2023-2024
Code of Student Conduct
Elementary
PARENT AND STUDENT ACKNOWLEDGMENT

This Code of Student Conduct has been written so students and family members know what behavior is expected and prohibited at school or at school activities. It is helpful if parents are aware of school rules so they can help support them from home. In order to conserve resources, schools will not distribute paper copies of the Code of Student Conduct (Code) to every student. You can locate an electronic copy of the Code online at the District website at: https://www.marionschools.net/codeofconduct. If you require a paper copy of the Code, please contact your school to make your request known.

This Code has been adopted to help your son/daughter gain the greatest possible benefit from his/her education. Please read and discuss the Code with your son/daughter. Students are encouraged to discuss the Code with their teachers and school administrators to ensure clarity and understanding. Students will acknowledge that they have read and understand the Code on the student desktop. Parents will acknowledge they have read and understand the Code through Skyward Family Access.

STUDENTS AND PARENTS ARE RESPONSIBLE FOR READING, UNDERSTANDING, AND ACKNOWLEDGING THIS CODE OF STUDENT CONDUCT VIA THE METHODS ABOVE. FAILURE TO ACKNOWLEDGE THE CODE WILL NOT EXEMPT A STUDENT OR PARENT/ GUARDIAN FROM THE RESPONSIBILITY OF COMPLIANCE WITH THE CODE OF STUDENT CONDUCT, NOR WILL IT RELIEVE ACCOUNTABILITY FOR LOSS OR DAMAGE TO MARION COUNTY PUBLIC SCHOOLS PROPERTY.

*Whenever the term “parent” is used, it also refers to legal guardian.*
## 2023-2024 Code of Student Conduct Committee

*Diane Gullett, Ed.D., Superintendent*

**Marion County School Board Members**

*Allison Campbell, Ed.D. (Chair)*  
*Nancy Thrower (Vice-Chair)*  
*Lori Conrad*  
*Eric Cummings*  
*Sarah James, Ed.D.*

### HIGH SCHOOL

<table>
<thead>
<tr>
<th>Member</th>
<th>School</th>
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<tbody>
<tr>
<td>Brian Greene</td>
<td>Bellevue High</td>
</tr>
<tr>
<td>David Stopyra</td>
<td>Forest High</td>
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<tr>
<td>Sarah Umholtz</td>
<td>West Port High</td>
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### SCHOOL BOARD

<table>
<thead>
<tr>
<th>Member</th>
<th>Role</th>
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<tbody>
<tr>
<td>Sarah James, Ed.D.</td>
<td>Member</td>
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<tr>
<td>Jeremy Powers</td>
<td>Attorney</td>
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### MIDDLE SCHOOL

<table>
<thead>
<tr>
<th>Member</th>
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<tr>
<td>Dion Gary</td>
<td>Bellevue Middle</td>
</tr>
<tr>
<td>James Rowe</td>
<td>Lake Weir Middle</td>
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<tr>
<td>Sabrina Torres</td>
<td>Liberty Middle</td>
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### DISTRICT

<table>
<thead>
<tr>
<th>Member</th>
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<tbody>
<tr>
<td>April Adams</td>
<td>Mental Health and Wellness</td>
</tr>
<tr>
<td>Kerry Alday, Ed.D.</td>
<td>Student Discipline</td>
</tr>
<tr>
<td>Laura Delk</td>
<td>Student Information and State Reporting</td>
</tr>
<tr>
<td>Yvette Del Nodal</td>
<td>Mental Health and Wellness</td>
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### ELEMENTARY SCHOOL

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<tr>
<th>Member</th>
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<tbody>
<tr>
<td>Sarah Dobbs</td>
<td>East Marion Elementary</td>
</tr>
<tr>
<td>Howard Greenbaum</td>
<td>Wyomina Park Elementary</td>
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### COMMUNITY/PARENTS

<table>
<thead>
<tr>
<th>Member</th>
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<tbody>
<tr>
<td>Pastor Howard</td>
<td>Community Member</td>
</tr>
<tr>
<td>Hilary Jackson</td>
<td>The Children's Alliance</td>
</tr>
<tr>
<td>Jasmine Jean-Pierre</td>
<td>Parent</td>
</tr>
<tr>
<td>Petersan Jean-Pierre</td>
<td>Parent</td>
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### MEA/MESP REPRESENTATIVES

<table>
<thead>
<tr>
<th>Member</th>
<th>Role</th>
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<tbody>
<tr>
<td>Mark Avery</td>
<td>MEA President</td>
</tr>
<tr>
<td>Kenneth Singletary</td>
<td>Safe Schools</td>
</tr>
<tr>
<td>Allan Nieb</td>
<td>Silver River Mentoring &amp; Instruction</td>
</tr>
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THE SCHOOL BOARD OF MARION COUNTY
OCALA, FLORIDA

CODE OF STUDENT CONDUCT

Marion County Public School students are subject to the rules and regulations of the Marion County School Board during the school day and regular school activities; while being transported on school buses or at public expense to and from school or other education facilities; at such time and places including, but not necessarily limited to, school sponsored events, field trips, athletic functions, and other activities where appropriate school personnel have jurisdiction over students. In addition, jurisdictional control over the student may be extended to the immediate vicinity of the school whenever the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of other students and/or of the school.

Marion County Public Schools, its staff, administration, and school board commit to implementation of this Code so that disciplinary actions are equitable to all students. Reducing inappropriate behaviors that lead to suspensions, expulsions and arrests will be priority goals for the district.

See School Board Policies online at http://www.marionschools.net/domain/132

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SECTION 0000: BYLAWS
SECTION 1000: ADMINISTRATION
SECTION 2000: PROGRAM
SECTION 3000: INSTRUCTIONAL STAFF
SECTION 4000: SUPPORT STAFF
SECTION 5000: STUDENTS
SECTION 6000: FINANCES
SECTION 7000: PROPERTY
SECTION 8000: OPERATIONS
SECTION 9000: COMMUNITY RELATIONS
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SECTION I
JURISDICTION OF THE SCHOOL BOARD

INTRODUCTION
The primary objective of the Marion County Public School District is to develop each student's potential for learning and to foster positive interpersonal relationships. If this is to be accomplished, it is necessary that the school environment be free of disruptions which interfere with teaching and learning activities. The student's conduct determines to a great extent the full development of his/her potential for learning and the development of positive relationships. The priority is to keep students in the classroom/school whenever possible.

The purpose of this document is to assist students, parents, teachers, and school administrators in the maintenance of an environment which will enhance the achievement of the objective. To be fully effective, the Code of Student Conduct addresses not only the role of the parents, the students, and the school, but also specifies areas relative to: responsibilities and rights of students; grounds for disciplinary action; and procedures to be followed for acts requiring disciplinary action.

IN LOCO PARENTIS
State and federal law recognizes that teachers and school administrators have a need to stand in the place of parents over children entrusted to them at school. This is a concept called in loco parentis. While this power is not equal to a parent's power over a child, it permits school personnel to exercise a degree of supervision and control over students that could not be exercised over free adults. Section 1003.31(1), Florida Statutes also recognizes that students are under the control and direction of the principal.

This concept is responsible for the fact that school personnel can search without a warrant based on reasonable suspicion and are not held to the higher standard of "probable cause" by which law enforcement is bound. This concept is responsible for the fact that school personnel can interrogate a student without providing him or her with Miranda warnings or allowing the student to call a parent or attorney.

MARION COUNTY PUBLIC SCHOOLS: AN EQUAL OPPORTUNITY SCHOOL DISTRICT
Students in Marion County are entitled to certain rights, standards and protections including those of due process, equal opportunity protection, accurate and confidential record keeping, safeguards to health and safety, and access to suitable employment. The School Board is committed to affording students the benefits of these rights, standards and protections.

Students who feel that they have questions concerning this matter have the right and the responsibility of discussing such questions with the school's administration.

The District does not discriminate on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex, sexual orientation, disability (including HIV, AIDS, or sickle cell trait), pregnancy, religion, marital status, age (except as authorized by law), military status, ancestry, or genetic information, which are classes protected by State and Federal law, in its educational programs, services or activities, or in its hiring or employment practices as required by Title IX, Title VI, Title VII, Age Discrimination Act of 1967, Section 504 of the Rehabilitation Act of 1973, or 1992 Americans with Disabilities Act, and the Florida Educational Equity Act of 1984.

The School Board also does not discriminate on the basis of protected classes in its employment policies and practices as they relate to students.

Equal educational opportunities shall be available to all students, without regard to the protected classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

Questions or requests for additional information regarding these acts may be forwarded to the designated equity administrator below, or you may visit the school district’s website for more information at http://www.marionschools.net.

Dawana Gary, Equity Assurance Director, ADA, Title IX and Equity Issues Phone: (352) 671-7711
1614 E. Fort King Street, Ocala, FL 34471

Anne Howie, Coordinator, Contact for Section 504 Compliance Phone: (352) 671-6832
1614 E. Fort King Street, Ocala, FL 34471
The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are as follows:

1. The right to inspect and review the student's education records within forty-five (45) days of the day the school receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal [or appropriate school official], clearly identify the part of the record they want changed and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
   a. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board: a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
   b. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
   c. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue SW, Washington, D.C. 20202-8520.

Parents have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination due to his/her disabling condition(s).
2. Receive prior notice with respect to identification, evaluation, or educational programming for your child.
3. Have your child receive a free, appropriate education.
4. Have your child receive educational services in facilities which are comparable to those provided to non-handicapped students.
5. Examine your child’s educational programming decisions made, based on a variety of information sources and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
6. Have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
7. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the District.
8. File a local grievance with the local school district’s grievance officer.
9. File a complaint with the Office for Civil Rights (OCR).
10. Take action through Civil Court.
11. Be represented by an attorney or legal counsel.
12. Request an impartial hearing regarding district decisions concerning the identification, evaluation, or educational programming for the students. The parent and their legal representative will have full opportunity for participation.
   a. The hearing request must be made to the Superintendent of the District.
   b. The hearing will be held by an impartial hearing officer qualified to hear 504 proceedings.
STUDENT RECORDS
Marion County Public Schools maintain educational records in accordance with state and federal laws. Copies of Marion County Public Schools Student Records Policy are available for public use during school hours at each school or at the Marion County East District Office, 1614 SE Ft. King Street, Ocala, Florida between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Parents or eligible students have the right to review records on their child, the right to a copy of the record (at a cost of 15¢ per page), the right to challenge information contained in the record, the right to a hearing if the school disagrees to change or destroy information when challenged, and the right to waive access to letters of statements of recommendations or evaluations.

Student education records are forwarded to other schools which have requested the records and in which the student seeks or intends to enroll.

NOTIFICATION OF STUDENT SOCIAL SECURITY NUMBER COLLECTION & USAGE
In compliance with § 119.071(5), Fla. Stat. (2021), this statement provides notification of the purpose for the collection and usage of student social security numbers by Marion County School Board (MCSB). MCSB collects and uses a social security number only if specifically authorized by law to do so or it is imperative for the performance of its duties and responsibilities as prescribed by law.

According to § 1008.386, Fla. Stat. (2021) each district school board shall request that each student enrolled in a public school in this state provide his or her social security number. A student satisfies this requirement by presenting to school enrollment officials his or her social security card or a copy of the card to a school enrollment official. The school district shall include the social security number in the student’s permanent records.

All social security numbers are protected by federal regulations Family Educational Rights and Privacy (FERPA). To protect identity, Marion County School Board will secure student social security numbers from unauthorized access and assign a unique student identification number. This unique identification number will then be used for all associated education purposes.

DIVERSITY TRANSFERS
1. The Board authorizes and supports diversity transfers, which are the voluntary transfer of a student from a school in which his/her race is in the majority to a school in which his/her race is in the minority.
2. Transfers made on the basis of diversity are subject to space availability at the requested school.
3. Unless required by state or federal statute, transportation will NOT be provided by the district in order for a student to attend a school outside of his/her assigned attendance area.

Please address questions or clarifications to the office of the District Reassignment Specialist for Student Assignments and Reassignments in the School Choice, Magnet Programs, and Student Records Department at (352) 671-7743.

MEDICAID
In an effort to maintain and improve services provided to children within the confines of continually shrinking resources, the School Board has been exploring alternative sources of revenue for therapy services provided to children in our school district. The School Board has developed plans and procedures for billing Medicaid for therapy services.

Parents whose children are on Medicaid have the option of selecting the School Board to be their child’s Medicaid Group Provider. The School Board will then be able to be reimbursed by Medicaid for part of the therapy services provided at school for their child. This would include both screening and therapy services. This will in no way take away from services being provided by outside providers. If your child is on Medicaid:

1. You have the freedom of choice to obtain your child’s medical services from any provider you choose.
2. Participation in this program is not mandatory to allow your child to stay in school.
3. This program is not mandatory to maintain Florida Medicaid eligibility.
4. All information that is obtained on your child is confidential.
5. Only one provider, be it the school or a community provider, can receive Medicaid reimbursement for the same type of services provided to the child per day.
6. If your child is receiving therapy services (to include, but not limited to, occupational therapy, physical therapy or speech therapy) from a private provider, a cooperative treatment plan can be implemented with your current provider to ensure continued private treatment and any additional needed services from the School Board.
7. Participation in this program will not change the status you already have with your current doctor or group provider.
8. Parental consent will be requested annually concerning the release of a student’s personal and Exceptional Student Education (ESE) information to Medicaid.

ANNUAL NOTICE: VIRTUAL SCHOOL PROGRAMS
Section 1002.321, Fla. Stat. (2021) requires districts to provide students opportunities to participate in virtual instruction programs. The enrollment dates for Marion County Public Schools district operated virtual instruction programs:
Directory information includes student’s name, address, telephone number (if it is a listed number), participation in school sponsored activities and sports, weight and height of members of athletic teams, date of attendance, graduation date, awards received, and photographs appearing in school publications such as yearbooks and newspapers. Personally identifiable information can be disclosed, transferred or released without prior consent of the parent of a student or the eligible student in connection with enrollment in another school, application for financial aid, research, a state statute, and an accrediting organization. Personally, identifiable information will be released without parent consent to appropriate officials in emergency situations, to comply with a lawfully issued subpoena, in cases involving compulsory school attendance, and child abuse.

From time to time, Marion County Public Schools photographs or videos students, and occasionally posts student-produced work online for public recognition. Local media often utilize these photographs and videos, and/or work, or come on campus with school permission to photograph or video students. Additionally, students may be videoed by school personnel for diagnostic/educational purposes. Marion County Public Schools may use these photographs and videos for an indefinite period of time unless this authorization is revoked in writing. This parental prohibition does include the publication of photographs or videos for the school yearbook or similar publications.

Surveillance equipment may be used on buses, in certain areas of campus, and at school events for security, safety, and discipline purposes. These video/audio records may be utilized as evidence for certain disciplinary procedures. This evidence may be maintained as part of a student’s record and available to the parent. Parental notice restricting photographs or videos will not apply to the use of surveillance equipment for safety, security, and disciplinary procedures.

INFORMATION TO MILITARY RECRUITERS

The Every Student Succeeds Act requires the School Board to provide, on a request made by military recruiters or an institution of higher education, access to secondary school students’ names, addresses and telephone listings. A secondary school student or the parent of the student may request that the student’s name, address and telephone listing not be released to military recruiters or to institutions of higher education without prior written parental consent. A parent wishing to prohibit the release of this information should notify the Coordinator of Student Discipline, 1614 E Fort King Street, Ocala, FL 34471, in writing within thirty (30) calendar days of the beginning of the school year. The principal will then make every reasonable effort to ensure such photographs, videos, and work will not be released. This parental prohibition does include the publication of photographs or videos taken for the school yearbook or similar publications.

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (DOE).
   a. Political affiliations or beliefs of the student or student’s parent;
   b. Mental or psychological problems of the student or student’s family;
   c. Sex behavior or attitudes;
   d. Illegal, anti-social, self-incriminating, or demeaning behavior;
   e. Critical appraisals of others with whom respondents have close family relationships;
   f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
   g. Religious practices, affiliations, or beliefs of the student or parents; or
   h. Income, other than as required by law to determine program eligibility.

2. Receive notice and an opportunity to opt a student out of –
   a. Any other protected information survey, regardless of funding;
   b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

3. Inspect, upon request and before administration or use –
   a. Protected information surveys of students;
   b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
   c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under state law. Marion County Public School District will/has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Marion County Public School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Marion County Public School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Marion County Public School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys by written notice to the school principal. Parents will also be provided an opportunity to review any pertinent surveys. The following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information for marketing, sales or other distribution;
2. Administration of any protected information survey not funded in whole or in part by Department of Education (DOE);
3. Any non-emergency, invasive physical examination or screening as described above;

Parents who believe their rights have been violated may file a complaint with the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue SW, Washington, D.C. 20202-8520.

All student surveys, except classroom teacher surveys, will be reviewed by the School Board prior to distribution.

**ENROLLMENT DISCLOSER**

Any student and/or his/her parent(s) who enters the District for the first time must disclose the following information at the time of enrollment:

1. Prior school expulsions;
2. Arrests resulting in a charge;
3. Juvenile justice actions; and
4. Any corresponding referral to mental health services by a school district that the student previously attended.

Any student who discloses any of the above-referenced matters is subject to the provisions of the Code of Student Conduct and all School Board policies relating to disciplinary placement and/or assignment of students. 1006.07 F.S. (2021)

**BEHAVIOR SCREENING AND THREAT ASSESSMENTS**

School districts in the state of Florida are required to screen students for the purpose of identifying social and emotional behavioral needs to provide timely intervention for behaviors impacting school performance. Parents may opt out of this screening by notifying the school in writing within 30 calendar days of the beginning of the school year or within 10 calendar days of subsequent enrollment that they do not wish for their child to participate in this screening. 1006.07 F.S. (2021).

Students in any grade who exhibit indicators of suicidal or violent behavior or make suicidal or threatening statements must be assessed for social/emotional and mental health concerns. The results of this assessment may be relayed to community mental health providers and law enforcement. Parents may not opt out of this mandatory assessment 1006.07 F.S. (2021).
SECTION III
STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES

Section 1003.04, Fla. Stat. (2021) Student Conduct and Parental Involvement

1. Each public K-12 student must remain in attendance throughout the school year, unless excused by the school for illness or other good cause and must comply fully with the school’s code of conduct.

2. The parent of each public K-12 student must cooperate with the authority of the student’s district school board, superintendent, principal, teachers, and school bus drivers, according to § 1003.31 and § 1003.32, Fla. Stat. (2021), to remove the student from the classroom and the school bus and, when appropriate and available, to place the student in an alternative educational setting, if the student is disobedient, disrespectful, violent, abusive, uncontrorollable, or disruptive.

3. It is the goal of the legislature, and each district school board, that the parent of each public K-12 student comply with the school’s reasonable and time-acceptable parental involvement requests.

CODE OF CIVILITY
A child’s education happens through partnerships between the student, MCPS employees, parent(s) or guardian(s), and the community. Active partnerships include sharing responsibilities, contributing to meaningful communication, and welcoming participation. Partnerships are most powerful when parties work together. Meaningful partnerships include respect for each other, truthful communication, kindness toward others, and mutual efforts to support students and the school campus learning environment.

