Conduct even if that conduct occurs on property not owned or controlled by the School Board but that is connected to activities or incidents that have occurred on property owned or controlled by the School Board, or conduct that, regardless of where it occurs, is directed at a School Board official or employee, or the property of such official or employee.

The principal shall notify all school personnel as to their responsibilities regarding incident reporting. Acts which pose a threat to school safety and crimes shall be properly reported to the principal. The disposition of the incident shall be properly documented.

Student conduct shall be governed by the rules and provisions set forth in the Student Code of Conduct which is reviewed and adopted in accordance with School Board policy and F.S. Chapter 120 and is incorporated in the policy by reference.

The Code of Student Conduct shall contain provisions for the assignment of violent or disruptive students to an alternative educational program and/or referral of such students to mental health services identified by the District.

Effective 7/1/12
 Revised 9/20/16
 Revised 8/15/17
 Revised 7/16/19

Appendix B

Authority of teacher (FS 1003.32)

Regarding a teacher's right to have a student removed from his/her class

A teacher may remove from class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Each district school board, each district school superintendent, and each school principal shall support the authority of teachers to remove disobedient, violent, abusive, uncontrollable, or disruptive students from the classroom.

If a teacher removes a student from class under subsection (4), the principal may place the student in another appropriate classroom, in in-school suspension, or in a dropout prevention and academic intervention program as provided by s. 1003.53; or the principal may recommend the student for out-of-school suspension or expulsion, as appropriate. The student may be prohibited from attending or participating in school-sponsored or school-related activities. **The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under subsection (6) determines that such placement is the best or only available alternative. The teacher and the placement review committee must render decisions within 5 days of the removal of the student from the classroom.**

Each school shall:

1. Establish a placement review committee to determine placement of a student when a teacher withholds consent to the return of a student to the teacher's class. A school principal must notify each teacher in that school about the availability, the procedures, and the criteria for the placement review committee as outlined in this section.
2. The principal must report on a quarterly basis to the district school superintendent and district school board each incidence of a teacher's withholding consent for a removed student to return to the teacher's class and the disposition of the incident, and the superintendent must annually report these data to the department. The Commissioner of Education shall annually review each school district's compliance with this section, and success in achieving orderly classrooms, and shall use all appropriate enforcement actions up to and including the withholding of disbursements from the Educational Enhancement Trust Fund until full compliance is verified.
3. Placement review committee membership must include at least the following:
 - a. Two teachers, one selected by the school's faculty and one selected by the teacher who has removed the student.
 - b. One member from the school's staff who is selected by the principal.

The teacher who withheld consent to readmitting the student may *not* serve on the committee. The teacher and the placement review committee must render decisions within 5 days after the removal of the student from the classroom. If the placement review committee's decision is contrary to the decision of the teacher to withhold consent to the return of the removed student to the teacher's class, the teacher may appeal the committee's decision to the district school superintendent.

Any teacher who removes 25 percent of his or her total class enrollment shall be required to complete professional development to improve classroom management skills.

Appendix C

Following are forms to be signed by students and parents

Please indicate your permission preferences below. The absence of circling, checking, and/or initialing implies permission.

PHOTO/MEDIA RELEASE: Your child may be interviewed, photographed, audio or video-recorded by the news media or district staff for print, radio, television, Internet content or any other medium. Permission is granted for the school or district to use my child's photograph, video image, writing, voice recording, name, grade level, school name, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, date and place of birth, and most recent previous school attended, web sites, etc. and/or similar school or district sponsored publications or in school or district approved news media interviews, releases, articles, and photographs. I also provide permission for the release by the school or district to the media and governmental entities of my child's name, grade, school name and honors my child has received for public announcement of recognition of my student's accomplishments and the school yearbook.

Circle one:	I give permission.	I do not give permission.	Initial ____
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(A form without any selection and including initials shall imply permission.)

YEARBOOK PICTURES: Permission is granted for the school or district to use my child's photograph in the school's year book.

Circle one :	I give permission.	I do not give permission.	Initial ____
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(A form without any selection and including initials shall imply permission.)

ELECTRONIC PROGRESS REPORT, REPORT CARD, AND STATE ASSESSMENT REPORTS:

Permission is granted to only receive progress reports, report cards, and state assessment reports electronically through the Focus Parent Portal to parents. Parents not giving permission will receive paper reports that will be made available after the electronic version is posted.

Circle one :	I give permission	I do not give permission	Initial ____
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(A form without any selection and including initials shall imply permission)

HIGH SCHOOL STUDENT ONLY: Opt-out for the release of information to military: Federal law requires that school districts provide military recruiters access to the names, addresses and phone numbers of high school students. Parents have a right to OPT-OUT from sending this information. If you do not want your child's information released to the military without prior written parental consent, circle below. Although we will accept the opt-out any time during the year, sending it the first 20 days of the school year will ensure that no information is sent this school year.

Circle one:	I authorize release	I do not authorize release.	Initial____
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(A form without any selection and including initials shall imply permission.)

Blank on purpose

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