



POLICY 5.1813

5-B I recommend the Board approve development of the proposed **revised** Policy 5.1813, entitled “Student Conduct Code for Secondary Students.”

[Contact: Laura Pincus, PX 48750.]

Development

CONSENT ITEM

- This revision is being made to align School Board Policy with our School-wide Positive Behavior Support initiative.

POLICY 5.1813

STUDENT CONDUCT CODE OPERATIONAL PROCEDURES FOR INCIDENTS AND ACTIONS FOR SECONDARY STUDENTS

1. The School Board of Palm Beach County is committed to providing a safe learning environment with a positive climate that supports academic achievement and promotes fairness, civility, acceptance of diversity and mutual respect.
2. To meet this objective, the Student Conduct Code for Secondary Students has been developed to assist students, parents, guardians, administrators and school personnel in maintaining a safe and supportive environment.
3. The Student Conduct Code for Secondary Students is incorporated herein by reference as part of the Policy and can be found on the School District's Safety, Culture and Learning Environment website.
4. Any referenced forms and documents are incorporated herein by reference as part of this Policy and can be found on the School District's website.

5.—Overview

a.—~~The matrix of incidents and actions which is found at the conclusion of this policy, is a tool administrators will utilize to issue consequences for misbehavior by secondary students. The purpose of the matrix is to create a consistent, district-wide disciplinary system by identifying specific actions that correspond to a given incident. Administrators will be able to reduce some of the subjectivity in their decision making and reference a Board Policy that requires minimum mandatory consequences. These district-required minimum actions will assist administrators in communicating with parents, students, staff, and school personnel regarding discipline issues.~~

b.—~~If the matrix of incidents and actions is utilized effectively and consistently, the focus of the discipline data generated should shift from the consequences of students' behavior and move toward the behaviors that result in those consequences. For example, instead of focusing on the number of suspensions, we would begin to address the incidents that generate those suspensions. Schools would then explore opportunities to implement programs/ initiatives/ strategies and then would provide assistance for school staff. For incidents that do not require an Out-of-School Suspension, schools should utilize In-School Suspension wherever possible as an alternative to an Out-of-School Suspension.~~

c.—~~The School Board recognizes that the matrix of incidents and actions must be construed to be consistent with the Individuals with Disability Education Act ("IDEA") and Section 504 of the Rehabilitation Act ("Section 504"). Therefore, students eligible for services under the IDEA or Section 504, will be disciplined in accordance with these Acts and are governed by these School Board Policies which specify that they apply to students covered under IDEA and 504.~~

6.—Using the Matrix

38 a. ~~When a student commits an infraction, the misbehavior is classified according to the~~
39 ~~definition(s) that best describe the event. The action(s) to be taken by the administrator are~~
40 ~~outlined in the matrix of incidents and actions. To identify the appropriate action(s), locate the~~
41 ~~cells found at the intersection of the incident (rows) and action codes which are identified by~~
42 ~~the numbers at the top of the column. The actions represented by the codes are listed in the~~
43 ~~box to the right of the matrix. Minimum mandatory consequences (actions which MUST be~~
44 ~~imposed as a minimum consequence for first time offenses) are indicated by an "X." Additional~~
45 ~~consequences (those actions from which an administrator MAY ADDITIONALLY choose to~~
46 ~~impose for more serious or repeated actions) are indicated by an "A." Mandatory actions~~
47 ~~(those actions which MUST be imposed) are indicated by an "M." By providing a minimum~~
48 ~~mandatory consequence with additional options for all of the incidents, an administrator can~~
49 ~~address the severity of the incident with the actions imposed. Additionally, every reasonable~~
50 ~~effort should be made to inform the parent(s)/guardian(s) of discipline incidents involving their~~
51 ~~children.~~

52
53 **7. ~~Quick Glance Discipline Referral Incident Codes~~**

54 **a. ~~Level 1~~**

55 **i. ~~Attendance Incidents~~**

56 **A. ~~Code 01 - Tardiness, Habitual~~**

57 **B. ~~Code 02 - Truancy/Unexplained Absence~~**

58 **C. ~~Code 03 - Out of Assigned Area~~**

59 **D. ~~Code 04 - Leaving School Grounds Without Permission~~**

60 **ii. ~~Rules Violations Incidents~~**

61 **A. ~~Code 07 - Dress Code Violations~~**

62 **B. ~~Code 08 - Public Display of Affection~~**

63 **C. ~~Code 09 - Cheating~~**

64 **D. ~~Code 10 - Failure to Comply With Class/School Rules~~**

65 **E. ~~Code 11 - Disobeying Rules on the School Bus~~**

66 **iii. ~~Disruptive Incidents~~**

67 **A. ~~Code 14 - Disruptive Play~~**

68 **B. ~~Code 15 - Disruptive Behavior~~**

69 **C. ~~Code 16 - Disrespectful Language~~**

- 70 D. ~~Code 17 – Bullying/Harassment~~
- 71 E. ~~Code 18 – Confrontation~~
- 72 F. ~~Code 19 – Lying/Misrepresentation~~
- 73 G. ~~Code 20 – Articles Disruptive to School~~
- 74 H. ~~Code 21 – Prohibited Items, Non-Criminal, and Unauthorized Use of Medication~~
- 75 I. ~~Code 22 – Unauthorized Sale/Distribution of Materials~~
- 76 J. ~~Code 23 – Inappropriate Activity~~
- 77 **b. ~~Level 2~~**
- 78 i. Disruptive/Physical/Verbal Incidents
- 79 A. ~~Code 25 – Bus Disruption~~
- 80 B. ~~Code 26 – Disobedience/ Insubordination~~
- 81 C. ~~Code 27 – Profane/Obscene Language~~
- 82 D. ~~Code 28 – Threat, Non-Criminal~~
- 83 E. ~~Code 29 – Physical Aggression (Not Involving Law Enforcement)~~
- 84 F. ~~Code 30 – Repetitive Disruptive Behaviors~~
- 85 G. ~~Code 31 – Repetitive Disobedience/Open Defiance/ Insubordination~~
- 86 H. ~~Code 32 – Repetitive Bullying, Harassing, Intimidating, or Threatening Behaviors~~
- 87 I. ~~Code 33 – Hazing~~
- 88 ii. Property Incidents
- 89 A. ~~Code 35 – Abuse of School Property/Minor Vandalism (less than \$100)~~
- 90 B. ~~Code 36 – Petty Theft/Stealing (Less than Fifty Dollars (\$50))~~
- 91 iii. Rules Violations Incidents and Other Serious Incidents
- 92 A. ~~Code 39 – Unserved Detention (Regular)~~
- 93 B. ~~Code 40 – Unserved Detention (Extended/Multiple)~~

- 94 C. ~~Code 41 – Unserved Detention (Saturday)~~
- 95 D. ~~Code 42 – Firecrackers/Poppers~~
- 96 E. ~~Code 43 – Forgery of a Document or Signature~~
- 97 F. ~~Code 44 – Gambling~~
- 98 G. ~~Code 45 – Sexual Harassment~~
- 99 H. ~~Code 46 – Menacing Statement~~
- 100 I. ~~Code 47 – Severe or Repetitive Inappropriate Activity~~

101 iv. ~~Note: For ALL levels, any incident that is *hate-related* and/or *gang-related* should be~~
102 ~~coded in the appropriate "related" category AND should be grounds to increase~~
103 ~~disciplinary actions.~~

104 **C. ~~Level 3~~**

105 i. Crimes Against Persons Incidents

- 106 A. ~~Code 50 – Fighting~~
- 107 B. ~~Code 51 – Verbal Assault on a Student/Person (Non-School Board Employee)~~
- 108 C. ~~Code 52 – Verbal Assault on a School Board Employee~~
- 109 D. ~~Code 53 – Physical Battery on a Student/Person (Non-School Board Employee)~~
- 110 E. ~~Code 54 – To Attempt a Criminal Act Against a Person~~
- 111 F. ~~Code 55 – Extortion/Blackmail/Coercion~~
- 112 G. ~~Code 56 – Robbery~~
- 113 H. ~~Code 57 – Physical Aggression on a School Board Employee~~

114 ii. Property Incidents

- 115 A. ~~Code 60 – Stealing More than Fifty Dollars (\$50)~~
- 116 B. ~~Code 61 – Vandalism More than One Hundred Dollars (\$100) (Includes~~
117 ~~Materials/Labor)~~
- 118 C. ~~Code 62 – Breaking and Entering/Burglary (Illegal Entry Into a Facility)~~
- 119 D. ~~Code 63 – Computer Misuse/Inappropriate Use of E-Mail/Internet~~

- 120 E. ~~Code 64 – Reckless Vehicle Use~~
- 121 F. ~~Code 65 – Motor Vehicle Theft~~
- 122 G. ~~Code 66 – Arson~~
- 123 H. ~~Code 67 – Counterfeit / Misrepresented Document / Other Major Incident~~
- 124 iii. Alcohol and Drug Incidents
- 125 A. ~~Code 70 – Possession/Use of Tobacco Products~~
- 126 B. ~~Code 71 – Unauthorized Possession or Misuse of Prescription Medications~~
- 127 C. ~~Code 72 – Use of Intoxicants~~
- 128 D. ~~Code 73 – Possession, Use, Manufacture, Sale, Storage, or Distribution of Alcohol~~
129 ~~or Intoxicating Beverages~~
- 130 E. ~~Code 74 – Possession, Use, Sale, Storage, or Distribution of Drug Paraphernalia~~
- 131 F. ~~Code 75 – Possession, Use, or Storage of Drugs or Imitation Drugs Represented~~
132 ~~as Drugs~~
- 133 iv. Disorderly Conduct/Weapons Incidents
- 134 A. ~~Code 80 – Disruption of a School Function/Disorderly Conduct~~
- 135 B. ~~Code 81 – Trespassing~~
- 136 C. ~~Code 82 – False Fire Alarm/911 Call~~
- 137 D. ~~Code 83 – Bomb Threat~~
- 138 E. ~~Code 84 – Inappropriate, Lewd, or Obscene Act~~
- 139 F. ~~Code 85 – Sexual Misconduct~~
- 140 G. ~~Code 86 – Possession of a Knife~~
- 141 H. ~~Code 87 – Possession of Other Potentially Dangerous Items~~
- 142 d. Level 4 – Criminal Incidents
- 143 i. ~~Code 89 – Threat of Violence (High Level)~~
- 144 ii. ~~Code 90 – Possession of a Firearm~~
- 145 iii. ~~Code 91 – Possession of a Handgun~~

- 146 iv. ~~Code 92 – Possession, Use, Sale, Storage, or Distribution of an Explosive Device (Not~~
147 ~~Firecrackers/Poppers)~~
- 148 v. ~~Code 93 – Sale, Possession With Intent to Sell or Distribution of Drugs, Imitation Drugs~~
149 ~~Represented as Drugs, or Prescription Medications~~
- 150 vi. ~~Code 94 – Aggravated Battery~~
- 151 vii. ~~Code 95 – Armed Robbery~~
- 152 viii. ~~Code 96 – Battery or Aggravated Battery on School Board Employee~~
- 153 ix. ~~Code 97 – Sexual Battery~~
- 154 x. ~~Code 98 – Kidnapping or Abduction~~
- 155 xi. ~~Code 99 – Homicide~~
- 156 e. **Other Incident Codes**
- 157 i. ~~Code FS – Felony Suspension Incident~~
- 158 ii. ~~Code PI – Previous Incident~~
- 159 8. **Student Discipline Referral Incident Definitions**
- 160 a. **Level 1**
- 161 i. Attendance Incidents
- 162 A. ~~Code 01 – **Tardiness, Habitual.** A consistent failure to be in a place of instruction~~
163 ~~at the assigned time.~~
- 164 B. ~~Code 02 – **Truancy/Unexplained Absence.** An absence from class or school that~~
165 ~~the reason or excuse is inadequate or does not meet the criteria for an excused~~
166 ~~absence.~~
- 167 C. ~~Code 03 – **Out of Assigned Area.** Out of assigned area without permission and/or~~
168 ~~in a restricted access area without permission.~~
- 169 D. ~~Code 04 – **Leaving School Grounds Without Permission.** Unauthorized leaving~~
170 ~~of the school grounds~~
- 171 ii. Rules Violations Incidents
- 172 A. ~~Code 07 – **Dress Code Violations.** To dress in a manner that violates the school's~~
173 ~~dress code policy and/or in a manner that would constitute a safety hazard.~~
- 174 B. ~~Code 08 – **Public Display of Affection.** Engaging in overtly amorous contact or~~

- 175 language not appropriate in a school setting.
- 176 ~~C. Code 09 – **Cheating** (Copying Work of Another, Using Materials Not Authorized to~~
177 ~~Use). Copying of anyone else's work or cheating on any test or assignment.~~
178 ~~Plagiarism.~~
- 179 ~~D. Code 10 – **Failure to Comply with Class/School Rules.** Violation of specific~~
180 ~~posted or written school or class rules that are not necessarily disruptive~~
181 ~~behaviors; examples: repeated gum chewing, repeatedly unprepared for class, etc.~~
- 182 ~~E. Code 11 – **Disobeying Rules on the School Bus.** Violation of the posted or~~
183 ~~written rules of conduct for the bus that are not necessarily disruptive behaviors;~~
184 ~~examples: not in assigned seat, eating or drinking on the bus, getting on or off the~~
185 ~~bus at the wrong bus stop. (Refer to **Code 25** for disruptive behavior on the bus.)~~
- 186 iii. Disruptive Incidents
- 187 ~~A. Code 14 – **Disruptive Play.** Non-confrontational activity that is not appropriate in a~~
188 ~~school setting and disruptive to the educational process. Engaging in rowdy, rough~~
189 ~~behavior that interferes with the safe and or purposeful order of a school.~~
190 ~~Examples: horseplay; chasing another student in the hallway or classroom, etc.~~
- 191 ~~B. Code 15 – **Disrespectful Behavior.** Behavior by its nature that disrupts the~~
192 ~~educational process, but is not criminal. Conduct that interferes with the process of~~
193 ~~teaching/learning, or disrupts the orderly environment of the classroom/learning~~
194 ~~environment.~~
- 195 ~~C. Code 16 – **Disrespectful Language.** Written or verbal remarks or gestures that~~
196 ~~show a lack of respect, rudeness, or are inappropriate. The use of words or acts~~
197 ~~which demean, degrade, antagonize, or humiliate a person or group of persons.~~
- 198 ~~D. Code 17 – **Bullying/Harassment.** A person who uses power (physical, verbal,~~
199 ~~written, or psychological) for any reason in a willful manner with the intent of~~
200 ~~hurting or humiliating another individual for any reason including but not limited to~~
201 ~~age, gender, race, nationality, ethnicity, religion or sexual orientation.~~
- 202 ~~E. Code 18 – **Confrontation.** A verbal confrontation, or the encouraging or inciting of~~
203 ~~a confrontation that has the propensity to escalate into a fight.~~
- 204 ~~F. Code 19 – **Lying/Misrepresentation.** Intentionally providing false or misleading~~
205 ~~information to, or withholding valid information from, a school staff member.~~
- 206 ~~G. Code 20 – **Articles Disruptive to School.** To possess, display or use anything~~
207 ~~that is disruptive to the general peace and welfare to a school center, school bus,~~
208 ~~or a school sponsored activity. (Note: If students possess a cellular phone, it~~
209 ~~should be turned off and kept inside a book bag, purse, or similar container, and it~~
210 ~~may not be used (and may not be allowed to emit any ringtone or other noise) on~~
211 ~~school grounds or during any school-sponsored program or activity, including~~
212 ~~school transportation.) (Refer to **Level 3 and Level 4** for weapons, drugs, alcohol,~~
213 ~~tobacco, obscene materials or other articles which may require law enforcement~~
214 ~~intervention.)~~

215 H. ~~Code 21 – **Prohibited items, Non-Criminal.** Possession and/or use of items or~~
216 ~~contraband designated by the school as inappropriate materials such as portable~~
217 ~~paging devices, beepers, portable cassette or CD players, electronic games, roller~~
218 ~~blades, skateboards, magic cards, lighters, hats, etc. AND any other items that~~
219 ~~cause distraction or damage to persons or property or otherwise interfere with the~~
220 ~~learning process. Or unauthorized possession or use of one's own prescription~~
221 ~~medication or over-the-counter mild pain medication including but not limited to~~
222 ~~items such as aspirin, Advil, Aleve, Midol, NoDoze, or herbal supplements, without~~
223 ~~parental approval AND school notification pursuant to Policy 5.321. (Refer to **Level**~~
224 ~~**3 and Level 4** for weapons, drugs, alcohol, tobacco, obscene materials or other~~
225 ~~articles which may require law enforcement intervention.)~~

226 I. ~~Code 22 – **Unauthorized Sale/Distribution of Materials (Non-**~~
227 ~~**Criminal).** Unauthorized selling or distributing of materials; example:~~
228 ~~candy (**Note:** Items that are illegal or inappropriate, such as drugs, weapons,~~
229 ~~pornography, etc., should be coded in a **Level 3 Category.**)~~

230 b. ~~Level 2~~

231 i. ~~Disruptive/Physical/Verbal Incidents~~

232 A. ~~Code 25 – **Bus Disruption.** Behavior that disrupts and/or distracts the driver from~~
233 ~~safely operating the school bus.~~

234 B. ~~Code 26 – **Disobedient/Insubordination.** Failure to obey a reasonable instruction~~
235 ~~or request by a staff member.~~

236 C. ~~Code 27 – **Profane/Obscene Language (Use of Abusive Language, Obscene**~~
237 ~~**Gestures).** Abusive, profane, obscene, or vulgar language (verbal, written or~~
238 ~~gestures) or conduct in the presence of another person.~~

239 D. ~~Code 28 – **Threat, Non-Criminal.** A statement which does not meet the criteria of~~
240 ~~a criminal assault. A low level threat that poses a minimal risk to the victim and~~
241 ~~public safety. The threat is vague and indirect; the information contained within the~~
242 ~~threat is inconsistent, implausible or lacks detail; the threat lacks realism; and the~~
243 ~~content of the threat suggests the person is unlikely to carry it out. (Refer to Code~~
244 ~~47 – **Menacing Statement;** Codes 51 and 52, **Verbal Assault,** and Code~~
245 ~~89 **Threat of Violence, High Level** for more serious threats)~~

246 E. ~~Code 29 – **Physical Aggression (Not Involving Law Enforcement).** The~~
247 ~~intentional physical aggression of one party against another person such as~~
248 ~~pushing, pulling, punching, or striking. Generally, the physical act does not result in~~
249 ~~bodily harm and does not require the intervention of a law enforcement officer.~~
250 ~~(Note: If a physically aggressive act results in serious bodily injury and/or requires~~
251 ~~the intervention of law enforcement, then the incident should be coded as~~
252 ~~a **Battery.**)~~

253 F. ~~Code 30 – **Repetitive Disruptive Behaviors.** Repeated referrals for Level 1~~
254 ~~disruptive behaviors including disruptive play, disrespectful language, and any~~
255 ~~other repetitive behaviors that create a disruptive learning environment.~~

256 G. ~~Code 31 – **Repetitive Disobedience/Open Defiance/Insubordination.** Repeated~~

- 257 referrals for disobedience, defiance and insubordination.
- 258 H. ~~Code 32 - Repetitive Bullying, Harassing, Intimidating, or~~
259 ~~Threatening Behavior.~~ Repeated referrals for Level 1 bullying, harassing,
260 threatening, and/or confrontational behavior.
- 261 I. ~~Code 33 - Hazing.~~ Hazing is considered to be any willful act done by a student for
262 the purpose of subjecting another student to humiliation, intimidation, physical
263 abuse, or threat of abuse, social or other ostracism, shame, or disgrace.
264 Permission, consent, or assumption of the risk by a student subjected to hazing
265 does not affect the violation of this policy.
- 266 ii. Property Incidents
- 267 A. ~~Code 35 - Abuse of School Property/Minor Vandalism.~~ To use wrongly or
268 improperly, or to maltreat any school equipment or property. (**Note:** Significant
269 damage or destruction should be coded as **Code 61 Vandalism.**)
- 270 B. ~~Code 36 - Petty Theft/Stealing (Less than Fifty Dollars (\$50)).~~ The unlawful
271 taking, carrying, leading, or riding away of property less than fifty dollars (\$50) in
272 value from the possession, or constructive possession, of another person. (Refer
273 to **Code 60 Stealing More Than \$50** for more serious thefts.)
- 274 iii. Rules Violations and Other Serious Incidents
- 275 A. ~~Code 39 - Unserved Detention (Regular).~~ Unexcused absence from a scheduled
276 Regular Detention.
- 277 B. ~~Code 40 - Unserved Detention (Extended).~~ Unexcused absence from a
278 scheduled Extended Detention.
- 279 C. ~~Code 41 - Unserved Detention (Saturday).~~ Unexcused absence from a
280 scheduled Saturday Detention.
- 281 D. ~~Code 42 - Firecrackers/Poppers.~~ Possession, use, sale, storage, or distribution of
282 firecrackers, poppers, or associated devices, as long as the object is NOT used as
283 a weapon OR is NOT considered a weapon by Florida statutes. (Refer to ~~#87 -~~
284 ~~Possession of Other Potentially Dangerous Items~~ and ~~# 92 - Possession,~~
285 ~~Use, Sale, Storage, or Distribution of an Explosive Device~~ for more dangerous
286 fireworks.)
- 287 E. ~~Code 43 - Forgery of a Document or Signature.~~ To fashion or reproduce the
288 signature of another for fraudulent purpose.
- 289 F. ~~Code 44 - Gambling.~~ One who participates in games of chance or skill for money,
290 profit or anything of value.
- 291 G. ~~Code 45 - Sexual Harassment (Undesired Sexual Behavior Towards~~
292 ~~Another).~~ Unwanted or repeated verbal or physical sexual behavior that is
293 offensive and objectionable to the recipient, causes discomfort or humiliation or
294 creates a hostile environment. Sexual harassment shall include but not be limited

295 to creating a hostile environment. Sexually harassing conduct which can include
296 unwelcome sexual advances; and other verbal, nonverbal or physical behavior of a
297 sexual nature by an individual that is sufficiently severe, persistent, or pervasive
298 enough to create a hostile or abusive educational environment. (Note: In some
299 cases, severe incidents of sexual harassment which includes physical contact may
300 be considered a **Battery**; or with physical penetration, a **Sexual Battery**.)