With this understanding, the Marion County School Board and Marion County Public Schools expect as we communicate, students, employees, parents/guardians, and members of the community will:

1. Treat each other with courtesy and respect by:
   a. Listening carefully with regard for others as they express their opinions, different as they may be;
   b. Sharing our opinions and concerns with appropriate language and gestures and without profanity.

2. Demonstrate kindness by:
   a. Treating each other in positive ways;
   b. Using behavior/language that is not demeaning, abusive, or obscene in any communications to include but not limited to the following: class messaging, email, or social media.

3. Cooperate with each other by:
   a. Responding in supportive ways when asked for assistance;
   b. Recognizing and respecting time constraints and obligations faced by everyone involved;
   c. Notifying each other about safety, academics, or events that might impact education and contribute to our common goal of supporting students and the school campus learning

Authority and Enforcement of the Code of Civility

• Any stakeholder who believes they have not been treated in a manner reflective of this Code of Civility should report that behavior as follows:
  o A student should report it to the appropriate school administrator.
  o A parent, guardian, or community member should report it to the employee’s supervisor.

• An employee should use the following communication guidelines:
  o Politely and calmly ask the speaker to communicate in a cordial way.
  o If the speaker uses verbal abuse, give notice to the speaker that the communication/conversation/meeting may end if abuse continues.
  o If on MCPS property, request an administrator or authorized person to direct the speaker to immediately leave.
  o If the speaker does not immediately leave, an administrator or other authorized person shall notify law enforcement for necessary action.

STUDENT RIGHTS AND RESPONSIBILITIES
This section summarizes the basic principles of student rights. With each right comes a responsibility. The principal, under the supervision of the Superintendent and within School Board regulations, shall assume administrative responsibility and instructional leadership of the school to which he or she is assigned. The faculty and staff shall assist in the orderly operation of the school and ensure the rights of the students.

ACADEMIC HONOR CODE

STUDENT RESPONSIBILITIES:

1. To uphold the highest standards of academic integrity in schoolwork.
2. To present schoolwork that is clearly their own on all tests, quizzes, reports, assignments, papers, homework and any school related test (PSAT FSA, SAT, etc.) unless otherwise stated by teacher.
3. To not assist others in cheating or any other form of academic dishonesty.
4. To refuse to tolerate academic dishonesty in others.

STUDENT RIGHTS:

1. To be able to contribute to and work in an environment of trust and academic integrity.
2. To know that all members of their school community will promote and uphold academic honesty.
3. To know that all forms of cheating and plagiarism will not be tolerated.

ATTENDANCE

STUDENT RESPONSIBILITIES:

1. To attend all classes daily and be on time.
2. To provide the school with an adequate written explanation or appropriate documentation indicating the reason for the absence within three (3) days of the absence.
3. To request makeup assignments from teachers upon the return to school and to complete this work within one (1) day for each day of absence except in the case of extenuating circumstances.

STUDENT RIGHTS:

1. To be informed of School Board policies and individual school rules regarding absenteeism and tardiness.
2. To appeal a decision pertaining to an absence.
3. To make up class work within one (1) day for each day absent.

LOSS OF PRIVILEGES DUE TO UNEXCUSED ABSENCES

Refer to page 21 – Excused Absences

- May be excluded from attendance reward incentives as defined at the school level.
- Lose the privilege of participating in extracurricular activities. These include but are not limited to dances, special events, activities and athletics, until the end of the following grading quarter. Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year.
- Lose the privilege to drive to campus until the end of the following grading quarter. Absences accumulated in the fourth quarter will result in loss of privileges during said grading quarter only and will not carry over to the following year.

The principal or designee may review extenuating circumstances resulting in a loss of privilege(s). The principal’s decision is final. Principal review is only intended to reinstate privileges that have been lost as described above. It is not intended to impose harsher discipline than what is outlined herein and in another district policy.

ATHLETICS AND EXTRACURRICULAR ACTIVITIES

Students must be present for the majority of the school day to participate in extracurricular activities unless otherwise approved by school administration. These include but are not limited to dances, special events, club activities and athletics.

RIGHT TO LEARN AND PARTICIPATE - CURRICULUM/COUNSELING

STUDENT RESPONSIBILITIES:

1. To request participation in academic programs and extracurricular activities that are commensurate with ability.
2. To cooperate with the instructor and contribute to an atmosphere free from bias and prejudice.
3. To cooperate fully and exert every effort to achieve mastery of the basic skills.

STUDENT RIGHTS:

1. To have equal opportunity with regard to academic programs and extracurricular activities within feasible limits imposed on the school.
2. To receive instruction in courses of study under competent instructors in an atmosphere free from bias and prejudice.
3. To participate in appropriate basic skills programs in elementary, middle, and high schools.

EXTRACURRICULAR AND INTRASCHOLASTIC ACTIVITIES

A student’s behavior, academic performance, and age may affect a student’s eligibility to participate in interscholastic and/or intrascholastic extracurricular student activities, as determined under applicable Florida law, regulations, bylaws, MCPS Policy, and the Code of Student Conduct.
In particular, the Florida Statutes establish specific student standards for participation in interscholastic and intrascholastic extracurricular student activities, which include detailed academic and behavioral requirements. See § 1006.15, Fla. Stats. (2021).

School Board Policy 5610.05 establishes eligibility requirements for all students who participate in athletics. In order to be eligible to participate in interscholastic and/or intrascholastic extracurricular athletic activities, a student-athlete must meet all of the requirements established by the Florida High School Athletic Association, Inc. and the School Board, and maintain satisfactory conduct as defined under Florida Statutes and the Code of Student Conduct.

FREE SPEECH/EXPRESSION/ASSEMBLY

STUDENT RESPONSIBILITIES:

1. To respect the rights of other individuals; to express disagreement in a manner which does not infringe upon the rights of others and does not interfere with the orderly educational process.
2. To act in a manner which preserves the dignity of patriotic observances, including standing for the Pledge of Allegiance and National Anthem by following the guidelines established by the United States Congress in 36 U.S.C. 172 and 4 U.S.C. 4 and in accordance with Florida law.
   a. The right to not stand for the Pledge of Allegiance and the National Anthem can be exercised only upon written parental request, and students invoking this right with parental consent will not be penalized.
3. To respect the religious beliefs of others.
4. To plan for, seek approval of, and conduct activities that are consistent with the educational objectives of the school.

STUDENT RIGHTS:

1. To be respected as an individual and to perform and express viewpoints through speaking and writing in a manner which is not obscene, slanderous or libelous and which is not disruptive to an orderly school environment.
2. To affirm their identity with the American ideals.
3. To refrain from activity which violates the precepts of their religion or holds it up to ridicule.
4. To assemble peaceably on school grounds or in school buildings. Such assembly shall be consistent with all applicable federal, state, and local regulations.

STUDENTS MUST NOT:

1. Slander, libel, or defame others.
2. Discriminate when organizing or recruiting for clubs or groups.
3. Violate the Code of Student Conduct in the areas of profanity, harassment, bullying and hazing.

GRADES

STUDENT RESPONSIBILITIES:

1. To become informed of the grading criteria.
2. To maintain standards and academic performance commensurate with ability and to make every effort to improve performance upon receipt of notification of unsatisfactory progress.
3. To make use of grade reporting systems currently in place (including online) to keep track of assignments and current grades.
4. To contact their teacher when they are failing or at risk of failing in an effort to improve their situation.

STUDENT RIGHTS:

1. To receive a teacher's grading criteria at the beginning of each year or semester course.
2. To receive reasonable notification of failure or potential failure at any time during the grading period when it is apparent unsatisfactory work is being performed.

PRIVACY AND PROPERTY RIGHTS

STUDENT RESPONSIBILITIES:

1. To attend school and other school activities without bringing materials or objects prohibited by law or other items that will detract from the educational process.
2. To respect the property rights of the public at large as well as those of individuals and to refrain from destruction of or damage to such property.
3. To turn in to school officials property found on the school grounds that does not belong to the student.
STUDENT RIGHTS:

1. To maintain privacy of personal possessions unless appropriate school personnel have reasonable cause to believe a student possesses any object or material which is prohibited by law or School Board policy.
2. To attend school in an educational environment in which personal property is respected.

STUDENT PUBLICATIONS

STUDENT RESPONSIBILITIES:

1. To refrain from publishing libelous and obscene materials; to seek full information on the topics about which they write; and to observe the normal rules for responsible journalism under the guidance of the faculty advisor.

STUDENT RIGHTS:

1. To participate in the development and distribution of publications as a part of the educational process.

STUDENT RECORDS

STUDENT RESPONSIBILITIES:

1. To inform the school of any information that may be useful in making appropriate educational decisions.
2. To authorize the release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the student.

STUDENT AND PARENT RIGHTS:

1. To inspect, review and challenge the information contained in records directly relating to the student.
2. To be protected by legal provisions which prohibit the release of personally identifiable information to other than legally authorized persons without the consent of the parent or eligible student. Eligible students are those 18 years of age or over and/or those attending a post-secondary institution.

STUDENT USE OF WIRELESS COMMUNICATION DEVICES

Cell phones and similar wireless devices may be in the possession of students on campus but cannot be visible during regular school hours. The exception to this would be with administrative or teacher approval. Students may use such devices while being transported on district vehicles provided their use does not result in a disruption and a headphone, earbud or other accessory is used so that it cannot be heard by others. Use of a wireless communication device includes the possibility of the imposition of disciplinary action, including but not limited to confiscation by the school and/or criminal penalties if the device is used in a criminal act. Using or possessing a wireless communication device to view, transfer (including AirDrop and/or social media), or store material of a sexual nature is a violation of the Code of Student Conduct and may be a criminal act. The unauthorized recording and/or photographing of employees, volunteers and/or students is prohibited. Refusal to allow search of electronic device will be considered gross insubordination and/or other serious misconduct and may result in a suspension, alternative placement, or expulsion. The school will not be held responsible for lost, stolen or damaged cell phones and/or any other electronic devices.

ELECTRONIC EQUIPMENT

Cameras, video cameras, any recording device, and other similar electronic equipment are not allowed on the school campus unless pre-approved by school administration/designee. Video recording is prohibited on school campuses without administrative approval. Refer to individual school handbook for further guidelines.

ACCEPTABLE USE POLICY AND GUIDELINES FOR NETWORK ACCESS

The School Board of Marion County, FL (MCSB) believes network access is an exciting opportunity to expand learning for educators, students and parents. The fundamental goal of the network is to provide Marion County students and educators with equal access to the computing resources, which serve public education. Schools in the district will have the capacity to connect to the Internet and electronic mail. With this opportunity comes the responsibility for appropriate use.

NETWORK WARNING

With access to computers and to people all over the world, there will be some material that may not be considered to be of educational value. There may be some material, individual contacts or communication, which is not suitable for school-age children. The MCSB supports only those materials which will enhance the research and inquiry of the learner within the context of a school setting. However, on a global network it is impossible to control all materials, and an industrious user may discover inappropriate information. The MCSB cannot prevent the possibility that some users may access material that is not consistent with the school district’s educational mission, goals and policies.
GENERAL POLICY & GUIDELINES

It is a general policy that the network will be used in a responsible, efficient, ethical and legal manner in accordance with the mission of MCSB. Users must acknowledge their understanding and agreement with the Acceptable Use Policy and Guidelines as a condition of receiving access. Failure to adhere to the Policy and Guidelines may result in access privileges being suspended or revoked. In addition, school disciplinary action and/or appropriate legal action may be taken.

NETWORK RESOURCES

Classroom resources will be expanded enormously by making information and people from all over the world available to students, teachers, and others. It brings instant access to original source material, general information, data, images and computer software. It contacts relevant people when possible, bringing into the classroom experts from all over the world. Such access spawns individual and group projects, collaboration, curriculum materials and idea sharing. As a hands-on tool, the network can motivate students.

GUIDELINE I

Acceptable uses of the network are activities which support teaching and learning. Users are encouraged to develop uses which meet their individual needs and which take advantage of the network’s function.

GUIDELINE II

Unacceptable uses of the network include:

1. Using the network to access materials that are considered inappropriate for educational purposes.
2. Trying in any way to interfere with the computer systems within the MCSB/MCPS or anywhere, in an effort to obtain private information, have the computer malfunction or destroy data.
3. Violating federal and state law dealing with students’ rights to privacy.
4. Using profanity, obscenity or other language which may be offensive to another user.
5. Reposting personal communications without the author’s prior consent.
6. Copying commercial software and other copyright protected material in violation of copyright law.
7. Using the network for any illegal activity.
8. Use of Proxy websites is prohibited.
9. Students are not authorized to connect personally owned devices to the WIRED network at any time (Example: computers, printers, switches, hubs, router, wireless access points, and mini-devices).
10. Sending unauthorized or unsolicited e-mail “spam” including the sending of “junk mail” or other advertising material.
11. Circumventing user authentication or security of any host, network, or account.
12. Any form of harassment via e-mail, text messaging, instant messaging, telephone or paging, whether through language, frequency, or size of messages.

GUIDELINE III

1. The District Technology Division reserves the right to limit the number of devices or manage the bandwidth available to any network at any time if it is in the best interest of the School Board.
2. The School Board provides students the ability to connect personal devices to the “Student Wireless Network.” The “STUDENT” Bring Your Own Device (BYOD) network is an unsecure, CIPA-compliant network provided for use by students who have an authorized user account assigned to them by the School Board. Students must authenticate using their assigned login credentials. Each school shall establish local procedures for use and availability of the student network. Student use of this network is primarily governed by the Student Technology Acceptable Use and Safety Policy 7540.03, Student Code of Conduct and local school guidelines.
3. The owner of any personal device connecting to the School Board network bears all responsibility and assumes all risk for loss, damage or misuse of said device while on School Board property.
4. The District Technology and Information Systems Division will not provide any technical or troubleshooting support for personally owned devices.

GUIDELINE IV

The person in whose name the account is issued is responsible at all times for its proper use and will not give his/her password to others. If this occurs, the student must immediately report it to a staff member.

GUIDELINE V

Users must avoid knowingly or inadvertently spreading computer viruses. They must not upload files from unknown sources. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity by state and federal law.
GUIDELINE VI
Students are authorized to utilize the marionstudents.net domain for e-mail and collaboration tools for instructional learning. Never consider electronic communications to be completely private. Instances of misdirected mail, mail inadvertently forwarded to others and public posting of private correspondence by users have occurred from time to time.

PARENT RIGHTS
Parents of students enrolled in the Marion County Public Schools have many rights, which include:

1. The right to have their children educated in a valued learning environment.
2. The right to expect that communication with staff be respectful and timely.
3. The right to expect effective instruction, conducted with minimal interruption.
4. The right to expect a safe, respectful, and healthy environment free from harassment and physical harm.
5. The right to examine personal school records in accordance with Family Education Rights and Privacy Act (FERPA).
6. The right to high academic standards, and individualized concern for all learners, including those with disabilities.
7. The right to address questions or grievances to the proper school authority and expect a timely, respectful reply.
8. The right to expect students to be treated in a respectful, responsible, fair and equitable manner.

PARENT RESPONSIBILITIES
1. To read and discuss both the Code of Student Conduct and the school’s handbook with your child.
2. To inform and provide documentation as required.
3. Students are temporarily excluded from school to prevent the spread of lice. The family is responsible to treat live lice and remove all nits from the student's hair before the child returns to school for a nit inspection. Absences related to head lice are limited to one (1) excused day per occurrence.
4. To inform the school of any information that may be useful in making appropriate educational decisions.
5. To authorize the release of pertinent information to those individuals or agencies who are working actively and constructively for the benefit of the student.
6. To understand the right to inspect, review and challenge the information contained in records directly relating to the students.
7. To be protected by legal provisions which prohibit the release of personally identifiable information to other than legally authorized persons without the consent of the parent or eligible student. Eligible students are those 18 years of age or over, those attending a post-secondary institution or an emancipated minor under state law.
8. To not leave students at school more than thirty (30) minutes before the start of the school day or more than thirty (30) minutes after the school day unless special arrangements with a teacher, administrator or a before/after school care program have been made. Supervision will not be provided beyond that time, and the proper authorities may be called. This timeline includes after school activities.
9. Subject to law and rules of the State Board of Education and of the district school board, each student enrolled in a school shall: (a) during the time she or he is being transported to or from school at public expense; (b) during the time she or he is attending school; (c) during the time she or he is on the school premises participating with authorization in a school sponsored activity; or (d) during a reasonable time before and after the student is on the premises for attendance at school or for authorized participation in a school-sponsored activity, and only when on the premises, be under the control and direction of the principal or teacher in charge of the school, and under the immediate control and direction of the teacher or other member of the instructional staff or of the bus driver to whom such responsibility may be assigned by the principal. The School Board of Marion County, Florida, is responsible for the supervision of students on school grounds thirty (30) minutes before or after the activity is scheduled or actually begins or ends, whichever period is longer. A school or district school board may, by policy or other formal action, assume a longer period of supervision. Casual or incidental contact between school district personnel and students on school property shall not result in a legal duty to supervise outside of the reasonable times set forth in this section, provided that parents shall be advised in writing twice per year or by posted signs of the school’s formal supervisory responsibility and that parents should not rely on additional supervision. The duty of supervision shall not extend to anyone other than students attending school and students authorized to participate in school sponsored activities. Please refer to your school’s beginning and ending hours and arrange for supervision of your child accordingly. Parents should not rely on school supervision outside the time limits of such policy (please note that proper authorities may be called). [School Board Policy: 5500; §1003.31, Florida Statutes (2021)]. Students who are not picked up within the designated time may be socially suspended from school activities.
10. To be aware that when parents are divorced or separated, both parents have full rights to participate in the child’s school activities and know what is happening at school unless there is a court document limiting that access. If such a document exists, then the principal must have a certified copy. Each parent will be allowed to remove the child from school without the permission of the other parent unless there is a certified copy of a court order saying that one parent cannot remove the child from school. Each parent has access to student records and information unless a court order prohibits such access. If there is a designated primary residential parent or if one parent has been designated as having authority/responsibility for educational decisions, then that parent is considered by the school to be the primary contact parent. If there is no such designation, or if both parents are designated in either capacity, then either parent is considered by the
school to be a contact parent. The mother of a child born out of wedlock is the natural guardian of the child and is entitled to primary residential care and custody of the child unless the court enters an order stating otherwise.

11. To know that when a child becomes ill or is injured at school, the school will make every effort to notify the parent. When requested by school personnel, parents are required to remove the child from school immediately. Children not picked up may be transported to the emergency room by Emergency Medical Staff (EMS) at the parent’s expense.

12. To understand that no student may carry any non-prescription (over the counter) medication or prescription medication in his/her pocket or purse or on his/her person during school hours. Administration of any medication (prescription or non-prescription) will be administered in accordance with the policies and procedures of the Marion County School Board. Principal may authorize a student to carry certain supplies, equipment and medication as described in § 1002.20(3), Fla. Stat. (2021), as long as a permission form has been signed by the parent and the student’s physician. Medicines must be picked up at the end of the school year or they will be discarded.

