

CHAPTER 5.00 - STUDENTS

5.01 - Non-Discriminatory Admission of Students

POLICY:

The School Board shall admit students to District schools and programs without regard to race, sex, national origin, marital status, disability, or religion.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1000.05, F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.011 - Foreign Exchange Students

POLICY:

Any student from a foreign country sponsored by a recognized foreign exchange visitor program who fulfills eligibility requirements, including the written approval of the principal, is entitled to attend District high schools.

(1) Eligibility Requirements

Students must meet the following eligibility requirements:

- (a) Be at least fifteen (15) but not more than seventeen (17) years of age on the date of enrollment.
- (b) Have sufficient knowledge of the English language to participate in high school classes.
- (c) Have appropriate medical insurance coverage.
- (d) Not have received a terminal degree from a high school.

(2) Procedure for Admission

The sponsoring organization must apply for admission of the student at least four (4) weeks prior to the student's enrollment date. The application shall include the student's school transcript (in English), evidence of English competency, pertinent information about the student, the student's health record and an assurance of appropriate medical insurance coverage. Written approval or denial will be given to the sponsoring organization by the principal.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1001.51 (6), F.S.
Section 625, P.L. 104-208

HISTORY: Adopted: 06/17/97
Revision Date(s): 11/17/98, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.02 - Student Assignment

POLICY:

- (1) The Board shall provide thirteen (13) consecutive years of instruction beginning with kindergarten and shall also provide such instruction for exceptional students as may be required by law. (1000.21) Students who have attained the age of majority and apply for initial admission to the district high school may be referred for enrollment to the appropriate adult program.
- (2) Each pupil in the Levy County District is assigned to a school attendance area by the Board. If assignment out of the attendance area is desired, a request in writing must be submitted to the Superintendent for his/her approval. Transportation to and from school so requested must be furnished by the parent or guardian. The Superintendent may assign a student to any school or educational program if it is deemed in the best interest of that student or the school district.
- (3) The obligation of the Board shall not exceed the limits of this rule.
- (4) An individual who is eighteen (18) years of age desiring to enroll or reenroll in the school system and who is not currently within one (1) year of meeting graduation requirements will be assigned to the Adult Education Program by the Board. Individuals who are 19 years of age or older will be assigned to Adult Education. However, the Board may be petitioned by the student or his/her parent for placement in the school system on probationary status. This is not applicable to students in Exceptional Education.
- (5) To enroll a student in school, the person enrolling the child must:
 - (a) Be a custodial parent; or
 - (b) Have a certified copy of a court order naming the person as guardian or giving the person custody of the child:
- (6) The Superintendent may consider a power of attorney on a temporary basis in extenuating circumstances after investigating the circumstances of the request.
- (7) Where a student has attained the age of eighteen (18) years and no longer resides with or receives support from his/her parents or guardian, any requirements that the parents or guardian be notified concerning any matter relating to the student shall not apply, and, in lieu of such requirements, due written notice shall be given directly to the student. A student in this category shall be personally responsible to the school for his/her conduct and shall make all decisions relating to his/her affairs in

CHAPTER 5.00 - STUDENTS

relationship to the school except where the student is enrolled in the Exceptional Student Education Program as an intellectually disabled student or has been declared mentally incompetent by a court of competent jurisdiction.

- (8) Any out-of-county student requesting to attend school in Levy County must be recommended by the Principal/Superintendent. After initial approval, a student may continue to attend a Levy County school provided the student remains in good standing at that school. However, any change in good standing status may result in the Superintendent revoking that student(s) privilege to attend a Levy County school. Students exhibiting disciplinary problems may have attendance privileges revoked immediately. Other considerations for continued attendance for following years (i.e., overcrowding of classes) shall be determined at the end of each current school year.

Out-of-county students may ride Levy County school buses provided the student boards at the nearest approved bus stop and the bus is not overcrowded.

The Superintendent shall have the authority to release a Levy County resident student to another district.

- (9) No student shall be permitted to transfer, enroll, or be admitted to a school when he/she has been expelled without services from another school district. This prohibition shall be effective for the period of time in which the student was expelled from another district. Such students shall be accorded the same appeals procedure which is available to District students

STATUTORY AUTHORITY: 1001.41 1001.42 F.S.

LAWS IMPLEMENTED: 1000.21, 1001.41 1001.42 1001.43, 1001.51 1002.31, 1002.38 F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 11/17/98, 10/17/00, 12/03/02,
6/17/08, 9/7/10, 08/20/13
Formerly:

CHAPTER 5.00 - STUDENTS

5.021 – Homeless Students

POLICY:

- (1) Homeless children who live within the county shall be admitted to school in the District, shall have access to free public education including preschool, shall be given the opportunity to meet local and state academic achievement standards, and shall be included in state and District assessments and accountability systems.
- (2) Definitions
 - (A) Homeless Child

One who lacks a fixed, regular and adequate nighttime residence and includes children and youth who

 - (1) Are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
 - (2) Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
 - (3) Are living in emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement;
 - (4) Have a primary nighttime residence that is
 - (a) A supervised shelter designed to provide temporary living accommodations;
 - (b) An institution providing temporary residence for persons who are to be institutionalized; or
 - (c) A public or private place not designed or normally used as a regular sleeping accommodation for human beings;
 - (5) Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
 - (6) Are migratory children who qualify as homeless because the children are living in circumstances described in 2.A.1. through 2.A.5.
 - (B) Unaccompanied Youth – A student who is not in the physical custody of a parent or guardian.

CHAPTER 5.00 - STUDENTS

- (C) School of Origin – The school that the student attended when permanently housed or the school where the child or youth was last enrolled.
 - (D) Enroll and Enrollment – Attending school and participating fully in school activities.
 - (E) Immediate – Without delay.
 - (F) Parent – Parent or guardian of a student.
 - (G) Liaison – The staff person designated by the District as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.
- (3) The District shall identify homeless students as defined by federal and state law.
 - (4) The District shall seek to remove barriers to the enrollment and retention of homeless children and youth.
 - (5) The District shall ensure the immediate enrollment of homeless students.
 - (A) The District shall assist homeless children to provide documentation to meet state and local requirements for entry into school.
 - (B) A homeless child shall be given a thirty (30) school day exemption to provide proof of age, certification of a school-entry health examination, proof of immunization and other documentation required for enrollment.
 - (6) Each homeless student shall be provided the services that are available for all other students including transportation, school nutrition programs, before and after school programs, and education services for which the child meets the eligibility criteria such as exceptional education, gifted education, vocational and technical programs, preschool programs, Title I, and limited English proficiency programs.
 - (7) Homeless students shall be given meaningful opportunities to succeed in school.
 - (8) Homeless students shall be allowed to remain in the school of origin to the extent feasible, unless this is contrary to the wishes of the parents.
 - (9) Homeless students and/or parents shall have the right to dispute school assignment if placement is other than the school of origin. The District shall ensure that unaccompanied youth and the parents of homeless students are notified of the right to remain in the school of origin and of the dispute process.
 - (10) If requested by the parent of a homeless child or by the liaison on behalf of an unaccompanied youth, the District shall be responsible for providing transportation to and from the school of origin throughout the duration of homelessness. The District shall share the responsibility for transportation if a

CHAPTER 5.00 - STUDENTS

homeless student begins living in another district in a homeless status and continues to attend the school of origin.

- (11) Homeless students shall not be stigmatized, segregated, or separated in any educational program on the basis of their homeless status.
- (12) The District shall follow the requirements of the McKinney-Vento Homeless Assistance Act.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1003.21, F.S.

LAW(S) IMPLEMENTED:

382.002, 1000.21, 1001.43, 1003.01,
1003.21, 1003.22, F.S.
MCKINNEY-VENTO HOMELESS
ASSISTANCE ACT, P.L. 100-77
NO CHILD LEFT BEHIND ACT OF
2001, P.L. 107-110

HISTORY:

Adopted: 1/22/13

Revision Date(s): 08/20/13

Formerly: New

CHAPTER 5.00 - STUDENTS

5.03 - Student Attendance/Absences

POLICY:

1. It is the position of the Levy County School Board that students must attend school on a regular and timely basis to maximize educational opportunities offered in Levy County Schools. Regular and timely student attendance can be successfully achieved through a strong partnership between the home and school representatives.

Florida Statute 1003.21 requires that all who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years, except as otherwise provided, are required to attend school regularly during the entire school term. Students who have obtained the age sixteen (16) and have not yet graduated who plan to terminate their school enrollment must complete a formal declaration signed by the student and the student's parent or guardian prior to the termination going into effect. The parents or guardians are responsible for their child(ren)'s attendance and to follow compulsory attendance laws. Students are obligated to attend one hundred eighty (180) days of school each year. Regular attendance is a critical component for student success.

- (a) If a student has unexcused absences sufficient enough to jeopardize academic progress and it is determined that the student's parent or legal guardian is at fault for these absences, the appropriate school personnel will adhere to Florida Statutes 1003.24, 1003.26 (Enforcement of School Attendance), and 1003.27 (Court Procedures and Penalties). (reference procedures noted in Student Progression Plan — Appendix D).
- (b) **Non-enrollment of Compulsory Attendance Age Students.** Written notice shall be given in person or by return-receipt mail to the parent(s) or guardian(s) or other person having control, when no valid reason is found for a child's non-enrollment. If the notice and requirement are ignored, the designated school representative shall report the case to the superintendent and refer the case to the District Truancy Officer for compliance with the Florida Compulsory Attendance Statute (Florida Statute 1003.21).

2. Student Absences, Tardies, Check Out

- (a) Excused Absences, Tardies, Check Out

Students must be in school unless the absence, tardy, or permission to leave early has been permitted or excused for one of the reasons listed below (F.S. 1003.24(4), 1003.26)

CHAPTER 5.00 - STUDENTS

- (1) Illness of student.
- (2) Major illness of an immediate family member.
- (3) Death in the family of the student
- (4) Religious holidays of the student's own faith. The school principal shall implement this provision on an individual basis pursuant to section 1003.21, Florida Statutes, and State Board of Education Rule 6A-1.09514. No adverse or prejudicial effects shall result to any student who avails himself/herself to the provisions of this rule.
- (5) Subpoena or forced absence by any law enforcement agency to fulfill civic duties (A copy of the subpoena or court summons must be presented to the principal or designee.)
- (6) Scheduled medical or dental appointment of the student.
- (7) Students having, or suspected of having, a communicable disease or infestation which can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard (F.S. 1003.22). Examples of communicable diseases and infestations include, but are not limited to, fleas, head lice, ringworm, impetigo and scabies. Students are allowed a maximum of three (3) excused absences for each infestation of head lice. Students on field trips are not considered absent.
- (8) Extenuating circumstances that would justify absence in the judgment of the administration.
- (9) A student shall not be considered absent when participating in an instructional activity away from the school site.
 - (a) For average daily attendance documentation, students who are present at any time during the day when official attendance is taken are considered present.
 - (b) All students returning from absences, tardy, or check out will have three (3) days to present proper written verification to receive an excused absence. If the student or parent fails to present such documentation, the absence will be unexcused and the student will receive no credit for the time missed. The written statement must include the following information for each absence:

CHAPTER 5.00 - STUDENTS

1. Date the excuse is written
2. Date(s) of the absence(s)
3. Full name of the student
4. Reason for the absence
5. Day time telephone number of parent or guardian
6. Signature of the parent or guardian

For every day of excused absence, a student will be given one (1) day to make up the work beginning the day the student returns to school.

3. Unexcused Absences, Tardies, Check Out

(a) Absences not excused as defined in the previous section, are considered unexcused.

(b) Tardiness and Unexcused Check Out

1. A tardy is defined as an arrival to class or school after the designated starting time or the tardy signal has sounded. Reasons for excused tardies are the same as for excused absences.
2. Parents must follow the same process to excuse a tardy or early check out as they do to excuse an absence
3. In Grades K – 5, any combination of three (3) unexcused tardies or unexcused dismissals within a nine-week grading period are equivalent to one (1) unexcused absence.
4. The Principal has the discretion to excuse tardiness/dismissals for extenuating circumstances.
5. When tardies or check outs become excessive, the problem may be addressed through a required parent conference with the school principal/designee, and appropriate disciplinary action may be taken. The disciplinary actions may include, but not be limited to:
 - i. Detention
 - ii. In-School Suspension
 - iii. Saturday School
 - iv. Loss of school privileges including, but not limited to field trips, extra-curricular activities, field days, pep-rallies, non-academic classes, etc.
6. No students shall be released within the final 30 minutes of the school day unless the principal/designee determines it is an emergency.