301 H. ~~Code 46 – **Menacing Statements**. A medium level of threat which is a threat which~~
302 ~~could be carried out, although it may not appear entirely realistic. The threat is~~
303 ~~more direct and more concrete than a low level threat; the wording in the threat~~
304 ~~suggests that the threatener has given some thought to how the act will be carried~~
305 ~~out; there may be a general indication of a possible place and time (though these~~
306 ~~signs still fall well short of a detailed plan); There is no strong indication that the~~
307 ~~threatener has taken preparatory steps, although there may be some veiled~~
308 ~~reference or ambiguous or inconclusive evidence pointing to the possibility; an~~
309 ~~allusion to a book or movie that shows the planning of a violent act, or a vague,~~
310 ~~general statement about the availability of weapons; there may be a specific~~
311 ~~statement seeking to convey that the threat is not empty: "I'm serious!" or "I really~~
312 ~~mean this!"~~

313 I. ~~Code 47 – **Severe or Repetitive Inappropriate Activity**. Any Level 2-type activity~~
314 ~~that is disruptive and/or inappropriate in a school setting that does not fit into~~
315 ~~another Level 2 category.~~

316 ~~E. **Level 3**~~

317 ~~i. Crimes Against Persons Incidents~~

318 A. ~~Code 50 – **Fighting**. Mutual participation in a hostile, physical encounter; mutual~~
319 ~~participation in an altercation involving physical violence.~~

320 B. ~~Code 51 – **Verbal Assault on a Student/Person (Non-School Board**~~
321 ~~**Employee)**. Any intentional, unlawful threat, by word or act, to do violence to~~
322 ~~another person, coupled with an apparent ability to do so, and doing some act that~~
323 ~~creates a well-founded fear in another person that violence is imminent.~~

324 C. ~~Code 52 – **Verbal Assault on School Board Employee**. Any intentional, unlawful~~
325 ~~threat, by word or act, to do violence to a school board employee, coupled with an~~
326 ~~apparent ability to do so, and doing some act that creates a well-founded fear in~~
327 ~~another person that violence is imminent.~~

328 D. ~~Code 53 – **Physical Battery on a Student/Person (Non-School**~~
329 ~~**Board Employee)**. The willful and unlawful use of force or violence upon the~~
330 ~~person of another. Three primary elements must be present for a Battery to occur:~~
331 ~~(1) there must be an aggressor, who (2) intended to cause physical harm (or actual~~
332 ~~contact against the other's will) to (3) another person. Includes an attack with a~~
333 ~~weapon that fits the aforementioned description. (Note: This category should be~~
334 ~~used only when the attack is serious enough to warrant contacting law~~
335 ~~enforcement.)~~

336 E. ~~Code 54 – **To Attempt a Criminal Act Against a Person**. Any person who~~
337 ~~attempts to commit, or who solicits another to commit, or who agrees, conspires,~~

338 combines, or confederates with another person or persons to commit the offense
339 of a Battery, Robbery, Homicide, Kidnapping, or Sexual Battery against another
340 person or persons, and in such attempt does any act toward the commission of
341 such offense, but fails in the perpetration or is intercepted or prevented in the
342 execution of the offense. (Fla. Stat. § 774.04)

343 ~~F. Code 55 – Extortion/Blackmail/Coercion. The use or threat or intimidation to~~
344 ~~obtain anything of value from another person, including, but not limited to,~~
345 ~~money. (Note: Minor offenses that do NOT require law enforcement should be~~
346 ~~coded as Code 17 Bullying or Code 32 Repetitive Bullying, Harassing,~~
347 ~~Intimidating, or Threatening Behavior.)~~

348 ~~G. Code 56 – Robbery. The taking or attempting to take anything of value that is~~
349 ~~owned by another person or organization, under confrontational circumstances by~~
350 ~~force or threat of force or violence and/or by putting the victim in fear. A key~~
351 ~~difference between robbery and larceny is that a threat of battery is involved in~~
352 ~~robbery.~~

353 ~~H. Code 57 – Physical Aggression on a School Board Employee.~~
354 ~~A volitional physically-aggressive act such as pushing, pulling, or striking toward a~~
355 ~~School Board employee. Generally, the physical act does not result in injury. Law~~
356 ~~enforcement should be notified; criminal charges may or may not be filed. (NOTE:~~
357 ~~IF A RECOMMENDATION FOR EXPULSION IS PROPOSED, then the Level~~
358 ~~4 code # 96, Battery on SBE, should be used.)~~

359 ii. Property Incidents

360 ~~A. Code 60 – Stealing More than Fifty Dollars (\$50). The unlawful taking or~~
361 ~~concealing the property of another person, without threat, violence or bodily harm,~~
362 ~~with the intent to prevent or deprive the rightful owner of its use. This includes~~
363 ~~taking of property or taking property from a vehicle on school property.~~

364 ~~B. Code 61 – Vandalism More than One Hundred Dollars (\$100) (Includes~~
365 ~~Materials and Labor). The willful and/or malicious destruction, damage, or~~
366 ~~defacement of public or private property, real or personal, without the consent of~~
367 ~~the owner or the person having custody or control of it. This category, which~~
368 ~~includes graffiti, should be coded when the amount of damage to the property,~~
369 ~~including materials and labor, exceeds one hundred dollars (\$100) to repair,~~
370 ~~remove, and/or replace. (NOTE: If the damage to the property, including materials~~
371 ~~and labor, is less than one hundred dollars (\$100) to repair, then the event should~~
372 ~~be coded as Code 35 Abuse of School Property/Minor Vandalism unless Law~~
373 ~~Enforcement files charges.)~~

374 ~~C. Code 62 – Breaking and Entering/Burglary (Illegal Entry into a Facility). The~~
375 ~~unlawful entry with or without force into a building, conveyance, or other structure,~~
376 ~~or remaining behind, with the intent to commit a crime to property.~~

377 ~~D. Code 63 – Computer Misuse/Inappropriate Use of E-mail/Internet. The~~
378 ~~inappropriate use of a computer, including, but not limited to, breaking into~~
379 ~~restricted accounts or networks, modifying, or destroying files without permission,~~
380 ~~illegally copying software, and entering or distributing or printing unauthorized files.~~
381 ~~Accessing or entering unauthorized internet sites; Distributing inappropriate~~
382 ~~electronic messages.~~

- 383 E. ~~Code 64 – **Reckless Vehicle Use.** The use of any motorized or self-propelled~~
384 ~~vehicle on school grounds in a reckless manner or so as to threaten the health,~~
385 ~~safety, welfare of others, or to disrupt the educational process.~~
- 386 F. ~~Code 65 – **Motor Vehicle Theft.** The theft or attempted theft of a motor~~
387 ~~vehicle. *Examples:* theft of a car, truck, motorcycle, golf cart, dune buggy, RV or~~
388 ~~anything that is self-propelled.~~
- 389 G. ~~Code 66 – **Arson.** To willfully and unlawfully, or while in the commission of any~~
390 ~~felony, by fire or explosion, damage or cause to be damaged: any dwelling,~~
391 ~~whether occupied or not, or its contents; any structure, or contents thereof, where~~
392 ~~persons are normally present; and any other structure that the person knew or had~~
393 ~~reasonable grounds to believe was occupied by a human being (Fla. Stat. §~~
394 ~~806.01(1)(a)-(c)).~~
- 395 H. ~~Code 67 – **Counterfeit / Misrepresented Document / Other Major Incident.** To~~
396 ~~fashion or reproduce a document, money, or other items with the intent to defraud;~~
397 ~~includes counterfeit money or documents; Also, any Level 3-type incident that is~~
398 ~~inappropriate in a school setting and does not fit into another Level 3 category.~~
399 ~~Included in this category is culpable negligence, exposing another person to~~
400 ~~personal injury. (NOTE: Any incident in this category REQUIRES law enforcement~~
401 ~~intervention.)~~
- 402 iii. Alcohol, Tobacco, and Drug Incidents
- 403 A. ~~Code 70 – **Possession/Use of Tobacco Products.** Possession, use, sale,~~
404 ~~storage, or distribution of tobacco products on school district property. Tobacco~~
405 ~~products include, but are not limited to, cigarettes, cigars, snuff, dip, pipe tobacco,~~
406 ~~and chewing tobacco.~~
- 407 B. ~~Code 71 – **Unauthorized Possession or Misuse of Prescription Medication.** To~~
408 ~~possess, use, store, or be under the influence of another person's substance which~~
409 ~~requires a physician's prescription; or to misuse one's own prescription medication;~~
410 ~~or to possess, store, or use any over-the-counter medication (other than those listed~~
411 ~~in Code 21) without parental approval and school notification.~~
- 412 C. ~~Code 72 – **Use of Intoxicants.** The inhaling or ingestion of intoxicants, including~~
413 ~~but not limited to, glue, solvents, butane, and whip crème, for the purpose of~~
414 ~~obtaining a mood-modifying experience.~~
- 415 D. ~~Code 73 – **Possession, Use, Manufacture, Sale, Storage, or Distribution of**~~
416 ~~**Alcohol or Intoxicating Beverages.** The violation of laws or ordinances~~
417 ~~prohibiting the manufacture, sale, purchase, transportation, possession or use of~~
418 ~~intoxicating alcoholic beverages. Use should be reported only if the person is~~
419 ~~caught in the act of using, or is discovered to have used in the course of the~~
420 ~~investigation.~~
- 421 E. ~~Code 74 – **Possession, Use, Sale, Storage, or Distribution of Drug**~~
422 ~~**Paraphernalia.** To possess, use, sale, store, or distribute any equipment, device,~~
423 ~~or equipment used for the purpose of preparing or taking drugs, including, but not~~
424 ~~limited to, items listed in Fla. Stat. § 893.145, and items which may be determined~~
425 ~~to be drug paraphernalia under the criteria set out in Fla. Stat. § 893.146.~~

- 426 F. ~~Code 75 – Possession, Use, or Storage of Drugs or Imitation Drugs~~
427 ~~Represented as Drugs.~~ To store, possess, purchase, use, or be under the
428 influence of any mood-modifying substance and/or dangerous substance listed in
429 Chapter 893, Fla. Stat., including, but not limited to, marijuana, hallucinogens,
430 inhalants, as well as any substance represented to be an illegal substance, such
431 as "designer drugs," or caffeine pills, tablets, or caplets, or any substance which is
432 represented to be any such substance while on school property or jurisdiction of
433 the School District of Palm Beach County.
- 434 iv. Disorderly Conduct/Weapons
- 435 A. ~~Code 80 – Disruption of a School Function/Disorderly Conduct.~~ Any act which
436 substantially disrupts the orderly conduct of a school function, behavior which
437 substantially disrupts the orderly learning environment or poses a threat to the
438 health, safety, and/or welfare of students, staff, or others. An incident of this type is
439 mandatory to be reported to law enforcement and is likely to result in an arrest.
- 440 B. ~~Code 81 – Trespassing.~~ To enter or remain on a public school campus, school
441 board facility, or at a school function without authorization or invitation and with no
442 lawful purpose for entry, including students under suspension or expulsion. To
443 enter or remain on a public school campus, school board facility, or at a school
444 district sponsored activity without authorization after being directed to leave by the
445 chief administrator/designee of the facility, campus, or function.
- 446 C. ~~Code 82 – False Fire/911 Call.~~ Whoever, without reasonable cause, by outcry or
447 the ringing of bells, or otherwise makes or circulates, or causes to be made or
448 circulated, a false alarm of fire or 911 call.
- 449 D. ~~Code 83 – Bomb Threat.~~ Intentionally making a false report to any person,
450 including school personnel, concerning the placement of any bomb, dynamite,
451 explosive, or arson-causing device.
- 452 E. ~~Code 84 – Inappropriate, Lewd or Obscene Act.~~ The use of oral or written
453 language, electronic messages, pictures, objects, gestures, or engaging in any
454 physical act considered to be offensive, socially unacceptable, or not suitable for
455 an educational setting. Included in this category are indecent exposure (exposure
456 of private body parts to the sight of another person in a lewd or indecent manner in
457 a public place), and obscenity (conduct which by the community standards is
458 deemed to corrupt public morals by its indecency and/or lewdness such as phone
459 calls or other communication; unlawful manufacture, publishing, selling, buying or
460 possessing materials such as literature or photographs).
- 461 F. ~~Code 85 – Sexual Misconduct.~~ Engaging in a sex act or physical conduct of a
462 sexual nature; the unlawful sexual intercourse, sexual contact or other unlawful
463 behavior or conduct intended to result in sexual gratification without force or threat
464 and where the victim is capable of giving consent.
- 465 G. ~~Code 86 – Possession of a Knife.~~ The possession of any knife that may inflict
466 harm on another person, or could be used to intimidate another person, including,
467 but not limited to, fixed blade knives, folding knives, switch blade knives, razor
468 knives, box cutters. (**Note:** If a weapon is used during an incident, that incident
469 should be coded including an appropriate corresponding weapons-related entry
470 AND disciplinary action may increase substantially.)

471 H. ~~Code 87 – Possession of Other Potentially Dangerous Items.~~ Any instrument or
472 object, other than firearms, **handguns**, or knives, that could be deliberately used
473 to inflict harm on another person, or could be used to intimidate any person.
474 Included in this category are BB-guns and toy or replica guns represented as real
475 guns. Also, included in this category are the possession or storage of items which
476 are prohibited at school, including, but not limited to ammunition clips, bullets or
477 cartridges, flammable liquids, combustible materials, matches, lighters, poisonous
478 substances, mace, pepper spray, and any other items which may result in injury.
479 ~~(Note: If a weapon is used during an incident, that incident should be coded~~
480 ~~including an appropriate corresponding weapons-related entry AND disciplinary~~
481 ~~action may increase substantially.)~~

482 d. ~~Level 4 – Criminal Incidents~~

483 i. ~~Code 89 – Threat of Violence, High Level.~~ High level of threat is a threat that appears
484 to pose an imminent and serious danger to the safety of others; the threat is direct,
485 specific, and plausible; the threat suggests concrete steps have been taken toward
486 carrying it out, for example, statements indicating that the threatener has acquired or
487 practiced with a weapon or has had the victim under surveillance.

488 ii. ~~Code 90 – Possession of a Firearm.~~ Possession or sale of any firearm on school
489 property, school sponsored transportation or during a school sponsored activity. A
490 firearm is any weapon (including a starter gun) which will, is designed to, or may readily
491 be converted to expel a projectile by the action of an explosive; the frame or receiver of
492 any such weapon; any firearm muffler or firearm silencer; any destructive device; or any
493 machine gun. The term firearm does not include an antique firearm unless the antique
494 firearm is used in the commission of a crime. ~~(Note: Fla. Stat. § 790.001(6)).~~ A
495 destructive device is any bomb, grenade, mine, rocket, missile, pipe bomb, or similar
496 device containing some type of explosive that is designed to explode and is capable of
497 causing bodily harm or property damage (Fla. Stat. § 790.001(4)). ~~(Note: If a weapon is~~
498 ~~used during an incident, that incident should be coded including an appropriate~~
499 ~~corresponding weapons-related entry.)~~

500 iii. ~~Code 91 – Possession of a Handgun.~~ Possession or sale of a handgun on school
501 property, school-sponsored transportation, or during a school-sponsored activity.
502 ~~(NOTE: If a handgun is used during an incident, that incident should be coded including~~
503 ~~an appropriate corresponding weapons-related entry.)~~

504 iv. ~~Code 92 – Possession, Use, Sale, Storage, or Distribution of an Explosive Device~~
505 ~~(Not Firecrackers, Poppers).~~ An explosive is any chemical compound or mixture that
506 has the property of yielding readily to combustion or oxidation upon application of heat,
507 flame, or shock, including but not limited to dynamite, nitroglycerin, trinitrotoluene, or
508 ammonium nitrate when combined with other ingredients to form an explosive mixture,
509 blasting caps, and detonators (Fla. Stat. §790.001(5)). ~~Note: If an explosive devise is~~
510 ~~used during an incident, that incident should be coded including an appropriate~~
511 ~~corresponding weapons-related entry.)~~

512 v. ~~Code 93 – Sale, Possession With Intent to Sell or Distribute, or Distribution of~~
513 ~~Drugs, Imitation Drugs Represented as Drugs, or Prescription Medications.~~ To sell
514 or distribute any mood-modifying substance and/or dangerous substance listed in
515 Chapter 893, Fla. Stat., including, but not limited to marijuana, hallucinogens, inhalants,
516 as well as any substance represented to be an illegal substance, such as "designer
517 drugs." or caffeine pills, tablets, or caplets, or any substance which is represented to be

518 any such substance while on school district property, school transportation, or at a
519 school related function.

520 vi. ~~Code 94 – **Aggravated Battery.** Intentionally or knowingly causing great bodily harm,~~
521 ~~permanent disability, or permanent disfigurement or using a deadly weapon while~~
522 ~~committing a battery. A battery is the actual and intentional touching or striking of~~
523 ~~another person against his or her will or intentionally causing bodily harm to an individual~~
524 ~~(Fla. Stat. §§ 784.03 & 784.045).~~

525 vii. ~~Code 95 – **Armed Robbery.** The taking of money or other property which may be the~~
526 ~~subject of larceny from the person or custody of another, with intent to either~~
527 ~~permanently or temporarily deprive the person or the owner of the money or other~~
528 ~~property, when in the course of the taking there is the use of force, violence, assault, or~~
529 ~~putting in fear; with the use of a firearm or other deadly weapon (Fla. Stat. § 812.13(1) &~~
530 ~~(2)(a)).~~

531 viii. ~~Code 96 – **Battery or Aggravated Battery on a School Board Employee.** A battery or~~
532 ~~aggravated battery, as defined above, on any person that the student knows, or has~~
533 ~~reason to know, is an elected official or school district employee, whether it is committed~~
534 ~~on school property, on school sponsored transportation, during a school sponsored~~
535 ~~activity or while the elected official or employee is on official school business. (Fla. Stat.~~
536 ~~§ 1006.13(4)).~~

537 ix. ~~Code 97 – **Sexual Battery (Attempted or Actual Forcible Penetration).** Forced oral,~~
538 ~~anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or~~
539 ~~vaginal penetration of another by any other object. (Fla. Stat. § 794.011(1)(h)).~~

540 x. ~~Code 98 – **Kidnapping or Abduction.** Forcibly, secretly, or by threat, confining,~~
541 ~~abducting, or imprisoning another person against their will and without lawful authority.~~

542 xi. ~~Code 99 – **Homicide – Murder.** The unlawful killing of a human being (Fla. Stat. §~~
543 ~~782.04); and manslaughter – the killing of a human being by the act, procurement, or~~
544 ~~culpable negligence of another, without lawful justification (Fla. Stat. § 782.07).~~

545 e. Other Incident Codes

546 i. ~~**FS – Felony Suspension Incident.** This incident code should be used for a student who~~
547 ~~has been felony suspended per Fla. Stat. § 1006.09(2) and SBER 6A-1.0956, and is~~
548 ~~assigned to an alternative program until the student is adjudicated. If the student is~~
549 ~~adjudicated guilty, the principal may recommend expulsion.~~

550 ii. ~~**PI – Previous Incident.** This incident code is to be used ONLY when coding an action in~~
551 ~~the current school year for an incident occurring in the *previous* school year.~~

552 9. ~~**Quick Glance Discipline Reform Action Codes**~~

553 a. Prevention Consequences

554 i. ~~Code 01 – Conference with Student/Warning~~

555 ii. ~~Code 02 – Referred to School Guidance Counselor~~

556 iii. ~~Code 03 – Referral for Mediation~~

- 557 iv. ~~Code 04 - Behavior Contract or Plan~~
- 558 v. ~~Code 05 - Staffing (ESE/504/Other)~~
- 559 vi. ~~Code 06 - Written Communication to Custodial Parent/Guardian (Other than a Copy of~~
560 ~~the Referral)~~
- 561 vii. ~~Code 07 - Daily/Weekly Report~~
- 562 viii. ~~Code 08 - Schedule Change (Change of Regular Classes)~~
- 563 ix. ~~Code 09 - Custodial Parent/Guardian Contact~~
- 564 x. ~~Code 10 - Custodial Parent/Guardian Conference with Administrator/Teacher(s) at~~
565 ~~School~~
- 566 xi. ~~Code 11 - Custodial Parent/Guardian Attends Class with Child~~
- 567 xii. ~~Code 12 - Voluntary Restitution/Self-Designed Action(s)~~
- 568 xiii. ~~Code 13 - Parent/Guardian Contact by a Language Facilitator~~
- 569 b. Early Intervention Consequences
- 570 i. ~~Code 20 - Silent Lunch/Lunch Detention~~
- 571 ii. ~~Code 21 - School Service Work (During School Hours)~~
- 572 iii. ~~Code 22 - Temporary Removal From the Classroom~~
- 573 iv. ~~Code 23 - Loss of Privileges (During School Hours)~~
- 574 v. ~~Code 24 - Alternative Classroom Placement (Short-Term)~~
- 575 vi. ~~Code 25 - Referral to School CORE Team~~
- 576 c. Bus Related Consequences
- 577 i. ~~Code 30 - Bus, Assigned Seat~~
- 578 ii. ~~Code 31 - Bus, Probation~~
- 579 iii. ~~Code 32 - Bus, Suspension~~
- 580 d. Disciplinary Consequences
- 581 i. ~~Code 40 - School Service Work (Before/After School/Non-School Day)~~
- 582 ii. ~~Code 41 - Detention (Regular/Traditional)~~
- 583 iii. ~~Code 42 - Detention (Extended)~~
- 584 iv. ~~Code 43 - Saturday School/Detention~~

- 585 v. ~~Code 44 – Confiscation~~
- 586 vi. ~~Code 45 – Loss of Extra-Curricular Privileges~~
- 587 vii. ~~Code 46 – Restitution~~
- 588 viii. ~~Code 47* – Tobacco/Alcohol/Drug Alternative~~
- 589 ix. ~~Code 48* – Days Held in Abeyance~~
- 590 x. ~~Code 50 – Student Misconduct, Alternative to Suspension Program~~
- 591 xi. ~~Code 60 – In-School Intervention Program~~
- 592 xii. ~~Code 65 – In-School Alternative to Suspension~~
- 593 xiii. ~~Code 81 – Out of School Suspension, Short Term (One (1) to Two (2) Days)~~
- 594 xiv. ~~Code 83 – Out of School Suspension, Short-Term (Three (3) to Five (5) Days)~~
- 595 xv. ~~Code 86 – Out of School Suspension, Long-Term (Six (6) to Ten (10) Days)~~
- 596 xvi. ~~Code 88 – Out of School Suspension for Days Held in Abeyance~~
- 597 xvii. ~~Code 90 – Out of School Suspension, Mandatory Ten (10) Days~~
- 598 **e. ~~District-Imposed Consequences~~**
- 599 i. ~~Code 91 – Long-Term Suspension (District Approved)~~
- 600 ii. ~~Code 92 – Assignment to Special Program/Alternative School/ Alternative Program~~
601 ~~(District-Placed)~~
- 602 iii. ~~Code 95 – Alternative Placement Pending Expulsion~~
- 603 iv. ~~Code 96 – Alternative Placement in Lieu of Expulsion~~
- 604 v. ~~Code 98 – Honoring an Expulsion from Another District~~
- 605 vi. ~~Code 99 – Expulsion~~
- 606 vii. ~~Code BA – Baker Act~~
- 607 viii. ~~Code FA – Future Action~~
- 608 ix. ~~Code FS – Felony Suspension Action~~
- 609 x. ~~Code RF – Refer to Courts or Juvenile Authorities~~
- 610 f. ~~Note: For all levels, any incident that is hate-related and/or gang-related should be coded in~~
611 ~~the appropriate "related" category AND should be grounds to increase disciplinary actions.~~
- 612 g. ~~PROGRESSIVE DISCIPLINE. When deciding what disciplinary action should be taken, the~~

613 principal/designee shall consider the student's age, exceptionality, previous conduct,
614 probability of a recurring violation, intent, attitude, and severity of the offense and, whenever
615 possible, shall impose disciplinary action in a progressive manner.

616 40. ~~Student Discipline Referral Action Definitions~~

617 a. ~~Prevention Consequences~~

618 i. ~~Code 01 – Conference with Student/Warning.~~ Administrative conference with student
619 and warning about stated incident.

620 ii. ~~Code 02 – Referred to School Guidance Counselor.~~ Counseling the student by the
621 guidance counselor to assist the student in developing or utilizing the necessary skills to
622 address the stated incident.

623 iii. ~~Code 03 – Referral for Mediation.~~ Referral to mediation (peer or adult) for stated
624 incident.