13. To reimburse at replacement value for lost or damaged textbooks, materials, equipment etc. belonging to the district.

DISCLAIMER OF RESPONSIBILITY FOR PERSONAL PROPERTY
Although the school attempts to maintain a safe and secure environment, theft and loss do sometimes occur. All personal property in possession of the student should be identified with the student’s name. The school disclaims responsibility for any lost, stolen, broken or confiscated property. The school will not be held responsible for lost, stolen, damaged, or confiscated property. Parents send and students bring such items to school at their own risk. Students are expected to turn in to the office any found items.

SAFETY AND SECURITY
Maintaining a safe and secure environment is the primary priority of the MCSB. It is the belief of the School Board that all students have the right to attend school and school functions free of fear, harm or harassment. The policies and procedures outlined in the Code of Student Conduct have been adopted in support of this fundamental premise.

Please note that the School Board cooperates with federal, state, and local law enforcement agencies in reporting, preventing and responding to unlawful activities occurring on the campuses of the Marion County Public Schools.

In order for the School Board to implement its responsibilities fully, it is important that enrollment and emergency information be kept up to date at each student’s school through Skyward Parent Portal access. It is the responsibility of each student and his or her parent to report changes in enrollment or emergency information to the school.

Video cameras have been installed throughout the buildings of Marion County Public School campuses. Students may be filmed, and the videotapes may be used to determine violations of the Code of Student Conduct.

CRISIS PROTOCOL
The Marion County School District has implemented the ALICE Protocol in the event of an active shooting. The A.L.I.C.E. Protocol stands for Alert, Lockdown, Inform, Counter and Evacuate. The ALICE Protocol is a multiple options-based response, which creates distance from the shooting event and/or the amount of time you can create to keep an intruder away until Law Enforcement arrives.

Providing a safe and secure environment for our students to learn is the top priority of the Marion County School Board. Measures have been taken to ensure our staff and students are prepared in the event a crisis situation occurs in one of our schools. A comprehensive Crisis Management Plan has been created to guide our staff through a wide variety of situations. Fire drills, tornado drills, code red and code yellow drills are practiced at each site to ensure that routines and safety procedures are well established and familiar to all.

In a code yellow, all school doors will be locked, and regular classroom instruction continues behind the locked doors. In a code red, all school doors are locked, and all students and staff are advised to get out of the line of sight into the safe place or a safe area, out of line of sight from windows and doors. Classroom instruction is discontinued.

What parents need to know during either a code red or code yellow crisis:

1. Please DO expect to be notified with a special parent advisory sent home from the school and/or with a telephone message from our telephone notification service when the school is able to provide accurate information and/or the incident is resolved.
2. Please DO cooperate with school and/or district directives.
3. Please DO consult local media for regular updates about the incident. Listen for information updates on local radio and television stations. You may be directed to an off-campus parent staging area for the latest information regarding a campus crisis.
4. Please DO NOT call the school because phone lines will be needed for emergency communication.
5. Please DO NOT call or text your child’s cell phone because cell phones are not to be used during a code red or code yellow.
6. Please DO NOT go to the school if a code red or code yellow situation should occur. Roads are closed, doors are locked, and campuses are off-limits to anyone other than authorized personnel.
Pursuant to § 120.54 Fla. Stat., in the event of an emergency, the Superintendent or the School Board can enact additional rules governing student conduct which shall be enforced as included in this Code of Student Conduct.

STUDENT AND FAMILY REUNIFICATION PLAN

In case of a school emergency or a natural disaster, you need to be aware of our school's plan for releasing your child. First and foremost, remain calm. Remember, it is our primary concern that students remain safe at all times, and there is a plan for an orderly dismissal and release of our students.

When you learn that your child’s school is in a lockdown situation, or any other emergency situation, do not call the school and do not come to the school. Staff will be very busy during an emergency and will not be able to attend to the safety of your children if they have to answer your phone calls. If you come to the school during an emergency, in all likelihood you will not be allowed into the school or even into the inner perimeter set up by emergency responders. The presence of hundreds of parents showing up on the scene will hinder the efforts of emergency responders which in turn may jeopardize the safety of your child. Instead, if the situation warrants the release of students, direct notification to your listed emergency contact numbers as well as the use of local news media will provide instructions on when and where the release will take place. Students may be bussed to an off-site location for their release to parents.

Once an all-clear is given at the school, and if there is a need to release students for the day, the Student and Family Reunification Plan will be put into place. For the safety of every child, we must document to whom each child is released. Students will only be released to a parent or childcare personnel as designated on your child’s school Emergency and Medical Information Form in Skyward.

When you arrive at the facility where students will be released, proceed to the Check–In Gate and plan to do the following:

1. Fill out a Student Release Form
2. Present picture identification
3. Move to the Student Release Gate and wait for your child
4. A runner will go to the Assembly Area, get your child, and bring him/her to the release area
5. Be prepared to show your ID again
6. Sign for the student and depart

REMINDER: Your child will be released only to those listed on the Emergency and Medical Information Form in Skyward. It is therefore imperative that you keep your child’s emergency and medical information up to date. Know also that for any reason your child is not picked up, he/she will be placed in an alternate place of safety.

These procedures should be shared with everyone you list on the Emergency and Medical Information Form, so they are familiar with our plan and these concerns. If you have any questions about the Student and Family Reunification Plan, contact your child’s school principal.
SECTION IV
ATTENDANCE

Florida Compulsory School Law (FS 1003.21(1)(a)1;2(c)) states all children who are either six years of age, or who will be six years old by February 1 of any school year, but who have not attained the age of 16 must attend school regularly during the entire school term. Students between 16 and 18 are also within compulsory attendance age unless a formal “Declaration of Intent to Terminate School Enrollment” has been completed and signed by the parent/legal guardian.

Florida Law also states that each parent or legal guardian of a child is responsible for the child’s regular school attendance (§1003.24, Fla. Stat. (2021)). Failure to attend school in a regular and timely fashion hinders the education process and may result in failing grades. Each student enrolled in a Marion County Public School is expected to attend school every day and be punctual.

Schools are required to track excused and unexcused absences in order to prevent the development of a pattern of nonattendance.

EXCUSED ABSENCES

The following reasons shall be considered an excused absence when appropriate documentation is submitted to the school within three (3) days of returning to school:

1. Illness of the student (if a student is continually sick and repeatedly absent from school, the student must be under the supervision of a physician in order to receive an excuse from attendance)
2. Major illness in the immediate family of the student
3. Medical appointment, including approved behavioral, occupational, and speech therapies (physician note required)
4. Religious holiday
5. Death in the family
6. Pregnancy related issues
7. Insurmountable conditions such as extreme weather conditions and communicable disease outbreaks
8. Head lice, a maximum of one (1) excused day per occurrence.
9. Approved school activity
10. Court appearance by student (summons or subpoena required)
11. Attendance at a center under the Department of Children and Families supervision
12. Significant community events with prior permission of the principal
13. Pre-arranged absence which has been approved by the principal/designee

- Not all absences are excused. Merely providing a note is not enough to excuse an absence; the note should be dated and reflect the student’s name, dates of absence, specific reason for the absence, and parent/legal guardian's full signature. Notes/documentation regarding absences should be provided to the school within three (3) days of the absence (preferably immediately upon student’s return to school).
- A student who has been absent five (5) or more consecutive days due to illness must present a note from a licensed physician.
- The principal or designee may also require a doctor’s note after ten (10) excused absences (whether they be consecutive or sporadic) due to illness within a school year.
- For purposes of excused absences concerning family illness or death, there are no specific guidelines provided for the definition of “immediate family,” however, the generally accepted definition includes the student’s mother, father, brother, sister, stepmother, stepfather, step-siblings, grandparents, aunt, uncle, and other relatives who live in the student's home. A copy of the obituary or prayer card from the funeral is also requested.
- Administrative approval/denial of a pre-arranged absence request will be based on the student’s academic standing, the student’s attendance history, and/or the reason for the request.

Parent must provide a note for each absence, tardy, and early sign-out.

UNEXCUSED ABSENCES

Absences not included in the above list shall be unexcused. A student may be referred to School Social Work Services for intervention after they have five (5) absences either excused or unexcused. A student may be referred to the school Child Study Team for nonattendance when they have (§ 1003.26, Fla. Stat. (2021)):

1. Five unexcused absences within a calendar month (30 calendar day) or
2. Ten unexcused absences within a ninety (90) calendar day period or
3. A pattern of non-attendance is established.
If the school Child Study Team finds that a pattern of non-attendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies and assist in removing barriers. A student who has fifteen (15) or more unexcused absences within a ninety (90) calendar day period is considered a habitual truant and interventions leading to court action may occur (§ 1003.27, Fla. Stat. (2021)).

The Board authorizes the Superintendent to inform the student and parents/legal guardians of the record of excessive absences as well as the District’s intent to notify the Department of Highway Safety of Motor Vehicles (DHSMV) of the student’s excessive absences.

It is the student’s responsibility to request homework/make up assignments from his/her teacher upon the return to school. Students will receive full credit for work that is appropriately completed and submitted within one (1) day for each day of absence. Principals may grant extensions to the makeup work time limit for extenuating circumstances.

**TARDY TO SCHOOL AND EARLY CHECK-OUTS**
Tardiness and early check-outs are disruptive to the learning environment and can have a negative impact on student achievement. A tardy or early check-out will only be excused due to sickness or injury, death in the immediate family, medical dental, or therapy appointments for a student with a note from the physician/dentist, court date, religious observance, or school sponsored activities. Parents must provide a note for each tardy/early check-out. Other reasons such as oversleeping, missing the school bus, etc. will be unexcused. A student is allowed three (3) unexcused tardies/early sign-outs within a nine-week grading period. Thereafter, the school administration will address consequences for excessive tardiness and early sign-outs as outlined in the Level 1 – Corrective Actions, “Violation of Attendance Procedures.” Students may not be issued In-School Suspension or Out-of-School Suspension due to tardies or absences.

**LEARN FARE**
Per FL legislature, families receiving temporary cash assistance from DCF could jeopardize their eligibility if a minor child (under the age of eighteen (18)) in the home is determined by the school to be either a habitual truant (fifteen (15) unexcused absences within ninety (90) calendar days) or a dropout (determined by withdrawal code). The parent/legal guardian is also required to have a conference with their student’s teacher or school administrator regarding school progress each semester.

**DRIVER’S LICENSE**
Recognizing the importance of education and keeping the students in school, the 1997 legislature enacted § 322.091, Fla. Stat. (2021), relating to the driver’s license for students, ages 15 to 17, as an incentive for students to stay in school and continue their education. In order for a student to retain or obtain his/her regular Florida driver’s license, the student must comply with compulsory school attendance. Accumulating fifteen (15) unexcused absences in a period of ninety (90) calendar days or failure to remain enrolled in school will result in being classified as a habitual truant and the loss of said license, or the withholding of the necessary forms to obtain a license.

**PARKING/VEHICLE RULES**
All parking areas are the property of Marion County Schools. The parking of a student's vehicle on campus is a privilege that is granted by the School Board of Marion County, Florida, upon the purchase of a parking decal at the school of attendance.

Students who violate campus-parking rules may have their parking decal revoked and/or are subject to disciplinary interventions. Students must follow the school policies on driving and parking. Violation of the Code of Student Conduct policies or the school parking/driving policies may result in loss of privileges, suspension, or expulsion from school. [§1001.43(1)(f), Florida Statute (2021)] Note: Parents are encouraged to review the Official Florida Driver License Handbook pertaining to the operation of motor vehicles by their children.

1. A student will not be permitted to drive any vehicle to school until filing with the principal the written consent of the student’s parent/guardian and a written agreement to comply with all rules of the School Board of Marion County, Florida, and local school officials. Students parking vehicles on campus without authorization are subject to disciplinary interventions.
2. After arriving at school, a student shall remain on the school grounds unless given permission to leave the grounds as provided in these rules. At the close of the school day, the student shall leave the school grounds promptly unless under the supervision of a faculty member.
3. The student shall park a car driven to school in the area designated for student parking.
4. Each student who parks a vehicle on a school campus is presumed to know what is contained in the vehicle and will be held accountable for any weapons, drugs, contraband, etc. which may be found in the vehicle. School authorities have the right to inspect any student parked vehicle in order to protect the health, safety, and welfare of students. This includes the use of drug and firearm detecting K-9.
5. No student shall loiter in or around the parking area or areas.
6. Students shall not occupy cars during class hours, between classes, or before or after school except as they arrive and leave for the school day and travel to and from approved programs at other locations.
7. The principal shall cooperate with law enforcement officers. A student who receives a citation for a traffic violation while traveling to or from school, or who is known to be operating a vehicle in such a manner as to endanger the student’s own safety or that of others, may at the principal’s discretion lose the privilege of driving a vehicle to school. Any student violating such directive shall be subject to suspension or expulsion from school.

8. Students must follow all Florida Department of Motor Vehicle (DMV) traffic laws and regulations while on school property or be subject to citations including the DMV’s regulation on out-of-state vehicle registration. Students who park on school property are required to have the following: 1) copy of student’s Valid Driver’s License, 2) copy of Insurance on Vehicle, and 3) copy of Current Florida Vehicle Registration (No decal will be issued to vehicles with Out-of-State Tags.) Military families may be exempt or provided a 30-day grace period.

9. Habitually truant students will have their driver’s licenses withheld/suspended by the Department of Highway Safety & Motor Vehicles.

10. Student parking is not provided at Marion County middle school facilities; therefore, no middle school students are permitted to drive themselves to school.
SECTION V
DISCIPLINE
EXPECTED BEHAVIOR

The District expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment. Such behavior is essential in maintaining an environment that provides each student the opportunity to obtain a high-quality education in a uniform, safe, secure, efficient, and high-quality system of education. The standards for student behavior shall be set cooperatively through interaction among students, parents/guardians, staff and community members, producing an atmosphere that encourages students to grow in self-discipline. The development of such an atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. School administrators, faculty, staff, volunteers, parents, and visitors serve as role models for students and are expected to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying. Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority.

In order to establish reasonable consistency in the schools, a uniform Disciplinary Response Code has been developed. This section of the Code of Student Conduct identifies infractions for which a student may be disciplined and sets forth corrective measures which are appropriate for the infraction. Each infraction is defined in the Glossary Section of the Code of Student Conduct.

Progressive Discipline: Schools and teachers may develop classroom rules to deal with individual school and classroom problems which supplement this Code of Student Conduct and which are not in conflict with it. The Code of Student Conduct applies to all students enrolled in the Marion County Public Schools in pre-kindergarten through grade 12. A minor misconduct should be handled first by the individual staff member involved through classroom management strategies such as: student redirection, warning, counseling, and parent contact. When additional action becomes necessary because of continued violation or seriousness of the misconduct, the student will be referred to the school administration/designee for disciplinary action. When deciding what intervention and/or disciplinary action should be taken, the principal or designee should consider the recommendation of the teacher, and will consider various factors, including the student’s age, exceptionality, previous conduct, probability of a recurring violation, intent, attitude, severity of the offense and, whenever possible, will implement disciplinary action in a progressive manner. After a thorough investigation, principals or their designee should consider the degree of culpability for each student involved in the incident when determining the consequence given for any disciplinary action involving a physical altercation. Consequences can and should be adjusted, reduced, or eliminated for individual students based on prior history of physical altercation, degree of culpability, and other mitigating factors discovered during the investigation. In the event of student misconduct, school principals/designees will be the primary source of appropriate disciplinary intervention and assignment of discipline. The Code of Student Conduct shall guide principals/designees in their responses to students’ particular misbehavior(s) and disciplinary consequences. To aid in this effort, and as a general practice, principals/designees, school staff, and other school officials are strongly encouraged to implement programs designed to connect students to appropriate resources.

Multi-Tiered System of Supports (MTSS): MTSS is a collaborative, evidence-based approach to differentiating and personalizing instruction across academics, social-emotional learning, and behavior for all students. MTSS aims to provide adequate and equitable tiered support for all students. The MTSS framework has three tiers that build upon each other. Each tier provides more intensive levels of support. Tier 1 is the school’s core behavior program that all students have access to. Tier 1 emphasizes the school-wide systems of support that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Tier 2 supplemental supports are designed to provide additional or targeted interventions to support students who have access to Tier 1 universal supports and are not responding positively to them. Tier 2 focuses on supporting students at risk for developing more serious problem behaviors. Tier 3 intensive/individual supports focus on the needs of individuals who exhibit patterns of severe and/or extreme problem behavior. The goal of Tier 3 intensive/individual support is to diminish problem behavior and also to increase the student’s adaptive skills and opportunities for an enhanced quality of life.

Disciplinary infractions and the responses to them are divided into four levels. Each level represents progressively more serious infractions beginning with Level 1, minor acts of misconduct, culminating in Level 4 offenses, the most serious threats to school safety. Corrective responses to infractions become progressively more severe as one moves upward in the levels of misconduct. It is the administrator's responsibility to determine the level of the offense that has been committed and the appropriate response. In certain circumstances, a combination of corrective measures may be appropriate. For example, for Level 1 offenses it may be appropriate to contact the parents of the student while also offering a verbal reprimand. For a Level 2 offense, a student might receive a behavior contract accompanied by parental contact, counseling and directions.

In choosing an appropriate corrective measure for offenses below Level 4, school personnel may select from the corrective measures appropriate to the level of the offense or may select from the response options at lower levels as they deem appropriate to the circumstances and the nature of the student. Level 4 offenses require a ten (10) day suspension and a possible recommendation for expulsion. The School Board may expel a student for the remainder of the school year and all of the next school year in accordance with Florida Statutes.
STUDENTS WITH DISABILITIES
Students with disabilities will be disciplined under the guidelines of the 2005 Reauthorization of the Individuals with Disabilities Education Act (IDEA) with consideration given to behavioral assessment, manifestation determination and behavioral intervention plans. This will be applied to such students who are considered for any significant change of placement including expulsion. Parents of students with disabilities are advised of their rights to due process/procedural safeguards.

1. School expulsion proceedings against any student who has been properly identified and classified as a student with a disability shall be in accordance with Special Programs and Procedures for Exceptional Students.
2. If an administrator refers a student with a disability for expulsion, the Superintendent or designee shall convene an Individual Educational Plan (IEP) review committee in accordance with applicable law. The IEP committee shall review the appropriateness of the student’s IEP. The committee shall meet and determine whether the misconduct is a manifestation of the student’s disability.
3. If the misconduct is a manifestation of the student’s disability, then the student may not be expelled. A change of placement may be initiated providing that all state and federal regulations have been followed. Services must ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving their IEP goals.
4. If the misconduct is not a manifestation of the student’s disability, the student may be expelled in accordance with the Code of Student Conduct, however, education services must be continued in accordance with the IEP. If the incident is determined to be a manifestation of the disability, the IEP committee must determine the services necessary to ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving their IEP goals.

504 - STUDENTS WITH DISABLING CONDITIONS
Students with disabilities will be disciplined with consideration given to behavioral assessment, manifestation determination and behavioral intervention plans.