CHAPTER 5.00 - STUDENTS

7. In grades 6 – 12, if a student is more than 10 minutes late to a class, the student will be considered absent for that period.
4. Grades K - 5
 - (a) During each nine (9) weeks period, a student will be allowed a maximum of eight (8) days absence. All absences (excused, unexcused, or as a result of unexcused tardies/check out) will be counted.
 - (b) When a student has accumulated five (5) absences within a nine-week period, the principal shall notify the parents by letter that their child is in danger of failing for the grading period. A copy of the attendance policy shall be included in the notification.
 - (c) When a student reaches the ninth (9th) absence, parents shall be notified that:
 1. Because of excessive absences, their child will receive failing grades for the nine-week period. (If the grade has to be reduced, it shall be a 59.)
 2. If the parents feel there are extenuating circumstances because of illness, family illness, injury, other insurmountable conditions, or special circumstances that justify special consideration, they may appeal the case to the principal.
 - (d) When a student is confined to home or in the hospital for an extended period of time, confinement must be verified by a physician.
 - (e) For exceptions to this section, please reference pilot programs noted in the Pupil Progression Plan located in Appendix D.
 5. Grades 6 – 8
 - (a) When a student accumulates any combination of five (5) absences in one (1) or more courses within a nine-week period, the principal shall notify the parents that their child may be in danger of failing that course for that grading period.
 - (b) When a student reaches the ninth (9th) absence, parents shall be notified that:
 1. Because of excessive absences, their child will receive failing grades for the nine-week period. (If the grade has to be reduced, it shall be a 59.)

CHAPTER 5.00 - STUDENTS

2. If the parents feel there are extenuating circumstances because of illness, family illness, injury, other insurmountable conditions, or special circumstances that justify special consideration, they may appeal the case to the principal.
 - (c) If a student is more than 10 minutes late to a class or checked out more than 10 minutes before the end of a class, the student will be considered absent for that period.
 - (d) When a student is confined to home or in the hospital for an extended period of time, confinement must be verified by a physician.
 - (e) For exceptions to this section, please reference pilot programs noted in the Pupil Progression Plan located in Appendix D.
6. Grades 9 - 12
 - (a) A credit for high school graduation is defined as a minimum of 150 hours of instruction in a designated course which contains student performance standards as provided in Florida Statutes. The hourly requirement for one-half credit is defined to be one-half the requirement for full credit.
 - (b) When a student accumulates any combination of five (5) absences in one (1) or more courses within a semester, the principal shall notify the parents that their child may be in danger of losing credit(s). A copy of the attendance policy shall be included in the notification. All absences (excused and unexcused) will be counted.
 - (c) When a student accumulates ten (10) absences in a course within a semester. The student shall take a county approved examination to demonstrate mastery of the student performance standards for that course. If the examination is passed sixty (60) or above, the examination grade and any approved projects will be averaged with the two (2) nine-week grades to determine the semester average. However, if the student makes a failing grade on the examination [fifty-nine (59) or below], the student shall receive a 59 or the numeric grade earned if that grade is lower than 59 for the semester.

Students participating in The Teen Parent Program shall be exempted from minimum attendance requirements for absences related to pregnancy or parenting (See Student Progression Plan, Appendix D).

CHAPTER 5.00 - STUDENTS

- (d) Absences will not be considered in courses which require awarding a full credit and have a state final exam which constitutes 30% of the course grade.
 - (e) If the parent feels there are extenuating circumstances because of illness, family illness or injury, or special circumstances that justify special consideration, they may appeal the case to the principal.
 - (f) If a student is more than 10 minutes late to a class or checked out more than 10 minutes before the end of a class, the student will be considered absent for that period.
 - (g) When a student is confined to home or in the hospital for an extended period of time, confinement must be verified by a physician.
 - (h) For exceptions to this section, please reference Pilot Programs noted in the Student Progression Plan located in Appendix D.
7. A student in grades 9 - 12 shall not be considered absent when participating in an instructional activity away from the school site.
8. The recording of pupil attendance for the purpose of administering the full time program and for other state purposes shall be as herein prescribed:
- (a) The presence, absence, or tardiness of each pupil shall be recorded each school day using the Automated Student Attendance Record Keeping System. 6A-1.044. Data shall not be recorded in temporary records and then transferred at a later date, except for the first ten (10) days of each school year.
 - (b) The principal shall be responsible for the administration of attendance records, for the accurate reporting of attendance in the school under his/her direction, and shall assure that all teachers and attendance assistants are instructed in the proper recording of attendance. The principal or his/her designee shall inspect and determine the accuracy of the records contained in the Automated Student Attendance Record Keeping System for each of the required full-time equivalent student membership periods. At the end of each year, the principal or designee shall certify the completeness and accuracy of the automated attendance records.
 - (c) Attendance may be counted only if the pupil is actually present at school or away from school on a school day under the supervision of a member of the instructional staff and is engaged in an educational activity which constitutes a part of the approved course of study for the pupil. Any such attendance shall be in accordance with the minimum requirements for a school day specified in Section 1000.01, Florida Statutes. Attendance may include

CHAPTER 5.00 - STUDENTS

educational trips directly related to a regular academic or elective subject for which credit is given.

Only hours spent in instruction in an approved course of study may be counted toward the required net hours which make up the school day. Hours spent in non-instructional activities as defined by the State Board of Education are excluded.

1. Where a pupil is granted exemption from examinations and excused from school attendance, he/she shall be reported absent from school.
 2. Under no conditions shall a pupil be required or permitted to answer roll call and then be excused from school attendance as a means of circumventing the law and State Board of Education regulations.
 3. Any willful or intentional falsification of attendance records by any teacher, principal, or other school employee shall be sufficient grounds for seeking the revocation of the teaching certificate or for dismissal as provided by law.
- (d) Attendance of all pupils must be maintained during the 180-day school year or the equivalent and summer school except for absences due to illness or as otherwise provided by law. (6A-1.044)
1. School attendance shall be required of any pupil who has attained the age of six (6) years or who will have attained the age of six (6) years by February 1 of any school year, and for any pupil who is older than six (6) years, but who has not attained the age of sixteen (16) years except as otherwise provided, are required to attend school regularly during the entire school term. Students who have obtained the age sixteen (16) and have not yet graduated who plan to terminate their school enrollment must complete a formal declaration signed by the student and the student's parent or guardian prior to the termination going into effect. The parents or guardians are responsible for their child(ren)'s attendance and to follow compulsory attendance laws. (1003.21)
 2. When any pupil enrolls in school, he/she shall be required to be regular in attendance even though, because of age, he/she may not be subject to the compulsory attendance law.
- (e) Pupil attendance shall be reported as follows:
1. Any pupil who is scheduled at a school center for the minimum school day, as required by law, and who is

CHAPTER 5.00 - STUDENTS

recorded as being present or tardy, shall be reported as present one (1) day. (6A-1.044(6)(a))

2. Each pupil who is scheduled at a school center for instructional purposes for a partial day, and at an area vocational/technical center, vocational school, or a community college for a partial day shall be reported as present or absent for the appropriate portion of the day. (6A-1.044(6)(b))
3. A student assigned to an on-the-job instructional program which does not require his/her presence at a school center for instructional purposes shall be reported in attendance through the use of a time card or work schedule to report actual days in attendance or instructional work hours. Time cards and work schedules shall be signed by the employer or instructional supervisor. (6A-1.044(6)(c))
4. The attendance of a pupil, who is assigned to an instructional program which does not require his/her regular presence at a school center for instructional purposes, shall be reported as present or absent at the assigned school center. (6A-1.044(6)(d))

(f) The Board is authorized to destroy the records contained in or produced from the Automated Student Attendance Record-keeping System after three (3) years or the completion of applicable state audits, whichever period is longer, provided the school has complied with the requirements of the General Records Schedule for School Districts. (6A-1.044(8))

9. Enforcement of Compulsory School Attendance

- (a) In cases of excessive absences, tardies, or early dismissals, an attendance officer or school social worker may visit or make other contact with the parent(s) or guardian(s) at the home or other places to discuss the attendance problem for the purpose of returning the student to regular attendance.
- (b) Legal action against a student and parent(s) or guardian(s) may be taken for not complying with the Florida Compulsory School Attendance Statute (Florida Statute 1003.21).

10. Students who fail to comply with attendance requirements will lose their driving privileges. Pursuant to Section 322.091, Florida Statute requires schools to report to the Department of Highway Safety and Motor Vehicle (DHSMV) the names of minors who attain the age of 14 and above that have accumulated 15 un-excused absences in a period of 90 calendar days. The school principal/designee is the contact for additional information regarding these requirements.

CHAPTER 5.00 - STUDENTS

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

322.091, 985.03, 1000.21, 1001.43,
1003.21, 1003.23, 1003.24, 1003.26,
F.S.

STATE BOARD OF EDUCATION RULE:

6A-1.044, 6A-1.09514

HISTORY:

Adopted: 06/17/97

Revision Date(s): 11/17/98, 10/19/99,
10/17/00, 12/03/02,
8/2/11, 12/08/16,

Formerly:

CHAPTER 5.00 - STUDENTS

5.04 - Requirements for Original Entry

POLICY:

- (1) Attendance in the kindergarten program is mandatory.
- (2) For admission to kindergarten, the child must have attained the age of five (5) years on or before September 1 of the school year.
- (3) Any student who transfers from an out-of-state public school and does not meet regular age requirements for admission to Florida public schools shall be admitted upon presentation of the documentation required by 6A-1.0985, SBER.
- (4) Before admitting a child to pre-kindergarten or kindergarten, the principal shall require evidence that the child has attained the age at which he/she should be admitted in accordance with the provisions of law. The Superintendent may require evidence of the age of any child whom he/she believes to be within the limits of compulsory attendance.
 - (a) Evidence of date of birth as provided by law shall be accepted in the following order: (1003.21, F.A.)
 1. Transcript of the child's birth record;
 2. Transcript of a certificate of baptism;
 3. An insurance policy on the child's life in force for not less than two years;
 4. A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent;
 5. A passport; or
 6. If none of the above can be produced, an affidavit of age sworn to by the parent and accompanied by a certificate of age signed by the public health officer or by a physician designated by the Board.
 - (b) Certification of a school entry medical exam performed within one year prior to enrollment in school (any child shall be exempt from the requirement of a health examination upon written request of the parent or guardian of such child stating objections to such exam on religious grounds. A school entry health exam may be documented on the State of Florida Department of HRS-H Form 3040 or a form that indicates the results of the components included in the health examination)(1003.22, F.S.);

CHAPTER 5.00 - STUDENTS

- (c) Documentation on HRS Form 680-A or B of current immunizations as determined by rules of the Department of Children and Families. (Any child may be granted exemption from the immunization requirements whose parent or guardian objects in writing because such conflicts with their religious tenets or practices or where a medical authority certifies in writing that the child shall be excused from the required immunizations for medical reasons.) (1003.22, F.S.)
- (5) Any pupil entering school in Levy County shall provide the following:
 - (a) A medical examination as defined in School Board Policy 5.04 (b) (1003.22, F.S.) and
 - (b) Certificate of immunization (1003.22, F.S.)
- (6) Pupils who fail to file the required health information stated in Subsection (4) (b) above within thirty (30) school days shall be excluded from school.
- (7) A pupil enrolled as an original entry shall present evidence of date of birth as provided in Section (4) (a) of these regulations or a transcript of a record of age recorded on his/her school record of at least four (4) years prior to application. Placement will be made according to the pupil's report card; however, in the absence of a report card, the pupil may be temporarily assigned to the grade deemed proper until a copy of his/her official record is received.
- (8) Complete information on pupil placement is found in the Student Progression Plan. This document is available at the School Board office.

STATUTORY AUTHORITY: 1001.02 (1), 1001.41 (2), 1001.42 (17)
1003.22, F.S.

LAWS IMPLEMENTED: 1003.21, 1003.22, 1006.07 (6) (a), F.S.

STATE BOARD OF EDUCATION RULE: 6A-6.024

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.05 - Admission to Kindergarten

POLICY:

Any child shall be eligible for admission to kindergarten if he/she has attained the age of five (5) years on or before September 1 of the school year. Provided, however, a child who transfers from another state shall be admitted under the same age requirements as established in the state where he/she previously resided. Before admitting a child to kindergarten, the principal shall require evidence of:

- (1) The child's date of birth in the manner provided by Florida Statutes;
- (2) An up-to-date immunization record; and,
- (3) A school-entry health examination conducted within one (1) year prior to enrollment in school in accordance with State Board of Education Rule 6A-6.024.

STATUTORY AUTHORITY:

1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED:

1003.21, 1003.22, F.S.