625 iv. ~~Code 04 – Behavior Contract or Plan.~~ A written/verbal contract or plan for the student
626 with stated goals, objectives, and outcomes for the student to develop the necessary
627 skills to address the stated incident.

628 v. ~~Code 05 – Staffing (ESE/504/Other).~~ Student recommended to the necessary
629 department/group for staffing and development of a course of action (interventions) for
630 the student.

631 vi. ~~Code 06 – Written Communication to Custodial Parent/Guardian (Other than a~~
632 ~~Copy of the Referral).~~ Letter, notes, and/or other written communication to custodial
633 parent/guardian.

634 vii. ~~Code 07 – Daily/Weekly Report.~~ A progress report and/or assignment sheet which
635 gives the student and parent the opportunity to track the student's academic and
636 behavioral progress in each of his/her classes for a specified period of time.

637 viii. ~~Code 08 – Schedule Change (Change of Regular Classes).~~ A permanent change in
638 the student's regular class schedule.

639 ix. ~~Code 09 – Custodial Parent/Guardian Contact.~~ Contacting custodial parent/ guardian
640 either by telephone, in person, or by some other means to inform them of the stated
641 incident.

642 x. ~~Code 10 – Custodial Parent/Guardian Conference with Administrator/ Teacher(s) at~~
643 ~~School.~~ Administrative conference with a custodial parent/guardian of the student.

644 xi. ~~Code 11 – Custodial Parent/Guardian Attends Class With Child.~~ Custodial
645 parent/guardian shadows child and/or attends class with their child at school for an
646 agreed upon time during the child's school day.

647 xii. ~~Code 12 – Voluntary Restitution/Self-Designed Action(s).~~ Student designs and
648 implements a plan to correct errors made, apologizes, replace/repair property.

649 xiii. ~~Code 13 – Parent/Guardian Contact by a Language Facilitator.~~ Contact by a
650 language facilitator of a parent/guardian.

- 651 b. Early Intervention Consequences
- 652 i. ~~Code 20 – **Silent Lunch/Lunch Detention.** A separate facility and/or seating~~
653 ~~arrangement for the student during a regularly scheduled lunch period. Additionally, the~~
654 ~~administrator may request some cafeteria clean-up assistance from the student such as~~
655 ~~sweeping, wiping tables, and/or assisting with other clean-up activities.~~
- 656 ii. ~~Code 21 – **School Service Work (During School Hours).** Work assistance provided by~~
657 ~~the student to any staff member during school hours including, but not limited to,~~
658 ~~campus or hallway clean-up. (Refer to **Code 40** School Service Work Before/After~~
659 ~~School/ Non-School Day detail.)~~
- 660 iii. ~~Code 22 – **Temporary Removal From the Classroom.** The temporary removal of a~~
661 ~~student from the traditional learning environment to a separate, individual learning~~
662 ~~environment **for a short period of time (generally less than one hour).**~~
- 663 iv. ~~Code 23 – **Loss of Privileges (During School Hours).** The loss of a privilege(s) during~~
664 ~~school hours such as assemblies, field trips, and incentive activities. (Note: If the activity~~
665 ~~is academically oriented, the student MUST be given an alternative assignment with an~~
666 ~~opportunity to receive the same information and grade.)~~
- 667 v. ~~Code 24 – **Alternative Classroom Placement (Short-Term).** The temporary removal of~~
668 ~~a student from their regular classroom to an different CLASSROOM. The student will be~~
669 ~~given the opportunity to complete their regular classwork in the alternative setting.~~
- 670 vi. ~~Code 25 – **Referral to School CORE Team.** The referral to the school's CORE team for~~
671 ~~possible interventions.~~
- 672 e. Bus Related Consequences
- 673 i. ~~Code 30 – **Bus, Assigned Seat.** The temporary or permanent assignment to a specified~~
674 ~~seat on the school bus.~~
- 675 ii. ~~Code 31 – **Bus, Probation.** An alternative to a Bus Suspension. A student placed on~~
676 ~~Bus Probation will, very likely, be suspended from the school bus if another bus violation~~
677 ~~occurs.~~
- 678 iii. ~~Code 32 – **Bus, Suspension.** Suspension of bus riding privileges for a specified period~~
679 ~~of time. (Consequences for violations of transportation policies, rules, or standards of~~
680 ~~conduct are not limited to the suspension of bus riding privileges. Other sanctions, up to~~
681 ~~and including out of school suspension and expulsion may be imposed when~~
682 ~~warranted).~~
- 683 d. Disciplinary Consequences
- 684 i. ~~Code 40 – **School Service Work (Before/After School/Non-School Day).** The~~
685 ~~assignment of a student to work detail before or after school hours. Generally, this is~~
686 ~~used in lieu of a detention and the student is paired with a staff member to perform the~~
687 ~~duties as determined. (NOTE: Refer to **Code 21** School Service Work (During School~~
688 ~~Hours work detail.)~~
- 689 ii. ~~Code 41 – **Detention (Regular/Traditional).** Required attendance for a monitored period~~
690 ~~of time (generally an hour after school) not during school hours.~~

- 691
692 iii. ~~Code 42 – **Detention (Extended)**. Required attendance for an extended monitored period of time before or after school hours.~~
- 693
694 iv. ~~Code 43 – **Saturday School/Detention**. Required attendance for a monitored period of time on a Saturday.~~
- 695
696 v. ~~Code 44 – **Confiscation**. The confiscating of an item(s) not permitted on school grounds. Depending on the item(s), the item(s) could be turned over to law enforcement, held until parent/guardian came to retrieve it, or returned to the student after a specified period of time.~~
- 697
698
- 699
700 vi. ~~Code 45 – **Loss of Extra-Curricular Privileges**. The loss of an extra-curricular privilege such as attending events not during school hours, removal from an athletic team or club, and/or exclusion from a specified activity.~~
- 701
- 702 vii. ~~Code 46 – **Restitution**. Repayment for damages or loss.~~
- 703
704 viii. ~~Code 47 – **Tobacco/Alcohol/Drug Alternative**. A program designed to educate the student about tobacco, alcohol, and/or drugs and to deter future use. Generally, this is used as an alternative to an out-of-school suspension and/or to shorten the length of the suspension.~~
- 705
706
- 707 ix. ~~Code 48 – **Days Held in Abeyance**. Out-of-school suspension days issued, but not enforced if an alternative plan is completed. *Examples:* Tobacco, alcohol, or drug education classes.~~
- 708
709
- 710 x. ~~Code 50 – **Student Misconduct, Alternative to Suspension Program**. A program designated to educate the student about anger management and to deter future student misconduct. Generally, this is used as an alternative to an out-of-school suspension and to reduce the number of days of a student suspension.~~
- 711
712
713
- 714 xi. ~~Code 60 – **In-School Intervention Program**. A school-designed program or class that requires the student to rehabilitate their misbehavior through any of the following: counseling services, conflict resolution, skill building, social and/or emotional skill building, etc. The on-campus program should be one (1) to five (5) days in length.~~
- 715
716
717
- 718 xii. ~~Code 65 – **In-School Alternative to Suspension**. An alternative to an out-of-school suspension that prevents a student from attending all or some classes. During the period of an alternative to suspension, the student is assigned to a self-contained alternative classroom.~~
- 719
720
721
- 722 xiii. ~~Code 81 – **Out of School Suspension, Short-Term (One (1) to Two (2) Days)**. The temporary removal of a student from school for a period of one (1) to two (2) days. During the out-of-school suspension, the student is prohibited from attendance at school or any school-related functions. **Note:** Fla. Stat. § 1006.09(1)(b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.~~
- 723
724
725
726
727
- 728 xiv. ~~Code 83 – **Out of School Suspension, Short-Term (Three (3) to Five (5) Days)**. The temporary removal of a student from school for a period of three (3) to five (5) days. During the out of school suspension, the student is prohibited from attendance at school or any school-related functions. **Note:** Fla. Stat. § 1006.09(1)(b) establishes that no secondary or elementary school student may be suspended out of school for unexcused~~
- 729
730
731
732

- 733 tardies, lateness, absence, or truancy.
- 734 xv. ~~Code 86 – **Out of School Suspension, Long Term (Six (6) to Ten (10) Days)**. The~~
735 ~~temporary removal of a student from school for a period of six (6) to ten (10) days.~~
736 ~~During the out of school suspension, the student is prohibited from attendance at school~~
737 ~~or any school-related functions. **Note:** Fla. Stat. § 1006.09(1)(b) establishes that no~~
738 ~~secondary or elementary school student may be suspended out of school for unexcused~~
739 ~~tardies, lateness, absence, or truancy.~~
- 740 xvi. ~~Code 88 – **Out of School Suspension for Days Held in Abeyance**. An out-of-school~~
741 ~~suspension code specifically designated to address additional suspension days due to~~
742 ~~non-completion of an Alternative to Suspension program. This out-of-school suspension~~
743 ~~is a temporary removal of a student from school for a period of days equal to the days~~
744 ~~held in abeyance for the particular event. During the out-of-school suspension, the~~
745 ~~student is prohibited from attendance at school or any school-related functions. **Note:**~~
746 ~~Fla. Stat. § 1006.09(1)(b) establishes that no secondary or elementary school student~~
747 ~~may be suspended out of school for unexcused tardiness, lateness, absence, or truancy.~~
- 748 xvii. ~~Code 90 – **Out of School Suspension, Mandatory Ten (10) Days**. The temporary~~
749 ~~removal of a student from school for a mandatory period of ten (10) days. During the out~~
750 ~~of school suspension, the student is prohibited from attendance at school or any school-~~
751 ~~related functions. **Note:** Fla. Stat. § 1006.09(1)(b) establishes that no secondary or~~
752 ~~elementary school student may be suspended out of school for unexcused tardies,~~
753 ~~lateness, absence, or truancy.~~
- 754 e. District Imposed Consequences
- 755 i. ~~Code 91 – **Long Term Suspension (District Approved and Entered)**. Fla. Stat. §~~
756 ~~1006.08(1) permits the superintendent to extend a suspension beyond ten (10) school~~
757 ~~days if the student is being recommended for expulsion.~~
- 758 ii. ~~Code 92 – **Assignment to Special Program/Alternative School/ Alternative Program**~~
759 ~~**(District Placed)**. The assignment by the district to an alternative school for a specified~~
760 ~~period of time. (**Note:** The number of days must be specified in the duration code.)~~
- 761 iii. ~~Code 95 – **Alternative Placement Pending Expulsion**. The assignment by the district~~
762 ~~to an alternative school pending an expulsion. (**NOTE:** This is likely a change of~~
763 ~~placement rather than a number of days.)~~
- 764 iv. ~~Code 96 – **Alternative Placement in Lieu of Expulsion**. The assignment by the district~~
765 ~~to an alternative school in lieu of an expulsion. (**Note:** This is likely a change of~~
766 ~~placement rather than a number of days.)~~
- 767 v. ~~Code 98 – **Honoring an Expulsion from another District**. Process by which a student~~
768 ~~who is pending expulsion, has been expelled, or has withdrawn in lieu of expulsion from~~
769 ~~another school district or private school is reviewed prior to attending school in Palm~~
770 ~~Beach County School District.~~
- 771 vi. ~~Code 99 – **Expulsion**. The removal of the right and obligation of a student to attend~~
772 ~~public school for a specified period of time. An expulsion may be imposed for a period~~
773 ~~up to, but not to exceed the current school year, the following school year, and the~~
774 ~~intervening summer school.~~

- 775 vii. ~~Code FS – **Felony Suspension Action.** Action code when a principal determines to~~
776 ~~felony suspend a student pending adjudication.~~
- 777 viii. ~~Code BA – Baker Act~~
- 778 ix. ~~Code FA – Future Action~~
- 779 x. ~~Code RF – Refer to Courts or Juvenile Authorities.~~
- 780

781 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.42(22); 1001.43(1), 1006.07
 782 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.43(1); 1003.31(1), (3); 1006.07; 1006.09,
 783 1006.13(4)
 784 HISTORY: 05/16/01; 1/13/03; ___/___2012
 785
 786

~~SECONDARY QUICK GLANCE Discipline Referral ACTION Codes~~

~~PREVENTION CONSEQUENCES~~

~~DISCIPLINARY CONSEQUENCES~~

~~01 – Conference with Student/Warning~~

~~40 – School Service Work (Before/After~~

~~02 – Referred to School Guidance Counselor~~

~~41 – Detention (Regular/Traditional)~~

~~03 – Referred for Mediation~~

~~42 – Detention (Extended or Multiple)~~

~~04 – Behavior Contract or Plan~~

~~43 – Saturday School/Detention~~

~~05 – Staffing (ESE/504/Other)~~

~~44 – Confiscation~~

~~06 – Written Communication to Custodial Parent/Guardian (Other Than a Copy of the Referral)~~

~~45 – Loss of Extra-Curricular Privileges~~

~~46 – Restitution~~

~~07 – Daily/Weekly Report~~

~~47 – Tobacco/Alcohol/Drug Alternative~~

~~08 – Schedule Change (Change of Regular Classes)~~

~~48 – Days Held in Abeyance~~

~~09 – Custodial Parent/Guardian Contact~~

~~50 – Student Misconduct, Alternative to Suspension Program~~

~~10 – Custodial Parent/Guardian Conference with Administrator/ Teacher(s) at School~~

~~60 – In-School Intervention Program~~

~~11 – Custodial Parent/Guardian Attends Class with Child~~

~~65 – In-School Alternative to Suspension~~

~~12 – Voluntary Restitution/Self-Designed Action(s)~~

~~81 – Out of School Suspension, Short-Term (1-2 days)~~

~~83 – Out of School Suspension, Short-Term (3-5 days)~~

~~13 – Parent/Guardian Contact by a Language Facilitator~~

~~86 – Out of School Suspension, Long-Term (6-10 days)~~

~~88 – Out of School Suspension for Days Held in Abeyance~~

~~EARLY INTERVENTION CONSEQUENCES~~

~~20 – Silent Lunch/Lunch Detention~~

~~90 – Out of School Suspension, Mandatory 10 Days~~

~~21 – School Service Work (During School~~

~~DISTRICT-IMPOSED CONSEQUENCES~~

- | | |
|---|--|
| Hours) | 91 -- Long Term Suspension (District Approved) |
| 22 -- Temporary Removal from Classroom | 92 -- Assignment to Special Program/Alternative School/
Alternative Program (District-Placed) |
| 23 -- Loss of Privileges (During School Hours) | 95 -- Alternative Placement Pending Expulsion |
| 24 -- Temporary Classroom Change (Short-Term) | 96 -- Alternative Placement in Lieu of Expulsion |
| 25 -- Referral to School CORE Team | 98 -- Honoring an Expulsion From Another District |
| BUS-RELATED CONSEQUENCES | 99 -- Expulsion |
| 30 -- Bus, Assigned Seat | OTHER ACTION CODES |
| 31 -- Bus, Probation | FS Felony Suspension |
| 32 -- Bus, Suspension | BA -- Baker Act |
| | FA -- Future Action |
| | RF -- Refer to Courts or Juvenile Authorities |

~~1st Offense Drug or Alcohol (Codes 71-75 ONLY): MUST provide students with an opportunity to exchange 5 days of the mandatory 10-day Out-of-School Suspension for the District-approved alternative program.~~

~~Repeated Drug or Alcohol Violation: REQUIRE a 10 day out of school suspension AND Recommendation for Expulsion~~

~~1st Offense Tobacco Violation: MUST provide students with an opportunity to exchange 7 days of the mandatory 10-day Out-of-School Suspension for the District-approved alternative program.~~

~~2nd Offense Tobacco Violation: MUST provide students with an opportunity to exchange 5 days of the~~

~~mandatory 10-day Out-of-School Suspension for the District-approved alternative program.~~

~~Repeated Tobacco Violations REQUIRE a 10-day Out-of-School Suspension.~~

~~NOTE: For ALL levels, any incident that is *Hate-related* and/or *Gang-related* should be coded in the appropriate "*-related*" category AND should be grounds to increase disciplinary actions.~~

~~**PROGRESSIVE DISCIPLINE:** When deciding what disciplinary action should be taken, the principal/designee shall consider the following and, whenever possible, shall impose disciplinary action in a progressive manner:~~

~~* Age * Exceptionality * Previous Conduct * Intent * Attitude * Severity of the Offense * Probability of a Recurring Violation~~

~~**QUICK GLANCE Discipline Referral INCIDENT Codes - Secondary**~~

~~LEVEL 1~~

~~Code~~

~~ATTENDANCE INCIDENTS~~

~~01 Tardiness, Habitual~~

~~02 Truancy/Unexplained Absence~~

~~03 Out of Assigned Area~~

~~04 Leaving School Grounds Without Permission~~

~~-~~

~~RULES VIOLATIONS INCIDENTS~~

~~07 Dress Code Violations~~

~~08 Public Display of Affection~~

~~09 Cheating~~

~~10 Failure To Comply With Class/School Rules~~

~~11 Disobeying Rules on the School Bus~~

~~LEVEL 3~~

~~Code~~

~~CRIMES AGAINST PERSONS INCIDENTS~~

~~50 Fighting~~

~~51 Verbal Assault on a Student/Person (Non-SBE)~~

~~52 Verbal Assault on a School Board Employee~~

~~53 Physical Battery on a Student/Person~~

~~54 To Attempt a Criminal Act Against a Person~~

~~55 Extortion/Blackmail/Coercion~~

~~56 Robbery~~

~~57 Physical Aggression on School Board Employee~~

~~-~~

~~PROPERTY INCIDENTS~~

~~60 Stealing More Than \$50~~

-	61 Vandalism More Than \$100
DISRUPTIVE INCIDENTS	62 Breaking & Entering/Burglary
14 Disruptive Play	63 Computer Misuse
15 Disruptive Behavior	64 Reckless Vehicle Use
16 Disrespectful Language	65 Motor Vehicle Theft
17 Bullying/Harassment	66 Arson
18 Confrontation	67 Counterfeit / Misrepresented Document / Other Major Incident
19 Lying/Misrepresentation	-
20 Articles Disruptive to School	ALCOHOL AND DRUGS INCIDENTS
21 Prohibited Items, Non-Criminal	70 Tobacco Products (Possession/Use)
22 Unauthorized Sale/Distribution of Materials	71 Prescription Medications (Unauthorized Possession/Misuse)
23 Inappropriate Activity	72 Intoxicants (Use)
-	73 Alcohol/Intoxicating Beverages (Possession/Use/Manufacture/Sale/Storage/Distribution)
<u>LEVEL 2</u>	74 Drug Paraphernalia (Possession/Use/Sale/Storage/Distribution)
-	75 Drugs/Imitation Drugs (Possession/Use/Storage)
DISRUPTIVE/PHYSICAL/VERBAL INCIDENTS	-
25 Bus Disruption	DISORDERLY CONDUCT/WEAPONS INCIDENTS
26 Disobedience/Insubordination	80 Disruption of a School/Disorderly Conduct
27 Profane/Obscene Language	81 Trespassing
28 Threat (Non-Criminal)	82 False Fire Alarm/911 Call
29 Physical Aggression (Not Involving Law Enforcement)	83 Bomb Threat
30 Repetitive Disruptive Behaviors	
31 Repetitive Disobedience(Open Defiance/ Insubordination)	

~~32 Repetitive Bullying, Harassing, Intimidating, or Threatening Behaviors~~

~~33 Hazing~~

-

PROPERTY INCIDENTS

~~35 Abuse of School Property/Minor Vandalism Less Than \$100~~

~~36 Petty Theft/Stealing Less Than \$50~~

-

~~RULES VIOLATIONS INCIDENTS AND OTHER SERIOUS INCIDENTS~~

~~39 Unserved Detention (Regular)~~

~~40 Unserved Detention (Extended/Multiple)~~

~~41 Unserved Detention (Saturday)~~

~~42 Firecrackers/Poppers~~

~~43 Forgery of a Document or Signature~~

~~44 Gambling~~

~~45 Sexual Harassment~~

~~46 Menacing Statements~~

~~47 Severe/Repetitive Inappropriate Activity~~

~~84 Inappropriate, Lewd, or Obscene Act~~

~~85 Sexual Misconduct~~

~~86 Knife (Possession)~~

~~87 Other Potentially Dangerous Items (Possession)~~

-

LEVEL 4 - CRIMINAL INCIDENTS

~~89 Threat of Violence, High Level~~

~~90 Firearm (Possession)~~

~~91 Possession of a Handgun~~

~~92 _____ Explosive _____ Device (Possession/Use/Sale/Storage/Distribution)~~

~~93 Drugs/Imitation Drugs/Prescription Medications (Sale/Intent to Sell/Distribution)~~

~~94 Aggravated Battery~~

~~95 Armed Robbery~~

~~96 Battery/Aggravated Battery on SBE~~

~~97 Sexual Battery~~

~~98 Kidnapping/Abduction~~

~~99 Homicide~~

OTHER INCIDENT CODES

~~FS - Felony Suspension Incident~~

~~PI - Previous Incident~~

A) * For ALL levels, any incident that is *hate-related* and/or *gang-related* should be coded in the appropriate "*related*" category AND should be grounds to increase disciplinary actions.

B) All bold face numbers indicate reportable to FDOE.