1. If an administrator refers a student with a disabling condition for expulsion, the superintendent or designee shall convene a Section 504 committee meeting in accordance with applicable law. Under Section 504, a team of people knowledgeable about the student and his/her disabling condition must convene and determine whether the misconduct is a manifestation of the student’s disabling condition.
2. If the misconduct is not a manifestation of the disabling condition, then disciplinary action can proceed.
3. If the misconduct is a manifestation of the disabling condition, then the student may not be suspended or expelled without services and the 504 Team must document accommodation(s) and/or recommendation(s) with the intent to further reduce inappropriate behaviors and determine how to appropriately deliver services.

ENGLISH LANGUAGE LEARNERS
English language learners (ELLs) are not to be subjected to disciplinary action exclusively because of their use of a language other than English. However, all Marion County Public School students, regardless of their ability to speak English, are governed by the Code of Student Conduct.

BULLYING AND HARASSMENT PROHIBITION
It is the policy of the Marion County School District that all students and school employees (including school volunteers) have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The district will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

DEFINITIONS
“Bullying” includes “cyberbullying” and means systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual’s school performance or participation; and may involve:

A. teasing;
B. threats;
C. intimidation;
D. stalking;
E. cyberstalking;
F. physical violence;
G. theft;
H. sexual, religious, or racial harassment;
I. public or private humiliation; or
J. destruction of property; and
K. social exclusion.
“Cyberbullying” means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

“Cyberstalking” means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

“Harassment” means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
C. has the effect of substantially disrupting the orderly operation of a school.

“Bullying” and “harassment” also encompass:

A. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
B. Perpetuation of conduct listed in the definition of bullying and/or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
   a. incitement or coercion;
   b. accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or
   c. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Sexual Cyberharassment

Pursuant to Florida law, "sexual cyberharassment" means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Sexual cyberharassment may be a form of sexual harassment.

"Within the scope of the District" means regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.

INCIDENT REPORT

At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this policy and must report both substantiated and unsubstantiated claims of bullying/harassment to parents. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All other members of the school community, including students, parents, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in-person to the principal or principal's designee. Marion County Public Schools has established a districtwide anonymous reporting system via the txt-a-tip at 352-368-7867and GetFortifyFL.com. Students who are subject to an incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, assault, or battery; threat or intimidation; or fighting at the public school and report the incident to the public school may be eligible for a HOPE Scholarship.

The principal of each school in the district shall establish and prominently publicize to students, staff, volunteers, and parents how a report of bullying or harassment may be filed, either in-person or anonymously, and how this report will be acted upon. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment. A school employee, school volunteer, student, parent or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the district policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

**BUS CONDUCT**

It is a privilege to ride a school bus, not a right. County policy prohibits students from riding any bus other than their assigned bus. Students may only get on or get off the bus at their assigned bus stop. For the safety of all students, no parents or other adults are allowed on the bus unless pre-approved by school personnel. Students are expected to adhere to the rules. Some buses may be equipped with cameras to monitor student behavior on the bus and may be used for disciplinary action. Students who use bus privileges are expected to follow the Code of Student Conduct. Violation of the Code of Student Conduct on the school bus or at the bus stop when the bus is present* will be addressed in the same manner as a violation on the school grounds. Violation of district school board transportation policies, including disruptive behavior on a school bus or at a school bus stop with the bus present (§ 1006.10, Fla. Stat. (2021)), 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 (§ 1006.07, Fla. Stat. (2021)). Students who receive courtesy transportation, such as students that live within two (2) miles of the school, may be removed from the bus for misbehavior.

Students must:

1. Only get on or get off the bus at their assigned bus stop.
2. Remain in their seats at all times while the bus is moving.
3. Remain in an assigned seat if the bus driver assigns seats.
4. Keep arms and head inside windows.
5. Cross the roadway ten (10) feet in front of the bus and wait for the driver’s signal before crossing.
6. Avoid unnecessary conversation with the driver.
7. Obey the driver and bus aide who is in charge of the bus and the students.
8. Refrain from eating and drinking.
9. Refrain from having balloons, or other large or disruptive items, on the bus (the bus driver has the right to prohibit any article being taken on the bus).
10. Refrain from throwing articles in or out of the bus.
11. Obey the Code of Student Conduct.

Parents are responsible for the supervision of students as they travel to and from bus stops and while they wait for buses to arrive. A parent or approved adult is required to be at the bus stop with all pre-kindergarten students when the bus arrives. Pre-kindergarten students will not be released from the bus if a parent or approved adult is not at the bus stop. Any adult who is approved to receive students must be listed on the student’s emergency form. If there is no parent or approved adult at the bus stop when the bus arrives to receive a pre-kindergarten student, the student will be returned to the school. Students in grades K-12 are released from the bus without a parent or approved adult at the bus stop.

*Present is defined as when the bus: 1) comes to rest at a designated bus stop, and 2) deploys its hazard warning lights and signs.

**DATING VIOLENCE AND ABUSE**

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

**DRESS CODE**

The Board believes that proper etiquette, social customs, and good grooming are a definite part of the educational process. To this end, it is expected that students wear neat, clean, appropriate clothing to school or school functions (as listed below) that meets the standards of this educational environment. Any extreme in clothing, cosmetics, jewelry, or appearance that may disrupt the normal operation of the school will not be acceptable. It is recommended that students wear closed toe/closed heel shoes to school. It is not the intention of these guidelines to usurp the authority of parents in determining what appropriate dress is and grooming for their children in accordance with the age and grade of those youngsters. The school will work with parents in encouraging our young people to assume this responsibility and to execute it sensibly as they mature. The purpose of the home and school working together should be to help students accept and cooperate with the guidelines. In view of this statement, the following rules will be in effect in all schools:

- **General:**
  - Students must not wear clothing and accessories which are harmful, disruptive, or hazardous to health or safety. Undergarments should not be visible at any time.
Jewelry and accessories shall be worn in a way that does not present a safety or health hazard or cause a disruption to the education process.

High school students must display a current school-issued identification badge at all times while on campus. This badge must be clearly visible and worn above the waist.

- **Shirts:**
  - Shirts must have sleeves and cover the body from shoulder to shoulder. A sleeve is defined as the part of a garment that wholly or partly covers a person’s arm.
  - Must be long enough to clearly overlap the belt line or stay tucked in during the course of normal movement throughout the day. Shirts falling below mid-thigh length will be tucked in. Shirts cannot be longer than the shorts/skirts.
  - No bare-midriff shirts/blouses, muscle shirts, or tank tops will be worn.
  - Students are not to wear T-shirts or other garments, or other items with pictures, logos, phrases, decals, patches, emblems, or words printed on them that are obscene, suggestive, or disruptive in the judgment of the school administration. This will include, but not be limited to: nude/semi-nude figures; figures in sexually suggestive postures; or logos of alcoholic beverages, tobacco products, or prohibited substances; including racial, ethnic, or sexist slurs, or gang identification. A tattoo that is obscene or disruptive in the judgment of the school administration needs to be covered.

- **Pants, shorts, skirts:**
  - Garments will be secured at the waist.
  - Shorts and skirts are permitted at all grade levels and will be mid-thigh length or longer.
  - Rips, holes, or tears in clothing must be below mid-thigh.

- **Headgear:**
  - Students (male and female) are not to wear hats of any kind within the school building unless approved by the school administration for special occasions and specific locations.
  - "Hats" should be interpreted literally as "hats" or head-coverings and will include bandanas, berets, beanies, knitted caps, hoods (such as attached to sweatshirts), caps, sweatbands, visors, and similar hat-like apparel.

- **Shoes:**
  - Students shall wear shoes for foot protection and for hygienic reasons while on school grounds and/or school transportation.
  - Bedroom slippers are not permitted.
  - For safety reasons, shoes with wheels and/or skates may not be worn on the school campus/bus.
  - Elementary school students are required to wear closed-toe/closed-heel shoes to school unless permission is otherwise granted by administration.

Regulations in reference to grooming and dress for special activities such as athletics, fine arts and drill team will be governed by the immediate person in charge of these activities under the direction of the principal.

Appropriateness and moderation in all things, concern for the health and safety of the students, and the avoidance of distractions to the educational process are the guiding principles of the student dress code. Styles and fads are constantly changing and cannot possibly be covered by specific rules and regulations. The task of evaluating what is proper in the way of dress and grooming is highly controversial, and opinion among people varies. Individual schools will assume responsibility for ruling on specific items of clothing and general appearance for reasons of safety and health, or for the order, well-being, and general welfare of students.

The Board authorizes school administrators to employ appropriate disciplinary procedures to carry out and enforce this policy. These are minimum standards that will be enforced at each school. Schools have the right to set higher standards based on administrative procedures. School uniforms may be adopted at individual schools.

Pursuant to § 1006.07, Fla. Stat. (2021), the penalty or corrective action for a violation of the “Saggy Pants” Dress Code is:

1. For a first offense, a student shall be given a verbal warning and the school principal or designee shall call the student’s parent.
2. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal or designee shall meet with the student’s parent.
3. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to § 1003.01(5), Fla. Stat. (2021) for a period not to exceed three (3) days, the student is ineligible to participate in any extracurricular activity for a period not to exceed thirty (30) days, and the school principal or designee shall call the student’s parent and send the parent a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.

**GANGS AND GANG ACTIVITY PROHIBITION**
No student shall commit any act which furthers gangs or gang-related activities. A criminal street gang is a formal or informal organization or group that has as one of its primary activities the commission of criminal or delinquent acts and that consists of three or more persons who have a common name or common identifying signs or symbols and have one or more members that engage in a pattern of criminal street gang activity. Conduct prohibited by this policy includes but is not limited to the following:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which may be evidence of membership or affiliation in any gang.
2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) to convey membership or affiliation in a gang.
3. Soliciting others for gang membership.
4. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans.
5. Requiring payment for protection, insurance, or otherwise intimidating or threatening any person related to gang activity.
6. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity.

**SEARCH OF INDIVIDUAL STUDENT AND/OR STUDENT LOCKER OR STORAGE AREA /VEHICLE**  
Section 1006.09, Fla. Stat. (2021) search of student locker or storage areas; authority

1. The legislature finds that the case law of this state provides that relaxed standards of search and seizure apply under the state Constitution to searches of students' effects by school officials, owing to the special relationship between students and school officials and, to a limited degree, the school officials' standing in loco parentis to students. Accordingly, it is the purpose of this section to provide procedures by which school officials may search students' effects within the bounds of the case law established by the courts of this state.
2. A principal of a public school or a school employee designated by the principal, if she or he has reasonable suspicion that a prohibited or illegally possessed substance, item or object is contained within a student's locker or other storage area, may search the locker or storage area. The storage area may include but not be limited to electronic devices, book bags, purses, and/or vehicles (e.g., bicycles, scooters, etc.).
3. The School Board shall cause to be posted in each public school, in a place readily seen by students, a notice stating that a student's locker or other storage area is subject to search, upon reasonable suspicion, for prohibited or illegally possessed substances or objects.
4. This section shall not be construed to prohibit the use of metal detectors or specially trained animals in the course of a search authorized by subsection (2) or subsection (3).

If a principal/designee has reasonable suspicion to believe that a student is in possession of contraband (per Code or Student Conduct Glossary), he shall request the student submit to a search of his or her person or his or her belongings. If the student refuses, the principal may call the appropriate law enforcement agency and/or the student's parents.

Refusal to be searched will be considered gross insubordination and/or other serious misconduct and may result in a suspension, alternative placement, or expulsion. Search of a student's person or intimate personal belongings shall be conducted by a person of the same sex. Strip searches of students by school staff are prohibited.

In light of the threat to school safety posed by the unauthorized presence on school campuses of firearms, controlled substances, and other prohibited or illegally possessed items, administrative searches of students and their lockers, backpacks, vehicles, personal effects, and storage areas, may be conducted for the purpose(s) of locating firearms, controlled substances, and other prohibited or illegally possessed items or substances. Administrative searches may be performed by school officials, School Resource Officers, and others aiding in the carrying out of an administrative search. Administrative searches may include the use of metal detectors and specially trained animals, including drug detecting dogs and firearm detecting K-9. The Superintendent/Designee will maintain procedures to determine who will participate in administrative searches, how the persons and/or places to be administratively searched will be selected, when administrative searches will be performed, and the methods by which administrative searches will be conducted. Prior to implementation, administrative search procedures will be reviewed by the School Board Attorney, who may consult with the legal advisor(s) for any law enforcement agency whose personnel may aid in performing an administrative search.

**THREAT OR FALSE REPORT OF ANY DESTRUCTIVE DEVICE**  
Any student who is determined to have made a threat or false report of destructive device, as defined by §§ 790.162 and 790.163, Fla. Stats. (2021) 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 one full year and referred for criminal prosecution. The district school board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. The Superintendent of Schools may consider the one-year expulsion on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program if it is determined to be in the best interest of the student and the school system.
TOBACCO PRODUCTS

The School Board is committed to providing students, staff, and visitors with a tobacco-free environment. The negative health effects of tobacco use for both users and nonusers, particularly in connection with secondhand smoke, are well established. According to School Board Policy 7434, “use of tobacco” shall mean all users of tobacco, including cigars, cigarettes, pipe tobacco, smokeless tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, and the possession of papers used to roll cigarettes.

Administrators, staff, students, and visitors are prohibited from using, displaying, and selling tobacco or nicotine products and related devices on school grounds and at school events, at all times. This includes but is not limited to, electronic vapor products of any kind.

Students shall not promote tobacco or nicotine products and/or brands through clothing, accessories, or other garments, or other items with pictures, logos, phrases, decals, patches, emblems, or words printed on them. Determination of items that promote tobacco that are considered obscene or disruptive will be left to the judgment of the school administration.

Further, it is unlawful for any person under age 21 to knowingly possess any tobacco product or to misrepresent age to acquire or purchase any tobacco product.

Violation of the law may result in suspension from school for students. Adults found to be in violation of Board Tobacco Policy may be asked to vacate Board-owned property, at the discretion of school administration.

THE UNLAWFUL USE AND/OR POSSESSION OF TOBACCO PRODUCTS IS WRONG AND HARMFUL. TOBACCO COUNSELING AND CESSATION IS AVAILABLE THROUGH THE GUIDANCE COUNSELORS AT EACH SCHOOL.

VIOLENCE (OVERT THREATS TO COMMIT HARM)

The School Board must maintain a policy for all threats to commit violence or harm. Even threats made in jest or in exaggeration must be treated as serious threats that may subject the student to suspension or expulsion. When a student makes a threat of violence, the school’s Multi-Disciplinary team will assess the situation using the Comprehensive School Threat Assessment Guidelines (CSTAG) protocol. If the protocol indicates a substantive threat, district threat assessment procedures will be followed to ensure the students’ well-being. Additionally, appropriate disciplinary actions will be taken.

WEAPONS AND FIREARMS

According to § 790.115(2)(a), Fla. Stat. (2021), students will not possess any firearm, electric weapon or device, destructive device, or other weapon as defined in § 790.001(13), Fla. Stat. (2021), including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop. Notwithstanding the foregoing, pursuant to § 790.115(2)(a), Fla. Stat. (2021), a person may carry a firearm: (i) In a case to a firearms program, class or function which has been approved in advance by the principal or chief administrative officer of the school as a program or class to which firearms could be carried; (ii) In a case to a career center having a firearms training range; or (iii) In a vehicle pursuant to § 790.25(5), Fla. Stat. (2021); except that school districts may adopt written and published policies that waive the exception in this subparagraph for purposes of student and campus parking privileges. The Marion County School Board does not permit students to have firearms in vehicles parked on campus. The Marion County School Board has “Zero Tolerance” for guns and other weapons. Any student who is determined to have brought a firearm or weapon as defined in § 790.001(13), Fla. Stat. (2021) to school, to any school function, or on to any school-sponsored transportation or possessing a firearm at school, will be expelled pursuant to § 1006.13, Fla. Stat. (2021). The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. The Superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program if it is determined to be in the best interest of the student and the school system.

WEAPONS - AMNESTY CLAUSE

When a student becomes aware that he/she has unknowingly or should have known that he/she has brought a weapon other than firearms or ammunition on campus, bus, or bus stop, he/she must immediately notify an administrator, teacher or bus driver. The weapon will be turned over to school personnel. The student may not be disciplined by the school if he/she follows this procedure. Amnesty cannot be claimed once the school has initiated a search which would include the student’s person, possessions, locker, and/or vehicle.
WEAPONS AND FIREARMS
Category A
Mandatory Expulsion and Referral to Mental Health Services
Sections 1006.13 and 790.001(6)(13), Fla. Stats.

A. Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
B. The frame or receiver of any such weapon described above
C. Any firearm muffler or firearm silencer
D. Any machine gun
E. Any destructive device as defined by § 790.001(4), Fla. Stat. (2021), including but not limited to bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing an explosive, incendiary, or poison gas
F. Any type of weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive and which has a barrel with a bore of ½ inch or more in diameter
G. Ammunition for a destructive device along with a threat of harm. Ammunition consists of all of the following: (1) a fixed metallic or nonmetallic hull or casing containing a primer; (2) projectile(s), bullet(s), or shot; (3) gunpowder
H. Knife or dirk (excluding pocketknife, plastic knife and blunt bladed table knife)
I. Metallic or other knuckles
J. Billie
K. Tear gas gun except a self-defense chemical spray carried solely for the purpose of self-defense in a compact size and containing not more than two (2) ounces of chemical (any self-defense chemical spray must be registered with the school office and must remain out of sight while on school campus, school related transportation, and school-sponsored events.)
L. Chemical weapon or device or any other deadly weapon (any chemical which through its chemical action can cause death or harm)
WEAPON-LIKE CONTRABAND

Category B
Pass or Suspension or Alternative Placement for Select Cases
Sections 1006.07(2)(g), 1006.13 and 790.001(6)(13), Fla. Stats.

A. Slingshot
B. Fireworks
C. Razorblade/razor
D. Common pocketknife (a blade of 4 inches or less)
E. Non-weapons used as weapons: A student using as a weapon any article or substance not normally considered to be a weapon (including but not limited to rocks, pens, pencils, lasers, chains, lumber, screwdriver, pepper spray, etc.) or facsimile (toy or otherwise) but which is used by a student as a weapon to intimidate, threaten, coerce or injure another individual shall be suspended and may be recommended for an alternative placement
F. Any replica or facsimile of any item listed in Categories A or B, including toys, souvenirs, antiques, broken, unloaded or inoperable weapons, including but not limited to bb guns, pellet guns, paint guns, squirt guns, regardless of how they are used or displayed, unless used in a playful manner described and contemplated by § 1006.07(2)(g), Fla. Stat.
G. Electric weapon or device pursuant to § 790.001(14), Fla. Stat. (2021)
H. Ammunition for a destructive device. Ammunition consists of all of the following, but not limited to: (1) a fixed metallic or nonmetallic hull or casing containing a primer; (2) projectile(s), bullet(s), or shot; (3) gunpowder

In addition to the “corrective measures” listed in the Code of Student Conduct, possession of a weapon by any student while the student is on school property or in attendance at a school function may also result in criminal prosecution (§ 790.115, Fla. Stat. (2021)).