STATE BOARD OF EDUCATION RULE:

6A-6.024

HISTORY:

Adopted: 06/17/97
Revision Date(s): 11/17/98, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.06 - Admission to First Grade

POLICY:

- (1) For admission to first grade, a student shall be six (6) years old on or before September 1 of the school year and shall satisfy one (1) of the following requirements:
 - (a) Previous enrollment and attendance in a Florida public school;
 - (b) Satisfactory completion of kindergarten requirements in a non-public school; or
 - (c) Previous attendance in an out-of-state school in which he/she was admitted on the basis of age requirement established by the state of residency.
- (2) First grade students shall progress according to the District Student Progression Plan and the Florida Primary Education Program.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1003.21, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 11/17/98, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.07 - Granting Permission for Students to Leave the School Campus

POLICY:

- (1) All Levy County Schools shall have a closed campus, which means that no student who has arrived on campus may leave campus during normal school hours without meeting all of the requirements set forth below.
- (2) No pupil shall leave the school grounds during the school day without the written request of the parent or guardian. Such written request shall set forth with specificity the purpose for the child leaving campus, and such purpose shall be limited to those specified in Board Policy 5.03 for either an excused or a permissible absence. All such written requests shall be supported by such documentation as would be required pursuant to Board Policy 5.03 for such classification of absences. Under no circumstances shall students be released from school to have lunch or for any other such social purpose. Each day that a child is to miss a part of the school day will require a separate written request pursuant to this section.
- (3) Permission to leave the grounds during the day shall be granted only with written permission from the principal or his/her designee.
- (4) Any student who is found to have left the school grounds during the school day, **with or without the written request of a parent or guardian**, for any purpose not provided for an excused or permissible absence shall be subject to discipline as stated in the Student Code of Conduct. .

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), 415.506, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 11/17/98, 12/03/02, 2/7/12
Formerly:

CHAPTER 5.00 - STUDENTS

5.08 - Student Control

POLICY:

Any pupil enrolled in school shall be subject to the laws and regulations of the State Board of Education and the rules and policies of the Board during the time he/she is transported to or from school at public expense, during the time he/she is otherwise enroute to or from school or is presumed by law to be attending school, and during the time he/she is on the school premises. The pupil shall be under the control and direction of the principal or the teacher in charge of the school or any other member of the instructional staff or the bus driver as assigned by the principal. (1003.31, F.S.)

- (1) The principal shall see that pupils are properly supervised while at school and during any school sponsored activity.
- (2) The teacher or other member of the instructional staff shall assume such authority for the control and supervision of pupils as may be assigned to him/her by the principal and shall keep good order in the classroom and in other places where he/she is in charge of pupils. (1003.32, F.S.)

No pupil may be suspended from school or from class nor may corporal punishment be administered except as provided in these regulations.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1003.31, 1003.32, 1006.07 (6) (d), 1006.09, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.09 - Student Detention, Search, and Seizure

POLICY:

(1) Search - General

In all cases of search, lockers and personnel, the responsible school official shall maintain an accurate written summary of the events surrounding the search incident.

(2) Lockers

Lockers remain the property of the school and are provided to students without charge. The rights of personal property, however, as well as the rights of the school, must be afforded consideration. The school principal or his/her designee is authorized to open lockers in the presence of another witness and to examine their contents to include personal belongings of students when such person has reasonable suspicion to believe that the contents threaten the safety, health, or welfare of any student or include property stolen from the school, school personnel, or other students. This policy does not preclude administrators from being able to randomly search lockers.

(3) Personal Search

The right of students as citizens to be free from unreasonable search shall be preserved in the schools. As such, school officials shall proceed with extreme caution when engaging in the search of a student's person.

The search of the person of any student shall be reasonable and may involve only a "pat-down" of the person while clothed, but shall not permit the disrobing of the student. Such search shall be made by a member of the administrative or instructional staff in the presence of another adult. The student may be searched only by a staff member of the same sex. If the evidence is so strong that further search is necessary, the student shall be kept isolated and under observation, and legal authorities called.

(a) Secondary Students

1. Personal search may be conducted by school authorities when the health or safety of the student or other students is threatened. Reasonable grounds for this assumption must exist prior to the search.
2. When a search is to be conducted and the student resists the search, he/she shall be immediately removed from the rest of the student body and a request made to law enforcement officials to conduct the search.

CHAPTER 5.00 - STUDENTS

3. In all other circumstances where the search of a student appears necessary (i.e., theft, extortion, burglary, etc.), school officials shall, after informing the student of the action to be taken and the reasons thereto, contact the student's parents and/or law enforcement officials. The age, grade level of the student, and seriousness of the offense should be considered when determining whom to contact.

(b) Elementary Students

1. At the elementary level, personal search may be conducted by school officials when the health or safety of a student(s) is threatened or when there is a question of theft, extortion, or burglary. Whenever possible, the search should be carried out by the principal or his/her designee.
2. If the student refuses to submit to a search, resort should be had to the procedures specified in Subsection (3) (a) 3 above.

(4) Use of Metal Detectors

As part of an overall plan to protect the health, welfare, safety and lives of students, faculty, staff, and visitors to the public schools, and to enforce provisions of the Code of Student Conduct and Student Rights and Responsibilities, metal detectors may be used to scan and screen for firearms and other weapons in order to locate and deter the use of firearms and other weapons which have no place in public schools, due to the fact that they are life threatening, cause bodily harm, and have adverse and disruptive effects on the educational process.

(a) Random Use of Detector

Metal detectors may be used at random without cause at times to be determined by the site administrator or as otherwise prescribed by the district. Random searches shall be conducted with minimal disruption of the educational program. Care shall be exercised to be sure that the selection of students to be subjected to the detection process as part of a random sweep shall be demonstrably according to chance. It shall be the obligation of the person conducting the exercise to be able to explain to the satisfaction of the Superintendent, if called upon to do so, that no bias as to gender, religion, or race entered the selection process. A report shall be submitted from each secondary school to the Superintendent following each semester regarding the frequency and manner of use of metal detectors.

CHAPTER 5.00 - STUDENTS

(b) Selective Use of Detector

Surveillance solely with a metal detector shall not be considered a search governed by other policies of this Board relating to search of students and other persons on campus. The use of a detector is not required when there is reasonable suspicion that a weapon will be found. Nevertheless, no person shall selectively use a metal detector on one student or non-randomly selected group of students except:

1. On reasonable suspicion that a weapon will be found; or
2. Due to reasonable personal fear based on circumstances present or past that a weapon may be present.

In the event of such reasonable selective use of a detector, the employee may request school district law enforcement or local, county or state police to be present during the process and to conduct the detection on behalf of the school district. The employee shall, except when otherwise specifically ordered by an officer of competent jurisdiction, be in charge of the detection process and shall make such decisions and issue such orders to the officer as the employee shall deem appropriate for the circumstances. The employee may consult with the officer in making such decision and issuing such order and may follow, reject, or modify the recommended action.

(c) Individual Scanning of Persons

1. The actual scanning shall not actually touch any part of the body.
2. If the metal detector is not activated during the scanning, the person may be allowed to enter or remain in the school.
3. If the metal detector is activated during the scanning, the person shall be requested to indicate what metal may be causing the alert and, if there is not reason to believe the metal object is dangerous, to remove such object(s) for inspection by placing the object(s) in a container within sight of the person being scanned. A second scanning is then performed as described in Subsection (4) (c) 1.
4. If the second scanning fails to activate the metal detector, the person shall be allowed to enter or remain in the school.

CHAPTER 5.00 - STUDENTS

5. If the second scanning again activates the metal detector, a pat-down search may be conducted for the purpose of locating the object which activated the metal detector.

The pat-down search shall be limited to the area of the body where the metal detector was activated. Wherever possible, and except where school personnel are concerned for their safety or the safety of others, no school personnel may conduct a pat-down search of another person of a different sex, and all such searches shall be conducted only in the presence of another adult who is informed beforehand, and in the presence of the person to be searched, of the reason for such search.

6. If the school personnel detects an object other than a firearm or weapon during the pat-down, the person is asked to remove it. If the person does not remove it, then the school personnel shall remove it. If such object once removed appears to be the object which activated the metal detector, the person is allowed to enter the school. If the object feels like a firearm or weapon, the school personnel shall remove it.

Any of the above may be waived if the waiver is indicated by reason of a) an emergency or b) adverse student behavior.

(d) Scanning of Bags, Parcels, Briefcases, or Other Containers (referred to collectively as "parcels")

1. Parcels may be scanned by the metal detectors.
2. If a parcel does not activate the metal detector, it shall be returned to its owner with no further search unless circumstances require other action.
3. If the parcel activates the metal detector, the person conducting the search shall open the parcel in order to permit a visual search for firearms or weapons. Care should be taken not to physically handle objects within a parcel which cannot be seen. If further inspection is required, the contents shall be emptied into another container. If no firearms or weapons are seen, then the visual search ceases and the parcel is returned to the person.
4. In the event that a visual search of a parcel indicates other containers which could conceal a firearm or weapon, those containers shall be scanned.

CHAPTER 5.00 - STUDENTS

If the detector is activated, the parcel is subject to further visual search, as described in Subsection (4) (d) 3.

5. If firearms or weapons are found in any stage of the screening, those firearms and weapons and the involved student shall be handled under applicable provisions of the Code of Student Conduct and Student Rights and Responsibilities and applicable state law. Any weapons confiscated shall immediately be given to a law enforcement officer. If a law enforcement officer is not available, the weapon shall immediately be given to the principal or his/her designee.
6. Individual scanning and container scanning in all cases shall be minimally intrusive. In no way shall such scanning resort to a strip search of a person or a scavenger hunt of person's property.
7. If a student refuses to cooperate with these procedures, he/she she shall be reported to the principal and shall not be allowed to enter or remain in the school. The principal shall contact the student's parents or guardian and explain why the student will not be permitted to enter or remain in the school.
8. If, as a result of the use of detectors, any controlled substances, tobacco products or other objects prohibited by Rule of the School Board or applicable state law are found, they shall be confiscated and immediately given to the appropriate school employee or a law enforcement officer, whichever the circumstances dictate, and the student's parents or guardian shall be promptly notified.

(e) Calibration of Detectors

Each detector shall be maintained and calibrated in accordance with the manufacturer's directions under the supervision of the principal at the campus to which the detector is assigned.

(5) Search of Motor Vehicles

All parking areas located upon school district property on which students or visitors are permitted to park any motor vehicle, or which are designated as student or visitor=s parking areas shall be posted with a sign not less than 18 inches by 24 inches which shall read as follows:

CHAPTER 5.00 - STUDENTS

Search of Vehicles

By entering this area, the person in charge of any vehicle consents to search of the vehicle, with or without cause by school officials or law enforcement officers.

Search may include passenger compartment, engine compartment, trunk and all containers, locked or unlocked, in or on the vehicle.

It is the policy of the School Board of Levy County that any motor vehicle parked in a parking area on which students or visitors are permitted to park or which is designated as a student or visitor parking area may be searched by the site administrator or designee without a warrant under the following circumstances:

1. Where weapons including but not limited to guns, knives, or clubs, are in plain view within the motor vehicle, or
2. Where the student or other person has orally consented to the search of the motor vehicle, or
3. Where there is reasonable suspicion to believe that the contents of a motor vehicle offend against the law or Rules of the School Board of Levy County, Florida, or where there is reasonable suspicion to believe that the motor vehicle contains articles which school personnel are authorized to seize, or
4. Where there is reasonable suspicion to believe that the motor vehicle was used in the commission of a crime, or
5. Where there is reasonable suspicion to believe that the motor vehicle is carrying a prohibited or stolen or illegally possessed substance or object.

The site administrator or designee may require the student to surrender possession of any key to a motor vehicle parked in a student parking area as described herein for the purpose of opening the motor vehicle. Forced entry into a motor vehicle which is locked shall not be permitted.

The site administrator shall permit the student to be present during the search of the motor vehicle. Any item found in or on the motor vehicle which is prohibited by law or Rules of the School Board may be impounded.

CHAPTER 5.00 - STUDENTS

The student shall be given a written list of any such items which are impounded. Where appropriate, such items may be released to a law enforcement officer who shall be required to sign a receipt.

In the event that any provision of this policy, if strictly construed, would result in danger to any person by reason of a) apparent emergency or b) by adverse conduct of a student or other person, any person acting under the authority of the School Board of Levy County pursuant to this policy is authorized to take any reasonable action.

- (6) Each principal shall place a sign which is clearly visible to students and in a prominent location(s) within the school. The sign shall contain the following text:

Notice to Students

School authorities may search student lockers or other areas when reasonable suspicion that a prohibited or illegally possessed substance or object is contained within the area. Pursuant to 1006.09, F.S.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6) (d), 1006.09 (9), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 11/17/98, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.10 - Suspension of Students

POLICY:

- (1) The principal or his/her designee may suspend a pupil from school for willful disobedience, for open defiance of his/her authority or that of a member of his/her staff, for the use of profane or obscene language, or for other serious misconduct, and for repeated misconduct of a less serious nature; provided, that such suspension, with the reasons therefore, shall be reported immediately in writing to the parents or guardian, and to the Superintendent/designee. No student shall be suspended for unexcused tardiness, lateness, absence or truancy.

No suspension shall be for more than ten (10) days, and no suspension shall be made a dismissal unless so ordered by the Board in a resolution adopted and spread on its minutes. (1006.09 (1) (c), F.S.)