788 School District of Palm Beach County

INCIDENTS	PC	EC	BC	25	32	40	41	42	43	44	45	46	47	48	50	60	65	81	83	86	90	EX	RL
01 Tardiness, Habitual	X	A	-	A	-	-	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
02 Truancy/Unexplained Absence	X	A	-	A	-	-	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
03 Out of Assigned Area	X	A	-	-	-	-	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
04 Leaving School Grounds w/o Permission	X	A	-	-	-	-	A	A	A	-	A	-	-	-	-	A	A	-	A	-	-	-	-
07 Dress Code Violation	X	A	-	-	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
08 Public Display of Affection	X	A	-	-	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
09 Cheating	X	A	-	A	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
10 Failure to Comply With Rules	X	A	-	-	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
11 Disobeying Rules on Bus	X	A	A	-	A	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
14 Disruptive Play	X	A	-	-	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
15 Disruptive Behavior	X	A	-	A	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
16 Disrespectful Language	X	A	-	A	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
17 Bullying/Harassment	X	A	-	M	-	A	A	A	A	-	A	-	-	-	-	A	A	A	A	-	-	-	-
18 Confrontation	X	A	-	A	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
19 Lying/Misrepresentation	X	A	-	A	-	A	A	A	A	M	A	-	-	-	-	A	A	-	-	-	-	-	-
20 Articles Disruptive to School	X	A	-	-	-	A	A	A	A	M	A	-	-	-	-	A	A	-	-	-	-	-	-
21 Prohibited Items (Non-Criminal)	X	A	-	-	-	A	A	A	A	M	A	-	-	-	-	A	A	-	-	-	-	-	-
22 Unauthorized Materials (Non-Criminal)	X	A	-	-	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
23 Inappropriate Activity	X	A	-	A	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
25 Bus Disruption	X	A	A	-	A	A	A	A	A	-	A	-	-	-	-	A	A	A	A	-	-	-	-
26 Disobedience/Insubordination	X	A	-	A	-	A	A	A	A	-	A	-	-	-	-	A	A	A	A	-	-	-	-
27 Profane/Obscene Language	A	-	-	A	-	-	X	A	A	-	A	-	-	-	-	A	A	A	A	A	-	-	A
28 Threat (Non-Criminal)	X	A	-	M	-	A	A	A	A	-	A	-	-	-	-	A	A	-	-	-	-	-	-
29 Physical Aggression	A	-	-	M	-	-	-	A	A	-	A	-	-	-	-	A	A	X	A	A	-	-	-
30 Rep. Disruptive Behaviors	A	-	-	M	-	-	-	A	A	-	-	-	-	-	-	A	A	-	X	A	-	-	A
31 Rep. Disobedience/Defiance/Insubordination	A	-	-	M	-	-	-	A	A	-	-	-	-	-	-	A	A	A	-	X	A	-	A
32 Rep. Bullying/Harassment/Intimidating/Threat	A	-	-	M	-	-	-	A	A	-	-	-	-	-	-	A	A	A	-	X	A	-	A
33 Hazing	A	-	-	M	-	-	-	A	A	-	-	-	-	-	-	A	A	A	-	X	A	-	A
35 Abuse Property/Minor Vandalism	A	-	-	M	-	X	A	A	A	-	A	-	-	A	A	A	A	A	A	-	-	-	A
36 Petty Theft/Stealing Less Than \$50	A	-	-	M	-	-	X	A	A	M	A	A	-	A	-	A	A	A	A	-	-	-	A
39 Unserved Detention (Regular)	A	-	-	A	-	A	-	X	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-
40 Unserved Detention (Extended/Multiple)	A	-	-	A	-	A	-	-	A	-	-	-	-	-	-	X	A	A	A	-	-	-	-
41 Unserved Saturday Detention/School	A	-	-	A	-	A	-	-	-	-	-	-	-	-	-	X	A	A	A	-	-	-	-
42 Firecrackers/Poppers	A	-	-	M	-	-	-	-	X	M	-	-	-	-	-	A	A	A	A	-	-	-	A
43 Forgery of a Document/Signature	A	-	-	M	-	-	-	X	A	-	A	-	-	-	-	A	A	A	A	-	-	-	A
44 Gambling	A	-	-	M	-	-	X	A	A	-	A	-	-	A	-	A	A	A	A	-	-	-	A
45 Sexual Harassment	A	-	-	M	-	-	X	A	A	-	-	-	-	-	-	A	A	A	A	A	-	A	A
46 Menacing Statements	A	-	-	M	-	-	-	A	A	-	-	-	-	-	-	A	A	A	-	X	A	-	A
47 Severe/Rep Inappropriate Activity	A	-	-	M	-	-	-	-	A	-	-	-	-	-	-	A	A	A	X	A	-	-	A
-	PC	EC	BC	25	32	40	41	42	43	44	45	46	47	48	50	60	65	81	83	86	90	EX	RL

789 (M) Mandatory Action (X) Minimum Mandatory Action (A) Additional Actions. The Matrix provides MINIMUM
790 MANDATORY Actions for each incident. More severe consequences may be imposed at the discretion of
791 the administrator.

	INCIDENTS	PC	EG	BC	25	32	40	41	42	43	44	45	46	47	48	50	60	65	81	83	86	90	EX	RL
50	Fighting	A	-	-	M	-	-	-	-	-	-	-	-	-	-	A	-	-	-	X	A	A	A	A
51	Verbal Assault to Student/Person	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	X	A	A	A	M
52	Verbal Assault on SBE	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	X	A	A	M
53	Physical Battery to Student/Person	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	X	A	A	M
54	To Attempt Criminal Act Against a Person	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	A	M
55	Extortion/Blackmail/Coercion	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	A	M
56	Robbery	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	A	M
57	Physical Aggression on an S. B. Employee	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	X	A	A	M
60	Stealing More Than \$50	A	-	-	A	-	-	-	-	-	-	-	A	-	A	-	-	-	-	X	A	A	A	M
61	Vandalism More Than \$100	A	-	-	A	-	-	-	-	-	-	-	A	-	A	-	-	-	-	X	A	A	A	M
62	Breaking and Entering/Burglary	A	-	-	A	-	-	-	-	-	-	-	A	-	A	-	-	-	-	-	-	M	A	M
63	Computer Misuse	A	-	-	A	-	-	-	-	-	-	-	A	-	A	-	-	-	-	X	A	A	A	A
64	Reckless Vehicle Use	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	A	M
65	Motor Vehicle Theft	A	-	-	A	-	-	-	-	-	-	-	A	-	A	-	-	-	-	-	-	M	A	M
66	Arson	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M
67	Counterfeit/Misrepresented Document / Other Major Incident	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	A	A	M
70	Tobacco Products (Possession/Use)	A	-	-	M	-	-	-	-	M	A	-	M*	M*	-	A	A	A	A	A	A	M*	A	A
71	Prescription Medication (Possession/Use)	A	-	-	M	-	-	-	-	M	-	-	M*	M*	-	-	-	-	-	-	-	M*	A	M
72	Intoxicants (Possession/Use)	A	-	-	M	-	-	-	-	M	-	-	M*	M*	-	-	-	-	-	-	-	M*	A	M
73	Alcohol (Possession/Use)	A	-	-	M	-	-	-	-	M	-	-	M*	M*	-	-	-	-	-	-	-	M*	A	M
74	Drug Paraphernalia (Possession/Use)	A	-	-	M	-	-	-	-	M	-	-	M*	M*	-	-	-	-	-	-	-	M*	A	M
75	Drugs/Imitation Drugs (Possession/Use)	A	-	-	M	-	-	-	-	M	-	-	M*	M*	-	-	-	-	-	-	-	M*	A	M
80	Disruption of School/Disorderly Conduct	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	A	M
81	Trespassing	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	X	A	A	A	M
82	False Fire Alarm/911 Call	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	A	M
83	Bomb Threat	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	M	M
84	Inappropriate, Lewd, or Obscene Act	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	X	A	A	A	M
85	Sexual Misconduct	A	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	M	A	M
86	Knife (Possession)	A	-	-	A	-	-	-	-	M	-	-	-	-	-	A	-	-	-	X	A	A	A	M
87	Other Potentially Dangerous Items (Possession)	A	-	-	A	-	-	-	-	M	-	-	-	-	-	A	-	-	-	X	A	A	A	M
89	Threat of Violence (High Level)	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M
90	Possession of a Firearm	A	-	-	A	-	-	-	-	M	-	-	-	-	-	-	-	-	-	-	-	M	M	M
91	Possession of a Handgun	A	-	-	A	-	-	-	-	M	-	-	-	-	-	-	-	-	-	-	-	M	M	M
92	Explosive Device	A	-	-	A	-	-	-	-	M	-	-	-	-	-	-	-	-	-	-	-	M	M	M
93	Drugs/Imitation/Prescription (Sale/Distribution)	A	-	-	A	-	-	-	-	M	-	-	-	-	-	-	-	-	-	-	-	M	M	M
94	Aggravated Battery	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M
95	Armed Robbery	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M
96	Battery/Aggravated Battery on S. B.	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M

	Employee																								
97	Sexual Battery	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M		
98	Kidnapping/Abduction	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M		
99	Homicide	A	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	M	M	M		
-	-		PC	EC	BC	25	32	40	41	42	43	44	45	46	47	48	50	60	65	81	83	86	90	EX	RL

792 ~~(M) Mandatory Action (X) Minimum Mandatory Action (A) Additional Actions. The Matrix provides MINIMUM Mandatory Actions~~
793 ~~for each incident. More severe consequences may be imposed at the discretion of the administrator.~~

794 **~~M* Drug or Alcohol Violation~~**

~~1st Offense (Codes 71-75 ONLY) - MUST provide students with an opportunity to exchange 5 days of the Out-of-School Suspension for the district-approved alternative program.~~

~~Repeated REQUIRE a 10-day Out-of-School Suspension AND Recommendation for Expulsion.~~

795 **~~Tobacco Violation~~**

~~1st Offense - MUST provide students with an opportunity to exchange 7 days of the Out-of-School Suspension for the district-approved alternative program.~~

~~2nd Offense - MUST provide students with an opportunity to exchange 5 days of Out-of-School Suspension for the district-approved alternative program.~~

~~Repeated REQUIRE a 10-day Out-of-School Suspension.~~

796 **~~DIRECTIONS:~~** ~~When a student has committed an infraction, the misbehavior is to be classified according to the definition(s) that best describes the event. The minimum actions(s) that must be taken by Administrators/Disciplinarians are outlined in the Matrix of Incidents and Actions. (NOTE: If a school does not provide one of the prescribed minimum actions, then the next most appropriate action should be taken.) To identify the most appropriate action(s), locate the cells found at the intersection of the incident (rows) and the Action codes (columns). The Action codes correspond with the consequences listed in the box below. The Matrix provides MINIMUM Mandatory Actions for each incident. More severe consequences may be imposed at the discretion of the administrator.~~

797 **~~PC~~** ~~Prevention Consequences~~

~~EC~~ ~~Early Intervention Consequences~~

~~BC~~ ~~Bus Consequences~~

~~25~~ ~~CORE Team Referral~~

~~32~~ ~~Bus Suspension~~

~~40 School Service Work~~

~~41 Detention (Regular)~~

~~42 Detention (Extended)~~

~~43 Detention (Saturday)~~

~~44 Confiscation~~

~~45 Loss of Extra-Curricular Privileges~~

~~47* Tobacco/Alcohol/Drug Alternative~~

~~48* Days Held in Abeyance~~

~~50 Student Misconduct Alternative Program~~

~~60 In-School Intervention Program~~

~~65 In-School Alternative to Suspension~~

~~81 Out-of-School Suspension, 1-2 Days~~

~~83 Out-of-School Suspension, 3-5 Days~~

~~86 Out-of-School Suspension, 6-10 Days~~

~~90 Out-of-School Suspension, Mandatory 10 days~~

~~DI Other District-Imposed Actions~~


~~EX Recommendation for Expulsion~~

~~FS Felony Suspension~~

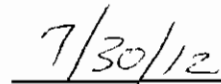
~~RL Reported to Law Enforcement~~

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.1813 and finds it legally sufficient for development by the Board.



Attorney



Date

Code of Student Conduct

for
Secondary Students



**The School District of Palm Beach County, FL
FY13-14**

The School Board of Palm Beach County is committed to excellence in education and preparation of all our students with the knowledge, skills and ethics required for responsible citizenship and productive employment.

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The School District of Palm Beach County

Code of Student Conduct

Introduction

Instruction should occur in an environment that is safe and conducive to learning. The *Code of Student Conduct* encompasses the District's policies to create that safe learning environment to ensure academic success. To assist students, parents, guardians, administrators, and school personnel in maintaining a safe and supportive environment, the *Code of Student Conduct* will:

- describe rights and responsibilities of all students and parents/guardians;
- describe the responsibilities of District staff;
- identify prevention strategies;
- identify classifications of incidents and describe corrective strategies for minor behavioral incidents and disciplinary consequences involving suspension or expulsion for egregious incidents;
- standardize procedures for administering disciplinary actions; and
- describe rights of disabled students related to discipline.

The "reculturing" of a school to a positive school climate supports academic achievement and promotes fairness, civility, acceptance of diversity, as well as mutual respect. The School Board of Palm Beach County has adopted and is implementing the framework of School-wide Positive Behavior Support (SwPBS) to assist in these efforts.

SwPBS is a proven, research and evidence-based discipline program that emphasizes school-wide systems of supports. SwPBS emphasizes teaching students to behave in ways that contribute to academic achievement and school success that supports a safe school environment where students and school staff are responsible and respectful. SwPBS also emphasizes the need for school staff to promote appropriate behaviors by teaching, modeling, and reinforcing appropriate behaviors and by treating minor mis-behaviors as "teaching moments".

This document will address the role of the parents, guardians, students, and school personnel, as well as address core values and model student behavior, rights and responsibilities.

To this effort, the District promotes the following *Universal Guidelines* and *Behavioral Expectations*:

- **Be Safe**
- **Be Respectful**
- **Be Responsible**

Each school center shall create its own *Universal Guidelines* and *Behavioral Expectations*. Samples of some *Universal Guidelines* or *Matrices of Expectations* are found at the end of this document.

Required instruction under F.S. § 1003.42 includes Character Education which has transitioned to Ethics in Action. The School Board recognizes students exhibiting model behavior through Ethics in Action.

Scope of the *Code of Student Conduct*

The *Code of Student Conduct* is intended to outline a range of appropriate responses for inappropriate behaviors:

- Poor academic achievement is not an act of misconduct. Therefore, the *Code of Student Conduct* must not be used to discipline students for poor academic achievement or failure to complete assignments.
- A parent's refusal to appropriately support his/her child's education cannot be considered misconduct on the part of the child.
- The *Code of Student Conduct* applies to all students. However, discipline for students with disabilities shall be administered in accordance with federal and state law as detailed in District Policy 5.189 <http://www.palmbeachschools.org/policies/>.

The *Code of Student Conduct* applies to actions of students during the time:

- students are waiting for school transportation, being transported to and from school at public expense.
- students are attending school.
- students are participating in school-sponsored activities.
- commission of off campus conduct which substantially disrupts the school learning environment.

Student Conduct and Behavior

1. Every student, pre-school through adult, has the right to be educated in a safe, respectful and welcoming environment. Every educator has the right to teach in an atmosphere free from disruption and obstacles that impede learning. This will be achieved through the adoption and implementation of a consistent *Code of Student Conduct* and through the implementation of a SwPBS Plan in all schools.
2. The SwPBS Plan emphasizes teaching students to behave in ways that contribute to academic achievement, school success, and support a school environment where students and school staff are responsible and respectful.
3. The SwPBS Plan will include: teaching school rules, reinforcing appropriate student behavior, using effective classroom management and positive behavior support strategies by providing early intervention for misconduct and appropriate use of consequences.
4. Palm Beach County (PBC) schools are established for the benefit of all students. The educational purposes of the schools are accomplished best in a positive school climate that teaches, models, and reinforces student behavior that is socially acceptable and conducive to the learning and teaching process. There must also be a consistent continuum of consequences for ongoing student misconduct across PBC schools.
5. The School Board supports the administrative staff and teachers in taking all necessary and reasonable steps to implement the *Code of Student Conduct* and administrative policies to maintain appropriate student behavior. Important among these policies and directives are those in the areas of conduct, involving behavioral interventions and supports, enhancing the climate for learning, and policies governing suspensions and expulsions.
6. The policies herein serve as the code governing student conduct and discipline and are applicable to all students. These policies shall constitute the *Code of Student Conduct*, which are incorporated as Board policy pursuant to Florida Statute. Copies of these documents are available in three different languages on the District web site, on file in the Board Minutes Office, the Public Affairs Department, and shall be available at each school and each Area Superintendent's office.

7. The School Board recognizes that the *Code of Student Conduct* must be consistent with the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504). Therefore, students eligible for services under IDEA or Section 504, will be disciplined in accordance with these acts and are governed by those *Code of Student Conduct* provisions, which specify that they apply to students covered under IDEA and 504.
8. The School Board establishes guidelines for the conduct and discipline of students. The Superintendent shall recommend, based on these policies, a *Code of Student Conduct* for adoption by the School Board annually, in accordance with Florida Statute. The *Code of Student Conduct* will be available to all elementary or secondary teachers, school personnel, students, and parents or guardians and discussed at the beginning of every school year.
9. The School Board adopts the *Code of Student Conduct* in accordance with Florida Statute and will include:
 - a. Establishing policies and specific grounds for disciplinary action, including in-school suspension, out-of-school suspension, expulsion, and any other disciplinary action that may be imposed for the possession or use of alcohol on school property or while attending a school function or for the illegal use, sale, or possession of controlled substances, as defined in Chapter 893, F.S.
 - b. Establishing procedures to be followed for acts requiring discipline and establishing procedures for the assignment of violent or disruptive students to an alternative educational program.
 - c. Defining and explaining the responsibilities and rights of students with regard to attendance, respect for persons and property, knowledge and observation of rules of conduct, the right to learn, free speech, student publications, assembly, privacy, and participation in school programs and activities.
10. In accordance with Florida Statute, the Board adopts a policy of zero tolerance for crime, substance abuse and the possession of a firearm.
11. These policies recognize that pursuant to 18 U.S.C. § 922(q)(1)(I)(2)(A) (The Gun-Free School Zones Act), "It shall be unlawful for any individual, knowingly, to possess a firearm...at a place that the individual knows, or has reasonable cause to believe, is a school zone" and 18 U.S.C. § 922(q)(3)(A) "...[I]t shall be unlawful for any person, knowingly or with reckless disregard for the safety of another, to discharge or attempt to discharge a firearm...at a place that the person knows is a school zone."
12. These policies recognize that pursuant to § 893.13(1)(c), F.S. (The Drug Free School Zone), it shall be unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver a controlled substance in, on, or within one thousand (1,000) feet of the real property comprising a child care facility as defined in § 402.302, F.S., or public or private elementary, middle, or secondary school, between the hours of 6 a.m. and 12 a.m.
13. In addition, pursuant to Florida Statute 1006.07, notice is provided that:
 - a. "...[P]ossession of a firearm, a knife, or a weapon, by any student while the student is on school property or in attendance at a school function is grounds for disciplinary action and may also result in criminal prosecution."
 - b. "[A]ny student who is determined to have brought a firearm...to school, to any school function, or on to any school-sponsored transportation will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and referred for criminal prosecution."
 - c. "...[I]llegal use, possession, or sale of controlled substances, as defined in Chapter 893, by any student while such student is upon school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed."
 - d. "... [V]iolence against any school district personnel by a student is grounds for out-of-school suspension, expulsion, or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed."

- e. “[V]iolation of district school board transportation policies, including disruptive behavior on a school bus or at a school bus stop, by a student, is grounds for suspension of the student’s privilege of riding on a school bus and may be grounds for disciplinary action by the school, and may also result in criminal penalties being imposed.”
 - f. “[V]iolation of the district school board's sexual harassment policy by a student is grounds for in-school suspension, out- of-school suspension, expulsion, or imposition of other disciplinary action by the school, and may also result in criminal penalties being imposed.”
 - g. “... [A]ny student who is determined to have made a threat or false report, as defined by §§ 790.162 and 790.163, [F.S.], respectively, involving school or school personnel’s property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than 1 full year and referred for criminal prosecution.”
14. To the extent that any definition, recommended disciplinary action or any provision in the policies serving as the basis for code governing student conduct are contrary to state law or state board of education rule, the law or state board rule shall control.
15. Grievance Against Schools
- a. Students, parents, or guardians are required to follow the District’s established procedure for addressing discipline grievances against the school.
 - b. The Superintendent shall establish procedures by which students and parents may present discipline grievances to appropriate school authorities.

For schools to be safe and orderly everyone has a responsibility. Every student, parent/guardian, teacher, administrator, support staff and district personnel has a role. The following are some of each group’s responsibilities:

Responsibilities of Students

- Attend school and all classes daily and as scheduled.
- Follow the Code of Student Conduct.
- Be accepting of individual differences between people.
- Show respect by using respectful language and actions.
- Do not be a bystander when bullying and/or harassment occur. Report any bullying and/or harassment to an administrator.
- Respect the rights of other students, parents, faculty, staff, school visitors, school property and the property of others.
- Work hard and do your best.
- Ask teachers, counselors, support staff, parents, school administrators, and other adults for help in solving problems.

Responsibilities of Parents/Guardians

- Make sure your child comes to school every day on time and ready to learn.
- Visit your child's school, as necessary, to evaluate his/her academic and/or behavioral progress.
- Read the Code of Student Conduct.
- Support your child in following the Code of Student Conduct.
- Take an active role in supporting the implementation of School-wide Positive Behavior Support.
- Teach your child to respect the rights of others.
- Teach your child to respect school property and the property of others.
- Seek available resources to support your child within the school and the community.

Responsibilities of School Administrators

- Define, teach, model, reinforce, and support appropriate student behaviors to create positive school environments.
- Monitor, support and sustain the effective implementation and maintenance of School wide Positive Behavior Support (SwPBS).
- Expand the adoption and implementation of Alternatives to Suspension at the school.
- Distribute the Code of Student Conduct to students, parents and all school personnel.
- Implement the Code of Student Conduct in a fair and consistent manner.
- Review each discipline referral and ensure that appropriate interventions and/or corrective strategies/consequences are developed and implemented in accordance with the Code of Student Conduct.
- Use professional judgment to prevent minor behavioral incidents from becoming major challenges.
- Identify appropriate training and resources as needed to implement positive behavior interventions and supports.
- Implement all Palm Beach County School Board policies in a fair and consistent manner.
- Maintain accurate personal discipline data of students.
- Ensure that behavior support plans for at risk youths are implemented with high levels of integrity and compliance.
- Review Discipline data (EDW and TERMS) to assist with data based decision making.

Responsibilities of District Administrators

- Provide appropriate training and resources to implement positive behavior interventions, and supports at each school.
- Utilize individual school discipline data to target and allocate professional development services for school administrators and staff in SwPBS.
- Assist parents who are unable to resolve issues at the school-level.
- Expand the adoption and implementation of Alternatives to Suspension across the District (i.e. ATOD).
- Review and revise the District Code of Student Conduct annually.
- Make recommendations for expulsions to the Superintendent.
- Conduct expulsion hearings.

In an effort to fully implement School-wide Positive Behavior Support (SwPBS) and reduce the loss of instructional time due to out of schools suspensions, the School District of Palm Beach County expects that each school will utilize a wide variety of corrective strategies that do not always remove students from valuable instructional time.

Sample Classroom/ Teacher Interventions Prior to Discipline Referral

Corrective Strategy	DESCRIPTION
Apology Restitution	Student makes amends for negative actions by taking responsibility to correct the problem created by the behavior through verbal or written declaration of remorse.
Check in/Check Out	Daily contact with an assigned adult on campus. Student should see the adult before school starts each day, as well as at the end of the day.
Conference With Parent(s)	Teacher communicates with student's parent(s) by phone, email, written notes, or in person about the problem.
Conference With Student	Private time with a student to discuss behavior interventions/ solutions. This can include direct instruction in expected or desirable behaviors.
Corrective Assignment Restitution	Student completes a task that compensates for the negative action and triggers a desire not to revisit the negative behavior. (<i>i.e.</i> , clean-up, helping another person).
Detention	Required attendance for a monitored period of time, generally an hour after school, during lunch, or Saturday.
Home/ School Plan	Parent(s) and teacher agree on a consistent approach. The plan should be consistent with SwPBS practices, emphasizing teaching and rewarding of appropriate behaviors and using consistent consequences for problem behaviors. The home/school plan should be explained to the student by the parent(s) and teacher, as appropriate.
In-Class Time Out	Predetermined consequence for breaking classroom rules of short duration (five minutes or less, usually separated from group, but remains in class) or brief withdrawal of attention and other reinforcers (a time for student to reflect on his or her action).
Mentoring	An agreed upon adult or student who provides consistent support, guidance, and concrete help to a student who is in need of a positive role model.
Out-of-Class Time out	Student is assigned to another supervised environment for a period of time out (<i>i.e.</i> , another classroom), slightly longer duration than in-class time out (30 minutes or less). Student must comply with rules of exclusion time out. Time-out procedure must be taught to students before implementing.
Privilege Loss	Incentives given for positive behavior are lost.
Reflective Assignment	Help student realize why his misbehavior was wrong by asking him/her to compose a reflective essay
Teach/Reteach Student Expectations	Teach and model behavioral expectation that students are having difficulty with adherence
Written Contract	Student, teacher, and parent(s) may formulate a document expressing the student's intention to remediate or stop further occurrences of a problem behavior. Written contract should be positive in tone and it should include incentives but may also include consequences for misbehavior.

CORRECTIVE STRATEGIES
Administrative Prevention and Early Intervention

Prior to a student receiving a suspension, two of the following interventions will have been conducted and DOCUMENTED. Exceptions to this are offenses, which are most serious in nature, and have occurred with no prior opportunity to provide early interventions.