While possession of a firearm or weapon as defined in chapter 790 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, Florida law also prohibits disciplinary action or referral to the criminal justice or juvenile justice system for (a) simulating a firearm or weapon while playing, or (b) wearing clothing or accessories that depict a firearm or weapon, or (c) expressing an opinion regarding a right guaranteed by the Second Amendment to the United States Constitution. Simulating a firearm or weapon while playing includes, but is not limited to:

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

However, a student may be subject to disciplinary action if simulating a firearm or weapon while playing (a) substantially disrupts student learning, or (b) causes bodily harm to another person, or (c) places another person in reasonable fear of bodily harm.

§ 1006.07(2)(g), Fla. Stats. (2021). The severity of consequences imposed upon a student, including referral to the criminal justice or juvenile justice system, must be proportionate to the severity of the infraction and consistent with district school board policies for similar infractions. If a student is disciplined for such conduct, the school principal or his or her designee must call the student's parent. Disciplinary action resulting from a student's clothing or accessories shall be determined pursuant to paragraph (d) (of Section 1006.07, Fla. Stats) unless the wearing of the clothing or accessory causes a substantial disruption to student learning, in which case the infraction may be addressed in a manner that is consistent with district school board policies for similar infractions. (Section 1006.07 (2)(g), Fla. Stats.)
DRUGS/ALCOHOL & DIVERSION

The student shall not knowingly possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, any other controlled or counterfeit substance defined in § 893.03, Fla. Stat., or substitute for such, alcoholic beverage, inhalant or intoxicant, or over the counter drugs of any kind, on the school grounds either before, during or after school hours or off the school grounds at a school activity, function, or event. Also, a student shall not possess, have under his/her control, sell or deliver any device, or contrivance, instrument or paraphernalia containing the substance or substances described in this paragraph or any residue of such substance or devices intended for use or used in injecting, inhaling/inhalant/huffing, smoking, administering, or using any of the foregoing prescribed drugs, narcotics or stimulants. Use of a drug authorized by a medical prescription from a registered physician for a specific student shall not be considered a violation of this rule.

On a student’s first violation, or when determined to be under the influence of an illegal substance, the student will be required to participate in a substance abuse diversion education program in addition to suspension for ten (10) days and alternative placement/expulsion. Offenses requiring diversion completion include alcohol, illegal drugs, and Schedule I-V controlled substances, including THC oil and THC byproducts. The Coordinator of Student Discipline, or his/her designee, must be provided proof that the student and parent successfully completed the program within the allocated period of time. Schools will remind students on a regular basis that providing alcohol or drugs to another student on campus or at any school sponsored activity will result in a recommendation for expulsion from school. Refer to Drug/Alcohol Consequences chart on page 34.

THE USE OF ILLICIT DRUGS AND THE UNLAWFUL POSSESSION AND USE OF ALCOHOL IS WRONG AND HARMFUL. INFORMATION ABOUT DRUG AND ALCOHOL COUNSELING IS AVAILABLE TO STUDENTS THROUGH THE GUIDANCE COUNSELORS AT EACH SCHOOL. STUDENTS SUSPECTED OF BEING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS MAY BE TESTED. A TEST REFUSAL, OR FAILURE TO COMPLETE THE TEST, WITHIN 24 HOURS, IS CONSIDERED A POSITIVE TEST RESULT AND WILL RESULT IN DISCIPLINARY CONSEQUENCES FOR BEING UNDER THE INFLUENCE

Substance Abuse Screenings are completed at:

THE SALVATION ARMY
330 N Magnolia Ave.
Ocala, FL 34475
<table>
<thead>
<tr>
<th>Offense Type</th>
<th>1st Offense Consequence</th>
<th>2nd Offense Consequence</th>
<th>3rd Offense Consequence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ILLEGAL DRUGS – SCHEDULE I-V CONTROLLED SUBSTANCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Possession/Purchase</td>
<td>Level 3 Mandatory Alt. Placement or Diversion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Under the Influence</td>
<td>Level 3 Mandatory Alt. Placement or Diversion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Providing/Selling/ Intent to Sell/Distributing</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td><strong>TETRAHYDROCANNABINOL (THC)</strong> (Schedule I controlled substance. Under § 893.13, possession of Schedule I is a third-degree felony)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>THC Oil and/or THC Byproducts Possession/Purchase</td>
<td>Level 3 Mandatory Alt. Placement or Diversion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>THC Oil and/or THC Byproducts Providing/Selling/Intent to Sell/ Distributing</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td><strong>ALCOHOL / OTHER ILLEGAL DRUGS</strong> (Including Prescription Drugs Prescribed for Someone Other than Student)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Possession/Purchase</td>
<td>Level 3 Mandatory Alt. Placement or Diversion</td>
<td>Level 3 Mandatory Alt. Placement</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Under the Influence</td>
<td>Level 3 Mandatory Alt. Placement or Diversion</td>
<td>Level 3 Mandatory Alt. Placement</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Providing/Selling/Intent to Sell/ Distributing</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td><strong>INHALING / INHALANT / HUFFING</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Misuse</td>
<td>Level 3 Mandatory Alternative Placement</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Under the Influence</td>
<td>Level 3 Mandatory Alternative Placement</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Purchasing</td>
<td>Level 3 Mandatory Alternative Placement</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Providing/Selling/Intent to Sell</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td><strong>PRESCRIPTION DRUGS</strong> (Prescribed for Student)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Possession</td>
<td>Level 2 Mandatory Suspension up to 5 days</td>
<td>Level 3 Mandatory Alternative Placement</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Misuse</td>
<td>Level 3 Mandatory Alternative Placement</td>
<td>Level 3 Mandatory Alt. Placement</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Providing</td>
<td>Level 3 Mandatory Alternative Placement</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Selling/Intent to Sell</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td><strong>OVER THE COUNTER DRUGS / MEDICATIONS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Possession</td>
<td>Level 1</td>
<td>Level 2 Mandatory Suspension up to 5 days</td>
<td>Level 3 Mandatory 10 Day Suspension</td>
</tr>
<tr>
<td>Misuse</td>
<td>Level 2 Mandatory Suspension up to 5 days</td>
<td>Level 3 Mandatory 10 Day Suspension</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Providing</td>
<td>Level 2 Mandatory Suspension up to 5 days</td>
<td>Level 3 Mandatory 10 Day Suspension</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
<tr>
<td>Selling/Intent to Sell</td>
<td>Level 3 Mandatory 10 Day Suspension</td>
<td>Level 4 Mandatory Expulsion</td>
<td>Level 4 Mandatory Expulsion</td>
</tr>
</tbody>
</table>
**LEVEL 1 - DISCIPLINARY RESPONSE CODE**

<table>
<thead>
<tr>
<th>Level 1 Code</th>
<th>Level 1 – Infractions/Incidents</th>
<th>Level 1 – Corrective Actions (One or more of the following actions will be taken)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>Physical Behavior Inappropriate for School Setting or School Activity</td>
<td>• Parental contact (required)</td>
</tr>
<tr>
<td>1B</td>
<td>Other Behavior Inappropriate for School Setting or School Activity</td>
<td>• Parent conference</td>
</tr>
<tr>
<td>1D</td>
<td>Disrespect for Others</td>
<td>• Confiscation of unauthorized materials</td>
</tr>
<tr>
<td>1E</td>
<td>Disruptive Conduct (Minor)</td>
<td>• Counseling and direction</td>
</tr>
<tr>
<td>1F</td>
<td>Dress Code Violation (including “Saggy Pants”)</td>
<td>• Verbal reprimand</td>
</tr>
<tr>
<td>1G</td>
<td>Failure to Comply with School Rules</td>
<td>• Special work assignment</td>
</tr>
<tr>
<td>1I</td>
<td>Inappropriate Gestures, Language, or Materials</td>
<td>• Withdrawal of privileges</td>
</tr>
<tr>
<td>1J</td>
<td>Insubordination</td>
<td>• Return of property, payment for same or restitution for damages</td>
</tr>
<tr>
<td>1K</td>
<td>Medication (Over the Counter)</td>
<td>• School/classroom positive/negative reinforcement plan/intervention program</td>
</tr>
<tr>
<td>1L</td>
<td>Violation of Attendance Procedures</td>
<td>• Warning of referral to Level 2</td>
</tr>
<tr>
<td>1M</td>
<td>Unsubstantiated Bullying</td>
<td>• Behavioral contract (*)</td>
</tr>
<tr>
<td>1N</td>
<td>Unsubstantiated Harassment</td>
<td>• After school detention (*)</td>
</tr>
<tr>
<td>1Q</td>
<td>Failure to Comply with Bus Rules</td>
<td>• In-school suspension (*)</td>
</tr>
<tr>
<td>1R</td>
<td>Electronic/Telecommunication Device Misuse</td>
<td>• Saturday classes (*)</td>
</tr>
<tr>
<td>1S</td>
<td>HOPE Scholarship</td>
<td>• Time out (temporary removal from setting)</td>
</tr>
<tr>
<td>1T</td>
<td>Self-Harm</td>
<td>• Work detail (*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assign a school mentor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Refer to school Child Study Team, Progress Monitoring Plan Meeting or Student Assistance Team</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Physical restraint</td>
</tr>
</tbody>
</table>

(*) Written parental notification mandatory
<table>
<thead>
<tr>
<th>Level 2 Code</th>
<th>Level 2 – Infractions/Incidents</th>
<th>Level 2 – Corrective Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2A</td>
<td>Physical Behavior Inappropriate for School Setting or School Activity</td>
<td>• Parental contact, oral communication immediately</td>
</tr>
<tr>
<td>2B</td>
<td>Bullying - 1st Offense</td>
<td>• Parent conference</td>
</tr>
<tr>
<td>2C</td>
<td>Electronic/Telecommunications Device Misuse</td>
<td>• Confiscation of unauthorized materials</td>
</tr>
<tr>
<td>2D</td>
<td>Cheating or Plagiarism</td>
<td>• School/classroom positive/negative reinforcement plan/intervention program</td>
</tr>
<tr>
<td>2E</td>
<td>Disrespect for Others</td>
<td>• Appropriate corrective measure from Level 1</td>
</tr>
<tr>
<td>2F</td>
<td>Disruptive Conduct</td>
<td>• Time out</td>
</tr>
<tr>
<td>2G</td>
<td>Drugs - Over the Counter/Prescription</td>
<td>• Return of property, payment for same, or restitution for damages</td>
</tr>
<tr>
<td>2H</td>
<td>Failure to Comply with School Rules</td>
<td>• Assign a school mentor</td>
</tr>
<tr>
<td>2I</td>
<td>Fighting</td>
<td>• Refer to school Child Study Team, Progress Monitoring Plan Meeting or Student Assistance Team</td>
</tr>
<tr>
<td>2J</td>
<td>Insubordination – Repeated</td>
<td>• Temporary or permanent removal from extracurricular/co-curricular program or activity</td>
</tr>
<tr>
<td>2L</td>
<td>Intentional Damage of Personal/School Property ($26-$200) (LE-Optional)</td>
<td>• Behavioral contract (*)</td>
</tr>
<tr>
<td>2M</td>
<td>Profane, Obscene or Abusive Language, Gestures or Materials (Including Internet)</td>
<td>• In-school suspension (*)</td>
</tr>
<tr>
<td>2N</td>
<td>Repeated Misconduct of a Level 1</td>
<td>• Work detail (*)</td>
</tr>
<tr>
<td>2O</td>
<td>Theft (Less than $750) (LE-Optional)</td>
<td>• Alternative classroom assignment (*)</td>
</tr>
<tr>
<td>2P</td>
<td>Tobacco (Possession/Use if under 21) (s)</td>
<td>• Suspension from bus (for bus-related misconduct) (*)</td>
</tr>
<tr>
<td>2Q</td>
<td>Unauthorized Use of Other Person’s Name, Signature, or Identifying Number</td>
<td>• Warning of referral to Level 3 (*)</td>
</tr>
<tr>
<td>2R</td>
<td>Violation of Attendance Procedures ‡</td>
<td>• Suspension from school (**) (‡)</td>
</tr>
<tr>
<td>2S</td>
<td>Other Behavior Inappropriate for School Setting or School Activity</td>
<td>• Saturday classes (*)</td>
</tr>
<tr>
<td>2T</td>
<td>Contraband</td>
<td>• After school detention (*)</td>
</tr>
<tr>
<td>2U</td>
<td>Threat (s)</td>
<td>• Reverse Suspension (*)</td>
</tr>
<tr>
<td>2V</td>
<td>Harassment - 1st Offense</td>
<td>(* Written parental notification mandatory</td>
</tr>
<tr>
<td>2W</td>
<td>False or Misleading Information</td>
<td>(**) F. S. 1006.09(1)(b)(2021) Written notification, within twenty-four (24) hours, by U.S. Mail</td>
</tr>
<tr>
<td>2X</td>
<td>Violation of School Safety Procedures</td>
<td>(‡) F. S. 1006.09(1)(b)(2021) No Student shall be suspended for unexcused tardiness, lateness, absence, or truancy.</td>
</tr>
<tr>
<td>2Y</td>
<td>Failure to Comply with Bus Rules</td>
<td>(LE) Notify Law Enforcement</td>
</tr>
<tr>
<td>2Z</td>
<td>Physical Attack no injury</td>
<td>(s) SESIR Report to DOE</td>
</tr>
<tr>
<td>Level 3 Code</td>
<td>Level 3 – Infractions/Incidents</td>
<td>Level 3 – Corrective Actions</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>3A</td>
<td>Alcohol (s) (LE)</td>
<td>Parental contact- immediate oral communication, followed by written notification of the following action:</td>
</tr>
<tr>
<td>3B</td>
<td>Criminal Street Gang Activity (s) (LE)</td>
<td>• Recommendation for Expulsion with Mandatory 10 Day Suspension from School (**)</td>
</tr>
</tbody>
</table>
| 3C          | Computer Fraud (Accessing or Breaking into Documents That Are Unauthorized) (LE) | • Assignment to special program/school if expulsion is not appropriate (**)
| 3D          | Contraband                     | • Felony Transfer (*) |
| 3E          | Disorderly Conduct (Disruption) (s) (LE) | Or in select cases |
| 3F          | Drugs; Over the Counter Drugs; Prescription Drugs; Illegal Drugs (s) (LE) | • Appropriate action from Level 2 list of actions. (Coded as Level 3 action) |
| 3G          | Extortion/Robbery (s) (LE)      | • 3N: Mandatory Alternative Placement with up to 10 Day Suspension from School |
| 3H          | Fighting (s) (LE)               | (*) Written parental notification mandatory |
| 3J          | Gross Insubordination or Open Defiance | (**) F. S. 1006.09(1)(b)(2021) Written notification, within twenty-four (24) hours, by U.S. Mail |
| 3K          | Other Serious Misconduct of a Criminal Nature (s) (LE) | (‡) F. S. 1006.09(1)(b)(2021) No Student shall be suspended for unexcused tardiness, lateness, absence, or truancy. |
| 3L          | Sexual Harassment (s) (LE) (DCF) | (LE) Notify Law Enforcement |
| 3M          | Sexual Offenses (Lewd Behavior or Indecent Exposure) (s) (LE) (DCF) | (s) SESIR Report to DOE |
| 3N          | Theft $750 - $999 (s) (LE)      | (#) Report to Law Enforcement and/or SESIR if original infraction is reportable |
| 3O          | Trespassing (s) (LE)            | (DCF) Notify Department of Children & Families |
| 3P          | Unauthorized Use of Internet    | |
| 3Q          | Weapon (Category B) (s) (LE)    | |
| 3R          | Bullying – Repeated (s) (LE)    | |
| 3S          | Inhaling/Inhaling/Huffing (LE) (≠) | |
| 3T          | Harassment – Repeated (s)       | |
| 3U          | Simple Battery Against School Board Employees or Volunteers (no injury to minor injury) (s) (LE) | |
| 3V          | Intentional Damage of Personal/School Property ($201 to $1,000) (LE) | |
| 3W          | False Fire Alarms/Expelling a Fire Extinguisher (s) (LE) | |
| 3X          | Arson (s) (LE)                  | |
| 3Y          | Simple Battery (s) (LE)         | |
| 3Z          | False and Misleading Information on MCPS Employee | |
| 3AA         | Felony Transfer                 | |
| 3BB         | Intimidation (s) (LE)           | |
| 3CC         | Threat (s) (LE)                 | |
| 3DD         | Violation of District Behavior Contract | |
| 3EE         | Elopement (LE)                  | |
| 3FF         | Strangulation/Choking/Physical Attack (more serious) | |
| 3GG         | Prior Alternative Placement     | |
| 3HH         | Vandalism/Destruction of Property (LE) | |
| 3II         | Electronic/Telecommunication Device Misuse | |
| 3JJ         | Repeated Violation of School Safety Procedures | |

(*) Written parental notification mandatory
(**) F. S. 1006.09(1)(b)(2021) Written notification, within twenty-four (24) hours, by U.S. Mail
(‡) F. S. 1006.09(1)(b)(2021) No Student shall be suspended for unexcused tardiness, lateness, absence, or truancy. 
(LE) Notify Law Enforcement
(s) SESIR Report to DOE
(#) Report to Law Enforcement and/or SESIR if original infraction is reportable
(DCF) Notify Department of Children & Families
<table>
<thead>
<tr>
<th>Level 4 Code</th>
<th>Level 4 – Infractions/Incidents</th>
<th>Level 4 – Corrective Actions</th>
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<tr>
<td>4A</td>
<td>Alcohol (s) (LE)</td>
<td>Parental contact- immediate oral communication, followed by written notification of the following action:</td>
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<td>4B</td>
<td>Bomb Threats or Explosions/Threat of Mass Harm (s) (LE)</td>
<td>- Recommendation for Expulsion with Mandatory 10 Day Suspension from School (**)</td>
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<td>4C</td>
<td>Burglary (s) (LE)</td>
<td>- Assignment to special program/school if expulsion is not appropriate (**)</td>
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<td>4D</td>
<td>Cyber Attack (Introducing Programs or Tools into Network Server) (s)(LE)</td>
<td>- Felony Transfer (*)</td>
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<td>4E</td>
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<td>4F</td>
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<td>4J</td>
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<td>4K</td>
<td>Inciting, Leading or Participating in a Major Student Disorder (s) (LE)</td>
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<td>Other More Serious Misconduct of a Criminal Nature (s) (LE)</td>
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<td>4P</td>
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<td>4Q</td>
<td>Victimization/Extortion or Threats/Intimidation of More Serious Nature (s) (LE)</td>
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<td>4R</td>
<td>Weapons (s) (LE) (MH) (Category A or B)</td>
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<td>4S</td>
<td>Vandalism over $1000 (s) (LE)</td>
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<tr>
<td>4EE</td>
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<tr>
<td>4NN</td>
<td>Excessive Violation of Safety Procedures</td>
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</tbody>
</table>

(*) Written parental notification mandatory
(**) F. S. 1006.09(1)(b)(2021) Written notification, within twenty-four (24) hours, by U.S. Mail
(‡) F. S. 1006.09(1)(b)(2021) No Student shall be suspended for unexcused tardiness, lateness, absence, or truancy.
(LE) Notify Law Enforcement
(MH) Mandatory Referral to Mental Health Services
(s) SESIR Report to DOE
(#) Report to Law Enforcement and/or SESIR if original infraction is reportable
(DCF) Notify Department of Children & Families
SECTION VI
PROCEDURES RELATING TO DISCIPLINARY ACTIONS

In order to protect student rights, certain procedures are followed with regard to major disciplinary actions. These procedures are developed as suggested or required by law or regulation. School/classroom procedures for administering discipline in areas not covered by these specific procedures are encouraged.