- (a) A teacher may suspend a student from school only if serving as the principal's designee in his/her absence.
 - (b) Where a pupil has attained the age of eighteen (18) years of age, notice in writing as required in Subsection (1) shall be made directly to the student, but notice to the parent or guardian shall not be required except as provided in Section 5.02 of these regulations. The Superintendent/designee shall receive a copy of the suspension notice to the student.
 - (c) A student under suspension may not be denied the opportunity to take a nine (9) weeks or semester examination. The student shall take the examination at the time designated by the teacher or principal/designee.
 - (d) A student who is suspended will be remanded to the custody of the student's parent or guardian with specific homework assignments for the student to complete.
- (2) The principal/designee may suspend a pupil transported to and from school at public expense from riding the school bus for a period not to exceed ten (10) school days; provided, that written notice is given immediately to the parent or guardian and to the Superintendent/designee; provided further, that any student who is eighteen (18) years of age shall be given written notice directly and a copy thereof sent to the Superintendent/designee except as provided in Section 5.02 of these regulations. (1006.09 (1) (b), F.S.)

CHAPTER 5.00 - STUDENTS

- (3) The following information shall be included in the written notice of suspension to the parents or guardian or the adult students and the Superintendent/designee:
 - (a) Nature of the offense;
 - (b) The date of the offense, beginning date of the suspension, and the date on which the student may return to school; and
 - (c) Any conditions involving the suspension, such as a possible reduction of the suspension following a conference and assurance from the student of a change of attitude.

Students may not come on any Levy County campus nor enter any activity, including extracurricular activities, during this suspension.

- (4) The principal/designee shall report each suspension in writing to the student's parent or guardian and to the Superintendent or his/her designee. This report shall be mailed or delivery initiated twenty-four (24) hours prior to the start of the suspension or on the next regular workday. A reasonable effort shall be made to contact the parent prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal or his/her designee may determine that the suspension will start without prior contact with the parent or guardian, but continued reasonable efforts shall be made to contact the parent or guardian.
- (5) Whenever possible, a hearing shall be given to the minor student and his/her parents or guardian, or the adult student, prior to the effective date of the suspension. Where conditions do not judiciously allow a delay in the suspension, the parents or guardian of the minor student, or the adult student, shall be offered a hearing at the earliest possible moment following the effective date of the suspension. Wherever possible, after hearing a student's defense or explanation of his/her conduct, the principal/designee shall explain to the student his/her reasons for the suspension and the conditions thereof.

Where the presence of a disruptive student interferes with the orderly discharge of normal school functions, such student shall be suspended forthwith. If the suspension involves a minor student, the parents or guardian shall be notified, as provided, above with an offer of a conference subsequent to the effective date of the suspension. If an adult student is involved, he/she shall be notified as to a conference date subsequent to the effective date of the suspension.

CHAPTER 5.00 - STUDENTS

- (6) When a student is formally charged with a felony by a proper prosecuting attorney for the unlawful possession or sale of any substance controlled under Chapter 893 or for an incident which allegedly occurred on property other than public school property, but which incident is shown to have an adverse impact on the educational program, discipline, or welfare of the school, the principal/designee shall conduct a hearing under the guidelines established by this rule and shall notify the parents or adult student whether or not the student shall be suspended pending court determination of the student's guilt. A student may be suspended under this rule only if they are immediately enrolled in a Daytime Alternative Education Program, or an evening alternative education program. If the pupil is found guilty of a felony, the Superintendent/designee shall have the authority to determine if a recommendation for expulsion shall be made to the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42 (17), F.S.

LAWS IMPLEMENTED:

120.57(1), 1000.01, 1006.07 (6),
1006.08 (8), 1001.54 (6)-(8), 1212.28
(2)-(5) (8), 1003.31, 1006.09, F.S.

STATE BOARD OF EDUCATION RULE:

6A-6.0331

HISTORY:

Adopted: 06/17/97
Revision Date(s): 10/17/00, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.11 - Expulsion of Students

POLICY:

- (1) The principal/designee may suspend a student from school for a period not to exceed ten (10) days with a recommendation that he/she be dismissed from school. Wherever possible, or if conditions permit, the principal/designee shall hear the student's defense or explanation of his/her conduct and shall explain to the student his/her reasons for suspension with a recommendation of expulsion. Wherever possible, a hearing shall be given the minor student and his/her parents or guardian, or to the adult student, prior to the effective date of the suspension.
- (2) Where the presence of a disruptive student interferes with the orderly discharge of normal school functions, such student shall be suspended forthwith, and the parents or guardian of the minor student, or the adult student, notified as provided herein with an offer of a conference subsequent to the effective date of the suspension. In any case, the principal/designee shall conduct an investigation into the charges and shall obtain written and signed statements from any witness immediately after the incident. With the knowledge of all parties concerned, a tape recorder may be used to record any proceeding with a parent or guardian or with students when such proceedings could lead to a recommendation for expulsion.
- (3) Any student who is suspended, out of school, fifteen (15) days or more per semester or twenty (20) days or more per school year shall be recommended by the principal/designee to the District Administrative Discipline Review Committee (DADRC) for consideration of expulsion. Any student enrolling in a Levy County school from another school district, private school, or state, shall be held to the provisions of this policy. This shall include any days they may have been suspended, out of school, during that school year at any previous school. Alternative placement may be recommended by the Board. The Board shall be notified of any recommendations for expulsion.
- (4) When a principal/designee has suspended a pupil, out of school, and recommended expulsion to the Superintendent/designee, the principal/designee shall follow all procedures set forth in 5.10 for a Pupil Suspension and shall notify the student and his/her parents or guardians in the suspension letter that the pupil is also being recommended to the Superintendent/designee for expulsion. If the Superintendent/designee, upon receiving the recommendation of the principal/designee, shall concur that a recommendation of expulsion is warranted, the Superintendent/designee shall notify the student and the student's parents or guardians in writing of the decision to recommend expulsion and shall further inform the student and the student's parents or guardians notice of an opportunity for a hearing at a regular or special meeting of the Board, said notice to contain the following:

CHAPTER 5.00 - STUDENTS

- (a) A narrative summary of the factual, legal, and policy grounds for the recommendation of expulsion, including specific reference to the appropriate section of the Code of Student Conduct;
- (b) An explanation of the right of the student or his/her representative to present to the School Board of Levy County written or oral evidence in opposition to the expulsion, or a written statement challenging the grounds upon which the Superintendent/designee has recommended expulsion;
- (c) The date and time that the School Board will consider the expulsion recommendation of the Superintendent/designee;
- (d) The right of the student or his/her representative to request a hearing before the School Board pursuant to Florida Statutes 120.57(2), including a form to request such a hearing;
- (e) The responsibility of this student or his/her representative to request a hearing in writing at least five (5) working days prior to the date that the School Board is scheduled to consider the recommendation for expulsion, and an explanation that failure to provide five (5) days written notice of the intention to seek a hearing may necessitate a continuance of the hearing and a continuation of the period of suspension for the student;
- (f) The right of the student or his/her representative to have counsel present at any hearing on the issue of expulsion;
- (g) The right of the student and his/her representative to seek and obtain a continuance to allow for reasonable time to prepare for a hearing, provided that such request for a continuance shall be made at least three (3) working days prior to the scheduled hearing, and shall require an extension of the suspension of the student until the next Board meeting;
- (h) The fact that, if necessary, the Superintendent/designee has extended the out-of-school suspension of the student beyond the normal ten (10) days, to allow for the expulsion hearing before the School Board, and the date that the suspension will terminate absent Board action or a continuance in the hearing;
- (i) The right of the student, parents, or guardians to waive consideration of all facts by the School Board and to stipulate the entry of an Order of the School Board imposing an expulsion for the remainder of the school year or, if appropriate, the remainder of the school year and up to but not exceeding the following school year, which recommended time of expulsion shall be specified in such Waiver and Stipulation, a copy of which will be included with the letter; and

CHAPTER 5.00 - STUDENTS

- (j) The right to receive a written explanation of the action taken by the School Board of Levy County, including its reasons for taking such action, within seven (7) days consideration by the Board or a hearing, if one is requested and held.
- (k) Students may not come on any Levy County campus nor enter any activity, including extracurricular activities, during this expulsion.
 - 1. If a hearing is requested, the School Board of Levy County may provide for an independent and unbiased attorney to act as Master to conduct the hearing and make rulings on points of law and order, if the Board feels that such a Master is required or reasonable.
 - 2. The Superintendent/designee or his/her designee or counsel shall present his/her case, and the student, and his/her representatives shall present their case, having the right to question each witness of the Superintendent/designee. The Superintendent/designee shall then present any rebuttal evidence, if required, to be followed by the student or the student's representatives.
 - 3. The School Board will be advised during the hearing by the School Board Attorney. Individual Board members may present questions to any witness.
 - 4. The School Board shall provide a written notice to the student and his/her representatives of its decision within seven (7) days of consideration of the recommendation for expulsion, or of any hearing on expulsion requested by the student and his/her representatives, which written notice shall be signed by the Chairman or the Secretary of the Board or Designee of the Secretary.
 - 5. All expulsion hearings shall be held in Executive Session of the School Board unless privacy is specifically waived by the student and his/her parents or guardians.
 - 6. The School Board shall have the authority as the receiving school district to honor the final order of expulsion of a student by another school board in accordance with the following procedures:
 - a. A final order of expulsion shall be recorded in the records of the school district.

CHAPTER 5.00 - STUDENTS

- b. The expelled student applying for admission to the school district shall be advised of the final order of expulsion.
 - c. The Superintendent/designee of schools may recommend to the School Board that the final order of expulsion be waived and the student be admitted to the school district, or that the final order of expulsion be honored and the student not be admitted to the school district. If the student is admitted by the School Board, with or without the recommendation of the Superintendent/designee, the student may be placed in an appropriate educational program at the direction of the School Board.
- (l) If a student withdraws from the district after a recommendation for expulsion has been made by the principal/designee, the Superintendent/designee may continue the process of expulsion.
 - (m) Provisions for the expulsion of Exceptional Education students shall be described and set forth in the Code of Student Conduct.

The dismissal of an Exceptional Education student shall not result in a complete cessation of educational services. The District is responsible for providing the dismissed student=s education during the expulsion in accordance with a revised Individual Education Plan (IEP).

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 120.57(1), 1003.31, 1006.07 (6),
1006.09, 1006.21 (8), 1001.54 (6)-(8),
1212.28 (2)-(5) (8), F.S.

STATE BOARD OF EDUCATION RULE: 6A-6.0331

HISTORY: Adopted: 06/17/97
Revision Date(s): 02/22/00, 10/17/00,
12/03/02, 12/02/03,
02/17/09

CHAPTER 5.00 - STUDENTS

5.12 - Judicial Review

POLICY:

A student, or the parents or guardians of a student, who is expelled pursuant to School Board action may appeal the Order of Expulsion to the First District Court of Appeals of the State of Florida as provided in Florida Statutes 120.68, and as governed by the Florida Rules of Appellate Procedure, provided that such appeal must be initiated by the filing of a Notice of Appeal within thirty (30) days of the issuance of the Order of Expulsion.

STATUTORY AUTHORITY: 120.68, 1001.42 (17), F.S.

LAWS IMPLEMENTED: 120.68, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.13 - Zero Tolerance for School Related Crimes

POLICY:

- (1) It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. Although education and prevention are the preferred means of achieving safe schools, there must be a clear statement of policy that violence in school will not be permitted.
- (2) Students found to have committed the following offenses on school property, school-sponsored transportation, or during a school-sponsored activity shall receive the most severe consequences provided for by School Board policy and/or the Code of Student Conduct:
 - (a) Homicide (murder, manslaughter);
 - (b) Sexual Battery;
 - (c) Armed Robbery;
 - (d) Aggravated Battery;
 - (e) Battery or Aggravated Battery on a Teacher or Other School Personnel;
 - (f) Kidnapping or Abduction;
 - (g) Arson;
 - (h) Possession, Use or Sale of Any Firearms; or
 - (i) Possession, Use or Sale of Any Explosive Device.
- (3) Prior to taking such action against any student, appropriate due process procedures shall be followed. If a student committing one of the offenses outlined in Subsection (2) of this rule is identified as disabled and participating in a program for exceptional students, then school personnel shall follow procedures in Rule 6A-6.0331, FAC. This provision shall not be construed to remove the School Board's or Superintendent's discretion in cases where mitigating circumstances may affect decisions on disciplinary action.
- (4) Appropriate school administrators may assign more severe consequences than normally authorized for violations of the Code of Student Conduct when the offender appears motivated by hostility toward the victim's real

CHAPTER 5.00 - STUDENTS

or perceived race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference, or disability.