<i>Corrective Strategies</i>	<i>DESCRIPTION</i>
Behavior Contract	A written/verbal contract or plan for the student with stated goals, objectives, and outcomes for the student to develop the necessary skills to address the stated incident
Community Service	Donated service or activity that is performed by student for the benefit of the public or its institutions.
Conference With Parent(s)	Administrator and teacher communicate with student's parent(s) by phone, email, written notes, or person to person about the problem.
Conference With Student	Private time with a student to discuss behavior interventions/solutions. This can include direct instruction in expected or desirable behaviors.
Daily / Weekly Report	A progress report and/or assignment sheet which gives the student and parent the opportunity to track the student's academic and behavioral progress in each of his/her classes for a specified period of time.
Detention	Required attendance for a monitored period of time, generally an hour after school, during lunch, or Saturday.
Loss of Privileges (during school hours)	The loss of a privilege(s) during school hours such as assemblies, field trips, and incentive activities.
Mentoring	An agreed upon adult or student who provides consistent support, guidance, and concrete help to a student who is in need of a positive role model.
Parent/Guardian Attends Class with Child	Parent/Guardian shadows child and/or attends class with their child at school for an agreed upon time during the child's school day.
Plan Meeting (IEP, LEP, 504)	Student recommended to the necessary department/group for discussion and development of a course of action/interventions for the student.
Referral for Admin Mediation	Referral to Mediation with an Administrator for stated incident.
Referral for Peer Mediation	Referral to Mediation with a Peer for stated incident.
Referral to School Based Team	The referral to the School Based Team for possible interventions.
Referral to School Guidance	Counseling of the student by the guidance counselor to assist the student in developing or utilizing the necessary skills to address the stated incident.

Restorative Justice	A structured process guided by a trained facilitator in which the participants in an incident examine the intended and unintended impact of their actions and decide on interpersonal remedies to repair harm and restore relationship.
Schedule Change (change of regular classes)	A permanent change in the student's regular class schedule.
School Service Work (during school hours)	Work assistance, provided by the student, to any staff member during school hours, assistance could include campus or hallway clean-up
Silent Lunch / Lunch Detention	A separate facility and/or seating arrangement for the student during a regularly scheduled lunch period. Additionally, the administrator may request some cafeteria clean-up assistance from the student such as sweeping, wiping tables, and/or assisting with other clean-up activities.
Temporary Classroom Change (short-term)	The temporary removal of a student from their regular classroom to a different classroom. The student will be given the opportunity to complete his or her regular class work in the alternative setting.
Temporary Removal from Classroom	The temporary removal of a student from the traditional learning environment to a separate, individual learning environment for a short period of time
Voluntary Restitution / Self-Designed Action(s)	Student makes amends for negative actions, taking responsibility to correct the problem, through a written or verbal apology.

DRAFT

What is the Discipline Guide?

The DISCIPLINE GUIDE is a **tool** for administrators to respond appropriately when students have committed discipline infractions, per the *Code of Student Conduct*. This tool is designed to offer consistency at all levels across the District so that students are disciplined fairly from school to school when their behavior requires discipline beyond the classroom.

The DISCIPLINE GUIDE is designed to assist you and your child in understanding the consequences of violating school rules. While most parents will have no need to be familiar with the Discipline Guide, the School Board and the district want to ensure that parents are knowledgeable about the actions of its school administrators when students misbehave. The DISCIPLINE GUIDE enables administrators to assign consequences consistently, regardless of the school your child attends. When a student has multiple violations in one incident, such as fighting with a weapon, the administrator will impose the more *severe consequences*.

IS THERE ANYTHING ELSE I NEED TO KNOW?

Yes. The DISCIPLINE GUIDE does not apply to classroom management as assigned by the teacher, but rather as a progressive step when a student has broken the rules requiring a principal and/or his designee to assign consequences. While continuous disregard for classroom rules will be referred to an administrator, certain violations of the rules, such as weapon possession, assault, sexual harassment, **require immediate initial administrative action**.

Like the *Code of Student Conduct*, the GUIDE is reviewed annually by District stakeholders, including parents, teachers, administrators, counselors, and other community representatives.

Discipline Referral Incidents in PBC are classified as Level 1, Level 2, Level 3 or Level 4 infractions. When deciding what disciplinary action should be taken, the Principal or designee shall consider the student's age, exceptionality, previous conduct, intent, and severity of the incident, and whenever possible shall impose disciplinary action in a progressive manner. As students offences increase in level, so do the possible consequences.

Level 1 Incident Codes and Descriptions

Discipline incidents that have been addressed by the teacher and now warrant a discipline referral or administrative assistance. Infractions in this category require corrective strategies that do NOT generally require removal from instruction and may not result in an In-School or Out-of-School suspension.

ATTENDANCE INCIDENTS	
Leaving School Grounds Without Permission	Unauthorized leaving of the school grounds.
Out of Assigned Area	Out of assigned area without permission and/or in a restricted access area without permission.
Tardiness, Habitual	A consistent failure to be in a place of instruction at the assigned time.
Truancy /Unexplained Absence	An absence from class or school that the reason or excuse is inadequate or does not meet the criteria for an excused absence.
RULES VIOLATIONS INCIDENTS	
Cheating	The unauthorized use and/or the sharing, distributing, publicizing or duplicating of any instructional materials, copied or written information obtained by any means that is intended to be used for academic or personal gain. (This would not include copying another student's work the use of cheat sheets or any cheating violation that can be resolved by the classroom teacher under the schools discipline plan.)
Computer/Technology Misuse - Minor	Minor inappropriate use of a computer and/or technology without malicious intent. (Refer to Computer Misuse – Major if offense is more serious in nature.)
Disobeying Rules on the School Bus	Violation of the posted or written rules of conduct for the bus that are not necessarily disruptive behaviors; (i.e., not in assigned seat, eating or drinking on the bus, getting on or off the bus at the wrong bus stop. (Refer to Bus Disruption for disruptive behavior on the bus.)
Dress Code Violation	Dress in a manner that violates the school's dress code policy and/or in a manner that would constitute a safety hazard (F.S 1006.07).
Failure to Comply with Class/School Rules	Violation of specific posted or written school or class rules that are not necessarily disruptive behaviors; ex: repeated gum chewing, repeatedly unprepared for class, etc.
Public Displays of Affection	Engaging in overtly amorous contact or language not appropriate in a school setting.

DISRUPTIVE INCIDENTS	
Bullying	Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or persuasive enough to create an intimidating, hostile or offensive environment, or unreasonably interfere with the individual's school performance or participation, , and as defined in SB Policy 5.002.
Cellular Telephone/Technology violation	The use of wireless communication devices including but not limited to cellular telephones, camera telephones, MP3 players, iPods, readers and other electronic devices in violation of the time, place, and manner as outlined in the <i>Code of Student Conduct</i> (SB Policy 5.183).
Confrontation	A verbal confrontation, or the encouraging or inciting of a confrontation that has the propensity to escalate into a fight.
Disrespectful Language	Written or verbal remarks or gestures that show a lack of respect, rudeness or are inappropriate. The use of words or acts which demean, degrade, antagonize, or humiliate a person or group of persons.
Disruptive (Unruly) Behavior or Play	Behavior by its nature that disrupts the educational process, but is not criminal. Conduct that interferes with the process of teaching/learning, or disrupts the orderly environment of the classroom or learning environment. <i>Examples: student(s) engaging in rowdy, rough behavior in the classroom</i>
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 or harm to his or her person or damage to his or her property, (2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or (3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person, that causes substantial emotional distress in such a person and serves no legitimate purpose, and as defined in SB Policy 5.002.
Inappropriate Activity	Any activity that is disruptive and tends to interfere with the process of teaching and learning that cannot be coded in another Level 1 incident.
Lying /Misrepresentation	Intentionally providing false or misleading information to, or withholding valid information from, a school staff member.
Prohibited items, Non-criminal and Unauthorized use of Medication	Possession and/or use of items or contraband designated by the school as inappropriate materials AND any other items that causes distraction or damage to persons or property or otherwise interfere with the learning process (included would be matches and lighters). Unauthorized possession or use of one's own prescription medication or over-the-counter <i>mild pain medication</i> including but not limited to items such as Aspirin, Advil, Aleve, Midol, NoDoze, or herbal supplements without parental approval AND school notification. (Refer to Level 3 and Level 4 for weapons, drugs, alcohol, tobacco, obscene materials or other articles which may require law enforcement intervention.)
Unauthorized Sale/Distribution of Materials (non-criminal)	Unauthorized selling or distributing of materials during school, e.g. candy, magazines

LEVEL 1

Behaviors	Range of Corrective Strategies Prior to Administering Discipline	Range of Discipline Consequences
<p><i>Level 1 Incidents are acts that disrupt the orderly operation of the classroom, school, transportation or extracurricular activities</i></p> <p style="text-align: center;">LEVEL 1 INCIDENTS</p> <ul style="list-style-type: none"> ➤ Tardiness, Habitual ➤ Truancy ➤ Out of Assigned Area ➤ Leaving School Grounds w/out permission ➤ Dress Code Violations ➤ Public Displays of Affection ➤ Cheating ➤ Failure to comply with School Rules ➤ Bus Rules Violation ➤ Computer/Technology Misuse Minor ➤ Harassment * ➤ Disruptive (Unruly) Behavior or Play ➤ Disrespectful Language ➤ Bullying * ➤ Confrontation ➤ Lying/Misrepresentation ➤ Cellular Telephone/Technology Violation ➤ Prohibited Items, Unauthorized Use of Medications ➤ Unauthorized Sale/Distribution of Materials ➤ Inappropriate Activity <p><i>*Referral to School Based Team Mandatory</i></p>	<ul style="list-style-type: none"> ➤ Review of Matrix of Expectations ➤ Re-teach Behavior ➤ Coaching ➤ Reflective Assignment ➤ Apology Letter 	<p><i>The principal or designee must select at least one of the following from Level 1 Actions. Principals may authorize use of Level 2 Actions for repeated, serious, or habitual Level 1 Incidents.</i></p> <p style="text-align: center;">LEVEL 1 ACTIONS</p> <ul style="list-style-type: none"> ➤ Parent/Guardian Contacted (M) ➤ Conference with Student (M) ➤ Conference with Parents ➤ Referred to School Guidance ➤ Referral for Peer Mediation ➤ Referral for Administrative Mediation ➤ Behavior Contract ➤ Plan Meeting (IEP, 504, LEP) ➤ Daily Weekly Report ➤ Schedule Change ➤ Parent Guardian attends school w/student ➤ Voluntary Restitution ➤ Assigned Bus Seat ➤ Silent Lunch/Lunch Detention ➤ After School Detention ➤ Extended or Multiple Detention ➤ Saturday School Detention ➤ Confiscation ➤ Conflict Resolution ➤ Mentoring ➤ Referral to Outside Agency

Level 2 Incidents and Definitions

Level 2 Incidents are more serious than Level 1 because they significantly interfere with learning and/or the well-being of other students and members of the school community.

DISRUPTIVE/PHYSICAL/VERBAL INCIDENTS	
Bus Disruption	Behavior that disrupts and/or distracts the driver from safely operating the school bus.
Disobedient/Insubordination	Failure to obey a reasonable instruction or request by a staff member.
Hazing	Hazing is considered to be any willful act done by a student for the purpose of subjecting another student to humiliation, intimidation, physical abuse or threat of abuse, social or other ostracism, shame, or disgrace. Permission, consent, or assumption of the risk by a student subjected to hazing does not affect the violation of this policy.
Physical Aggression (not involving Law Enforcement)	Brief exchange of physical contact which could include pushing or shoving that doesn't result in significant injury AND does not require significant adult intervention to separate or restrain. <i>(NOTE: If a physically aggressive act results in serious bodily injury and/or requires the intervention of law enforcement, then the incident should be coded Physical Battery on a Student/Person)</i>
Profane/Obscene Language (Use of Abusive Language, Obscene gestures)	Abusive, profane, obscene, or vulgar language (verbal, written, or gestures) or conduct in the presence of another person.
Repetitive Bullying	Repeated referrals for Level 1.
Repetitive Disobedience/Open Defiance / Insubordination	Repeated referrals (more than 2) for disobedience, defiance, and insubordination.
Repetitive Disruptive Behaviors	Repeated referrals (more than 2) for Level 1 disruptive behaviors including disruptive play, disrespectful language, and any other repetitive behaviors that create a disruptive learning environment.
Repetitive Harassment	Repeated Referrals for Level 1
Threat, non-criminal	A statement which does not meet the criteria of a criminal assault. A low level threat that poses a minimal risk to the victim and public safety. The threat is vague and indirect; the information contained within the threat is inconsistent, implausible or lacks detail; the threat lacks realism; and the content of the threat suggests the person is unlikely to carry it out. (Refer to Menacing Statement, Verbal Assault, and Threat of Violence, High Level for more serious threats)

PROPERTY INCIDENTS	
Abuse of School Property/Minor Vandalism	To use wrongly or improperly, or to maltreat any school equipment or property. [Refer to Vandalism more than \$1000 (includes materials and labor) for significant damage or destruction]
Petty Theft / Stealing (less than \$300)	The unlawful taking, carrying, leading, or riding away of property less than \$300 in value from the possession, or constructive possession, of another person. [Refer to Stealing (more than \$300) for more serious thefts]

RULES VIOLATIONS INCIDENTS AND OTHER SERIOUS INCIDENTS	
Creating A Hostile Environment	Sexually harassing conduct which can include unwelcome sexual advances and other verbal, nonverbal or physical behavior of a sexual nature by an individual that is sufficiently severe, persistent, or pervasive enough to create a hostile or abusive educational environment. (In some cases, severe incidents of sexual harassment which includes physical contact may be considered a Level 3 or Level 4 incident. Refer to <i>Physical Battery on a Student / Person</i> ; or with physical penetration - <i>Sexual Battery</i> .)
Firecrackers/Poppers	Possession, use, sale, storage, or distribution of firecrackers, poppers or associated devices as long as the object is not used as a weapon or is not considered a weapon by Florida statutes. (Refer to - Possession of Other Potentially Dangerous Items and - Possession, Use, Sale, Storage, or Distribution of an Explosive Device for more dangerous fireworks)
Forgery of a Document or Signature	To fashion or reproduce the signature of another for fraudulent purpose.
Gambling	One who participates in games of chance or skill for money, profit, or anything of value.
Menacing Statements	A medium level of threat which could be carried out, although it may not appear entirely realistic. The threat is more direct and more concrete than a low level threat; the wording in the threat suggests that the aggressor has given some thought to how the act will be carried out; there may be a general indication of a possible place and time (though these signs still fall well short of a detailed plan). There is no strong indication that the aggressor has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence pointing to the possibility.
Possession/Use of Tobacco Products	Possession, use, sale, storage, or distribution of tobacco products on school district property. Tobacco products include, but are not limited to cigarettes, cigars, snuff, dip, pipe tobacco, and chewing tobacco.
Severe/Repetitive Inappropriate Activity	Any Level 2-type activity that is disruptive and/or inappropriate in a school setting that does not fit into another Level 2 category.
Sexual Harassment	Unwanted or repeated verbal or physical sexual behavior that is offensive and objectionable to the recipient causes discomfort or humiliation or creates a hostile environment. (undesired sexual behavior towards another)
Unserviced Detention (Regular)	Unexcused absence from a scheduled regular detention.
Unserviced Detention (Saturday)	Unexcused absence from a scheduled Saturday detention.

Level 2

Behaviors	Administrative Responsibilities	Range of Discipline Consequences
<p><i>Level 2 Incidents are more serious than Level 1 Incidents. These behaviors significantly interfere with the learning process and/or the well being of others</i></p> <p style="text-align: center;">LEVEL 2 INCIDENTS</p> <ul style="list-style-type: none"> ➤ Repetitive Harassment * ➤ Bus Disruption ➤ Disobedience/Insubordination ➤ Profane or Obscene Language ➤ Threat, non criminal * ➤ Physical Aggression, * ➤ Repetitive Disruptive Behaviors * ➤ Repetitive Disobedience ➤ Repetitive Bullying * ➤ Hazing * ➤ Vandalism <1000 ➤ Petty Theft or Stealing <300 ➤ Possession of Tobacco Products ** ➤ Un-served Detentions (Regular) ➤ Un-served Detentions (Saturday) ➤ Firecrackers/Poppers * ➤ Forgery of Document of Signature ➤ Gambling * ➤ Sexual Harassment * ➤ Menacing Statements, Non Criminal * ➤ Severe/Repetitive Inappropriate Activity * <p><i>*Referral to School Based Team Mandatory</i></p>	<p style="text-align: center;">Range of Corrective Strategies Prior to Administering Discipline</p> <ul style="list-style-type: none"> ➤ Investigation ➤ Witness Statements ➤ Review of Matrix of Expectations ➤ Coaching ➤ Reflective Assignment ➤ Apology Letter ➤ Check in-Check Out ➤ Restorative Justice ➤ Ripples Effect 	<p><i>The principal or designee can select one of the strategies from Level 1, as well as one action from Level 2. Principals may authorize the use of Level 3 Actions for repeated, serious or habitual infractions or repeated, serious, or habitual Level 2 Incidents.</i></p> <p style="text-align: center;">LEVEL 2 ACTIONS</p> <ul style="list-style-type: none"> ➤ Parent/Guardian Contacted (M) ➤ Conference with Student (M) ➤ Mediation ➤ Behavior Contract ➤ Plan Meeting (IEP, 504, LEP) ➤ Daily Weekly Report ➤ Voluntary Restitution ➤ Restorative Justice ➤ Community Service ➤ Loss of Privileges ➤ Confiscation ➤ In-School Intervention ➤ In-School Suspension ➤ Days Held in Abeyance ➤ Tobacco Alternative Program ** ➤ Bus Suspension ➤ Out of School Suspension for 1-5 days <p><i>*Referral to School Based Team Mandatory</i></p> <p>** 1st Offense – 5 days OSS/3 in Abeyance with attendance at Alcohol Tobacco or other Drug Program (ATOD)</p> <p>** 2nd Offense – 5 days OSS/2 in Abeyance with attendance at ATOD program</p> <p>*** Futher offenses – 10 days OSS</p>

Level 3 Incidents and Definitions

Discipline incidents that significantly interfere with other’s safety and learning, damage property, and are of a threatening or harmful nature, and warrant administrative interventions.

CRIMES AGAINST PERSONS INCIDENTS	
Extortion / Blackmail /Coercion	The use of threat or intimidation to obtain anything of value from another person, including, but not limited to, money. (Refer to <i>Bullying/ Harassment or Repetitive Bullying, Harassing, Intimidating, or Threatening Behavior</i> for minor offenses that do NOT require law enforcement intervention)
Fighting	Mutual participation in a hostile, physical encounter; mutual participation in an altercation involving physical violence.
Physical Battery on a Student / Person (non-School Board Employee)	The willful and unlawful use of force or violence upon the person of another. Three primary elements must be present for a Battery to occur: (1) there must be an aggressor, who (2) intended to cause physical harm (or actual contact against the other's will), to (3) another person. (NOTE: This category should be used only when the attack is serious enough to warrant contacting law enforcement).
Physical Aggression on a School Board Employee	A physically-aggressive act such as pushing, pulling, or striking toward a School Board employee. Generally, the physical act does not result in injury. Law enforcement should be notified; criminal charges may or may not be filed. (NOTE: IF A RECOMMENDATION FOR EXPULSION IS PROPOSED, then the level 4 code # 96, Battery on SBE, should be used.)
Robbery	The taking or attempting to take anything of value that is owned by another under confrontational circumstances by force or threat of force of violence and/or by putting the victim in fear. A key difference between robbery and larceny is that a threat of battery is involved in robbery.
To Attempt a Criminal Act Against a Person	Any person who attempts to commit, or who solicits another to commit, or who agrees, conspires, combines, or confederates with another person or persons to commit the offense of a Battery, Robbery, Homicide, Kidnapping, or Sexual Battery against another person or persons, and in such attempt does any act toward the commission of such offense, but fails in the perpetration or is intercepted or prevented in the execution of the offense (F.S. 774.04).
Verbal Assault on a Student /Person	Any intentional, unlawful threat, by word or act, to do violence to another person, coupled with an apparent ability to do so, and performing some act that creates a well-founded fear of imminent violence to another person
Verbal Assault on School District Employee	Any intentional, unlawful threat, by word or act, to do violence to a School Board employee, coupled with an apparent ability to do so, performing some act that creates a well-founded fear of imminent violence to another person.

PROPERTY INCIDENTS	
Arson	To willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damage or cause to be damaged: any dwelling, whether occupied or not, or its contents; any structure, or contents thereof, where persons are normally present; and any other structure that the person knew or had reasonable grounds to believe was occupied by a human being (F.S. 806.01 (1) (a)-(c)).
Breaking and Entering/Burglary (Illegal entry into a facility)	The unlawful entry with or without force into a building or other structure, remaining behind or conveyance with the intent to commit a crime to property.
Computer Misuse /Major	The inappropriate use of a computer, including, but not limited to, breaking into restricted accounts or networks, modifying, or destroying files without permission, illegally copying software, and entering or distributing or printing unauthorized files. Accessing or entering unauthorized internet sites; distributing inappropriate electronic messages
Counterfeit / Misrepresented Document / Other Major Incident	To fashion or reproduce a document, money, or other items with the intent to defraud; includes counterfeit money or documents; Also, any Level 3-type incident that is inappropriate in a school setting and does not fit into another Level 3 category. Included in this category is culpable negligence, exposing another person to personal injury. (NOTE: Any incident in this category REQUIRES law enforcement intervention.)
Motor Vehicle Theft	The theft or attempted theft of a motor vehicle. Examples include theft of a car, truck, motorcycle, golf cart, dune buggy, RV or anything that is self-propelled.
Reckless Vehicle Use	The use of any motorized or self-propelled vehicle on school grounds in a reckless manner or so as to threaten the health, safety, welfare of others, or to disrupt the educational process.
Stealing more than \$300	The unlawful taking or concealing the property of another person, without threat, violence or bodily harm, with the intent to prevent or deprive the rightful owner of its use. This includes taking of property or taking property from a vehicle on school property. Law Enforcement is involved. (Refer to Petty Theft / Stealing for property less than \$300 in value.)
Vandalism more than \$1000 (includes materials and labor)	The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. This category, which includes graffiti, should be coded when the amount of damage to the property, including materials and labor, exceeds \$1000 to repair, remove, and/or replace. Law Enforcement is involved. (NOTE: If the damage to the property, including materials and labor, is less than \$1000 to repair, then the event should be coded as <i>Abuse of School Property/Minor Vandalism</i> unless Law Enforcement intervention is necessary)

ALCOHOL AND DRUG INCIDENTS	
Possession, Use, Manufacture, Sale, Storage, or Distribution of Alcohol or Intoxicating Beverages	The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages. Use should be reported only if the person is caught in the act of using, or is discovered to have used in the course of the investigation.
Possession, Use, or Storage of Drugs or Imitation Drugs Represented as Drugs	To store, possess, purchase, use, or be under the influence of any mood-modifying substance and/or dangerous substance listed in Florida Statutes 893, , including, but not limited to, marijuana, hallucinogens, inhalants, as well as any substance represented to be an illegal substance, such as "designer drugs," or caffeine pills, tablets, or caplets, or any substance which is represented to be any such substance while on school property or jurisdiction of the School District of Palm Beach County.
Possession, Use, Sale, Storage, or Distribution of Drug Paraphernalia	To possess, use, sell, store, or distribute any device or equipment used for the purpose of preparing or taking drugs, including, but not limited to, items listed in Florida Statute 893.145, and items which may be determined to be drug paraphernalia under the criteria set out in Florida Statute 893.146.
Unauthorized Possession or Misuse of Prescription Medication	To possess, use, store, or be under the influence of another person's substance which requires a physician's prescription, to misuse one's own prescription medication, or to possess, store or use any over-the-counter medication (other than those listed in Prohibited items) without parent approval and school notification.
Use of Intoxicants	The inhaling or ingestion of intoxicants, including but not limited to, glue, solvents, butane, and whip cream, for the purpose of obtaining a mood-modifying experience.