Students in honors, advanced placement, or magnet courses that are expelled or reassigned must be aware that their curriculum will be impacted.

REMOVAL FROM EXTRACURRICULAR/CO-CURRICULAR PROGRAMS

1. Temporary removal of a student from an extracurricular/co-curricular program or activity may be determined by the teacher/sponsor. The principal is to be notified of the action.
2. Permanent removal of a student from an extracurricular/co-curricular program or activity will be recommended by the teacher/sponsor with the final decision to be made by the principal.
3. Parent notification of temporary or permanent removal is mandatory.
4. Upon notification, a parent may, within three days, request a conference with the teacher/sponsor and/or the principal for the purpose of discussing the removal of the student from the extracurricular/co-curricular program or activity.
5. A student may be readmitted to participate in an extracurricular/co-curricular program or activity at any time upon the recommendation of the teacher/sponsor with the final decision by the principal.

AUTHORITY OF TEACHER

Section 1003.32, Fla. Stat. (2021) – Authority of teacher; responsibility for control of students; and principal duties. – Subject to law and to the rules of the district school board, each teacher or other member of the staff of any school shall have such authority for the control and discipline of students as may be assigned to him or her by the principal or the principal’s designated representative and shall keep good order in the classroom and in other places in which he or she is assigned to be in charge of students.

A teacher may send a student to the principal’s office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the Code of Student Conduct under § 1006.07, Fla. Stat. (2021)

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

SUSPENSION FROM TRANSPORTATION PRIVILEGES

A student accused of serious or repeated misconduct which is in violation of the Bus Conduct Rules or the Code of Student Conduct, shall be afforded the following due process procedures prior to the suspension of his/her transportation privileges. In emergency situations these procedures may be modified, as long as reasonable efforts are made to provide substantially similar opportunities to due process.

STEP 1: Principal/designee shall inform the student as to the reason(s) for consideration of suspension from transportation privileges for a period of one (1) to ten (10) days.

STEP 2: Principal/designee shall provide the student the opportunity to present his side of the story (either orally or written), and to present his/her witnesses.

STEP 3: The principal/designee shall make a determination based on factual evidence presented. Once the determination to suspend from transportation privileges has been made the principal/designee shall inform the student as to the terms and conditions of the suspension.

STEP 4: Principal/designee reports each suspension from transportation privileges in writing to the parent of the student. The Principal/designee shall make a reasonable effort to notify the parent prior to the start of the suspension. The principal or designee will document the efforts they made to make contact.

STEP 5: The parent may request a conference to discuss the reasons for the suspension of transportation privileges with the principal/designee within three (3) school days of the first notification received by the parent. The principal/designee may sustain or alter the suspension assignment if, in the best interest of the student and the school, the parent agrees to alternative measures or agrees to assist the school in redirecting the student’s unacceptable behavior.

The principal can suspend a student’s transportation privileges for up to ten (10) days at any one time. After the third ten (10) day bus suspension in the same school year or if the principal believes that because of the severity of the behavior a longer bus suspension is warranted, he/she may
request that the Superintendent recommend a bus suspension to the School Board. In the case of bus suspensions longer than ten (10) days, the parties will follow the same procedures as expulsions.

SUSPENSION FROM SCHOOL
Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the principal or the principal’s designee, for a period not to exceed ten (10) school days and remanding the student to the custody of the student’s parent with specific homework assignments for the student to complete. The principal or the principal’s designee shall make a good faith effort to immediately inform a student’s parent by telephone of a student’s suspension and the reasons for the suspension. The principal or designee will document the efforts they made to make contact. Each suspension and the reasons for the suspension shall be reported in writing within twenty-four (24) hours to the student’s parents by United States mail. Each suspension and the reasons for the suspension shall also be reported in writing within twenty-four (24) hours to the District School Superintendent or designee (§ 1006.09, Fla. Stat. (2021)).

A student accused of serious misconduct which, in the opinion of the principal or his/her designated representative, would require suspension from school as defined by § 1003.01, Fla. Stat., shall be afforded the following due process procedures. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for due process.

STEP 1: The student must be told by the principal/designee of the reason(s) for consideration of suspension or expulsion.

STEP 2: The student must be given the opportunity to present his side of the matter either orally or in writing and must have the opportunity to present witnesses to the incident.

STEP 3: The principal/designee shall make a determination as to whether or not the student is guilty of the misconduct and, if so, what the terms of the punishment will be. The student shall be informed of the determination. If the determination is to impose suspension, the notice of suspension shall be in writing.

STEP 4: The principal/designee shall report each suspension in writing to the student’s parent and to the Superintendent/designee. The parent(s) shall be provided an opportunity for a conference within twenty-four (24) hours of the effective date of suspension. The report of the suspension shall be mailed, hand delivered, or delivery initiated within twenty-four (24) hours of the start of the suspension or on the next regular workday. Reasonable efforts shall be made to contact the parent prior to the start of the suspension. If the parent cannot be reached prior to the start of the suspension, the principal/designee may determine that the suspension will start without prior contact with the parent, but continued reasonable efforts to contact the parent shall be made.

STEP 5: The student and parent have a right to schedule an appointment with the principal or his designee upon request of the parent to appeal the discipline imposed. All such requests must be made within three (3) school days of the first notification of suspension that the parent receives. The principal shall have the discretion to reduce or cancel the suspension if it is felt that it would be in the best interest of the student and school to do so.

STEP 6: At the discretion of the principal, a written behavior contract may be required upon return of the student. The final appeal of the suspension rests with the principal.
SUSPENSION
QUESTIONS AND ANSWERS

You have a right to attend school and have an opportunity to learn. You can lose that right if you violate the Code of Student Conduct or a school rule. You lose the right by being suspended or expelled.

Q. Who can suspend you?
A. The principal or someone designated by the principal can suspend you.

Q. How long can you be suspended?
A. You can be suspended from school for one (1) school day or up to ten (10) school days.

Q. What happens before a suspension?
A. The principal or designee becomes aware that a student has broken a rule in the Code of Student Conduct or a school rule. He or she will investigate by talking to students, teachers or others who may know something about what happened. Even if you are one of the students who broke the rule, the principal or designee may talk to you as part of the investigation. After talking to everyone that was involved, the principal or designee will determine whom he or she thinks broke a rule.

Q. What if the principal or designee determines that you broke a rule?
A. As soon as possible, the principal or designee will talk to you. The administrator will tell you that you have broken a rule in the Code of Student Conduct or a school rule. You also will be given something in writing, like a discipline referral, that tells you the same thing. You will then be told why the administrator thinks that you have broken the rule. After this happens, you should know what you are accused of doing and what evidence there is that supports the accusations.

Q. What happens next?
A. You will now have an opportunity to tell the principal or designee your side of the story. You can ask that they talk to someone you think may know something about what happened. You can give the principal or designee a written statement to read. After listening to you and reading anything that you have given them, the principal or designee may talk to the people you told them about and anybody else that they need to contact. After that, the principal or designee will decide if you have broken a rule in the Code of Student Conduct or a school rule. If he or she decides that you have broken a rule, they will then decide if you should be suspended from school and how long you will be suspended. You will be told about this decision.

Q. Will my parents know?
A. The principal or designee will try to telephone your parents and let them know about the suspension. If they cannot reach your parents by telephone, then they will write down how many times they tried and what happened. Your parents will be mailed a letter titled Written Notice of Suspension within twenty-four (24) hours of the decision. You will be given a copy of that letter. If you or your parents claim that you did not receive the letter, it will not change the suspension. You will be given another copy of the letter if you request one.

Q. Can you review a suspension?
A. Yes. If your parents want a suspension review, they should notify the principal in writing before your suspension is over. When the principal receives the notice from your parents that they wish for a review, he or she will offer to arrange a conference with your parents. Your parents may prefer to discuss their review with the principal by telephone. If your parents do not notify the principal in writing before the end of your suspension that they want a review, the suspension is final.

Q. What happens at the conference?
A. Your parents (and you if you are present) will discuss with the principal what has occurred. The principal will go over the incident that led to the suspension and review the evidence supporting the suspension. The principal also will review the process that was followed leading up to the decision to suspend you. This will include a review of how you were told about the accusations and the evidence against you, and how you were allowed an opportunity to tell your side of the story.
If you or your parents believe that the school did not follow all of the requirements for suspending you, you must tell the principal exactly what was not done that you believe should have been done. If the principal agrees with your parents that one or more requirements for suspending you were overlooked, the principal can then comply with those requirements at the conference or can start the suspension process from the beginning and go through it again.

Q. When will the principal decide the review?
A. The principal will provide you and your parents a written decision within five (5) school days of the conference.

Q. Am I suspended during the review?
A. You will continue to serve the suspension until a final decision is made.

Q. What if the suspension was not appropriate?
A. Any record of the suspension will be taken out of your student records, and you will be given the opportunity to make up all schoolwork that you missed, without penalty.

Q. Can I appeal the principal’s decision?
A. Yes. You may appeal the principal’s procedures to the Coordinator of Student Discipline in writing. To request a review by the Coordinator of Student Discipline, you must notify him or her in writing within five (5) school days of the date of the principal’s final decision.

Q. What will be reviewed on this appeal?
A. This review only concerns whether or not the proper procedures were followed in making the final decision to suspend you. There will be no further investigation or interviews with witnesses to the incident, although the facts of the case will be reviewed.

Q. Do I have schoolwork to complete while I am suspended?
A. Yes. A student who receives out of school suspension will be assigned schoolwork to complete. In addition, it will be your responsibility to request homework assignments from your teacher(s). A suspension is considered an unexcused absence, but you will receive 100% credit for work that is appropriately completed and turned in within one (1) day for each day of absence except in the case of extenuating circumstances.

Q. May I make up and receive credit for assessments that I miss while I am suspended?
A. Yes. In order to receive full credit, you must make arrangements immediately upon your return to make up the test/assessment at a time and location established by your teacher and/or administrator including but not limited to before school, after school, or at Saturday school. The make-up assessment may be a modified form of the missed assessment.

Q. May I attend extra-curricular events at any regular school?
A. No, while suspended you cannot attend any extra-curricular events at your regular school or any other MCPS related functions in the district.
ALTERNATIVE PLACEMENT

Section 1006.07(2)(k), Fla. Stat. (2021) – Policies to be followed for the assignment of violent or disruptive students to an alternative education program.

Alternative Placement is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the Coordinator of Student Discipline, for a minimum period of forty-five (45) days and until the student has successfully completed the alternative placement program. The alternative school principal is the person responsible for referring the student back to his/her public school upon completion of the program.

The principal/designee shall fully support the authority of his/her teachers and school bus drivers to remove disobedient, disrespectful, violent, abusive, uncontrollable or disruptive students from the classroom and the school bus when appropriate and available by placing the student in an alternative education setting.

A student’s placement in an alternative education setting shall be in accordance with the rules of the district school board. All incident codes in Level 3 of the Code of Student Conduct may result in the student’s assignment to an alternative educational setting. Students eligible for special education services or accommodations under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504) who are placed in an interim alternative educational placement (IAES) have additional and/or supplemental rights and protections under the IDEA, Section 504 and or Title II of the Americans with Disabilities Act (ADA), and State Board of Education Rules. For students with disabilities who violate the Code of Student Conduct, the principal/designee in conjunction with the ESE Director/designee and the Coordinator of Student Discipline/designee, shall consider any unique circumstances, such as the impact of a child’s disability, on a case-by-case basis when determining whether a change in placement, consistent with the requirements and procedures in this rule, is appropriate. Steps 1-8 below for suspension from school will be followed with a recommendation of placement in an alternative program.

STEP 1: The student must be told by the principal/designee of the reason(s) for consideration of suspension and alternative placement.

STEP 2: The student must be given the opportunity to present his side of the matter, either orally or in writing, and must have the opportunity to present witnesses to the incident.

STEP 3: The principal/designee shall make a determination as to whether or not the student is guilty of the misconduct and, if so, what the terms of the punishment will be. The student shall be informed of the determination. If the determination is to impose suspension and alternative placement, the notice of suspension and recommendation of alternative placement shall be in writing.

STEP 4: The principal/designee shall report each suspension/alternative placement in writing to the student’s parent and to the Superintendent or his designee. The parent(s) shall be provided an opportunity for a conference within twenty-four (24) hours of the effective date of suspension. The report of the suspension shall be mailed, hand delivered, or delivery initiated within twenty-four (24) hours of the start of the suspension or on the next regular workday. Reasonable efforts shall be made to contact the parent prior to the start of the suspension. If the parent cannot be reached prior to the start of the suspension, the principal or his designee may determine that the suspension will start without the prior contact with the parent, but continued reasonable efforts to contact the parent shall be made.

STEP 5: The student and parent have a right to schedule an appointment with the principal, upon request of the parent, to review the evidence and the student’s position. All such requests must be made within three (3) school days of the first notification of suspension/alternative placement that the parent receives.

STEP 6: The principal shall initiate notification of the Superintendent/designee in writing within twenty-four (24) hours or the next regular workday of the imposition of the suspension and of the recommendation of alternative placement.

STEP 7: The district will notify the principal of the alternative school placement, and the principal/designee will notify the parent.

STEP 8: The district will have a committee to review any appeals.

Q. Can I review the alternative placement procedures?
A. Yes. You may request a review of the alternative placement procedures from the Coordinator of Student Discipline. To request a procedures review, you must notify the Coordinator of Student Discipline in writing within five (5) school days of the date of the principal’s final decision.

Q. What will be reviewed?
A. This review only concerns whether or not the proper procedures were followed in making the final decision to suspend/alternatively place you. There will be no further investigation or interviews with witnesses to the incident, although the records will be reviewed.
Q. May I attend extracurricular events at any regular school?
A. No, while alternatively placed you cannot attend any extracurricular events at your regular school or any other regular school in the district. If you attend an alternative school, you may attend extracurricular events only at the alternative school. Students that are alternatively placed during the second and third grading periods (for a minimum of forty-five (45) days) of their Senior year may be allowed to participate in Graduation ceremonies after successfully completing an application process through their base school.

FELONY TRANSFER
Section 1006.09, Fla. Stat. (2021) allows the principal to recommend to the Superintendent the felony transfer of any enrolled student who is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which occurred on property other than public school property, if the incident is shown to have an adverse impact on the educational program, discipline or welfare in the school in which the student is enrolled. It is the administration’s responsibility to notify teacher(s) that a student has committed a felony. For students with disabilities who violate the Code of Conduct, the principal/designee in conjunction with the ESE Director/designee and the Coordinator of Student Discipline/designee, shall consider any unique circumstances, such as the impact of a child’s disability, on a case-by-case basis when determining whether a change in placement is appropriate.

STEP 1: Determine that the student has been formally charged with a felony (or has been charged with an offense by the court system which, if the student were an adult, would be classified as a felony). District personnel will verify that a student has been formally charged. The Student Discipline Coordinator can determine the need for an emergency transfer bypassing the following steps on a case-by-case basis.

STEP 2: The principal must decide whether or not the student's return would have an adverse impact on the school. A waiver of transfer may be granted in a drug-related situation (see item e below). In other than drug offenses, the principal should consider the relative possibility of harm to the accused student or to others by the presence of the accused student in school. Felony transfer should be used only when the principal perceives a definite adverse impact on staff or other students or on the accused student. If the principal decides to impose a felony transfer, the parent must be notified in writing of:

a. Recommendation for transfer until the determination of guilt or innocence, or dismissal of charges. If the student is found guilty of a felony, the Superintendent shall have the authority to determine if a recommendation for expulsion shall be made to the School Board. If the student is not subsequently adjudicated delinquent or found guilty, the transfer shall be terminated immediately.

b. Specific charges against a student.

c. The right to a hearing:

1. A hearing is conducted in every felony transfer procedure. It is not necessary for the parent to request a hearing. A hearing can be held without the attendance of the parent after proper notification.

2. The purpose of the hearing is not to determine guilt or innocence. The purpose of the hearing is to determine whether the offense with which the student has been charged would have an adverse impact on the educational program, discipline or welfare of the school. In determining "adverse impact", the principal should consider the nature of the alleged offense (e.g., a student charged with rape, robbery, murder, etc., would probably affect the educational environment more adversely than a student charged with a computer-related crime). The principal should also consider the publicity attendant to the offense or any other circumstances which might either increase or diminish the possibility that the student charged would pose a threat to the students and staff or that continued attendance would pose a threat to the student charged with the felony.

3. The principal must establish a date for the hearing which shall be not less than two (2) days nor more than five (5) school days from the postmarked date of the notice. The hearing date is established in the initial letter from the principal.

d. Pending the hearing, the student is temporarily suspended by the principal. (Not to exceed ten (10) days.)

e. Conditions under which a waiver of suspension may be granted in the case of unlawful use of an illegal controlled substance:

1. If the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him.

2. If he voluntarily discloses his unlawful possession of such controlled substances prior to his arrest.

3. If the student commits himself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

f. Students eligible for special education services or accommodations under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504) who are placed in an interim alternative educational placement (IAES) have additional and/or supplemental rights and protections under the IDEA, Section 504, and Title II of the Americans with Disabilities Act (ADA), and State Board of Education Rules. A Manifestation Determination and Change of Placement meeting must be scheduled and convened for eligible students whose suspensions for the school year, including suspension for a Felony Transfer, exceeds ten (10) or more days in that school year.
A child with a disability who is removed from his/her current placement must continue to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in an alternate setting, and to progress toward meeting the goals set out in the child’s IEP.

STEP 3: The principal or designee shall make a determination in writing as to whether or not the student is guilty of the misconduct and, if so, what the terms of the punishment will be. The student shall be informed of the determination. If the principal or his designee determines that there are sufficient grounds for expulsion, then the principal or designee shall inform the student that he or she is being suspended from school for ten (10) days and a recommendation that the student be expelled is being forwarded to the School Board through the Superintendent.

STEP 4: The principal or designee shall report in writing to the student's parent that the student has been suspended for ten (10) days and a recommendation that the student be expelled from school has been forwarded to the School Board through the Superintendent. This report shall be mailed, or hand delivery initiated within twenty-four (24) hours of the start of the initial ten (10) day suspension or on the next regular workday. Reasonable effort shall be made to contact the parent prior to the start of the suspension. If the parent cannot be reached prior to the start of the suspension, the principal or his designee may determine that the suspension will start without prior contact with the parent.

STEP 5: The principal shall initait notification of the Superintendent or designee in writing within twenty-four (24) hours or the next regular workday of the imposition of the suspension and of the recommendation of the expulsion. The principal shall include, along with the recommendation for expulsion, a detailed report by the principal or designee on the alternative measures (if applicable) taken prior to the recommendation of expulsion.