- (5) School officials shall ensure that local law enforcement authorities are notified as soon as possible when one of the offenses listed in Subsection (2) of this rule is committed on school property, on school-sponsored transportation, or during a school-sponsored activity. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parents or legal guardian, if the victim is a minor, of the offense and of the victim's right to press charges against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights as provided by law.
- (6) Petty acts of misconduct and misdemeanors do not require reporting to law enforcement agencies. This includes but is not limited to, disorderly conduct, disrupting a school function, simple assault or battery, affray, theft of less than \$300, trespassing, and vandalism of less than \$1,000.
- (7) The school principal shall monitor the administration of discipline of students to ensure that discipline is administered equitably without regard to real or perceived race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference, or disability. Annually, the principal shall review school improvement plans to maintain a safe and healthy school environment that protects the civil rights of all students.
- (8) The authority of the teacher and other instructional personnel to discipline violent and disruptive students shall be consistent with the provisions of the Code of Ethics (Rule 6B-1.001, FAC) and the Principles of Professional Conduct of the Education Profession in Florida (Rule 6B-1.006, FAC) school district's Code of Student Conduct, and the schools' policies. Within these parameters, the teacher and other instructional personnel shall have the authority to undertake any of the following alternatives in managing student behavior and in ensuring the safety of all students in their classes and schools.
 - (a) Create and maintain positive learning environments in which students are actively engaged in learning, social interaction, and self-motivation;
 - (b) Establish classroom rules of conduct;
 - (c) Make reasonable efforts to protect the student from conditions harmful to learning, mental and physical health, and safety.
 - (d) Establish and implement consequences for infractions of classroom rules;

CHAPTER 5.00 - STUDENTS

- (e) Assist in enforcing the Code of Student Conduct and school rules on school property, on school-sponsored transportation, and during school-sponsored activities;
 - (f) Assist in educating students on their rights and responsibilities as contained in the Code of Student Conduct and school rules;
 - (g) As an early intervention, hold parent conferences to solicit support for positive behavior management;
 - (h) Utilize existing referral and assessment procedures to determine the violent and disruptive student's need for additional services and special programs;
 - (i) If the violent and disruptive student has been identified as having disabilities and is currently enrolled in an Exceptional Student Education (ESE) program, the teacher and other instructional personnel apply the provisions of Rule 6A-6.0331, FAC;
 - (j) Collaborate with school resource officers, student assistance personnel, and other student services personnel in identifying services for violent and disruptive students;
 - (k) Have violent and disruptive students temporarily removed from the classroom or area of supervision for behavior management intervention;
 - (l) Inform a student's parent or guardian within twenty-four (24) hours after the student is referred for violent or disruptive behavior;
 - (m) When necessary, use reasonable force to protect themselves, students, and other adults from violent or disruptive behavior; and
 - (n) Press charges as authorized in Florida Statutes, if a crime has been committed against the teacher or other instructional personnel on school property, on school-sponsored transportation, or during school-sponsored activities.
- (9) Teachers and other instructional personnel have responsibilities for the safety of students and others as described in Rules 6B-1.001 and 6B-1.006, FAC.
- (10) The following is available upon request by school personnel:
- (a) Information as to the disposition of their referrals to the administration for violation of classroom or school rules;

CHAPTER 5.00 - STUDENTS

- (b) Assistance in behavior management if student(s) becomes uncontrollable or in case of emergency; and
 - (c) Training and other assistance to improve skills in behavior management, violence prevention, conflict resolution, and related areas.
- (11) Upon receipt of notification from law enforcement, the Department of Juvenile Justice, the Office of the State Attorney, or the court system that a public school student has had certain types of contact with the juvenile justice system, the Superintendent or designee, within twenty-four (24) hours of such notice, shall provide such information to student services personnel, school resource officers, the school student assistance coordinator (if applicable), and the student's immediate teachers. Immediate teachers are those in whose courses or classrooms the student in question is currently enrolled. The above notification is required if the public school student has:
 - (a) Been taken into custody for a delinquent act, a violation of law which would be a felony if committed by an adult or a crime of violence;
 - (b) Been charged with a felony or a delinquent act that would be a felony if committed by an adult;
 - (c) Been adjudicated delinquent for an offense that would be a felony if committed by an adult;
 - (d) Had adjudication withheld for a delinquent act that would be a felony if committed by an adult; or
 - (e) Been found guilty of a felony.
- (12) The principal or director of an off-site program in which the student may be assigned shall assure that the information on that student does not become a part of the student's permanent record and is not shared with school personnel who do not have a need to know. In sharing the information, all school personnel shall adhere to confidentiality provisions continued in applicable state and federal laws and regulations.
- (13) The principal or other authorized school official may use a student's juvenile justice information, in conjunction with other relevant information, to review a student's current educational placement and need for services, and to protect the safety of other students and school personnel. Such placement decisions shall be made in accordance with School Board policies and state laws and regulations governing the placement alternative.

CHAPTER 5.00 - STUDENTS

- (14) Following appropriate due process procedures, a student charged with a felony or delinquent act that would be a felony if committed by an adult whether it occurred on or off the school property, may be assigned to an alternative program or receive alternative educational services. Such assignment may be made upon the determination that the student is eligible according to federal or state program criteria, and:
- (a) The nature of the offense is such that the student poses a threat to the safety of other students or personnel at school;
 - (b) The student's safety is at risk by remaining in school with other students; or
 - (c) An alternative education placement will better meet the educational, emotional, and social needs of the students.
- (15) If a principal has reason to believe that a student may have a criminal record, the principal is authorized to request and receive information on the criminal history of a public school student from a local law enforcement agency.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

120.57, 775.08, 784.081, 790.162,
790.163, 985.04, 1001.42, 1001.43,
1001.54, 1003.31, 1006.07, 1006.08,
1006.09, 1006.13, 1006.14, F.S.

STATE BOARD OF EDUCATION RULES:

6A-6.0331

HISTORY:

Adopted: 06/17/97
Revision Date(s): 11/17/98, 12/03/02,
09/06/11
Formerly:

CHAPTER 5.00 - STUDENTS

5.14 - Gun Free Schools

POLICY:

- (1) Any student who is determined to have brought a firearm, as defined in Section 921 of Title 18 of the United States Code, to school, any school function, or on any school-sponsored transportation will be recommended for expulsion, with or without continuing educational services, from school for a period of not less than one (1) full year and referred for criminal prosecution.
- (2) The Superintendent may consider the one (1) year expulsion requirement on a case by case basis and request the School Board to modify the requirement if determined to be in the best interest of the student, the school system, or in the case of students with disabilities in compliance of Rule 6A-6.03311 FAC.
- (3) The definition of a weapon, as defined in Section 921 of Title 18 of the United States Code is:
 - (a) Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
 - (b) The frame or receiver of any weapon described above;
 - (c) Any firearm muffler or firearm silencer;
 - (d) Any explosive, incendiary, or poison gas as follows:
 1. Bomb;
 2. Grenade;
 3. Rocket having a propellant charge of more than four ounces;
 4. Missile having an explosive or incendiary charge of more than one quarter ounce;
 5. Mine; or
 6. Similar device;
 - (e) Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

CHAPTER 5.00 - STUDENTS

- (f) Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.
- (4) According to Section 921, the following are not included in the definition:
 - (a) An antique firearm;
 - (b) Any device which is neither designed nor redesigned for use as a weapon;
 - (c) Any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; and
 - (d) Surplus ordinance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of Section 4684(2), 4685, or 4686 of Title 10.
- (5) Students who violate this policy shall be reported to the appropriate law enforcement agency.

STATUTORY AUTHORITY: 1001.42 (17), F.S., Section 921 of Title 18, United States Code

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.15 - Administration of Medication During School Hours

POLICY:

The School Health Service Plan shall include a procedure to provide training for school personnel to assist students in the administration of prescription and non-prescription medication.

- (1) Definitions
 - (a) Prescription Medication

A drug or medication as defined in Ch. 893, F.S. FDA approved, and issued by a doctor duly licensed by the state to prescribe such drugs.
 - (b) Non-Prescription Medication

A medication that is authorized pursuant to state or federal law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.
- (2) Under the direction of the principal, the school health coordinator will be responsible for providing training in the administration of prescription medication to designated personnel at the beginning of each school year. Each school principal shall designate an individual and an alternate to participate in the training session.
- (3) Procedures for administering medication shall include, but not be limited to, the following:
 - (a) Written permission shall be obtained from the parent or legal guardian to administer each prescription or non-prescription medication. The request shall include an explanation for administering the medication during the time that the student is under supervision and control of school authorities. Non-prescription medication will only be administered after consultation with the school nurse. In cases where there is no doctor's order, the school nurse may require such a statement based on his/her medical judgment.
 - (b) All medication must be delivered to school by the child's parent, guardian, or adult designee. All medication must arrive in its original container and be clearly labeled with the student's name. In addition, prescription medication must include:

CHAPTER 5.00 - STUDENTS

1. Diagnosis;
 2. Reason for giving;
 3. Name and purpose of medication;
 4. Time the medication is to be given;
 5. Specific instructions on the administration of the medication;
 6. Beginning date – Ending date;
 7. Allergies;
 8. Side effects;
 9. A note signed by the student's parents(s), as defined by Florida Statutes, to grant permission for administering the prescription medication;
 10. Medication to be counted with two (2) persons signing.
- (c) All medication shall be kept in a locked cabinet. Asthmatic students shall be able to carry a metered dose inhaler while in school when they have written approval from their parents and their physicians. These inhalers must be clearly labeled in the original box or with a copy of the prescription from the physician with the student's name, directions for administration, physician's name, and date. Upon his/her medical judgment, the school nurse may require said student to demonstrate competency and understanding of inhaler use.
- (d) A student with a special health condition(s) such as asthma, diabetes, pancreatic insufficiency, cystic fibrosis or hypersensitivity may carry prescription medication for emergency situations on self if approved by his/her physician and his/her parent. The approval of the physician and the parent and information regarding the medication required in (c) must be on file in the office/clinic. Upon his/her medical judgment the school nurse may require the student to demonstrate competency and understanding of its use. The school nurse must be notified by the parent/guardian that the student will carry this medication. If the student is unable to self administer safely, the school nurse will meet with the parent/guardian to make an appropriate plan of care.
- (e) The principal or his/her designee shall be responsible for keeping a record of all students receiving medication. All medication received shall be counted and documented. This information shall be treated as confidential medical records.
- (4) There shall be no liability for civil damages resulting from the administration of such medication where the person administering the medication acts as an ordinarily reasonably prudent person would have acted under the same or similar circumstances. (1006.062 (2), F.S.)

CHAPTER 5.00 - STUDENTS

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 1000.21, 1001.43, 1002.20, 1002.22, 1006.062, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 11/17/98, 10/19/99, 12/03/02,
12/19/06, 11/16/2010
Formerly:

CHAPTER 5.00 - STUDENTS

5.16 - Eye Protection Devices

POLICY:

The principal shall inform all teachers concerned with instruction in courses specified in Florida Statute 1006.063 of the requirements relating to the wearing of eye protection devices. The principal shall direct such teachers to continuously follow provisions of Florida Statutes without exceptions.

- (1) The School Board shall provide protective devices for School Board employees, students, and visitors.
- (2) The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities listed under the Eye Protection Device Law. The student's failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.
- (3) Any teacher who fails to carry out the provisions of this rule shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.063, 1006.07 (6), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.17 - Student Injuries

POLICY:

The following procedures shall be followed when a student is seriously injured at school:

- (1) First aid shall be administered by the nearest person with first-aid training.
- (2) The student's parent(s) or legal guardian shall be notified immediately.
- (3) The family physician shall be notified and his/her instructions followed if the parent(s) or legal guardian, or a responsible adult member of the family cannot be reached.
- (4) If a life threatening situation occurs, 911 shall be called
- (5) A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- (6) An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.
- (7) An insurance report shall be prepared if an injury is covered by insurance.

STATUTORY AUTHORITY: 1001.41 (2), 1004.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), 1006.21 (8), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.18 - Legal Name of Student

POLICY:

Where a parent of any other person seeks to enroll a student under a name other than the legal name, or seeks to change the name of a student already enrolled, the parent or other person shall be informed that the name of the student as recorded on the birth certificate or other supporting evidence, as provided by law, will be used on all official records until such time as a final court order verifying a legal change is received.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1003.21, F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.19 - Educational Records of Pupils and Adult Students

POLICY:

Student educational records are maintained to facilitate the instruction, guidance, and educational progress of pupils and adult students. The rights of pupils and their parents or guardians shall be protected with respect to records and reports as created, maintained, and used by the School Board of Levy County. An annual written notice shall be provided to inform parents, guardians and adult students of their rights as defined in 1002.22, F.S.

(1) The Cumulative Student Record

(a) A student's cumulative record shall contain information in the following classifications:

1. Category A

Permanent information kept current on the Florida Permanent Record Card (6A-1.0955(3))

- a. Full legal name and any known changes
- b. Birth date, place of birth, race, and sex
- c. Last known address
- d. Social security number or student identification number
- e. Name(s) of student's parent(s) or guardian
- f. Name and location of last school attended
- g. Attendance data to include date enrolled and date withdrawn
- h. Academic record
- i. Date of graduation or program completion

2. Category B

Temporary information, subject to periodic review and elimination (6A-1.0955(4))

- a. Health information

CHAPTER 5.00 - STUDENTS

- b. Family background data
- c. Standardized test scores
- d. Educational and vocational plans
- e. Student services reports, including all exceptional student information required by Florida Statutes

(b) Change of Record

A pupil's record may not be changed or altered in any manner except by authorization or direction of the principal to correct any error or other valid cause. Any change on the record shall be signed by the person making the change.