DISORDERLY CONDUCT/WEAPONS INCIDENTS	
Bomb Threat	Intentionally making a false report to any person, including school personnel, concerning the placement of any bomb, dynamite, explosive, or arson-causing device.
Disruption of a School Function / Disorderly Conduct	Any act which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others. An incident of this type is to be reported to law enforcement, mandatorily and is likely to result in an arrest.
False Fire Alarm / 911 Call	Whoever, without reasonable cause, by outcry or the ringing of bells, or otherwise makes or circulates, or causes to be made or circulated, a false alarm of fire or 911 call.
Inappropriate, Lewd, or Obscene Act	The use of oral or written language, electronic messages, pictures, objects, gestures, or engaging in any physical act considered to be offensive, socially unacceptable, or not suitable for an educational setting. Included in this category are indecent exposure (exposure of private body part(s) to the sight of another person in a lewd or indecent manner in a public place), and obscenity (conduct which by the community standards is deemed to corrupt public morals by its indecency and/or lewdness such as phone calls or other communication or unlawful manufacture, publishing, selling, buying or possessing materials such as literature or photographs).

Possession of a Knife	The possession of any knife that may inflict harm on another person, or could be used to intimidate another person, including, but not limited to, fixed blade knives, folding knives, switch blade knives, razor knives, and box cutters. (NOTE: If a weapon is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry and disciplinary action may increase substantially).
Possession of Other Potentially Dangerous Items	Any instrument or object, other than firearms, handguns or knives that could be deliberately used to inflict harm on another person, or could be used to intimidate any person. Included in this category are BB-guns and toy or replica guns represented as real guns. Also, included in this category is the possession or storage of items which are prohibited at school, including, but not limited to ammunition clips, bullets or cartridges, flammable liquids, combustible materials, poisonous substances, mace, pepper spray, and any other items which may result in injury. (NOTE: If a weapon is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry AND disciplinary action may increase substantially)
Sexual Misconduct	Engaging in a sex act or physical conduct of a sexual nature; the unlawful sexual intercourse, sexual contact or other unlawful behavior or conduct intended to result in sexual gratification without force or threat and where the victim is capable of giving consent.
Trespassing	To enter or remain on a public school campus, school board facility, or at a school function without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion; to enter or remain on a public school campus, school board facility, or at a school district facility sponsored activity without authorization after being directed to leave by the chief administrator or designee of the facility, campus, or function.

LEVEL 3

Behaviors	Administrative Responsibilities	Range of Discipline Consequences
<p><i>Level 3 Incidents are more serious than Level 2 Incidents. These behaviors cause significant disruptions with the learning process. These incidents cause health and/or safety concerns, or damage to school property.</i></p> <p style="text-align: center;">LEVEL 3 INCIDENTS</p> <ul style="list-style-type: none"> ➤ Fighting ➤ Verbal Assault on an Student/Person ➤ Verbal Assault on School Board Employee ➤ Physical Battery on a Student / Person (non-School Board Employee) ➤ Extortion/Blackmail/Coercion ➤ Robbery ➤ Physical Aggression on School Board Employee ➤ Stealing >300 ➤ Vandalism >1000 ➤ Breaking and Entering/Burglary ➤ Computer Misuse/Major ➤ Reckless Vehicle Use ➤ Motor Vehicle Theft ➤ Arson **** ➤ Counterfeit or Misrepresented Document ➤ Unauthorized use of Prescription Medications*** ➤ Use of Intoxicants*** ➤ Alcohol *** ➤ Drug Paraphernalia *** ➤ Drugs/Imitation Drugs Represented as Drugs (possession/use/storage)*** ➤ Disruption of a School/Disorderly Conduct ➤ Trespassing ➤ False Fire Alarm/ 911 Call ➤ Bomb Threat **** ➤ Inappropriate Lewd, or Obscene Act ➤ Sexual Misconduct ➤ Possession of a Knife or Other Potentially Dangerous Item 	<ul style="list-style-type: none"> ➤ Investigate (M) ➤ Witness Statements (M) ➤ Notify School Police (M) ➤ Referral to School Based Team (M) 	<p><i>Principals must select at least one of the non mandatory Level 3 Actions.</i></p> <p style="text-align: center;">LEVEL 3 ACTIONS</p> <ul style="list-style-type: none"> ➤ Parent/Guardian Contacted (M) ➤ Student Conference (M) ➤ Confiscation (where applicable) ➤ Restorative Justice ➤ Community Service ➤ Loss of Extra Curricular Activities ➤ In School Suspension ➤ Days Held in Abeyance ➤ Suspension from School 1-10 days ➤ Recommended for Expulsion **** <p style="text-align: center;"><i>AOD Offenses (71-75)</i></p> <p>*** 1st Offense – 10 days OSS/5 in Abeyance with attendance at District approved Alcohol or other Drug (AOD) program</p> <p>*** Repeated AOD offense – REQUIRED a 10 day out-of-school suspension and recommendation for expulsion.</p> <p style="text-align: center;"><i>Principals can request to convene a Discipline Screening Committee on any infraction that is unique in nature.</i></p>

LEVEL 4 Incidents and Definitions

CODE CRIMINAL INCIDENTS	
Aggravated Assault	An assault with a deadly weapon without intent to kill; or with an intent to commit a felony. "Assault" is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent. (F.S. 784.011 and 784.021)
Aggravated Battery	Intentionally or knowingly causing great bodily harm, permanent disability, or permanent disfigurement or using a deadly weapon while committing a battery. A battery is the actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual (F.S. 784.03 & 784.045).
Armed Robbery	The taking of money or other property which may be the subject of larceny from the person or custody of another, with intent to either permanently or temporarily deprive the person or the owner of the money or other property, when in the course of the taking there is the use of force, violence, assault, or putting in fear with the use of a firearm or other deadly weapon (F.S. 812.13 (1) & (2) (a)).
To Attempt a Criminal Act Against a Person	Any person who attempts to commit, or who solicits another to commit, or who agrees, conspires, combines, or confederates with another person or persons to commit the offense of a Battery, Robbery, Homicide, Kidnapping, or Sexual Battery against another person or persons, and in such attempt does any act toward the commission of such offense, but fails in the perpetration or is intercepted or prevented in the execution of the offense (F.S. 774.04).
Battery or Aggravated Battery on a School District Employee	A battery or aggravated battery, as defined above, on any person that the student knows, or has reason to know, is an elected official or school district employee whether it is committed on school property, on school sponsored transportation, during a school-sponsored activity or while the elected official or employee is on official school business (F.S. 1006.13(4)).
Homicide – Murder	The unlawful killing of a human being (Florida Statute 782.04) and manslaughter - the killing of a human being by the act, procurement, or culpable negligence of another, without lawful justification (F.S. 782.07).
Imminent Threat of Violence, High Level	High level of threat is a threat that appears to pose an imminent and serious danger to the safety of others; the threat is direct, specific, and plausible; the threat suggests concrete steps have been taken toward carrying it out, for example, statements indicating that the aggressor has acquired or practiced with a weapon or has had the victim under surveillance.
Kidnapping or Abduction	Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his or her will and without lawful authority.
Possession of a Firearm	Possession or sale of any firearm, excluding handguns, on school property, school sponsored transportation or during a school-sponsored activity. A firearm, excluding handguns, is any weapon (including a starter gun) which will, is designed to, or may readily be

	<p>converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, any destructive device, or any machine gun, rifle, or shotgun. The term firearm does not include an antique firearm unless the antique firearm is used in the commission of a crime. A destructive device is any bomb, grenade, mine, rocket, missile, pipe-bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. (NOTE: If a weapon is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry)</p>
Possession of a Handgun	<p>Possession or sale of a handgun on school property, school sponsored transportation or during a school sponsored activity. (NOTE: If a handgun is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry)</p>
Possession, Use, Sale, Storage, or Distribution of an Explosive Device (not firecrackers, poppers)	<p>An explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock. This includes but is not limited to dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators (F.S. 790.001 (5)). (NOTE: If an explosive device is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry)</p>
Sale, Possession with Intent to Sell or Distribute, or Distribution of Drugs, Imitation Drugs Represented as Drugs, or Prescription Medications	<p>To sell or distribute any mood-modifying substance and/or dangerous substance listed in F.S. Chapter 893, , including, but not limited to, marijuana, hallucinogens, inhalants, as well as any substance represented to be an illegal substance, such as "designer drugs," or caffeine pills, tablets, or caplets, or any substance which is represented to be any such substance while on school district property, school transportation, or at a school related function.</p>
Sexual Battery	<p>Attempted or actual forcible penetration, forced oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object (F.S. 794.011 (1) (h)).</p>

LEVEL 4

Behavior	Administrative Responsibilities	Discipline Consequences
<p><i>These behaviors are the most serious acts of student misconduct and threaten life</i></p> <p style="text-align: center;">LEVEL 4 INCIDENTS</p> <ul style="list-style-type: none"> ➤ Imminent Threat of Violence, High Level**** ➤ Attempt a Criminal Act Against a Person**** ➤ Possession of a Firearm**** ➤ Possession of a Handgun**** ➤ Possession, Use, Sale, Storage or Distribution of an Explosive Device**** ➤ Sale, Intent to Sell, or Distribution of Drugs, Imitation Drugs Represented as Drugs, or Prescription Medications**** ➤ Aggravated Assault**** ➤ Aggravated Battery**** ➤ Armed Robbery**** ➤ Battery or Aggravated Battery on School Board Employee**** ➤ Sexual Battery **** ➤ Kidnapping or Abduction**** ➤ Homicide**** 	<ul style="list-style-type: none"> ➤ Investigate (M) ➤ Witness Statements (M) ➤ Notify Area Supt. (M) ➤ Notify Safe Schools (M) ➤ Notify School Police (M) 	<p>Principal or designee must use the following Level 4 Actions</p> <p style="text-align: center;">LEVEL 4 ACTIONS</p> <ul style="list-style-type: none"> ➤ Parent/Guardian Contacted (M) ➤ Student Conference (M) ➤ Confiscation (if applicable) (M) ➤ Suspension from School 10 days (M) <p style="text-align: center;">****Recommendation for Expulsion (M)</p> <p style="text-align: center;"><u>Principals can request to convene a Discipline Screening Committee on any infraction that is unique in nature.</u></p>

Disciplinary Consequences Defined

Apology Letter	Student makes amends for negative actions by taking responsibility to correct the problem created by the behavior through written declaration of remorse.
Behavior Contract or Plan	A written/verbal contract or plan for the student with stated goals, objectives, and outcomes for the student to develop the necessary skills to address the stated incident
Bus, Assigned Seat	The temporary or permanent assignment to specified seat on the school bus.
Bus, Probation	An alternative to a Bus Suspension. A student placed on Bus Probation will, very likely, be suspended from the school bus if another bus violation occurs.
Bus, Suspension	Suspension of bus riding privileges for a specified period of time. (Consequences for violations of transportation policies, rules, or standards of conduct are not limited to the suspension of bus riding privileges. Other sanctions, up to and including out of school suspension and expulsion may be imposed when warranted).
Check In – Check Out	Daily contact with an assigned adult on campus. Student should see the adult before school starts each day, as well as at the end of the day.
Conference with Student/Warning	Administrative conference with student and warning about stated incident.
Confiscation	The confiscating of an item(s) not permitted on school grounds. Depending on the item(s), the item(s) could be turned over to law enforcement, held until parent/guardian came to retrieve it, or returned to the student after a specified period of time.
Conflict Resolution	An umbrella term for a variety of activities that result in resolution of problems and normalized relationships.
Daily / Weekly Report	A progress report and/or assignment sheet which gives the student and parent the opportunity to track the student's academic and behavioral progress in each of his/her classes for a specified period of time.
Days Held in Abeyance	Out of School suspension days issued, but not enforced if an alternative plan is completed. Examples include tobacco, alcohol, or drug education classes.
Detention	Additional time a student must stay at school after other students have gone for the day, or on Saturday.
In-School Alternative to Suspension	An alternative to an out-of-school suspension that prevents a student from attending all or some classes. During the period of an alternative to suspension, the student is assigned to a self-contained alternative classroom.
Loss of Privileges (During School Hours)	The loss of a privilege(s) during school hours such as assemblies, field trips, and incentive activities. (NOTE: If the activity is academically oriented, the student MUST be given an alternative assignment with an opportunity to receive the same information and grade)

Loss of Privileges (Outside of School Hours)	The loss of privileges such as attending events not during school hours, removal from an athletic team or club, and/or exclusion from a specified activity.
Mentoring	An agreed upon adult or student who provides consistent support, guidance, and concrete help to a student who is in need of a positive role model.
Out-of-School Suspension for Days Held in Abeyance	An out-of-school suspension code specifically designated to address additional suspension days due to non-compliance of an Alternative to Suspension program. This out-of-school suspension is a temporary removal of a student from school for a period of days equal to the days held in abeyance for the particular event. During the out of school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: F.S. 1006.09(1)(b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.)
Out-of-School Suspension, Long-term (6-9 days)	The temporary removal of a student from school for a period of 6 to 9 days. During the out-of-school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: F.S. 1006.09(1)(b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.)
Out-of-School Suspension, Mandatory 10 days	The temporary removal of a student from school for a mandatory period of 10 days. During the out-of-school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: Florida Statute 1006.09(1)(b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.)
Out-of-School Suspension, Short-term (1-2 days)	The temporary removal of a student from school for a period of 1 to 2 days. During the out-of-school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: F.S. 1006.09(1) (b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.)
Out-of-School Suspension, Short-term (3-5 days)	The temporary removal of a student from school for a period of 3 to 5 days. During the out-of-school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: F.S. 1006.09(1)(b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy)
Parent/Guardian Attends Class with Child	Parent/Guardian shadows child and/or attends class with their child at school for an agreed upon time during the child's school day.
Parent/Guardian Conference with Administrator/Teacher(s) at School	Administrative conference with a parent/guardian of the student.

Parent/Guardian Contact	Contacting parent/guardian either by telephone, in person, or by some other means to inform them of the stated incident.
Parent/Guardian Contact by a Language Facilitator	Contact by a language facilitator to a parent/guardian.
Plan Meeting	Student recommended to the necessary department/group for staffing and development of a course of action (interventions) for the student.
Referral for Mediation	Referral to Mediation (Peer or Adult) for stated incident.
Referral to School Based Team	The referral to the school's School Based Team for possible interventions.
Referred to School Guidance Counselor	Counseling of the student by the guidance counselor to assist the student in developing or utilizing the necessary skills to address the stated incident
Reflective Assignment	Help student realize why his/her misbehavior was wrong by asking him/her to compose a reflective essay
Restitution	Repayment for damages or loss.
Restorative Justice	A structured process guided by a trained facilitator in which the participants in an incident examine the intended and unintended impact of their actions and decide on interpersonal remedies to repair harm and restore relationship.
Ripples Effects	A media program that is structured towards the area of behavioral concern, allowing students to work at their own pace.
Schedule Change (change of regular classes)	A permanent change in the student's regular class schedule.
Silent Lunch / Lunch Detention	A separate facility and/or seating arrangement for the student during a regularly scheduled may request some cafeteria clean-up assistance from the student such as sweeping, wiping tables, and/or assisting with other clean-up activities.
Student Misconduct, Alternative to Suspension Program	A program designed to educate the student about anger management and to deter future student misconduct. Generally, this is used as an alternative to an out-of-school suspension and to reduce the number of days of a student suspension.
Tobacco / Alcohol / Drug Alternative	A program designed to educate the student about tobacco, alcohol, and/or drugs and to deter future use. Generally, this is used as an alternative to an out-of-school suspension and/or to shorten the length of the suspension.
Voluntary Restitution / Self-Designed Action(s)	Student designs and implements a plan to correct errors made, apologizes, and/or replace/repair property.

District Imposed Consequences

Alternative Placement Pending Expulsion - The assignment by the District to an alternative school pending an expulsion. (*NOTE: This is likely a change of placement rather than a number of days.*)

Assignment to Special Program/ Alternative School/ Alternative Program (District-placed) - The assignment by the District to an alternative school for a specified period of time.

Expulsion – The removal of the right and obligation of a student to attend a public school under conditions set by the District School Board and for a period of time not to exceed the remainder of the term or school year and 1 additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly. F. S. § 1003.01(6).

Felony Suspension Incident - This incident code should be used for a student who has been felony suspended per F.S. § 1006.09(2) and SBER 6A-1.0956, and is assigned to an alternative program until the student is adjudicated. If the student is adjudicated guilty, the principal may recommend expulsion.

Honoring an Expulsion from another District - The expulsion of a student in which the expulsion honors the expulsion from another district.

IAES – Interim Alternative Educational Setting for an ESE student for up to forty five (45) calendar days without parental consent for:

- a. Possession of dangerous weapons in school or at school functions; or
- b. Possession, use, sale or solicitation of a controlled substance while at school or at a school function; or
- c. Serious Bodily Harm.

Long-Term Suspension (District approved and entered) – F.S. § 1006.09(1)(b) permits the Superintendent to extend a suspension beyond ten (10) school days if the student is being recommended for expulsion.

Previous Incident - To be used ONLY when coding an action in the current school year for an incident occurring in the previous school year.

Refer to Courts or Juvenile Authorities - A referral of a student through some type of action for any reason either to the courts or juvenile authorities.

Unsubstantiated Bullying - Any unsubstantiated Incident of Bullying

Unsubstantiated Harassment - Any unsubstantiated Incident of Harassment

Authorization for Suspension (F.S. § 1006.09(1) (b)

Suspension of a student from school for committing any of the infractions warranting suspension under the Palm Beach County *Code of Student Conduct* shall be employed only if the offense is related to school activity or school attendance.

These offenses may occur at any time, including, but not limited to, while on school grounds; while utilizing school transportation; or during a school-sponsored activity. Bus suspensions can also be warranted for infractions that occur on school transportation vehicles.

For all students, a single suspension may run from 1-10 consecutive school days based upon the Palm Beach County *Code of Student Conduct*. A single suspension shall not be for more than ten consecutive school days.

Whenever a student has been suspended during a school year for **fifteen (15)** cumulative school days, the appropriate Area Superintendents Office shall be notified and the student referred to the School Based Team for necessary discussion and possible interventions.

Informal suspension (e.i., a parent is told to keep a child at home under the supervision of the parent, or a student is sent home without benefit of a conference and of official documentation) is a violation of Florida's compulsory attendance laws, the Individual's with Disabilities Education Act (IDEA), and District policy. It is strictly prohibited.

Appeal Process for Suspension from School or Transportation

The principal is to advise parents or guardians of the appeal procedures for an out-of-school suspension. The appeal must first be made to the school principal. A decision by the school principal must be made within 24 hours of receipt of the appeal. If the parents do not agree with the principal's decision they may appeal to the Area Superintendent or designee. The conference shall be arranged as soon as possible following the parents' request; during the period of appeal, the suspension remains in effect for the length of time designated.

The results of the appeal may include, but are not limited to:

1. Sustaining the suspension in all respects.
2. Modification of penalties imposed.
3. Rescinding the suspension and expunging the suspension from the student's records.

The parents shall be notified of the appeal decision.

Discipline for Students eligible for services under the Individuals with Disabilities Education Act (“IDEA”)

1. Statutes and Rules

- a. The discipline of all students with disabilities (“ESE”) is governed by federal statutes and regulations under the Individuals with Disabilities Education Act (“IDEA”) as well as Florida Statutes and State Board of Education Rules.
- b. If the district knows, or should know that a student may be eligible for special education and related services, but has not yet determined such eligibility, that student may assert all or any of the protections stated within this policy.

2. Suspension

- a. Suspension is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, for a period not to exceed ten (10) cumulative school days per year. Any removal from school, even if the necessary paperwork for a formal suspension is not initiated or completed, counts toward the 10 day rule. All days a student with a disability spends out of school as a result of school action, whether formal or informal, apply towards the 10 day limit.
- b. A principal/designee may remove a student eligible for services under the IDEA for up to **ten (10) cumulative school days per calendar year** for disciplinary infraction(s).
- c. Prior to consideration of suspension, the school must have made and documented reasonable attempts to use less restrictive alternatives and/or interventions to decrease the inappropriate behavior.
- d. Educational services may be provided during the ten (10) days, but are not required.
- e. If an ESE student is arrested on campus **and** suspended those days count towards the cumulative ten (10) days allowed each year school year.
- f. The IEP team must meet no later than the tenth (10th) day of the cumulative suspension to:
 - i. Determine if the student’s behavior is a manifestation of the student’s disability.
 - ii. Initiate a FBA or review the student’s current FBA and behavior intervention plan.
 - iii. If the behavior is a manifestation of the disability, review the student’s IEP.
- g. The Manifestation Determination Review (MDR) must be conducted at the IEP meeting.
 - i. When making a manifestation determination, the district, parent, and relevant members of the Team shall review and take into consideration the student’s present program and case history, including all relevant information in the student’s file, the student’s accommodation plan, any teacher observations, and any relevant information provided by the parents.
 - ii. The team shall then determine: (a) If the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability; or (b) If the conduct in question was the direct result of failure to implement the IEP. A consensus of the members of the team shall make these determinations and such determination will be based upon the information reviewed by the Team. If either (a) or (b) is applicable the conduct shall be determined to be a manifestation of the student’s disability.
- h. The student’s custodial parent/guardian must be invited to participate as a member of this IEP Team and the principal/designee must take reasonable steps to ensure that one or both of the parents of a child with a disability are present at the meeting or are afforded the opportunity to participate, including scheduling the meeting at a mutually agreed on time and place. If neither parent can attend an IEP Team meeting, the principal/designee shall use other methods to ensure parent participation, including individual or conference telephone calls. The custodial parent/guardian must be provided with a copy of procedural safeguards.
- i. A school cannot make a parent conference mandatory prior to the ESE student being returned to campus after suspension. A conference may be suggested, but the student maintains the

- right of access to education under the IDEA after ten (10) cumulative days per school year, even if the parent does not attend the conference.
- j. If the student's behavior is a manifestation of the student's disability, the IEP Team shall conduct a functional behavioral assessment and implement a behavior support plan, which includes the provision of Positive Behavior Interventions and Supports, if such assessment for conduct was not completed prior to the behavior. If a behavior support plan has been developed, the committee shall review the IEP, modify it, as necessary, to address the behavior and include the provision of Positive Behavior Interventions and Supports, and *return the student to the placement from which he or she was removed*. Nothing herein shall be construed as preventing the team from proposing another placement, so long as the placement is appropriate and in the least restrictive environment.
 - k. If the IEP Team determines that the student's behavior is not a manifestation, then the student may be suspended from school in the same manner students not eligible for services under the IDEA. Nevertheless, such student shall continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP, and receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.
3. **Bus Suspension.** Suspension of ESE students from the bus must be counted as part of the cumulative ten (10) days if transportation is needed for the student to access FAPE and an alternative means of arriving to school is not available.
4. **In-School Suspension**
- a. In-school suspension is the temporary removal of a student from the student's regular school program and placement in an alternative program, such as that provided Florida Statute, under supervision of district personnel, not to exceed ten (10) school days.
 - b. A student's IEP must continue to be delivered while assigned to in-school suspension.
 - c. Repeated removals of a student from the regular/ESE classroom to an in-school suspension are prohibited.
5. **Expulsion**
- a. Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the board, for a period not to exceed the remainder of the term or school year and one additional year of attendance.
 - b. Expulsion cannot be considered for students eligible for services under the IDEA because it would constitute a cessation of educational services for that period of time.
6. **Exclusion**
- a. An ESE exclusion is the removal of the right and obligation of a student to attend a public school under conditions set by the board, and for a period not to exceed the remainder of the term or school year and one additional year of attendance, provided however, that appropriate educational services developed through an Individual Education Plan ("IEP") will continue to be provided through some alternative means.
 - b. The educational services must enable the child to continue to participate in the general education curriculum, although in another setting, and to make reasonable progress toward meeting the goals set out in the child's IEP, and include, as appropriate, a functional behavioral assessment, behavioral intervention services modifications, that are designed to address the behavior that gave rise to the violation so that it does not recur.
7. **A Manifestation Determination Review (MDR).** MDR is a process by which parents and the school meet to determine if the student is being subjected to a disciplinary change in placement for behavior that is a manifestation of his or her disability. Whenever a student with a disability is subjected to a

disciplinary change of placement (e.g. suspension or expulsion), the school district must conduct an MDR within 10 days of the decision to remove the student from school.