STEP 6: If the student's ten (10) day suspension expires prior to the next School Board meeting, the Superintendent shall have the authority to extend the suspension of the student until the next meeting of the School Board. The Superintendent may assign any student suspended to an individually-designated program or other special placement or may continue the suspension.

STEP 7: The Superintendent shall notify the parent in writing that the Superintendent will recommend to the School Board that the student be expelled for a specified period of time. The written notification shall indicate the grounds for recommendation and of the parent's rights.
STEP 8: The parent shall have the right to request a hearing before the School Board takes action on the Superintendent's recommendation for expulsion. This request must be in writing. If a Petition for Due Process is completed and turned in to the Coordinator of Student Discipline by the due date, the parent will be notified of when the hearing will be scheduled.

STEP 9: If the parent does not complete a Petition for Due Process, the School Board may take action thereon as if the parent and child have consented to such action.

EXPULSION FOR VIOLATION OF ZERO TOLERANCE POLICY

Section 1006.13, Fla. Stat. (2021) - Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one full year and be referred to the criminal justice or juvenile justice system.

1. Bringing a firearm or weapon, as defined in § 790.001, Fla. Stat. (2021) to school, at any school function, or onto any school-sponsored transportation or possessing a firearm at school.
2. Making a threat or false report defined in § 790.162 and § 790.163, Fla. Stats. (2021), respectively, involving school or school personnel's property, school transportation or a school-sponsored activity. Even threats or false reports made in jest or exaggeration may be treated as serious threats for purposes of this provision.
3. Assault or battery on any elected official or employee of a school district is in violation of § 784.081(1)(2), Fla. Stat. (2021)

District school boards may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the one (1) year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system. If a student committing any of the offenses in this subsection is a student who has a disability, the district school board shall comply with applicable State Board of Education rules.

Any disciplinary or prosecutorial action taken against a student who violates a zero-tolerance policy must be based on the particular circumstances of the student's misconduct.

The legislature finds that zero-tolerance policies must apply equally to all students regardless of their economic status, race, or disability.

EXPULSION FROM AN ALTERNATIVE SCHOOL

Marion County students who have been expelled and are allowed to continue their education in an alternative program will have educational services terminated from school should they commit a Level 3 or 4 Infraction while enrolled at the alternative school.

Marion County students who have been alternatively placed in an alternative school shall be brought before the Marion County School Board for expulsion should they commit a Level 3 or 4 Infraction while enrolled at the alternative school.

PLACEMENT FROM ANOTHER DISTRICT OR PRIVATE SCHOOL

Students found to have been expelled from another district or private school where a Level 3 or 4 Infraction had been committed will remain expelled through the duration of the original expulsion as defined in § 1003.01, Fla. Stat. (2021). Additionally, students found to have been alternatively placed or felony transferred from another district or private school will remain placed in an alternative setting.

EXPULSION QUESTIONS AND ANSWERS

Q. Who can expel you?
A. Only the School Board can expel you based upon a recommendation by the Superintendent. The Superintendent will make a recommendation for expulsion only after receiving a recommendation from the principal. The principal will make such a recommendation for expulsion only after having suspended you for ten (10) school days. The principal’s recommendation will contain a detailed explanation of the incident and your record of attendance, academics, and discipline.

Q. Will my parents be notified?
A. You and your parents will be notified in writing if the Superintendent recommends that the School Board expel you. The allegations against you will be explained. You will also be told that you can request a hearing.

Q. What if my parents want to request a hearing?
A. Your parents must submit a written request for a hearing to the Superintendent’s designee, Coordinator of Student Discipline.

Q. Who will conduct the hearing?
A. The School Board hears all Petitions for Due Process that dispute the discipline. The Division of Administrative Hearing will conduct Petitions for Due Process that dispute the facts.

Q. When will the hearing take place?
A. The Superintendent’s attorney will schedule the hearing and notify you and your parents in writing of the date, time and place of the hearing, as well as the pre-hearing conference, if necessary. This will be handled in a timely fashion.

Q. Is the hearing public?
A. The Opportunity to Dispute Discipline Consequences will take place after the conclusion of the televised portion of the School Board Meeting if you are disputing the discipline. If you are disputing the facts, the hearing will be virtual with the Division of Administrative Hearings.

Q. Can I have an attorney at the hearing?
A. You are entitled to have an attorney or other qualified representative provide you with representation. Any fees for such representation will be your parents’ responsibility.

Q. What happens at the hearing?
A. If you are disputing the discipline, you will be granted the opportunity to talk to the School Board for approximately five minutes during your scheduled Opportunity to Dispute Discipline Consequences. If you are appealing the facts, the Superintendent’s attorney will present witnesses and documents to support the charges against you during a scheduled hearing with the Division of Administrative Hearings. Your parents or their attorney will have an opportunity to cross-examine the witnesses and to present witnesses and evidence on your behalf.

Q. Will there be a record of the hearing?
A. An Opportunity to Dispute Discipline Consequences will not be recorded. The Division of Administrative Hearings (DOAH) will provide a certified court reporter for the hearing. The court reporter will take down everything that is said at the hearing. If you want a full or partial transcript of the hearing, you can pay the court reporter to provide one for you. The court reporter may require payment in advance.

Q. What happens after the hearing?
A. At the conclusion of the hearing and after hearing the evidence and arguments of both sides, the School Board will make the final decision on whether or not you should be expelled and, if so, for how long.

Q. How long can the School Board expel me?
A. You can be expelled for the remainder of the current school year and up to one additional school year. Usually, the length of the expulsion is specified by the number of semesters.

Q. May I attend extra-curricular events at my regular school?
A. No, while expelled you cannot attend any extra-curricular events at your regular school or any other regular school in the district. If you attend an alternative school, you may attend extracurricular events only at the alternative school.

ACCESS TO CAMPUS AND SCHOOL EVENTS

While students are suspended out of school, alternatively placed, felony transferred, or expelled, they may not enter or remain on any public-school property during the school day or at such time and places including, but not necessarily limited to, school-sponsored events, field trips, athletic functions, and other activities where school personnel have jurisdiction over students.

EARLY RE-ENTRY OF EXPelled STUDENTS

Following School Board action to expel a student, the student shall have no right to attend public schools in Marion County, Florida unless the School Board, in its sole discretion and acting upon the recommendation of the Superintendent, revokes the existing expulsion based upon an early re-entry plan. Failure of the student to abide by an early re-entry plan shall be grounds for immediate expulsion of the same length or longer than the original expulsion.

It is intended that the procedure to be followed in developing early re-entry plans shall be flexible but shall require a commitment on the part of the student and his/her parent to cooperate with school authorities in reasonably assuring that the behavior which led to the original expulsion will not recur.

Steps 1-8 listed below must occur prior to re-entry.

Early re-entry plans are to be developed when appropriate, following the procedures described below. The decision to recommend a re-entry shall be the prerogative of the Superintendent and both sending and receiving principal must support the early re-entry. A student must remain at
an approved alternative school (i.e., Home School, Marion Virtual, Florida Virtual, New Leaf, PACE, or SRMI) a minimum of one full semester before being allowed to request early re-entry.

Home School requires a successful review of the home school portfolio by a certified teacher through the MCPS home education department and, once the student is accepted back into school, a signed behavior contract.

STEP 1: The parent shall be informed that a request for early re-entry may be considered at the time that they are notified of official Board action concerning the expulsion of the student. The notice shall indicate that such a request must be initiated by the parent and made to the Student Discipline Department to the attention of Coordinator of Student Discipline.

STEP 2: If the Department receives the request for re-entry, a member of the staff shall review the record of expulsion, other school records relating to the performance of the student, and consult with appropriate personnel concerning the grounds for expulsion and circumstances leading to the recommendation for expulsion as well as the opinions of appropriate school personnel concerning the probability of success of an early re-entry plan.

STEP 3: After review of this information, the representative of Student Discipline may schedule a staffing meeting to consider the request if there is reason to believe that early re-entry would be in the best interest of the student and that a reasonable expectation of an early re-entry would not adversely impact the health, safety, and welfare of others.

STEP 4: The Staffing Committee shall include appropriate school personnel and others including but not limited to the principal who originally recommended the expulsion or his designee; a representative of the Superintendent; appropriate school-based staff; a representative of Student Discipline; the parent; and the student.

STEP 5: During the staffing meeting an attempt shall be made to develop a written early re-entry plan which shall detail the conditions for re-entry at school. Re-entry plans must be reasonable and realistic in demands placed upon the student and at the school and achievable by both parties. The re-entry plan shall include:

a. Decisions of the student relative to his/her future conduct. Such a statement shall reflect the student's commitment in his/her own words that he/she will follow the rules of conduct established by the school.

b. Requirements developed in the staffing conference may include but are not limited to evaluation by the Department of Student Discipline, contact with a community agency (where appropriate), counseling, completion of special schoolwork, and such requirements as may be deemed reasonable to assure that the misconduct leading to expulsion will not recur. The entry requirements shall not include those which would cause negative feelings toward the instructional program but may include special classes or transfer of schools or assignments.

c. A listing of any adjustments to the student program of study or school day or a special assignment.

d. A statement by the school citing the resources which will be utilized to assist the student in his/her re-entry to school.

e. A statement relative to procedures or actions to be taken in the event the agreement between the school and student is broken.

f. An indication from the parents that they understand and accept the conditions set forth in the re-entry plan.

STEP 6: Following completion of the re-entry plan which is acceptable to the school administrator who will be responsible for supervision of the student, the plan shall be submitted to the Superintendent or his designee for review and approval. If approved, the Superintendent shall recommend early re-entry of the student to the School Board.

STEP 7: Parent and student are required to attend the School Board Meeting at which the recommendation for re-entry is before the Board.

STEP 8: If the School Board approves the early re-entry of the student, the parents will be notified of the approval and, in accordance with the re-entry plan, the student may then re-enter public school. The School Board may implement a behavior contract as a condition to re-entry.

REPORTS TO LAW ENFORCEMENT AGENCIES

The School Board views disruptive and criminal acts, and those which may affect the health, safety and welfare or pose a serious threat to those on a school campus as extremely serious in nature. In addition to disciplinary action administered at the school level, certain acts are expected to be reported to law enforcement as required by the State Attorney's Office. The actions of law enforcement do not dictate the corrective measure enforced by the school.

REPORTS TO DEPARTMENT OF CHILDREN AND FAMILIES (DCF)

All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect. All employees of the District shall have immunity from liability if they report such cases in good faith.

Abuse is defined as "any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental or emotional health to be significantly impaired."
SECTION VII
STUDENT COMPLAINTS AND GRIEVANCES

Grievance procedure is inapplicable to out-of-school suspensions and expulsions or a student challenging a teacher’s evaluation of his or her performance.

A student complaint exists when a student believes that he/she has been treated unfairly or has not been afforded due process. A grievance is a written allegation, officially presented to a principal by a student that there has been an unfair action or inaction committed at the school against the student by a specified individual or individuals, or some other situation, circumstance, condition or factor within the school system’s scope of responsibility that needs to be resolved. Other grievances arise from actual or perceived situations and circumstances related to the prohibition of discrimination on the basis of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. It is the intent of the Marion County School District to assure that complaints and grievances are resolved in an expeditious, orderly and equitable manner.

Step 1: When a student has a complaint, she/he must first discuss the complaint informally with the person against whom it is directed. The student may seek assistance from a guidance counselor or other faculty members and/or his/her parent(s) in mediating the dispute. (The student may be accompanied by his/her parents(s) or other representative at all steps in this process in order to arrive at an equitable resolution to a dispute.)

Step 2: If the complaint is not resolved informally, the student shall communicate to the principal or guidance counselor his/her desire to discuss the complaint. If the complaint is not scheduled within three (3) school days following the initial communication through no fault of the student, a grievance may be filed. If the discussion is scheduled and held within three (3) school days following the initial communication and the complaint is not resolved, the student may file a grievance.

Step 3: If the complaint is not resolved by the above informal steps, the student shall submit a written, signed grievance to the principal no later than the close of the sixtieth (60th) school day following the alleged incident that prompted the grievance. The written grievance must include a description of the dispute and the facts, as well as an explanation of desired resolution of the grievance. The principal will be responsible for scheduling a discussion of the grievance with the plaintiff within five (5) school days following receipt of the written grievance. The principal shall provide a written answer to the student.

Step 4: If the grievance is not satisfactorily resolved as determined by the plaintiff, an appeal for a ruling may be made by the student five (5) school days following the receipt of the decision to the Coordinator of Student Discipline of the nature and substance of the grievance filed for a final ruling.

SPECIAL PROVISIONS

Failure on the part of a student to observe the time limits for initiation and/or follow-up on a complaint or grievance will automatically result in the complaint or grievance being considered abandoned. Failure by a principal to respond to a complaint or grievance within the prescribed time limits will automatically move the complaint or grievance to the next step. Students are required to continue attendance at school and pursue their studies as directed while complaints or grievances are pending resolution. No reprisals of any kind shall be taken by or against any participants in the grievance procedure by reason of such participation.

Copies of all communications pertaining to a complaint or grievance may be provided to a student and if appropriate, copies should be furnished to the Section 504, Title IX, ADA, and Educational Equity Assurance Director for input.

STUDENT GRIEVANCE FORMS

Student grievance forms are available in each school’s office including the specific “Section 504 Grievance Procedure.” The Superintendent’s designee for coordinating all student grievances is the Coordinator of Student Discipline and may be reached by phone at 352-867-2194 from 8:00 a.m.- 5:00 p.m. on school days or by mail to 1614 E Fort King Street, Ocala, FL 34471.

The Section 504 Coordinator may be reached at 352-671-6832 from 8:00 a.m.- 5:00 p.m. on school days or you can mail information to 1614 E Fort King Street, Ocala, FL 34471.

The Title IX, ADA, and Educational Equity Assurance Director may be reached by phone at 671-7711 from 8:00 a.m. – 5:00 p.m. on school days or you can mail information to 1614 E Fort King Street, Ocala, FL 34471.
GLOSSARY

**Alcohol:** See chart on page 34.

**Arson (Level 3):** Intentionally setting a fire, resulting in damage.

**Simple Battery (Level 3):** Intentionally touching or striking another person against the will of the other and causing bodily injury including but not limited to bruising, swelling, abrasion, redness, pain and/or minor cuts typically requiring first aid, as well as choking another person regardless of injury.

**Aggravated Battery (Level 4):** A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or where the attacker knew or should have known the victim was pregnant.

**Behavior Contract:** A written contract developed between the student and a teacher, the principal, and/or other school personnel. A district behavior contract is a behavior contract that can be used for a pattern of more serious incidents such as fighting, harassment, etc. Failure to comply with a district behavior contract may result in alternative placement or expulsion.

**Physical Behavior Inappropriate for School Setting, Activity (Level 1):** Including, but not limited to: Kicking, poking, pinching, running, pushing, or tripping.

**Physical Behavior for School Setting, Activity (Level 2):** Repeated or extreme instances of the above-defined behavior.

**Bullying:** An aggressive behavior that is intended to cause distress or harm, exists in a relationship in which there is a perceived imbalance of power or strength, and is repeated over time. Examples: hitting, teasing, obscene gestures, rumors, getting someone else to bully, cyber-bullying. School Board Policy 5517.01. (Level 2- first offense, Level 3 – subsequent offenses).

**Burglary (Level 4):** Entering or remaining in a structure or on a conveyance with the intent to commit an offense therein unless the premises are at the time open to the public or the person is licensed or invited to enter (Section 810.02, Fla. Stat.).

**Cheating/Plagiarism (Level 2):** Willful or deliberate unauthorized use of the work of another person for academic purposes and/or inappropriate use of notes/material in the completion of an academic assignment or test and/or inappropriately providing information. Content generated by Artificial Intelligence without proper attribution or authorization is also considered plagiarism.

**Child Abuse:** Abuse is defined as "any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental or emotional health to be significantly impaired."

**Co-Curricular Program or Activity:** A school sponsored activity which is an extension of the actual course of study.

**Complaint:** An allegation, verbal or written, officially made to a principal/administrator or guidance counselor.

**Computer Fraud (Level 3):** Accessing or breaking into documents that are unauthorized. Storing unapproved or inappropriate content on a district computer or storage system.

**Contraband (Level 2):** Possession, use and/or distribution of materials or items which are forbidden including but not limited to: e-cigarettes, matches, toys, animals, lighters, stink bombs, cards. The type of contraband and the context in which the contraband is used and/or discovered will be considered in determining whether the contraband is a Level 2 or Level 3 infraction. Contraband may be confiscated and not returned to the student.

**Contraband (Level 3):** Possession, use and/or distribution of materials or items which are forbidden including but not limited to, drug paraphernalia, imitation alcohol, imitation drugs, synthetic drugs (K-2, bath salts, etc.), bullet, or stolen property. Contraband may be confiscated and not returned to the student.

**Counsel and Direction:** Students involved in misconduct may be given counsel and direction in a conference with the staff or administration; the misconduct is discussed, and future expectations outlined. Parents can be involved.
Criminal Street Gang Activity (Level 3): Activity that intentionally benefits, promotes or furthers the interest of a criminal street gang. A criminal street gang is a formal or informal organization or group that has as one of its primary activities the commission of criminal or delinquent acts and that consists of three (3) or more persons who have a common name or common identifying signs or symbols and have one or more members that engage in a pattern of criminal street gang activity.

Criminal Street Gang Activity (Level 4): Activity as a gang member that includes threats, intimidation or violence.

Cyber Attack (Level 4): Intentional introduction of malicious programs or tools into any component of the network or computing environment.

Detention: Students can be detained before, during, or after school hours for misconduct with approval of the principal or his designee. Parents are to be notified that the student will be detained. Responsibility for transportation is that of the student and/or the parent.

Disorderly Conduct (Level 3): Creation of disorder at any school property, school sponsored or related event, or on any school sponsored transportation.

Disrespect for Others (Level 1 & 2): Conduct or behavior which demeans, degrades, antagonizes, humiliates or embarrasses a person or group of persons.

Disruptive Conduct (Level 1) (Minor): Creating disruption of activity or education of others. Disruptive Conduct (Level 2): Repeated or extreme instances of the activity described above.

Dress Code Violation (Level 1): See page 27.

Drugs: See chart on page 34.

Early Re-Entry Plan for Expelled Students: Parents may request that consideration be given to the development of an early re-entry plan from expulsions in accordance with procedures described. See page 44.

Early Sign-Out: Student leaving school prior to scheduled dismissal time.

Nicotine Dispensing Device: Electronic cigarette means any electronic device composed of a mouthpiece, heating element, battery and electronic circuits, which provides a vapor of liquid nicotine and/or other substances mixed with propylene glycol or other chemicals to the user that he or she inhales in simulation of smoking. This term shall include such devices whether they are manufactured as electronic cigarettes, e-cigarettes, e-cigars, e-pipes or under any other product name.

Electronic Telecommunication Device Misuse (Level 1): use of devices during school instructional hours without administrative or teacher/paraprofessional approval. This includes, but is not limited to, wireless telecommunication devices such as cellular phones, earbuds, or smartwatches.