(c) Security of Records

The principal shall develop a procedure to insure the security and accountability of student records. (6A-1.0955(8)(a)) Under no condition shall the records be removed from the school building except by order of the court or upon direction of the Board.

The School Board office shall maintain a listing of the types and locations of education records and the coordinators and/or principals will be responsible for these records.

(d) Availability of Records

A student's record shall be available for inspection or review as follows:

1. Upon request, the principal shall make the record available for inspection by the Superintendent.
2. The record shall be available to members of the professional staff of the school who have a valid and legal interest in the student.
3. The principal shall designate the appropriate personnel to share relevant health information to those that have a valid and legal interest in the student.

CHAPTER 5.00 - STUDENTS

4. The permanent cumulative record shall be available to the parent or guardian in the presence of the principal or his/her designated representative.
 5. A court of competent jurisdiction may inspect the record or issue a court subpoena relative to a record.
- (2) Annual Notice of Parents' Rights Regarding Student Records (1002.22, (3) F.S.)
- (a) An annual written notice shall be sent to inform parents or guardians of pupils and adult students of their rights concerning student records. An alternate method of notice shall be used to inform those persons who cannot comprehend a written notice in English.
 - (b) The notice shall include, but is not limited to, the following:
 1. Right of Access
 2. Right of Waiver of Access
 3. Right to Challenge and Hearing
 4. Right of Privacy
 - (c) This notice will also inform parents that they may review Levy County School Board policies regarding educational records at the School Board Office in Bronson.
- (3) Disclosure of Personally Identifiable Information (1002.22 (3) (d) F.S.)
- (a) Personally identifiable information may be periodically disclosed to school officials, other school systems, accrediting organizations, and governmental agencies, including military recruiters, as set forth in applicable statutes, appropriate parties in connection with an emergency, health and safety emergencies, student financial aid, organizations conducting studies, the Auditor General, and as evidence in hearings conducted by the Board.
 - (b) If a parent chooses not to have any of the aforementioned information disclosed, they may ~~opt out~~ opt out by signing a form provided by the school indicating their desired intent. This form can be obtained from the administrative office at the school site and may be signed at any time during the school year.

CHAPTER 5.00 - STUDENTS

- (c) Except as noted in this rule or as permitted by statutes, release of personally identifiable information shall be made only upon written consent of the parent or guardian or adult student, or through a legally binding instrument or court order.
 - (d) Written consent, when required, shall have the dated signature of the parent or guardian or adult student, and shall include specifications of the records disclosed, purpose of the disclosure, and the party or agency to whom the record is transferred.
- (4) Provisions for Challenging Content of Records (6A-1.0955(6)(k))

If an adult student, parent, or guardian challenges the content of records as misleading, inaccurate, or a violation of their privacy, the following procedures shall be employed:

- (a) An informal meeting between parent and school will be called at which any of the following may be done:
 1. Make corrections
 2. Make deletions
 3. Exchange material
 4. Add a statement of explanation or rebuttal to a file

Such agreements shall be in writing and signed by both parties. The principal will take the necessary action to implement the agreement.

- (b) A hearing may be requested by either party when agreement cannot be reached informally. Upon request of the parent, guardian, pupil, or student, the hearing shall be exempt from the requirements of 286.011, F.S. The hearing shall be conducted within a reasonable time and as follows:
 1. The hearing shall be conducted and the decision rendered by an official of the educational institution or other party who does not have a direct interest in its outcome.
 2. The parent, guardian, pupil, or student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised under this paragraph.
 3. The decision shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.
 4. The appropriate school officials shall take the necessary actions to implement the decision.

CHAPTER 5.00 - STUDENTS

(5) Transfer of Records

Student records shall be transferred as hereinafter prescribed:
(6A-1.0955(7))

(a) Public Schools Within the District

Upon notification by the principal of the receiving school that a pupil has enrolled there, the cumulative permanent record shall be forwarded immediately to the receiving school. A copy of the student's academic record shall be retained in the files of the original school.

(b) Private Schools and Public Schools Outside the School District

The insert or a transcript of the cumulative record shall be sent upon the notification by the principal that the pupil has enrolled in his/her school. The sending school shall retain the cumulative folder. Any transcript of a pupil's record shall include:

1. Personal data
2. Academic record (grades)
3. Attendance and health record
4. Standardized test results
5. Psychological test results

(c) Permissive Transfer Requests

With the permission of the parent, guardian, or a student enrolled in senior high school, a transcript may be sent to individuals and agencies.

(d) The principal shall establish a procedure for sending transcripts of records.

(6) Other Transfer Situations

- (a) When a school is closed or phased out, the inactive records shall be immediately transferred to the school center which replaced the former school, as related to grades and the area served, or as otherwise directed by the Superintendent.
- (b) Current records shall be transferred at the close of the school year for students who will attend a different school the following year due

CHAPTER 5.00 - STUDENTS

to geographic boundary changes, promotion from an elementary to a middle school, or from a middle to a high school. Such records shall be transferred without request following the close of the school term.

- (7) There shall be only one cumulative permanent record for each child. This record shall be kept current from year to year and shall follow the pupil throughout his/her career in the public schools of the district. Under no conditions shall a grade or grades be withheld from the permanent records.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 119.07(1), 1001.52, 1002.22, 1003.25, F.S.
PL 103-382 (34 CFR Pt. 99)

HISTORY: Adopted: 06/17/97
Revision Date(s): 11/17/98, 10/19/99, 12/03/02
05/06/03
Formerly:

CHAPTER 5.00 - STUDENTS

5.20 - Directory Information

POLICY:

A student's parent(s) or legal guardian shall be notified annually in the Code of Student Conduct that the School Board may release "directory information" to the general public.

- (1) Directory information includes the following data about a student:
 - (a) Name;
 - (b) Address;
 - (c) Telephone number, if listed;
 - (d) Participation in officially recognized activities and sports;
 - (e) Weight and height, if an athletic team member;
 - (f) Name of the most recent previous school or program attended;
 - (g) Dates of attendance at schools in the District and degrees and honors received; and,
 - (h) Date and place of birth.
- (2) Information described in Subsections (1)(a), (d), (e), (f), and (g) herein may be published routinely by the School Board in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.
- (3) Directory information requested in writing by agencies identified in Section 1002.22 (3) (d), F.S., may be released subsequent to written notification to the student's parent(s) or legal guardian or a student who is eighteen (18) years or older. The written notification to the student or the student's parent(s) or legal guardian shall be by certified mail receipt and shall be addressed to the most current address on file at the school or District office.
- (4) Directory information shall not be published when the student's parent(s) or legal guardian submits written notification to the principal within thirty (30) days of distribution of the Code of Student Conduct. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information pursuant to Florida Statutes or federal laws.

CHAPTER 5.00 - STUDENTS

STATUTORY AUTHORITY: 1001.42 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1002.22, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.21 - Married and Pregnant Students

POLICY:

- (1) Students who are absent from school for reasons related to pregnancy are exempt from the minimum attendance requirements but shall be required to make up work missed.
- (2) Absences due to the illness of a student's child is exempt from the minimum attendance requirements; provided the illness of the child is substantiated through a doctor's statement or a statement from the daycare center verifying their refusal to accept the child for care due to a specified health reason.
- (3) In lieu of a doctor's statement, the district will automatically include seven (7) days prior to and thirty (30) days following the birth of a child as an accepted absence relating to childbirth. The student is responsible for getting assignments and making up missed work.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), 1003.21, F.S.

LAWS IMPLEMENTED: 1003.53 (4) (b) 1, F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.22 - School Day for Pupils

POLICY:

- (1) The school day for pupils shall begin and close at those times as directed by the Superintendent under authorization from the Board. No school shall operate school for any group of pupils for less than the minimum time required by law; hence, the following minimum net hours, excluding all intermissions: (1000.01 (13), F.S.)
 - (a) All Grades Above Grade 3
Five (5) net hours, 300 instructional minutes daily
 - (b) Grades 1 - 3 Inclusive
Four (4) net hours
 - (c) Kindergarten
Three (3) net hours
- (2) The Superintendent shall examine the daily pupil schedule of each school to determine that there is an acceptable uniformity in the length of the school day for pupils throughout the district.
- (3) The net hours in the school day shall consist only of instruction in an approved course of study and shall exclude all non-instructional activities.
1000.01 (13), F.S.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17) F.S.

LAWS IMPLEMENTED: 1000.01(13), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.23 - Student Identification Number

POLICY:

- (1) The social security number of each student shall be included as part of the student's cumulative record. However, a student may not be required to provide his/her social security number as a condition of enrollment or graduation. A student may satisfy this requirement by presenting his/her social security card or a copy to school officials. (1008.386, F.S.)
- (2) A student's social security number shall be considered confidential information and may not be released without the written consent of the parent or guardian as provided in 1002.22 (3) (d), F.S.
- (3) Where a student identification number is not a social security number, this fact shall be noted in the record.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1008.386, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.24 - Detention

POLICY:

When, in the opinion of the teacher, detention is in the best educational interest of the pupil, detention after normal school hours is permitted. Within twenty-four (24) hours advance written notice to the parent or guardian, a pupil may be detained after school for a period not to exceed one and one half hours (1 1/2) daily and for a period not to exceed five (5) consecutive days.

- (1) In the case of a transported pupil, transportation home is the responsibility of the student and/or the parent or guardian.
- (2) A reasonable assignment designed to improve the academic or behavior level of the student shall be an integral part of any detention.
- (3) Students in detention shall be supervised at all times by instructional staff or aide assigned by the principal.
- (4) Nothing in the rule precludes a student from voluntarily remaining after school for help.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.25 - Grade Reduction as Punishment

POLICY:

A pupil's academic grade shall not be reduced as a disciplinary measure; however, this shall not be interpreted to mean that an unexcused absence resulting from suspension or dismissal will not result in the pupil's earning a lower grade because of work missed.

Students in grades 9-12 receiving out of school suspension will not be permitted to receive credit on work missed.

Immediately upon suspension (day one), at the request of the parent or student, the school will provide to the suspended student, homework assignments and instructional materials so that the student has the opportunity to keep up with his/her program of instruction during the period of suspension. Students in grades K-8 placed on out of school suspension may have the opportunity to make up work.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6) (c), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 10/17/00, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.26 - Corporal Punishment

POLICY:

The use of corporal punishment shall be approved in principle by the principal before it is used, but approval is not necessary for each specific instance in which it is used. The principal shall prepare guidelines for administering corporal punishment. (1003.32 (1), F.S.) If corporal punishment is administered without the express approval of the principal, a written record of each instance shall be immediately forwarded to the principal showing the student's name, reason for corporal punishment, person administering punishment, adult witness, and date and time of punishment. Where the absence of the principal has caused the administrative duties of the school to devolve upon the assistant principal, he/she may give approval for the use of corporal punishment.

- (1) Corporal punishment shall be administered by a member of the school administrative or instructional staff and in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment. Corporal punishment shall not be administered by a person while he/she is angry, nor shall such punishment be administered with malice.
- (2) In no case shall such punishment be unduly severe or degrading in nature.
- (3) Such punishment shall not be administered in the presence of other pupils.
- (4) Corporal punishment shall never be administered to a child known to be under medical treatment for an emotional disability or to a child suffering from a physical condition which would cause his/her life to be endangered by the use of such punishment.
- (5) Parents shall be notified verbally or in writing whenever corporal punishment is administered.
- (6) Parents who object to corporal punishment shall inform the principal in writing. In such cases, the principal shall provide alternate forms of punishment, which may include, but are not limited to time out rooms, in-school suspension, student peer review, parental involvement, and other forms of positive reinforcement, such as classes on appropriate classroom behavior.

CHAPTER 5.00 - STUDENTS

STATUTORY AUTHORITY: 1006.07 (6) (c), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1003.32 (1), F.S.

HISTORY: Adopted: 06/17/97
 Revision Date(s): 12/03/02, 08/21/12
 Reviewed: 10/20/2009, 08/21/12, 08/25/15
 Formerly:

CHAPTER 5.00 - STUDENTS

5.27 - Boycotts, Walkouts, Sit-Ins, and Other Disruptive Acts

POLICY:

Any student who participates in a boycott, walkout, sit-in, strike, or any similar disruptive action which interferes with the orderly operation of the school shall be deemed guilty of serious misconduct and shall be subject to suspension or expulsion from school.