8. Disciplinary Action for Drugs and Weapons

A student with a disability may be placed in an Interim Alternative Educational Setting (“IAES for up to forty five (45) calendar days without parental consent for:

- Possession of dangerous weapons in school or at school functions; or
- Possession, use, sale or solicitation of a controlled substance while at school or at a school function or
- Causing serious bodily injury

A dangerous weapon is defined as a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such item does not include a pocket knife with a blade of less than two and one-half inches (2-½”) in length.

Serious Bodily Injury is defined as bodily injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

9. Interim Alternative Educational Setting (“IAES”) Placement is a very restrictive placement which is permitted if the circumstances set for in paragraph 5(a) above exist:

- a. Placement in an IAES may occur pursuant to paragraph 5(a) above whether the behavior is or is not a manifestation of the student’s disability.
- b. Under the circumstances set forth in paragraph 5(a) above, placement in an IAES may occur at the request of the principal.
- c. An IEP meeting must be scheduled within the first ten (10) days of placement. The principal/designee will take reasonable steps to ensure that one or both of the parents of a child with a disability are present at the meeting or are afforded the opportunity to participate, including scheduling the meeting at a mutually agreed on time and place. If neither parent can attend an IEP Team meeting, the principal/designee shall use other methods to ensure parent participation, including individual or conference telephone calls.
- d. A meeting may be conducted without a parent in attendance if the principal/designee is unable to convince the parents that they should attend. In this case, the district will keep a record of its attempts to arrange a mutually agreed on time and place.
- e. The custodial parent/guardian must be provided a copy of their procedural safeguards.
- f. A MDR must be conducted at the IEP meeting.
- g. When making a manifestation determination, the district, parent, and relevant members of the Team shall review and take into consideration the student’s present program and case history, including all relevant information in the student’s file, the student’s accommodation plan, any teacher observations, and any relevant information provided by the parents.
- h. The team shall then determine: (a) If the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability; or (b) If the conduct in question was the direct result of failure to implement the IEP. A consensus of the members of the team shall make these determinations and such determination will be based upon the information reviewed by the Team. If either (a) or (b) is applicable the conduct shall be determined to be a manifestation of the student’s disability.
- i. A Functional Behavioral Assessment (“FBA”) must be initiated within ten (10) days of placement. Staff from both the student’s current and previous schools will participate in the FBA.
- j. A Behavior Intervention Plan (“BIP”) must be developed immediately upon completion of the FBA.

- k. Educational services to be determined within ten (10) days of placement must:
 - i. Enable student to appropriately progress in the general curriculum;
 - ii. Enable the student to appropriately advance towards IEP goals; and
 - iii. Include, as appropriate, a functional behavioral assessment, behavioral intervention services, and modifications that are designed to address the behavior that gave rise to the violation so that it does not recur.

Discipline for Students eligible for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Americans with Disabilities Act (“ADA”)

1. This Policy for discipline of students eligible for services under Section 504 is designed to comply with State Board of Education Rule 6A-6.0331(8), the Section 504 Regulations at 34 C.F.R. Part 104, and 29 U.S.C. § 794 (“Section 504”). The phrase “eligible for services under Section 504” refers to students with active Section 504 accommodation plans and students with disabilities who require Section 504 plans. *However, for purposes of this policy, if the student’s sole impairment is drug or alcohol dependence, the student is not eligible for protection under Section 504 or the ADA if the student is currently a user of illegal drugs or alcohol. Such students may be disciplined in the same manner as other students for use or possession of illegal drugs or alcohol under Policies 5.1812 or 5.1813 [and Policy 5.1815] and will receive the same due process and substance-abuse assistance as other students under those Policies.*
2. **Definitions.** The words suspension and expulsion of students eligible for services under Section 504 shall have the following meanings through this policy:
 - a. **Suspension.** Pursuant to Fla. Stat. § 1003.01(5) (a) [and Policy 5.1815], suspension, also referred to as out-of-school suspension, is defined as the temporary removal of a student from all classes of instruction on public school grounds, except as authorized by the principal/designee, for a period up to ten (10) cumulative school days and remanding of the student to the custody of the student’s custodial parent with specific homework assignments for the student to complete. *Any removal from school, even if the necessary paperwork for a formal suspension is not initiated or completed, counts toward the 10 day rule. All days a student with a disability spends out of school as a result of school action, whether formal or informal, apply toward the 10 day limit.*
 - b. **Expulsion.** As defined in Fla. Stat. § 1003.01(6), and Policy 5.1817, expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the Board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services (subject to Section (4) (f) below) and shall be reported accordingly.
 - c. **Re-evaluation.** Students with active Section 504 accommodation plans who are recommended for suspension in excess of ten (10) days, or expulsion, must have a re-evaluation prior to a significant change in placement, as required by 34 C.F.R. § 104.35(d). Students with disabilities, suspected of being eligible for services under Section 504, who are recommended for suspension in excess of ten (10) days, or expulsion, must be evaluated prior to a significant change in placement, as required by 34 C.F.R. § 104.35(b).
3. **Suspension of Students under Section 504/ADA.** Unless otherwise indicated by their accommodation plans, students eligible for services under Section 504 are expected to follow the rules of the student conduct code. Students who are eligible for services under Section 504/ADA may be suspended for infractions as defined for all students pursuant to Policies 5.1812 or 5.1813 [and Policy 5.1815], with the following limitations:

- a. **Suspension for Ten (10) Cumulative Days or Less.** Unless otherwise indicated by their accommodation plans, student suspension procedures [in Policy 5.1815] will be followed for students who are eligible for services under Section 504/ADA and recommended for suspension for ten (10) cumulative days or less.
- b. **Any Suspension beyond Ten (10) Cumulative Days.** No student who is eligible for services under Section 504/ADA shall be suspended beyond ten (10) cumulative days per school year, except through the following procedure. It is the responsibility of the principal/designee to monitor all serial/cumulative suspensions. **NOTE:** If a student has been referred for ESE evaluation prior to or during the Section 504 manifestation determination, the student is then protected under the IDEA for discipline provisions. Therefore, the manifestation team must treat the student as an ESE student. The principal/designee shall notify the 504 Multi-Disciplinary Team immediately when a student who is or may be eligible for services under Section 504/ADA violates the student conduct code and will be considered for suspension for more than ten (10) cumulative days per school year.
- i. Within twenty-four (24) hours of the recommendation for the extended suspension, the principal/designee shall provide written notice to the custodial parent/guardian and the student of the proposed suspension, alleged misconduct, and time and date of the scheduled 504 Multi-Disciplinary Team meeting. Notification of purpose, participants and location of the meeting will be included. The custodial parent/guardian shall also be notified that the 504 Multi-Disciplinary Team will also serve as a 504 plan team and may change the student's Section 504 plan. The custodial parent/guardian shall be given a copy of the Section 504/ADA Procedural Safeguards.
 - ii. The principal/designee will take reasonable steps to ensure that one or both of the parents of a child with a disability are present at the meeting or are afforded the opportunity to participate, including scheduling the meeting at a mutually agreed on time and place. If neither parent can attend an IEP Team meeting, the principal/designee shall use other methods to ensure parent participation, including individual or conference telephone calls.
 - iii. *Conducting a meeting without a parent in attendance.* A meeting may be conducted without a parent in attendance if the principal/designee is unable to convince the parents that they should attend. In this case, the district will keep a record of its attempts to arrange a mutually agreed on time and place.
 - iv. The notice and copy of Section 504/ADA Procedural Safeguards shall be delivered by registered or certified mail (return receipt requested) or personally delivered by the principal/ designee at least twenty-four (24) hours prior to the meeting. A signed receipt of delivery must be obtained.
 - v. Before the student can be removed from the campus for the suspension recommendation, the principal/designee will arrange a 504 Multi-Disciplinary Team review of the incident that was the basis for the recommendation for suspension.
 - vi. Members of the Committee must include the following personnel:
 1. A school psychologist as the person knowledgeable of the evaluation procedures pursuant to the disability.
 2. If the disability of record is a medical disability, the school nurse should be present to consult with the psychologist.
 3. A teacher, counselor, or appropriate person knowledgeable of the student.
 4. An administrator (not the recommending administrator) as the person who is knowledgeable of the suspension/expulsion process.

- vii. The 504 Multi-Disciplinary Team will review the case and determine whether the student's conduct was or was not a manifestation¹ of the disability for which the student has a Section 504 plan. A Manifestation Determination Review (MDR) is a process by which parents and the school meet to determine if the student is being subjected to a disciplinary change in placement for behavior that is a manifestation of his or her disability. Whenever a student with a disability is subjected to a disciplinary change of placement (e.g. suspension or expulsion), the school district must conduct an MDR within 10 days of the decision to remove the student from school.
- viii. When making a manifestation determination, the district, parent, and relevant members of the Team shall review and take student's accommodation plan, any teacher observations, past disciplinary referrals/infractions and any relevant information provided by the parents.
- ix. The team shall then determine: (a) if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or (b) if the conduct in question was the direct result of failure to implement the Section 504 Accommodation Plan. A consensus of the members of the team shall make this determination and such determination will be based upon the information reviewed by the Team. If either (a) or (b) is applicable the conduct shall be determined to be a manifestation of the student's disability.
- x. "PBSD 2209 the Manifestation of Disability Determination Process for Students with Section 504 Plans"
- xi. If the 504 Multi-Disciplinary Team determines that the student's behavior is not a manifestation, then the student may be suspended from school in the same manner students not eligible for services under Section 504. Nevertheless, such student shall continue to receive education services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's Section 504 accommodation plan, and receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.
- xii. If it is determined that the student's behavior is a manifestation of the student's disability, the Multi-Disciplinary Team shall conduct a functional behavioral assessment and implement a behavior intervention plan, which includes the provision of Positive Behavior Interventions and Supports, if such assessment for conduct was not completed prior to the behavior. If a behavior support plan has been developed, the committee shall review the plan, modify it, as necessary, to address the behavior and include the provision of Positive Behavior Interventions and Supports, and return the student to the placement from which he or she was removed. Nothing herein shall be construed as preventing the team from proposing another placement, so long as the placement is appropriate and in the least restrictive environment.

4. Expulsion of Students under Section 504/ADA

- a. Students eligible for services under Section 504/ADA may be recommended for expulsion as defined for all students.
- b. The principal/designee shall notify the 504 Multi-Disciplinary Team immediately when a student with a Section 504 plan is being recommended for expulsion.
- c. In addition to procedures under Policy 5.1817, within twenty-four (24) hours of the recommendation for expulsion, the principal/designee shall provide written notice to the

¹ Manifestation of the Disability: A manifestation of the disability is the exhibition of behaviors which are considered to be a component of the individual student's disability.

custodial parent/guardian and the student of the proposed expulsion and the date and time of the scheduled 504 Multi-Disciplinary Team meeting to determine manifestation of disability. The procedures for *conducting a MDR and for* ensuring parental participation set forth in 5.1891 (3) above shall apply to proposals for expulsions.

- d. The notice, procedural safeguards, and a copy of this Policy shall be delivered by certified mail (return receipt requested) or the principal/designee shall personally deliver it and obtain a signed receipt.
- e. If it is determined that the misconduct is not a manifestation of the student's disability, the student may be expelled in the same manner as students not eligible for services under Section 504. *Nevertheless, such student shall continue* to receive educational services, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's Section 504 accommodation plan, and receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications, that are designed to address the behavior that gave rise to the violation so that it does not recur.
- f. If it is determined that the student's misconduct is a manifestation of the student's disability, federal law does not permit a school district to cease all educational services. If it is determined that the student's behavior is a manifestation of the student's disability, the Multi-Disciplinary Team shall conduct a functional behavioral assessment and implement a behavior intervention plan, which includes the provision of Positive Behavior Interventions and Supports, if such assessment was not completed prior to the behavior. If a behavior intervention plan has been developed, the committee shall review the plan, modify it, as necessary, to address the behavior and include the provision of Positive Behavior Interventions and Supports. In either case, the student shall be returned to the placement from which he or she was removed. Nothing herein shall be construed as preventing the team from proposing another placement, so long as the placement is appropriate and in the least restrictive environment.

Policy 5.0921 Palm Beach County School Board Gang Control Policy

The purpose of the Palm Beach County School Board Gang Control Policy is to address problems associated with youth gangs through proactive education and disciplinary action, where necessary. This policy is divided into four sections: definition of gangs, operational policy and procedures, notification and review.

A. DEFINITION OF GANGS (Florida Statute Section 874.03)

1. **Youth and street gang** - Any ongoing organization, association or group of three (3) or more persons, either formal or informal, which meets BOTH of the following criteria:
 - a. has unique common name or common identifying signs, colors, or symbols, and
 - b. has members or associates who, individually or collectively engage repeatedly in, or have repeatedly engaged in criminal activity.
2. **Youth and street gang member** - A person who meets any two (2) of the following criteria:
 - a. admits to gang membership,
 - b. is a youth up to age 21 who is identified as a gang member by a parent or guardian,
 - c. is identified as a gang member by a documented reliable informant,
 - d. resides in or frequents, a particular gang's area and adopts their style of dress, use of hand signs, symbols, or tattoos, and associates with known gang members,
 - e. is identified as a gang member by an informant of previously untested reliability and corroborated by independent information,

- f. has been arrested more than once in the company of identified gang members for offenses which are consistent with usual gang activity,
- g. is identified as a gang member by physical evidence such as photographs or other documentation.

B. OPERATIONAL POLICY AND PROCEDURES

1. The school administrator shall justify in writing any restrictions of symbolic expression as follows and prior to imposing such restrictions shall articulate:
 - a. which item of dress, expression, or article is being restricted, and
 - b. the basis of the administrator's belief based on articulated facts that the exercise of the prohibited activity would materially interfere with or substantially disrupt school activities.
2. The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected, or participated in by the student shall not:
 - a. lead school officials to reasonably believe that such behavior, apparel, activities, acts or other attributes are gang related and would materially interfere or substantially disrupt the school environment or activity and/or educational objectives;
 - b. present a physical safety hazard to self, students, staff, employees, or other persons authorized to be on the school campus.
3. If the student's behavior or other attribute is in violation of these provisions, the principal or designee will request the student to make the appropriate correction. If the student refuses, the parent/guardian may be notified and asked to make the necessary correction. The principal will take appropriate corrective and disciplinary action.
4. Students identified as being gang involved, influenced or affiliated shall be provided assistance and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorized school organizations.
5. Training to provide increased awareness of the threat to the safety of students, staff and school property which gang-related activity poses shall be provided by School Police on an as-needed basis. Additional presentations shall be made available to individual schools, staff or students at the request of the principal. Presentations shall provide training in current identification symbols used by those involved in gang-related activity and shall include the identification of hand signals, apparel, jewelry, and/or other pertinent gang-related information.

C. NOTIFICATION

The principal shall notify the student body of the Palm Beach County School Board Gang Control Policy through classroom presentations and/or assemblies.

1. In FY97, a copy of the Palm Beach County School Board Gang Control Policy shall be distributed to all secondary students.
2. Beginning in FY98, a copy of the Palm Beach County School Board Gang Control Policy shall be printed in all secondary student-parent handbooks. It shall be the responsibility of students and parents to familiarize themselves with said policy.

D. REVIEW PROCEDURE

Student and/or parents who are in disagreement with handling of gang related issues and/or corrective and disciplinary action associated with the gang control policy may utilize the District Grievance Procedures D-2.031, SB 5.18. However, where symbolic expression is restricted, the principal/designee shall complete the grievance process within 48 hours during which time the implementation of disciplinary action shall not be delayed.

Policy 5.1814 – Most Severe Consequences for Violent Acts

1. **Definition.**-- As used herein, the term "most severe consequences" may refer to expulsion of a student for the remainder of the current school year and the entire next school year as allowed by Fla. Stat. § 228.041(26), with no early reinstatement, and with referral for criminal prosecution.
2. **Discretion.** -- Pursuant to SBER 6A-1.0404(3), the following sections shall not be construed to remove the discretion of the principal/designee, District administration, or the School Board in cases where mitigating circumstances may affect decisions on disciplinary action.
3. **Consequences.**-- As required by State Board of Education Rule 6A-1.0404(2), it is the Policy of the School Board that students shall receive the most severe consequences if found to have committed the following offenses on school property, on school sponsored transportation, or during a school sponsored activity:
 - a. homicide (murder, manslaughter) of a student, District employee, School Board member, or other person;
 - b. sexual battery upon a student, District employee, School Board member, or other person;
 - c. armed robbery of a student, District employee, School Board member, or other person;
 - d. aggravated battery on a student or other person not listed in paragraph (e);
 - e. battery or aggravated battery on a teacher, other school personnel, or School Board member;
 - f. kidnapping or abduction of a student, District employee, School Board member, or other person;
 - g. arson;
 - h. possession, use, or sale of any firearm; or
 - i. possession, use or sale of any explosive device.
4. Further, the most severe consequences may be imposed if a student is found to have made a written or oral threat of intention to inflict serious bodily harm or death upon any student of the District, any District employee, or any School Board member (regardless of where the threat was made).
5. Under Fla. Stat. § 230.23(6)(d)11, the most severe consequences may also be imposed for committing the following offenses involving the school or school personnel's property, school transportation, or a school-sponsored activity:
 - a. making a threat to throw, project, place, or discharge any destructive device as defined in Fla. Stat. § 790.001(4), with the intent to do bodily harm to any person or with the intent to do damage to any property of any person; or
 - b. making a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive, or weapon of mass destruction.

Policy 5.1817 Student Expulsion

1. **Definition.** -- Expulsion is defined as "the removal of the right and obligation of a student to attend a public school under conditions set by the district school board, and for a period of time not to exceed the remainder of the term or school year and 1 additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly." Fla. Stat. § 1003.01(6).
2. **General Provisions**
 - a. All disciplinary incidents resulting in a recommendation for expulsion shall be coded appropriately within the parameters of the School Board's discipline matrix set forth in Policies 5.1812 and 5.1813 and treated in accordance with Policy 5.1814, "Most Severe Consequences for Violent Acts." In addition, Fla. Stat. § 1006.09(1)(c) provides that:

"The principal or the principal's designee may recommend . . . the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of his or her staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school. A recommendation of expulsion or assignment to a second chance school may also be made for any student found to have intentionally made false accusations that jeopardize the professional reputation, employment, or professional certification of a teacher or other member of the school staff, according to the district school board Code of Student Conduct."

- b. As required by Fla. Stat. § 1006.13(4), this Policy "provid[es] that any student found to have committed a violation of s. 784.081(1), (2), or (3) [aggravated battery, aggravated assault, or battery on a Board member or District employee] shall be expelled or placed in an alternative school setting or other program, as appropriate. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition."
- c. Only the principal of a school may recommend expulsion to the Superintendent. In the case of a charter school student, the charter-school principal shall make the expulsion recommendation to the charter school's governing body and, if the governing body approves the recommendation, the governing body shall forward it to the Superintendent.
- d. Only the School Board, by vote in a regular or special meeting, may officially expel a student (including a student recommended for expulsion by a charter school's governing body) from the regular education program of the District school system.

3. Pre-Hearing Procedures

- a. **Student Placement Pending Expulsion.** -- Upon the principal's decision to recommend expulsion, the student shall be issued a ten-day out-of-school suspension, using the procedures in Policy 5.1815, and reassigned to the Department of Alternative Education under Policy 8.13. This assignment shall be in effect until the School Board officially votes on the expulsion (which should be within sixty (60) calendar days). During that period, a student may receive public school educational services only through the Department of Alternative Education.
- b. **Other Measures.** -- As required by Fla. Stat. § 1006.09(1) (c), "Any recommendation of expulsion shall include a detailed report by the principal or the principal's designated representative on the alternative measures taken prior to the recommendation of expulsion."
- c. **Legal Review.** -- The principal's expulsion-recommendation packet shall be forwarded within three work days to the Department of Legal Services for review. An attorney from the Department of Legal Services shall review each packet for legal sufficiency.
 - i. If the attorney finds the packet is not legally sufficient, the attorney shall communicate the deficiencies to the reporting school. If additional information is available that would make the packet legally sufficient, it should promptly be forwarded to the Department of Legal Services for further review. If the packet cannot sustain legal review, the expulsion process shall end and the student shall be referred to his/her respective Area Office for placement into the regular school program.
 - ii. If the packet is deemed legally sufficient, it shall be forwarded to the Expulsion Screening Committee with the signature of an attorney in the Department of Legal Services to indicate the legal sufficiency.
- d. **Expulsion Screening Committee.**-- A committee consisting of three principals/designees, one each from an elementary, middle, and high school, plus an area administrator/designee, will meet, to the extent possible, each week during the school year.