STATUTORY AUTHORITY: 1001.41 (2), 1006.07 (6) (c), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.08 (8) (c), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.28 - Students Infected With Serious Communicable Diseases

POLICY:

When medical documentation exists indicating a student is infected with a serious communicable disease, these procedures shall be followed:

- (1) The case will be referred to a review board known as the Levy County Medical Evaluation Committee, hereinafter referred to as the Committee. This Committee shall consist of, but not be limited to, the parent(s) or legal guardian(s) of the infected child, if they so choose, the child's physician, the County Public Health Medical Director, a senior school administrator, the School Board Attorney, and the Exceptional Student Education Director. No personally identifiable information shall be made available to the Committee.
- (2) The Committee shall make recommendations to the Superintendent regarding the education, safety, and welfare of the infected student, as well as that of other students and school personnel. Placement recommendations to the Superintendent shall be based on the circumstances surrounding each case. The majority of cases will fall into one or more of the categories below:
 - (a) Any infected student experiencing a mental, emotional, or physical disabling condition be served according to rules and policies governing the appropriate Exceptional Student Education category. A recommendation of referral for an Exceptional Student Education evaluation may be made by the Committee. An appropriate district staffing committee should make recommendations for placement in a program and for developing an Individual Education Plan (IEP) in accordance with the procedures established in P.L.94-142. Appropriate due process procedures shall be followed.
 - (b) Any infected student determined for medical or behavioral reasons to pose a significant risk of transmission of a serious communicable disease to other students shall be provided with reasonable accommodations environment which will minimize the risk of transmission to others.
 - (c) Based on medical documentation and parental request, an infected student may be granted an exemption from compulsory school attendance in accordance with procedures defined in Florida Statute 1003.21.
 - (d) The condition of the student shall be assessed weekly by a representative of the Health Department and additional meetings of the full Committee may be convened upon request of the Health Department.

CHAPTER 5.00 - STUDENTS

- (e) The opportunity shall exist for the reassessment of the student accommodations and disability upon request by the parent.
- (f) The Superintendent shall review the recommendations of the Committee and make a final decision in the matter.

STATUTORY AUTHORITY:

1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED:

1000.01 (18) (19), 1001.42 (9)-(20) (22),
1002.22, 1001.03 1010.305, 1001.42
(1)-(4), 1006.07 (6), 1006.21 (9)-(20),
1006.28 (7), 1011.62 (1) (c), 1012.22
(5), F.S.

STATE BOARD OF EDUCATION RULE:

6A-6.03020; .0331; .0341

HISTORY:

Adopted: 06/17/97
Revision Date(s): 11/17/98, 10/16/01,
12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.29 - Exemption From Physical Education Program

POLICY

A pupil, who by reason of illness or disability, is unable to participate in the more vigorous forms of activity of physical education shall be assigned to modified activity upon the recommendation of the attending physician. Work done under a modified program shall be with full credit. A note from the parent of guardian shall excuse a child temporarily from physical education after an absence due to a brief illness. The principal shall determine the length of a temporary excuse without a statement from a physician.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1001.41 (2), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.30 - Secret Organizations/Gangs

POLICY:

All secret societies, social clubs, fraternities, sororities, gangs, and kindred organizations composed partially or entirely of pupils drawn from the public schools of this district are prohibited, forbidden, and excluded from the public schools of the district.

- (1) No pupil shall be permitted to join or to be connected as a member or otherwise with any such secret society, social club, gang, or to participate in the organization or formation of such clubs.
- (2) Any pupil violating this rule and Florida Statute 1006.14 shall be subject to suspension or dismissal from school.
- (3) Levy County students, while on the school campus or participating in a school activity, shall not join, form, participate in, or become a member of a gang or any group that functions in a manner similar to a gang.

STATUTORY AUTHORITY: 1001.42 (17), 1006.14, F.S.

LAWS IMPLEMENTED: 1006.14, F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.31 - Student Dress Code

POLICY:

- (1) The Student Code of Conduct shall prescribe student dress code including provisions for failure to abide by dress code requirements.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 12/03/02, 8/2/11
Formerly:

CHAPTER 5.00 - STUDENTS

5.32 - Club Initiation Ceremony/Hazing Activities

POLICY:

- (1) Any club or organization of a school which engages in an initiation ceremony of its members shall prepare and submit its program of initiation exercises to the faculty sponsor of the club or organization for review by the principal of the school. No initiation ceremony may be used in any school without the written approval of the principal.
- (2) Initiation activities shall not be degrading to an individual or involve hazing activities. All initiation activities shall reflect the honor of the organization.

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

- (3) According to Florida Statute, committing an act of hazing which creates a substantial risk of physical injury or death is a first degree misdemeanor. The penalty increases to a third degree felony if the act of hazing results in serious bodily injury or death.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 10/16/01, 12/03/02, 09/06/05
Formerly:

CHAPTER 5.00 - STUDENTS

5.33 - Vehicle Use by Students; Arriving and Leaving School Grounds

POLICY:

- (1) A student leaving home for school should proceed directly to the school campus. If transported by school bus, the student shall proceed directly to the designated bus stop and wait. After arriving at school, a student shall remain on the school grounds unless given permission to leave as provided in these regulations. At the close of the school day, the student shall leave the school grounds promptly unless under the supervision of a member of the instructional staff.
- (2) Where a student drives a car to school, the following rules shall be observed:
 - (a) The student shall park the car driven to school in the area designated for student parking.
 - (b) No student shall loiter in or around cars in the parking area or areas.
 - (c) Students shall not occupy cars during class hours, between classes, or before or after school except as they arrive and leave for the school day.
 - (d) The provisions of this rule shall apply equally to bicycles, motor scooters, motorcycles, and to any other type of privately owned vehicle.
- (3) Any student found to be in violation of this rule may be denied permission to bring his/her vehicle to school until such time as the principal restores the privilege.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.34 - Insurance

POLICY:

The Board will approve, annually, a scholastic accident insurance policy for pupils.

The principal shall be responsible for determining that any student participating in interschool athletics is properly insured.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.16, F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 10/22/02, 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.35 – Honors and Designations

I. Beginning with the initial grade 9 entry in school year 2009-2010 the designation for Valedictorian or Salutatorian will be determined by the following criteria:

(1) Unweighted Grade Point Average

- (a) Valedictorian – 3.7 minimum
- (b) Salutatorian – 3.5 minimum

(2) Grade point averages shall be calculated using the following values:

State Grading System

| | |
|--------------|---------------|
| 90 - 100 | = A, 4 points |
| 80 - 89 | = B, 3 points |
| 70 - 79 | = C, 2 points |
| 60 - 69 | = D, 1 point |
| 59 and below | = F, 0 points |
| 0 | = Incomplete |

(3) Meet state and district graduation requirements;

(4) Semester grades in all high school courses, including those taken before 9th grade, shall be considered in calculating the grade point average.

(5) Must be enrolled in and earn their final two years of credit in the school.
Exception: Participation of a Levy County student in an approved exchange program for up to one year. (Early admission to college with required course enrollment meets this criterion).

(6) Grades shall be calculated through the 7th semester (1st semester, senior year).

(7) For determining Valedictorian and Salutatorian the Florida Academic Scholars GPA will be used.

Beginning with 2014-2015 9th grade cohort, for determining Valedictorian and Salutatorian the weighted GPA as defined in the CSPP Section K will be used.

a. The student with the highest weighted GPA will be designated valedictorian.

b. The student with the second highest weighted GPA will be designated salutatorian.

CHAPTER 5.00 - STUDENTS

- (8) If a tie occurs, individual class averages for those courses used to calculate the Florida Academic GPA will be calculated to break the tie
- II. As required by the Department of Education, students that choose the 18- Credit Option shall have access to the Valedictorian and Salutatorian designation using the following criteria:
- (1) Meet all requirements in items Sections I.
 - (2) Have a Florida Academic Scholars GPA that meets or exceeds the Florida Academic Scholars GPA of the 24 credit Valedictorian or Salutatorian selected from the graduating senior class for the appropriate designation.
 - (3) The 18-credit Valedictorian and Salutatorian shall have no effect on the 24-credit designations and shall be recognized as a separate designation.
- III. Beginning with the 2014-2015 9th grade cohort, the School Board of Levy County will recognize a Cum Laude Awards System which will be stated in the Comprehensive Student Progression Plan.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6) (a), F.S.

HISTORY: Adopted: 06/17/97

Revision Date(s): 12/03/02, 12/02/03, 09/06/05,
08/07/07, 08/04/09, 10/19/10, 08/21/12, 08/19/14

Formerly:

CHAPTER 5.00 - STUDENTS

5.36 - Incidental Supplies

POLICY:

- (1) Incidental items such as physical education clothing and enrichment publications are not furnished by the school. Such items may be suggested for purchase because of their usefulness and other values, but they are not required. No child is to be penalized in any way for failure to purchase such items, and any attempt to impose such a penalty will be considered indefensible.
- (2) Rental charges for locks furnished by the school may be charged at rates approved by the Superintendent.

STATUTORY AUTHORITY: 1001.41 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6), F.S.

HISTORY:
Adopted: 06/17/97
Revision Date(s): 12/03/02
Formerly:

CHAPTER 5.00 - STUDENTS

5.37 - Student Grievances

POLICY:

(1) Purpose

The purpose of this rule is to provide a framework within which students can present grievances to the faculty and administration of the Levy County School District for speedy and just resolution. Informal settlements at any stage of the procedure shall be binding on all parties, but shall not constitute a precedent for any subsequent grievance proceedings. Confidentiality and protection from retaliation will be provided to the extent possible to any student who alleges discrimination or harassment.

(2) Grievable Subject Matter

Any dispute concerning the interpretation and/or application of students= rights and responsibilities policy adopted by the School Board of Levy County may be grieved under the procedures hereinafter set forth. However, the grievance procedure shall not be applicable to suspensions and expulsions from Pre-K, kindergarten, elementary, or secondary schools, nor shall a grievance operate to delay the administration of other unrelated disciplinary measures. Allegations of discrimination are included as grievable subject matter.

(3) Grievance Procedure

(a) When a dispute arises, the student must first discuss the complaint informally with the person against whom it is directed or report the allegation to the school administration. The student may seek the assistance of the Student Services personnel, or other faculty members, and/or his/her parent(s) or guardian(s) in mediating the dispute. The student may be accompanied by his/her parent(s) or guardian(s) or other representative at all steps in this process in order to arrive at an equitable resolution to a dispute.

(b) If the dispute is not resolved by informal discussion, the student may submit a written, signed grievance to the principal not later than sixty (60) days from the alleged incident prompting the grievance. The written grievance must include a description of the dispute and the facts, as well as an explanation of the desired resolution of the grievance. The principal shall act upon the grievance within ten (10) school days, holding such conferences with the student as necessary. A written answer shall be provided by the principal to the student.

CHAPTER 5.00 – STUDENTS

- (c) Unless safety or the learning environment for other students is at risk, all negative consequences for the grievant shall be held in abeyance from the date the appeal is submitted until its completion. However, affirmative relief sought by a student shall not be applicable until the appeal is completed in a manner favorable to the student.
- (d) If the principal's decision is unacceptable to the student, he/she may submit to the Superintendent of Schools a written, signed grievance. The grievance shall state, with specificity, all material facts which are not in dispute, as well as evidence or explanation for disputed facts, together with the specific rule, policy, or statute claimed to have been violated. The grievance shall also include a true copy of all documents which were presented to or considered by the principal and a copy of the written disposition by the principal. No new information may be added to the documentation.
- (e) The grievance must be submitted to the Superintendent not later than five (5) school days following notification of the principal's decision. The Superintendent, or his/her designee, shall conduct a hearing, if necessary, to resolve disputed facts, and shall issue and serve a written decision within fifteen (15) school days to the student and to the appropriate principal following such consideration as the Superintendent deems proper. The decision of the Superintendent shall include appropriate findings of fact and shall include a true copy of all documents which were presented to, or considered by, the Superintendent in reaching his/her decision.
- (f) If the Superintendent's decision is unacceptable to the student, he/she may submit a signed grievance to the School Board. Such submission must be within five (5) school days following notification of the Superintendent's decision and shall be filed with the Superintendent. The grievance shall be accompanied by a true copy of the Superintendent's written decision, together with a true copy of all documents presented to or considered by the Superintendent in reaching his/her decision. No additional testimony or evidence will be heard or considered by the Board.
- (g) Within ten (10) days of the receipt of the student's grievance addressed to the Board, the Superintendent shall file with each member of the Board the student's grievance and supporting documents, together with the Superintendent's written response. The Superintendent shall cause the grievance to be considered at the next meeting of the Board at which time matters for consideration are included, and shall notify the student of the date, time, and place of such meeting. The Board will not consider any matters which were not previously raised in the grievance filed with the Superintendent.

CHAPTER 5.00 – STUDENTS

- (h) The Board may permit the student and/or his/her representative and the Superintendent to make a brief oral presentation to the Board. The order and time limits of the presentation shall be:
1. Student and/or representative (5 minutes);
 2. Superintendent and/or staff (5 minutes);
 3. Student response (3 minutes);
 4. Superintendent's response (3 minutes);
 5. Board questions;
 6. Student's closing comments (1 minute);
 7. Superintendent's closing comments (1 minute); and
 8. Board discussion and action.

The decision of the Board shall be final.

STATUTORY AUTHORITY: 1001.42 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6) (d), F.S.

HISTORY: Adopted: 06/17/97
Revision Date(s): 10/16/01, 12/03/02, 09/06/05
Formerly:

CHAPTER 5.00 – STUDENTS

5.38 - Bullying and Harassment

POLICY:

1. Statement Prohibiting Bullying and Harassment
 - A. It is the policy of the School Board of Levy County that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
 - B. The District upholds that bullying or harassment of any student or school employee is prohibited
 1. During any education program or activity conducted by a public K-12 educational institution;
 2. During any school-related or school-sponsored program or activity;
 3. On a school bus of a public K-12 educational institution;
 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 education institution within the scope of the School District, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school sponsored program or activity; or
 5. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or a school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. School staff is not required to monitor any non-school-related activity, function, or program.
2. Definitions
 - A. Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and

CHAPTER 5.00 – STUDENTS

5.38 - Bullying and Harassment

repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to

1. Teasing;
2. Social Exclusion;
3. Threat;
4. Intimidation;
5. Stalking;
6. Physical violence;
7. Theft;
8. Sexual, religious, or racial harassment;
9. Public humiliation; or
10. Destruction of property.

The term *bullying* shall include Cyberbullying whether or not specifically stated.

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

CHAPTER 5.00 – STUDENTS

- C. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that
1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/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.
- D. Bullying and harassment also encompass
1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
 2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
 - a) Incitement or coercion;
 - b) Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;
 - c) Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
- E. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

CHAPTER 5.00 – STUDENTS

3. Behavior Standards

- A. The Levy County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

4. Consequences

- A. Committing an act of bullying or harassment
 - 1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
 - 2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
 - 3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
 - 4. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

CHAPTER 5.00 – STUDENTS

- B. Wrongful and intentional accusation of an act of bullying or harassment
 - 1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
 - 2. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.
 - 3. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

- 5. Reporting an Act of Bullying or Harassment
 - A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
 - B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
 - C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
 - D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
 - E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
 - F. A school employee, school volunteer, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in

CHAPTER 5.00 – STUDENTS

compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
 - H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
 - I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.
6. Investigation of a Report of Bullying or Harassment
- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at school bus stop.
 - B. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.
 - C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
 - D. The investigator shall collect and evaluate the facts including but not limited to
 - 1. Description of incident(s) including nature of the behavior;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;
 - 4. Whether there were past incidents or past continuing patterns of behavior;
 - 5. The relationship between the parties involved;

CHAPTER 5.00 – STUDENTS

6. The characteristics of parties involved, *i.e.*, grade, age;
 7. The identity and number of individuals who participated in bullying or harassing behavior;
 8. Where the alleged incident(s) occurred;
 9. Whether the conduct adversely affected the student's education or educational environment;
 10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 2. A written final report to the principal.
- F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
- G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
7. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District.
- A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
- B. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
1. If it is within the scope of the District, a thorough investigation shall be conducted.

CHAPTER 5.00 – STUDENTS

2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
 3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.
- C. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.
8. Notification to Parents/Guardians of Incidents of Bullying or Harassment
- A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.
1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
 2. If the bullying or harassment incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying or harassment incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”
- B. Immediate notification to the parents/legal guardians of the perpetrator of an act bullying or harassment.
- C. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy

CHAPTER 5.00 – STUDENTS

rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- D. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

9. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying or harassment incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher or parent/legal guardian may request informal consultation with school staff, (specialty staff, e.g., school counselor, school psychologist), to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
- B. School personnel or the parent/legal guardian may refer a student to the school intervention team or equivalent school-based team with a problem solving focus for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.
- C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
- D. A school-based component to address intervention and assistance shall be utilized by the intervention team. The intervention team may recommend
 1. Counseling and support to address the needs of the victims of bullying or harassment;
 2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, e.g., empathy training, anger management; and/or
 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

CHAPTER 5.00 – STUDENTS

10. Reporting Incidents of Bullying and Harassment

- A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. Cyberbullying incidents shall be included within the bullying incidents category. The report shall also include, in a separate section each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.
- B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying or harassment as an incident code as well as bullying-related as a related element code.

1. SESIR Definitions

- a. Bullying – 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.
 - b. Harassment – 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 person and serves no legitimate purpose.
- 2. Bullying and/or harassment incidents shall be reported in SESIR with the bullying (BUL) or harassment (HAR) code. Unsubstantiated incidents of bullying or harassment shall be coded UBL or UHR.
 - 3. If the bullying or harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are

CHAPTER 5.00 – STUDENTS

- a) Alcohol
 - b) Arson
 - c) Battery
 - d) Breaking and Entering
 - e) Disruption on Campus
 - f) Drug Sale/Distribution Excluding Alcohol
 - g) Drug Sale/Possession Excluding Alcohol
 - h) Major Fighting
 - i) Homicide
 - j) Kidnapping
 - k) Larceny/Theft
 - l) Robbery
 - m) Sexual Battery
 - n) Sexual Harassment
 - o) Sexual Offenses
 - p) Threat/Intimidation
 - q) Trespassing
 - r) Vandalism
 - s) Weapons Possession
 - t) Other Major (Other major incidents that do not fit within the other definitions)
- C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.
- D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department

CHAPTER 5.00 – STUDENTS

- E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis of sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records.
11. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment
- A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
 - B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying or harassment in schools.
 - C. The District shall establish a list of programs that provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying and harassment including instruction or recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations. The list of authorized programs shall be available at each school, District offices, and on the District website.
12. Reporting to a Victim's Parents/Legal Guardians the Legal Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated.

According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

CHAPTER 5.00 – STUDENTS

13. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students in a student assembly or other reasonable format.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

14. Review of Policy

The Superintendent and appropriate staff shall review this policy at a minimum every three (3) years. The review shall include input from parents, law enforcement, and other community members. The Superintendent shall present the policy and any recommended changes to the School board for consideration.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.04, 1003.31,
1003.32, 1006.07, 1006.08, 1006.09,
1006.10, 1006.147, F.S., 20 USC
1232g

STATE BOARD OF EDUCATION RULE(S)

6A-10.081

HISTORY:

ADOPTED: 2/17/09

REVISION DATE(S): 2/17/09,
04/08/14, 07/14/15, 08/25/15,
7/26/16

CHAPTER 5.00 – STUDENTS

5.39 Seclusion and Physical Restraint for Students with Disabilities

POLICY:

- (1) The District shall implement behavioral management interventions for disruptive students to prevent and reduce significant disruptive behavior and to provide for the physical safety and security of students and staff when students pose a threat to themselves and/or others. The focus shall be on the use of the least restrictive but effective intervention(s) for each student.

- (2) Seclusion

Seclusion or isolation removes the student from the classroom for a pre-determined period of time. The student is placed in a non-stimulating room away from the classroom. The student must be observed continuously by trained personnel.

- (a) Students shall not be closed, locked, or be physically blocked in a room that is unlit or that does not meet the rules of the State Fire Marshall.

- (3) Physical Restraint

Manual physical restraint is the use of physical restraint techniques that involve physical force to restrict free movement of all or part of a student's body. It is a method to prevent a student from harming himself/herself or others.

- (a) Physical restraint should only be used in an emergency situation when an immediate and significant threat to the student or others exists.
- (b) Physical restraint may only be implemented by trained, qualified school personnel.
- (c) The use of mechanical restraint or a manual physical restraint that restricts a student's breathing is prohibited.

Documentation and Reporting

All instances of seclusion and restraint shall be documented and reported as required.

CHAPTER 5.00 – STUDENTS

- (4) Monitoring and Analysis
 - (a) The use of manual physical restraint or seclusion shall be monitored at the classroom, school and District levels.
 - (b) The use of the behavior interventions, the appropriateness of use and the effectiveness of the interventions shall be analyzed.
- (5) Training
 - (a) The District shall provide initial training for designated personnel in the use of seclusion and physical restraint.
 - (b) Refresher training shall be conducted annually.
 - (c) Personnel who have been trained in manual restraint techniques in positions outside of the School District shall receive training in District methods.
- (6) Procedures

The Superintendent shall develop procedures to implement this policy and related statutes. Procedures shall include but not be limited to the following:

- (a) Incident reporting;
- (b) Data collection;
- (c) Monitoring and analysis;
- (d) Identification of staff to be trained; and
- (e) Training components.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.32, 1003.573,
1006.07, 1006.11, 1012.75, F.S.

STATE BOARD OF EDUCATION RULE(S)

6A-1.0404, 6A-6.03312

HISTORY:

Adopted: 11/16/2010

Revision Date(s):

Formerly: New

CHAPTER 5.00 – STUDENTS

5.40 - Dating Violence and Abuse

Policy:

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

(1) Definitions

- (a) *Teen dating violence* is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past intimate relationship to exert power and control over another when one or both of the partners is a teenager.
- (b) *Abuse* is mistreatment which may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner.

(2) Reporting Teen Dating Violence or Abuse

- (a) The principal or designee shall be responsible for receiving complaints alleging violations of this policy.
- (b) All school employees are required to report alleged violations of this policy to the principal or designee.
- (c) All other members of the school community, including students, parents as defined by Florida Statutes, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or designee.
- (d) The principal shall establish and prominently publicize to students, staff, volunteers, and parents how a report of dating violence and abuse may be filed either in person or anonymously and how this report will be acted upon.
- (e) The victim of teen dating violence or abuse, anyone who witnesses an act of dating violence or abuse, and anyone who has credible information that an act of dating violence and abuse has taken place may file a report of dating violence and abuse.

CHAPTER 5.00 – STUDENTS

- (f) Submission of a good faith complaint or report of teen dating violence or abuse will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
 - (g) Any written or oral report of an act of dating violence and abuse shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.
- (3) Investigations
- (a) The principal or designee shall select a staff member employed at the school and trained in investigative procedures to initiate the investigation. The staff member may not be the accused perpetrator or victim.
 - (b) Documented interviews of the victim, alleged perpetrator and witnesses shall be conducted privately and separately. All interviews are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
 - (c) The investigative process shall be completed within ten (10) school days from the time the report is filed.
 - (d) The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of teen dating violence and/or abuse and the investigative procedures that follow.
 - (e) If it is determined that inappropriate behavior(s) has occurred, the investigator will make recommendations for disciplinary action to the principal or Superintendent.
- (4) Discipline
- (a) Immediate action shall be taken to eliminate the behavior.
 - (b) Disciplinary action shall be taken based on the circumstances of the behavior(s).
 - (c) Discipline shall be consistent with the provisions of the *Code of Student Conduct*.
 - (d) If a crime has been committed, the appropriate law enforcement agency shall be immediately notified.

CHAPTER 5.00 – STUDENTS

(5) Restraining Orders

- (a) If an order of protection has been issued, the student or his/her parent(s) should inform the school immediately.
- (b) The investigator will contact the abuser and his/her parent(s) to initiate a contract to stay away from the victim, consistent with the terms of the order, with penalties for known violations of the contract.
- (c) The principal or district administrator will notify law enforcement immediately if he/she has a reasonable belief that a criminal or civil restraining order has been violated.
- (d) The school resource officer and/or security officer will respond immediately to a report of a violation of a criminal or a civil restraining order.

(6) Support Services for the Victim

The school shall provide a victim of dating violence and abuse with support services that may include but are not limited to:

- (a) A contract with the offender to stay away from the victim while on school grounds, on school transportation and during school sponsored programs and events;
- (b) Reasonable accommodations, such as class schedule changes;

Face to face contact between the victim and perpetrator should be avoided. If changes need be made, attention should be given to the victim's preference.
- (c) Security protection, such as safe egress/regress from school and within the school;
- (d) Timely and comprehensive investigation of dating violence and abuse complaints.
- (e) Referrals for outside support and/or counseling.

(7) Curriculum

- (a) The health education curriculum for students in grades 7 through 12 shall include dating violence and abuse. The teen dating violence and abuse component shall include, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive

CHAPTER 5.00 – STUDENTS

behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

- (b) The curriculum shall have an emphasis on prevention based education.
- (8) Training
- (a) Teachers, administrators, counselors, instructional assistants, school nurses and other nonteaching staff such as bus drivers, custodians, and cafeteria workers shall receive training about teen dating violence and abuse.
 - (b) Students, parents and school volunteers shall also be given instruction related to teen dating violence and abuse.
 - (c) Training on the District’s policy prohibiting dating violence and abuse and related procedures shall be conducted, at a minimum, on an annual basis.
 - (d) The instruction shall include evidence based methods of preventing dating violence and abuse and how to effectively identify and respond to incidents of dating violence and abuse within the scope of the school.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.43, 1003.42, 1006.07, 1006.148, F.S.

HISTORY: ADOPTED: 09-06-11

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