- i. Each Committee meeting will be conducted by an attorney from the Department of Legal Services, who will have no vote but will be available to answer questions regarding legal issues for the Committee members. The Committee shall review each expulsion packet forwarded by the Department of Legal Services, and, by majority vote, determine whether the packet shall be forwarded to the Superintendent for a recommendation of expulsion to the School Board.
 - ii. If the Expulsion Screening Committee declines to forward the recommendation to the Superintendent, the principal of the school where the incident occurred may appeal at the next Screening Committee meeting. The principal will be allowed only until that next meeting (generally one week) to submit additional information to support the recommendation of expulsion. At that next meeting, the Committee shall review the additional information, along with the original information, to determine if it should be forwarded to the Superintendent.
 - A. If at that next meeting the Committee declines to forward the recommendation to the Superintendent, the expulsion recommendation process ends; and the student will be referred to his/her respective Area Office for placement into the regular school program.
 - B. If at that next meeting the Committee decides to forward the recommendation to the Superintendent, the expulsion process will proceed.
4. **Due Process Procedures.**-- Pursuant to Fla. Stat. § 1002.20(4)(b), "public school students and their parents have the right to written notice of a recommendation of expulsion, including the charges against the student and a statement of the right of the student to due process." Due process includes notice and opportunity to be heard.
- a. **Notice.** -- The student, and the parents/guardian of the student, who the Superintendent will recommend for expulsion shall be issued written notice that the Superintendent will recommend expulsion. This notice will be issued within ten (10) calendar days of the Superintendent's decision. Pursuant to Fla. Stat. §§ 1006.07(1)(a) and 1006.08, the notice shall contain the following:
 - i. A statement of the charges for which expulsion will be recommended;
 - ii. Notification that the student has a right to a hearing under Fla. Stat. §§ 120.569 and 120.57 to contest the recommendation.
 - iii. Notification that the student has the right to be represented by an attorney and to call witnesses to testify at the hearing on the student's behalf.
 - iv. Notification of the provisions of the Sunshine Law and that the parent may elect to have the hearing held in public; otherwise, it shall be closed to the public.
 - b. **Opportunity to Be Heard.** -- Every student who is recommended for expulsion shall have the right to a hearing, to tell his/her side of the story or to explain or refute the evidence against him/her, in denial or mitigation of the charges.
 - i. It shall be the responsibility of the student/parent/guardian/representative to request a hearing, through the Department of Legal Services, in a timely fashion--within fifteen (15) days after receipt of the notice of recommendation for expulsion. If no request for a hearing is timely made, the student is deemed to have waived the right to a hearing; the recommendation for expulsion shall be forwarded to the School Board for vote; and the facts of the charges in the notice will be deemed by the School Board to be true.
 - ii. Pursuant to AGO 2001-05, the student may request a hearing under Fla. Stat. § 120.57(1) when there is a disputed issue of material fact or under § 120.57(2) if there is no disputed issue of material fact. In either type of proceeding, the hearing shall be informal in nature and the rules of evidence will apply loosely.

- A. *Disputed Issues of Material Fact.*-- In cases where the student will contest a material issue of fact such as denying that he/she actually committed the act as charged, the hearing officer will serve as the finder of fact. The burden of proof rests with the School District. When material facts are in dispute, the standard of proof is the "preponderance of the evidence" i.e., whether it is reasonable to conclude from all the evidence submitted by both the School District and the student that the pupil did commit the violation with which he or she is charged as the basis for expulsion. After the conclusion of the hearing the hearing officer shall issue written findings of fact as to whether the evidence presented supports the charge(s) against the student.
 - B. *No Disputed Issues of Material Fact.* -- When the student does not dispute the factual basis for the expulsion recommendation, the student is entitled to a hearing under Fla. Stat. § 120.57(2), to address whether the undisputed material facts constitute a violation of School Board Policy, State Board of Education Rules, and/or state or federal statutes, forming a lawful basis for expulsion.
 - iii. Although the Board shall make the final decision on the Superintendent's expulsion recommendation, an impartial volunteer hearing officer from the community will preside over the hearing as authorized by Policy 4.114.
 - A. The factual and legal issues to be addressed in the hearing and in the hearing officer's recommended order are: 1) findings of fact--whether the student committed the act as charged, within the jurisdiction of the School District; and 2) conclusions of law--whether the act constituted a violation (of School Board Policy, State Board of Education Rules, and/or state or federal statutes) which forms a lawful basis for expulsion. On these issues, the student/representative may provide oral evidence or argument and documents, memoranda of law, or other written materials in opposition to the recommended expulsion action.
 - B. Although the hearing officer cannot enter settlement negotiations or recommend mitigation of the expulsion penalty to a lesser consequence, the student will be allowed to provide oral or written evidence or argument in support of mitigating the penalty, pursuant to F.A.C. Rule 28-106.302(1), (2). If facts and/or legal arguments are asserted as a basis for mitigation and the hearing officer finds them credible, the recommended order should report them under a separate heading such as "Credible Mitigation Considerations," without making a recommendation on mitigation (as the recommended order will limit its conclusions of law to whether the violation occurred as charged and forms a lawful basis for expulsion). The Superintendent should take those reported credible mitigating facts or legal arguments into consideration when making the expulsion recommendation to the Board, and the Board should take them into consideration when acting on the recommendation.
5. **School Board Action on Expulsion Recommendations.**-- The School Board normally will vote during its regular monthly meeting on the Superintendent's recommendations to expel students whose cases have proceeded through the above-described process; additionally, Fla. Stat. § 1006.08(1) also allows such action at a special meeting.
- a. After the hearing held by a hearing officer, and before the meeting where the Board will enter the final order of expulsion, students and their parents/guardian and/or representative may appear in a closed, private meeting with school board members pursuant to Policy 1.03(17), to express their views on the recommended penalty, such as if they believe mitigating circumstances contraindicate expulsion or would make a shorter term of expulsion

- appropriate. An individual's comments made during this closed session shall be limited strictly to three (3) minutes. Comments shall be limited to mitigation only. There shall be no retrial of the issues surrounding the facts of the incident that merited expulsion. The Board's vote on the expulsion and entry of the final order will occur, without mention of the student's name or other personally-identifiable information, at the general meeting following this closed session.
- b. If the student/parent did not request a hearing, the student/parent or legal guardian/representative will have an opportunity to express their views on the recommended penalty by making public comment at the meeting where the Board will issue the final order. Like other speakers offering comments on agenda items pursuant to Policy 1.03, such student/parent or legal guardian/ representative can provide input and insight to the Board (regarding the proposed expulsion).
 - c. In considering the Superintendent's recommendation, the Board should impartially consider what, under all the circumstances, the penalty should be, as stated in AGO 87-33.
 - d. After the Board votes on the expulsion, the student/parents/guardian/ representative will be notified in writing of the Board's decision.
 - i. If the Board votes to expel, a written notice of expulsion will be mailed to the student/parent/guardian/representative. The notice will detail the length of the expulsion, that the expulsion is with services or without services, and where the student will receive educational services, if applicable. The length of expulsion will be reduced to reflect time already spent at an alternative site, unless the Board votes otherwise (such as if the offense is a violent act listed in Policy 5.1814).
 - ii. If the Board votes to decline the expulsion, a notification will be sent to the student/parent/guardian/representative and the student will be referred to his/her respective Area Office for placement.

6. Re-Entry after Expiration of the Expulsion

- a. Upon the expiration of the expulsion period, the student's Area Office shall place the student back into the regular education program of the School District. It is the responsibility of the student and his/her parent/guardian or representative to contact the appropriate Area Office for placement.
- b. No student, after expiration of the expulsion, shall be transitioned back to the school where the incident meriting expulsion occurred unless the principal of the school is first notified and given the option of accepting the student back into that school. In accordance with the Fla. Stat. §§ 1002.20(5) and 1006.13(5), students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, may need to be kept separated from the student offender at school and during school transportation.

Policy 5.182 Student Dress Codes and Uniforms

The School Board of Palm Beach County is legally and ethically responsible for the establishment of classroom and campus environments that are conducive to a safe, orderly, and productive educational program. The health, safety, and welfare of each student can be enhanced through the implementation of dress standards for students. All schools shall develop gender neutral dress codes or uniform guidelines. The dress codes or uniform guidelines should be developed under the direction of the school principal with input from students, staff, parents, and the School Advisory Council (SAC).

Policy 5.183 Cellular Telephones and Other Wireless Communication Devices

1. Purpose

The School Board of Palm Beach County (Board) is committed to providing a safe, positive and productive learning environment for its students. The Board recognizes that, depending on how they are used, cellular phones and other wireless communication devices can be either a valuable learning tool or a source of disruption in the learning environment. This policy is to implement the provisions of Section 1006.07(2) (f), Florida Statutes, which permits students to possess cellular phones and other wireless communication devices on school property and authorizes the Board to regulate the possession and use of such devices. In order to maintain a secure and orderly learning environment, student use and possession of cellular phones and other wireless communication devices shall be subject to the limitations as set forth in this policy.

2. Definitions

As used herein, the terms below are defined as follows:

- a. *"Wireless communication device"* means a handheld electronic device having the ability to receive and/or transmit voice, text, or data messages without a cable connection, such may include, but is not limited to, cellular telephones, digital wireless phones, radio-phones/walkie-talkies, telephone pagers, PDA phones (personal digital assistants with wireless communications capabilities), iPhones, iPads, iPods, or RIM ("research in motion") wireless devices. This definition also includes any current or emerging wireless handheld technologies or portable information technology systems developed for similar purposes.
- b. *"School property"* means any school center, bus, facility, including grounds owned or occupied by the Board. The definition includes the location of a School District sponsored activity as well as transportation provided by the School District to attend a School District sponsored activity. School property excludes a mass transit system, such as Palm Tran, and any student utilizing such services is expected to abide by the rules of the carrier.
- c. *"Instructional school day"* means the moment a student enters the school center until the final dismissal bell. The "instructional school day" includes, but is not limited to, study halls, lunch break, class changes and any other structured or non-structured instructional activity that occurs during the normal school day, including the administration of examinations, and regardless of whether a student is on campus or at an off-campus school-sponsored activity.
- d. *"Kept in the "off" position"* means powered completely off and is not simply set on a vibrate, silent, standby, hibernation or airplane mode.

3. Policy Statement

In accordance with state law, students may possess cellular phones and other wireless communication devices on school property and school-sponsored transportation, as long as the students adhere to the restrictions provided herein. Any unauthorized use of cellular phones and other wireless communication devices during the instructional school day, while on school-sponsored transportation, or at such times as not authorized by the school principal or designee, is prohibited as it disrupts the instructional program or distracts from the educational environment.

- a. *Elementary School Students.* Elementary school students may possess cellular phones and other wireless communication devices on school property and school-sponsored transportation, provided such devices are not visible, used, or activated, and are kept in the "off" position throughout the instructional school day and while on school-sponsored transportation. Students must keep their cellular phones and other wireless communication devices stored in a purse or backpack, or other non-visible secure location during the instructional school day and while on school-sponsored transportation.
 - i. *Times of Authorized Use on Elementary School Grounds.* While waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day, students may use their cellular phones and other wireless communication devices.
- b. *Middle and High School Students.* Middle and high school students may possess cellular phones and other wireless communication devices on school property and school-sponsored transportation, provided such cellular phones and other wireless communication devices are not visible, used or activated, and are kept in the "off" position throughout the instructional school day and while on school-sponsored transportation. Middle and high school students must keep their cellular phones and other wireless communication devices stored in a vehicle, locker, purse, backpack, or other non-visible secure location. Middle and high school principals may modify the instructional school day to establish other authorized times of use in addition to when students are waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day, including the designation of areas of the school campus for such use.
 - i. *Communication to Students and Parents.* If the principal modifies the instructional school day to permit middle or high school students to use cellular phones or other wireless communication devices at times other than when students are waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day, the principal shall include such information in the school's student/parent handbook and other communications to parents/students.

4. **Unauthorized Use of Devices**

A student's possession, display or use of a cellular phone and other wireless communication devices on school property contrary to the provisions of this policy shall be viewed as the unauthorized use of the cellular phone or other wireless communication devices when such possession, display or use of such devices results in conduct which includes, but is not limited to:

- a. Interference with or disruption of the instructional or educational environment.
- b. Use which violates academic integrity, as the reproduction of images of tests, communication of test or examination contents or answers, to provide access to unauthorized school information, or assistance to students in any aspect of their instructional program in a manner that violates school board policy or the Code of Student Conduct.
- c. The communication of the marks or grades assigned to students resulting from evaluation or the actual contents, or parts thereof, of any evaluation activity being completed by an individual(s).
- d. Use to commit a crime, under federal or state law.
- e. Violation of a student's or other person's reasonable expectation of privacy, by using such devices with photographic capabilities in student locker-rooms, restrooms, any other student changing areas, or the classroom, whether such use occurs during the instructional school day

or on school property. Cellular phones and other wireless communication devices may not be utilized to take "photographs" or "videos" while on school property, while on school-sponsored transportation or while a student is engaged in school-sponsored activities.

- f. Use in a manner that is profane, indecent, obscene, threatening, discriminatory, bullying or harassing language, pictures or gestures. Cellular phones and other wireless communication devices which have the capability to take "photographs" or "moving pictures" shall not be used for such purposes while on school property, while on school-sponsored transportation or while a student is engaged in school-sponsored activities.

5. Other Acceptable Uses

Cellular phones and other wireless communication devices are permissible in the following circumstances:

Instructional or Educational Purposes. Cellular phones or wireless communication devices may be used during a class period or school activity when specifically approved by the principal in conjunction with educationally appropriate objectives.

- a. *IEP, 504, or Health Care/Medical Plan.* Students may use cellular phones, wireless communication devices and other electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care/Medical Plan with supportive documentation from the student's physician.
- b. *Health, Safety or Emergency Reasons.* Exceptions to the restrictions in this policy, in part or in its entirety, may be made for health, safety and emergency reasons by the principal.
- c. *School Trips or School Sponsored Activities.* The use, display or activation of cellular phones or other wireless communication devices during school trips or school sponsored activities shall be at the discretion of the principal or designee, but shall not be disruptive to the activity.
- d. *Other Reasons.* Other reasons determined appropriate by the principal.

6. Consequences

- a. An offense shall occur each time this policy is violated regardless of the specific device or devices involved. However, the possession of multiple devices at one time shall be regarded as one offense.
 - i. Any cellular phone or wireless communication device possessed or used in violation of this policy shall be confiscated by school personnel, absent compelling and unusual circumstances, and only returned to the student's parent or guardian or another adult designated by the parent or guardian.

If a cellular phone or wireless communication device is confiscated, the device shall be taken to the school's main office to be identified and placed in a secure area.

- ii. Students will be disciplined as provided for in Board Policies [5.1812](#) and [5.1813](#), as now or hereafter amended.
- b. The application of discipline for violations under this policy will be progressive except for those instances where there are additional aggravating factors as outlined in the non-exclusive listing in paragraph 4 of this policy. Any additional aggravating factors may subject the student to more stringent discipline consequences and /or reports to law enforcement agencies.

Responsibility/Liability

Any student who chooses to bring a cellular phone or other wireless communication device to school shall do so at his or her own risk and shall be personally responsible for the security of his or her cellular phone or wireless communication device. Neither the school personnel or Board will assume any responsibility or liability for loss, theft, damage or vandalism to a cellular phone or other wireless communication device brought onto school property, or for the unauthorized use of any such device.


Policy 5.187 Truancy

1. Purpose.-- The Superintendent and designees shall be responsible for endeavoring to prevent student absences unauthorized by law; reporting truancy to appropriate authorities; and filing truancy petitions pursuant to § 1003.27, Fla. Stat.
2. Definitions.-- As used in this Policy, these terms shall be defined as follows:
 - a. "Absence" means not being actually present when attendance is checked, unless the student arrives within time to be marked "tardy" instead of absent. Pupils may not be counted in attendance while away from the school on a school day unless they are engaged in an educational activity which constitutes a part of the school-approved instructional program.
 - b. "Excused absence" is defined as in Board Policy 5.09.
 - c. "Unexcused absence" is defined as in Board Policy 5.09.
 - d. "Habitual truancy," under §§ 1003.012(8), 984.03(27), and 985.03(25), Fla. Stat., means:
 - i. the child is subject to compulsory school attendance under § 1003.21(1), (2)(a), Fla. Stat.;
 - ii. the child is not exempt under §§ 1003.21(3) or 1003.24, Fla. Stat., or any other exemptions specified by law or the rules of the State Board of Education;
 - iii. the child has fifteen (15) unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent or legal guardian; and
 - iv. activities to determine the cause and to attempt the remediation of the child's truant behavior have been completed under §§ 1003.26 and 1003.27, Fla. Stat.
 - e. "Subject to compulsory attendance" refers to minors who have attained at least the age of six years (or who will have attained the age of six by February 1 of that school year), who are required by law to attend school regularly unless an exemption or exception is applicable under Chapter 1003, Fla. Stat.
3. Reporting Requirements
 - a. Each principal/designee shall notify the School Board, through the Superintendent, of each minor student who accumulates fifteen (15) or more unexcused absences within a period of ninety (90) calendar days. The truancy liaisons will send a copy of the report with the names of all students who accumulate fifteen (15) or more unexcused absences within a period of ninety (90) calendar days, monthly, by school, to the principal, the area superintendent, and the director of Supplemental Educational Services.
 - b. The Superintendent shall provide to the Department of Highway Safety and Motor Vehicles the legal name, sex, date of birth, and social security number of each minor who has been reported to the Board under paragraph (3)(a), as required by § 322.091, Fla. Stat.
4. Discretionary Petitions.-- After the school has complied with the intervention requirements of § 1003.26, Fla. Stat., the Superintendent may file a truancy petition using the procedures outlined in § 984.151, Fla. Stat., whenever a student who is subject to compulsory attendance has had:
 - a. five (5) or more unexcused absences (as defined in Policy 5.09), or absences for which the reasons are unknown, within a calendar month; or
 - b. ten (10) or more unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period pursuant to § 1003.26(1) (b), Fla. Stat.

5. Mandatory Petitions.-- After the school has complied with the intervention requirements of § 1003.26(1)(b), Fla. Stat., the Superintendent/designee shall take one of the following actions in all cases of habitual truancy, in accordance with § 1003.27(3), Fla. Stat.:
 - a. File a truancy petition using the procedures outlined in § 984.151, Fla. Stat.; or
 - b. File a child-in-need-of-services petition using the procedures outlined in Chapter 984, Fla. Stat., and refer the habitually truant student and the student's family to the children-in-need-of-services and families-in-need-of-services provider or case staffing committee as determined by a cooperative agreement between the School Board, the Department of Juvenile Justice, and the Department of Children and Families, as provided in § 1003.27(4)), Fla. Stat.
6. Relationship of Truancy and Passing a Grade Level. -- The Board recognizes that §§ 984.03(27) and 985.03(25), Fla. Stat., require a student to be passed to the next grade, and do not permit deeming the child habitually truant, as long as he/she is appropriately responsive to the interventions described in §§ 1003.26 and 1003.27, Fla. Stat. and has completed the necessary requirements to pass the current grade as indicated in the current District Student Progression Plan. However, the Superintendent is *not* obligated to wait until the end of the year to see if the child will pass to the next grade, before filing a petition as described in Section (5) and (6). Such petition may be filed at any time during the school year as long as the school has complied with the intervention requirements of §§ 1003.26 and 1003.27, Fla. Stat.
7. School Discipline. -- Under § 1006.09, Fla. Stat., a student who is required by law to attend school will not be suspended solely for having unexcused tardiness, absences, or truancy. However, once a student subject to compulsory attendance arrives at school, the school may take disciplinary measures for unauthorized actions such as the following:
 - a. leaving the campus without authorization;
 - b. being temporarily absent from class without appropriate permission; or
 - c. failing to attend specific classes.

APPENDIXES of Universal Expectations and Matrixes

Olympic Heights High School



P Prepare yourself for learning.

R Respect your school, teachers/staff and classmates.

I Initiate responsible school behavior

D Develop meaningful relationships.

E Engage in positive actions that will make your school & family proud.

Royal Palm Beach Community High School Behavior Expectation Matrix

Living the Wildcat Best is the key to our success!

	BE RESPONSIBLE To Be Responsible I will:	BE RESPECTFUL To Be Respectful I will:	BE SAFE To Be Safe I will:
All Settings	<ul style="list-style-type: none"> * Follow dress code and ID policies * Be accountable for my physical movements and gestures * Maintain volume level that is appropriate for area * Report any problems needing intervention to an authority figure 	<ul style="list-style-type: none"> * Use appropriate vocabulary and gestures * Help others * Respect diversity of others * Follow hands off policy * Pick up anything that needs to be picked up * Acknowledge everyone in a positive manner * Have my cell phone off and away during school hours * Respect all adults on campus 	<ul style="list-style-type: none"> * Report any possession of illegal substances and items to an authority figure * Keep hands, feet, and unkind words to myself * Refrain from loitering * Refrain from the use or possession of any illegal substances
Classroom/ Areas of Instruction	<ul style="list-style-type: none"> * Be an active participant in my own learning * Bring all supplies: books, paper, writing utensils, notebooks, homework, etc. * Focus on directions the first time given (verbal and/or written) * Ask for help when needed * Attend all classes everyday * Attend to personal needs (water, grooming, restroom) before class 	<ul style="list-style-type: none"> * Use school and personal property appropriately * Leave others' belongings alone * Use appropriate vocabulary and gestures * Maintain a positive and open attitude * Listen when others speak * Maintain integrity and honesty * Raise hand during class discussions 	<ul style="list-style-type: none"> * Know emergency procedures and take drills seriously * Follow teacher's safety guidelines * Be seated after entering the classroom * Keep traffic areas clear * Abide by the 15-15 minute rule * Remain in the classroom until dismissal
Courtyard/ Hallway	<ul style="list-style-type: none"> * Refrain from public displays of affection * Keep track of time * Apologize if I bump into someone * Pick up anything I drop * Plan scheduled locker stops to get needed supplies 	<ul style="list-style-type: none"> * Keep moving to keep traffic flowing * Respect artwork, posters, advertisements, etc., on walls * Use appropriate non offensive language and gestures * Help anyone who drops something 	<ul style="list-style-type: none"> * Have visible hall pass, except during class change * Use only my locker and keep it locked * Keep comments about myself and others positive * Keep the hall floors clear * Walk on the right-side to avoid blocking the hallway and to keep traffic moving

BUS #



E.L.M.S. On the Bus

EXCELLENCE in LEADERSHIP and MINDFUL of SAFETY

Bus Drivers- please circle the number that best demonstrates the behavior for the week and hand it to an ELMS staff member each Monday.

5 Excellent

- Safety observed
- Voice level - inside
- Hands/feet under control
- Students respectful to driver and other passengers

4 Good

- Safety observed
- Voice level - good but louder than inside
- Hands/feet under control
- Students show respect to driver and other passengers

3 Average

- Safety observed
- Voice level okay – a bit loud
- Rules generally followed – perhaps a little “playing” amongst students
- Students respectful to driver

2 Below Average

- Safety warnings - students violating minor rules (food, shifting around in seats)
- Voice level poor - shouting, calling out
- Pushing or shoving resulting in student stumbling or falling
- Students not respectful towards driver or other passengers

1 Poor

- Students behaving in dangerous way (violating rules: moving when bus is in motion, hands outside windows, damaging school property)
- Voice level not acceptable – cursing, yelling
- Hitting or fighting
- Driver stops bus

Wellington Landings Middle School

<i>STUDENT NAME :</i>
<i>YOU'VE BEEN SPOTTED!</i>
<i>Being:</i> <input type="checkbox"/> <i>RESPECTFUL</i>
<input type="checkbox"/> <i>RESPONSIBLE</i>
<input type="checkbox"/> <i>RESILIENT</i>
<i>PRESENT THIS COUPON TO ONE OF THE CAFÉ SUPERVISORS AT LUNCH TO RECEIVE A TREAT!!!</i>
<i>Admin./Teacher signature:</i>

<i>STUDENT NAME :</i>
<i>YOU'VE BEEN SPOTTED!</i>
<i>Being:</i> <input type="checkbox"/> <i>RESPECTFUL</i>
<input type="checkbox"/> <i>RESPONSIBLE</i>
<input type="checkbox"/> <i>RESILIENT</i>
<i>PRESENT THIS COUPON TO ONE OF THE CAFÉ SUPERVISORS AT LUNCH TO RECEIVE A TREAT!!!</i>
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<input type="checkbox"/> <i>RESPONSIBLE</i>
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<i>STUDENT NAME :</i>
<i>YOU'VE BEEN SPOTTED!</i>
<i>Being:</i> <input type="checkbox"/> <i>RESPECTFUL</i>
<input type="checkbox"/> <i>RESPONSIBLE</i>
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<i>Admin./Teacher signature:</i>