Electronic Telecommunication Device Misuse (Level 2): repeated infractions of use of devices during school instructional hours without administrative or teacher/paraprofessional approval. This includes, but is not limited to, wireless telecommunication devices such as cellular phones, earbuds, or smartwatches.

Electronic Telecommunication Device Misuse (Level 3): any unauthorized audio, video, or photograph(s) that can be used to degrade, threaten, intimidate, or dehumanize. This includes unauthorized use in a location where there is reasonable expectation of privacy.

Electronic Telecommunication Device Misuse (Level 4): any unauthorized audio, video, or photograph(s) showing a person's unclothed private parts that can be used to degrade, threaten, intimidate, or dehumanize. This includes unauthorized use in a location where there is a reasonable expectation of privacy.

Elopement (Level 2): Student exits class or assigned area without permission including but not limited to the cafeteria, PE/Specials, lines, buses, or in transition.

Elopement (Level 3): Repeated elopement offenses or leaving campus.
**Electric Weapon or Device:** Any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury. Example: stun gun, electric weapon.

**Expulsion:** Expulsion is defined as the removal of the right and obligation of a student to attend a public school in Marion County for a period of time and under conditions set by the School Board not to exceed the remainder of the term or school year and one (1) additional school year of attendance. Expulsion also bars attendance at any public-school function. THE SCHOOL BOARD OF MARION COUNTY HAS THE SOLE RIGHT TO EXPEL A STUDENT FROM SCHOOL UPON RECOMMENDATION OF THE SUPERINTENDENT. See page 45.

**Extortion/Robbery (Level 3):** The willful or malicious threat of harm, injury or violence to a person, property or reputation of another with the intent to obtain money, information, services or items of material worth.

**Extra-curricular Program or Activity:** A school-sponsored activity which is outside of the actual course of study, and which carries no academic credit. Certain academic and behavioral expectations must be met for participation.

**Failure to Comply with Bus Rules (Level 1):** Examples: out of seat, hands on other students, not listening or respecting the Bus Driver.

**Failure to Comply with Bus Rules (Level 2):** Repeated or extreme instances of the examples listed above; disobedience of rules that involve risk to safety or welfare of others, destroying property.

**Failure to Comply with School Rules (Level 1):** Examples: out of area without permission; failure to sign in and out; missing identification badge; public display of affection; truancy; tardiness; lack of required materials and equipment.

**Failure to Comply with School Rules (Level 2):** Repeated or extreme instances of the examples listed above; disobedience of rules that involve risk to safety or welfare of others.

**False Accusation (Level 4):** A student may be recommended for expulsion if he/she is found to have intentionally made false accusations against a school board employee that could jeopardize the employee’s employment, professional reputation or certification.

**False Fire Alarm and Expelling a Fire Extinguisher (Level 3):** The willful and/or malicious activation of a fire alarm system or expelling of a fire extinguisher or the willful and/or malicious reporting of a false fire.

**False Information (Level 2):** Providing false, misleading or invalid statements, making false accusations, and/or withholding valid information.

**False Information on Marion County Public Schools Employee (Level 3):** Making false statements about a Marion County Public Schools employee that could compromise the employees’ professional and/or personal reputation. The false and misleading information must result in and/or involve a school-based investigation and/or enquiry.

**False Information on Marion County Public Schools Employee (Level 4):** Making false statements about a Marion County Public Schools employee that could compromise the employees’ professional and/or personal reputation and the employees’ employment and/or his/her licensure. The false and misleading information must result in and/or involve a district or state level investigation and/or enquiry (Police/law enforcement).

**Felony Adjudication Placement (Level 4):** F.S. 1006.09(2) permits alternative placement or expulsion proceedings against any enrolled student who a court has determined did commit a felony or with a delinquent act, which would be a felony if committed by an adult, for an incident, which occurred on property other than public school property. The superintendent’s designee will determine if the student will be recommended for expulsion or receive alternative placement in lieu of expulsion.

**Felony Transfer (Level 3):** F. S. 1006.09(2) permits suspension proceedings against any enrolled student who is formally charged with a felony or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property if that incident is shown in an administrative hearing with notice provided to the parents of the student by the principal of the school to have an adverse impact on the education program, discipline or welfare in the school in which the student is enrolled. See page 40.

**Fighting (Level 2):** Physical contact between two or more individuals where the participation is mutual, equitable, and/or minimal or no injury.
Fighting (Level 3): Physical contact between two or more individuals. Fighting (Level 3) is characterized by one or more of the following indicators:

- An injury that requires immediate first aid or subsequent medical attention occurs
- The individual in question has more culpability in the origin of or violence of the fight
- Students must be physically separated or restrained
- A significant disruption of the school or bus

Fighting (Level 4): More serious physical contact in which a student brandishes a weapon, designed or improvised, to assail a student or group of students; Group: More serious physical contact between three or more individuals where the participation is mutual, or in which two students attack another student, or in which a student enters into a fight between two or more students.

Force or Violence Against School Employee or Volunteer (Level 3) (Up to Simple Battery): Use of force or violence upon or against any employee of the Marion County School Board. (The grade level and intent of the student will be taken into consideration).

Force or Violence Against School Employee or Volunteer (Level 4) (Aggravated Battery): Intentionally striking or causing bodily harm to any employee of the Marion County School Board. (The grade level and intent of the student will be taken into consideration).

Grievance: A written allegation, officially presented to a principal/administrator or guidance counselor.

Harassment: Persistent threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed towards another person. (Level 2 - first offense, Level 3 – subsequent offenses)

Hazing (Level 4): Any action or situation for purposes of initiation or admission into or affiliation with any school-sanctioned organization that endangers the mental or physical health or safety of a student at a school.

Imitation Alcohol Products (Contraband Level 3): Possession of beverages which contain traces of alcohol.

Inappropriate Language, Gestures or Materials (Level 1): Examples: Possession of adult or sexually explicit printed materials or pictures; using vulgar language in an inappropriate setting; making rude gestures.

Inciting, Leading or Participating in a Major Student Disorder (Level 4): The willful act of inciting, leading or participating in a disruption or disturbance which interferes with the educational process, or which can result in damage or destruction to public or private property or cause personal injury to participants and others.

Inhalant/Inhaling/Huffing (Level 3): To inhale or ingest, or to possess with intent to breathe, inhale, or drink, any compound, liquid, or chemical substance which will lead to impairment.

Insubordination (Level 1): Refusal or failure to comply with a direction or an order from a school employee.

Insubordination (Level 2): Repeated or extreme instances of the behavior described above.

Insubordination (Gross) or Open Defiance (Level 3): Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order.

Intimidation (Level 3): To force or deter with threats or violence, to instill fear in someone, to make someone afraid.

Manifestation: If a child’s misbehavior is a result of his or her disability, the misbehavior is called a “manifestation” of the disability.

Medication (Over the Counter) (Level 1): Possession of over the counter, non-prescription drugs. See chart on page 31.

Other Serious Misconduct of a Criminal Nature (Level 3): Conduct which is not listed as a specific infraction, but which results in injury, damage to property, or serious harm other than of a physical nature to one or more individuals, typically resulting in a misdemeanor charge.
Other More Serious Misconduct of a Criminal Nature (Level 4): Conduct which is not listed as a specific infraction, but which results in more serious injury, damage to property, or serious harm other than of a physical nature to one or more individuals than that listed above, typically resulting in a felony charge.

Parent Conferences/Contact: In cases of student misconduct, a conference between school personnel and the parent may be held to discuss student behavior. During this conference future plans, alternative educational opportunities, or behavior contracts may be determined.

Payment for Damages: Students destroying school property, or the property of others may be assessed for payment of damages and their parents may be held responsible to assure payment.

Permanent Removal from Extra-curricular/Co-curricular Program or Activity: Removal from such program or activity for the remainder of the school year.

Physical Attack without injury (Level 2): Intentionally making physical contact through pushing or hitting. (Without Injury)

Physical Attack/Strangulation/Choking (Level 3): An actual and intentional striking of another person against his or her will, or choking/strangulation regardless of injury.

Profane, Obscene or Abusive Language, Gestures or Materials (Including Internet) (Level 2): Use of either oral or written language, gestures, objects or pictures which are socially unacceptable, or which may tend to disrupt the orderly school environment, a school function, or extra-curricular - co-curricular activity. Sexual, vulgar or lewd gestures or motions, making sexual, vulgar or lewd remarks.

Reasonable Suspicion: Reasonable suspicion means that the person who initiates the warrantless search has a well-founded suspicion – based on facts that can be articulated – of either criminal activity or a violation of school rules.

School/Classroom Positive/Negative Reinforcement Plans: Individual schools and/or teachers may develop structured discipline plans to encourage appropriate behaviors. Examples of such plans would be those modeled after concepts set forth in "Teacher Expectations and Student Achievement" (TESA), "Teacher Effectiveness Training" (TET), or "Assertive Discipline" programs. Such plans may not conflict with the Code of Student Conduct.

Self Defense: A student who is physically attacked may act in self-defense without consequence if the student is unable to leave the area of a pending attack. Self-defense is an action taken that is necessary to protect oneself. Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding oneself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (for example: punching, slapping, kicking) a person back, or choosing not to leave after you are able to get away, will not be considered self-defense.

Serious Campus Disruption (Level 4): Creation of serious disorder at any school property, school sponsored or related event, or on any school sponsored transportation.

Sexual Battery (Level 4): Any sexual act directed against a person, forcibly or against the person’s will, or not forcibly against the person’s will where the victim is not capable of giving consent because of his or her youth or because of temporary or permanent incapacity.

Sexual Harassment (Level 3): Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical contact of a sexual nature that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individuals school performance or participation. Sexual harassment may include the following: verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome or inappropriate touching, suggestive or demanding sexual involvement accompanied by implied or explicit threats.

Sexual Offenses (Level 3): Exposing or exhibiting one’s private areas in public in a vulgar or indecent manner. Intentionally touching in a lewd or lascivious manner the clothed private areas of another or of oneself, using or possessing a wireless communication device to view, or transfer or store material of a sexual nature.

Sexual Offenses (Level 4): Intentionally touching in a lewd or lascivious manner, the private areas of another person or oneself. Forcing a person to touch the perpetrator, or consensual sexual contact/activity.
Smoking/Vaping (and Other Use of Tobacco Products) (Level 2): The unauthorized possession, use, distribution or sale of tobacco products on school system property, at a school function or extracurricular/co-curricular activity. Smoking is prohibited by students on or within 1000 feet of school property between 6 a.m. and midnight unless they are in a moving vehicle or a private residence.

Social Suspension: A social suspension is one in which a student is not allowed to attend school functions outside of a regular school day. These functions include, but are not limited to, being a member of an athletic or extracurricular team or club, and attending school dances, sporting events, and other school-sponsored events. Permission to attend these functions for a student who is on social suspension may only be granted by a dean or administrator.

Special Programs-Alternative Classrooms: Students may be assigned to special programs on the school campus or at special centers to assist in correcting student misbehavior and disruptive behavior.

Special Work Assignments: The assignment of a reasonable task to be completed by a student is permissible. The task should not be to complete additional academic work.

Substance Abuse: Using, without medical reason, any psychoactive or mood-altering drug, including alcohol, in such a manner as to induce impairment resulting in dysfunctional social behavior.

Substance Abuse Supportive Enforcement (Diversion) Program: A proactive education course for students designed to prevent alcohol and drug/controlled substance abuse.

Suspension: Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the Principal or the Principal’s designee, for a period not to exceed ten (10) school days and remanding of the student to the custody of the student’s parent with specific homework assignments for the student to complete.

Suspension (In-School): Students may be removed from a class or classes and assigned to other activities on the school campus. Other activities may include supervised work details.

Suspension from Bus Riding Privileges: Students may be suspended from bus riding privileges for misconduct on the school bus for up to ten (10) school days. The School Board may suspend a student from bus riding privileges for longer periods of time. A student suspended from bus riding privileges continues with the responsibility to attend school. The responsibility for transportation to and from school for the duration of the suspension now becomes the responsibility of the student, or the student’s parents.

Tardiness: Excessive late arrival to school or class.

Temporary Removal from Extra-curricular/Co-curricular Program or Activities: May result in suspension or removal of an activity or extra-curricular events.

Tetrahydrocannabinol (THC): A Schedule I controlled substance derived from the extract of the marijuana plant. The name “THC oil” is used to identify THC in its most prevalent form after it is extracted from a marijuana plant for recreational use. There are other THC derivatives, such as powder or wax, that are also used when ingesting the substance, but the oil is the most easily manipulated, especially because of its compatibility with vape pens. Because the oil is the predominant form of the substance, Florida State Statutes pertaining to THC specifically identify it as “THC oil.” Under the Florida Statute § 893.03, THC oil is a Schedule I controlled substance. This statute expounds on Schedule I controlled substances to include any THC derivatives, natural or synthetic, in the same category as the oil. Therefore, any THC-derived byproduct shall also be categorized as a Schedule I controlled substance along with THC oil. Possession of a Schedule I controlled substance is a third-degree felony.

Theft (Level 2): The taking of property of another without permission of the owner where the property has a value of less than $750.

Theft (Level 3): The taking of property of another without permission of the owner where the property has a value of $750-$999.

Theft (Level 4): The taking of property of another without permission of the owner where the property has value of over $1000.

Threat (Level 2): Orally or by written, electronic, or printed communication expressing one’s intention to hit, fight, or beat up an individual or a member of the individual’s family.
Threat (Level 3): Orally or by written, electronic, or printed communication expressing one's intention of hurting or punishing or otherwise harming an individual or a member of the individual's family such that a reasonable person would be fearful and having the ability to carry out the threat.

Threat (Level 4): Orally or by written, electronic, or printed communication expressing intention of harming an individual or a member of the individual's family such that puts someone in reasonable fear of death or bodily injury. A reasonable person should believe that the offender has the ability to carry out the threat and the offender has developed a plan to do so.

Threat of Mass Harm/Destruction (Level 4): Any communication which has the effect of threatening to do malicious, destructive or bodily harm at a school, a school function or extra-curricular/co-curricular activity, including but not limited to threats of mass shooting or bomb threats. This does not include single, transient, statements made in anger or duress. (i.e., “I hate this school; I want to kill everybody.”)

Tobacco: See Tobacco Products on page 29.

Trespassing (Level 3): Entering upon or remaining on any property, a structure or conveyance without being authorized, licensed or invited to do so and being warned by the owner or owner’s agent or by notice pursuant to § 810.09, Fla. Stat., or, in the case of entry upon or remaining on school grounds or buildings, not having legitimate business on the campus or authorization, license or invitation to be there or being under suspension, alternative placement or expulsion.

Unauthorized Absence from School or Class: Violation of the State Attendance Laws requiring school attendance or "skipping" an individual class or classes. Unexcused absence.

Unauthorized Assembly, Publication, Etc.: Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.

Unauthorized Use of Internet (Level 3): Use of internet on any computer located on school grounds in violation of the current School Board acceptable use policy and guidelines.

Unauthorized Use of Other Person's Name or Signature (Level 2): Using the name, identifying number or symbol or signature of another person for any purpose without that person's authorization or permission with the intention of deceiving a School Board employee or under circumstances which could be reasonably calculated to deceive the employee.

Under the Influence-Alcohol: Positive test results or student admission of alcohol consumption or observation of student's alcohol consumption or behavior (slurred speech, breath scent, unsteady gait, etc.) suggesting recent alcohol consumption.

Under the Influence-Drugs: Positive test results or student admission of drug usage or observations of student's drug usage or behavior (red eyes, lethargic or erratic behavior, dilated pupils, etc.) suggesting recent drug usage.

Unsubstantiated Bullying and/or Harassment: After a complete investigation of a reported incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act.

Vandalism/Destruction of property (Level 2): Destruction of school or personal property (Cost to repair less than $300).

Vandalism (Level 3): Destruction of school or personal property (Cost to repair $300 - $999).

Vandalism (Level 4): Destruction of school or personal property causing disruption of normal school activities (Cost to repair $1000 or greater).

Verbal Correction/Reprimand: Any member of the school staff may verbally correct a student for misconduct in the classroom, hallways, on the school grounds, going to and from school, or a scheduled school function.

Victimization/Extortion or Threats/Intimidation of a More Serious Nature (Level 4): A person who willfully, maliciously, and repeatedly follows and/or harasses student, employee, or volunteer with intent to place that person in reasonable fear of death or bodily injury or a more serious Level 3 threat.

Violation of Attendance Procedures (Level 1): E.g., Tardiness, truancy, failure to check in when tardy, failure to check out when leaving.
Violation of Attendance Procedures (Level 2): Repeated or excessive violations as described above.

Violation of District Behavior Contract (Level 3): Violation of a district approved behavior contract implemented due to prior serious, repeated Level 2 and/or Level 3 misconduct.

Violation of School Safety Procedures (Level 2): Disruptive or insubordinate conduct of a school-wide security procedure. (Including but not limited to: opening gates, Not following Code Red/Yellow procedures)

Violation of School Safety Procedures (Level 3): Disruptive or insubordinate conduct during a school-wide security event, or repeated violations of school-wide security.

Violation of School Safety Procedures (Level 4): Excessive disruptive or insubordinate conduct during a school-wide security event, or repeated violations of school-wide security.

Violation of Early Re-Entry Plan/Probation: Any act or series of acts, which violates or has the practical effect of violating an early re-entry or a probationary plan.

Weapon-like Contraband (Level 3): Possession of any weapon defined in Category B on Page 29 of the Code of Student Conduct will be at least a Level 3 infraction. The type of weapon (Category B, rather than Category A), and the context in which the weapon is used and/or discovered will be considered in determining whether the weapon is a Level 3 or 4 infraction. Pursuant to § 790.115(2)(a)(3), Fla. Stat., the School Board has adopted a published policy prohibiting the possession of any firearm, electric weapon or device, destructive device, or other weapon as defined in § 790.001(13), Fla. Stat., including a razor blade or box cutter, in a student vehicle parked on campus. This policy is permissible contravention of § 790.025, Fla. Stat., regarding weapons in vehicles. See page 29.

Weapons and Firearms (Level 4): Possession of any weapon defined in Category A on page 28 of the Code of Student Conduct will be a Level 4 infraction and will require mandatory expulsion. The School Board has the discretion to expel any student in possession of a weapon listed in Category B on page 29 of the Code of Student Conduct. The type of weapon (Category B, rather than Category A), and the context in which the weapon is used and/or discovered will be considered in determining whether the weapon is a Level 3 or 4 infraction. Pursuant to § 790.115(2)(a)(3), Fla. Stat., the School Board has adopted a published policy prohibiting the possession of any firearm, electric weapon or device, destructive device, or other weapon as defined in § 790.001 (13), Fla. Stat., including a razor blade or box cutter, in a student vehicle parked on campus. This policy is permissible contravention of § 790.025, Fla. Stat., regarding weapons in vehicles. See page 27-28.

Wireless Device: Any device that can communicate with other devices without being physically attached to them, including but not limited to cellular telephone, cameras, smartwatches, or wireless headphones.

Withdrawal of Privileges: The temporary withdrawal of privileges which do not impact the health and safety of students nor impair the development of the basic academic program for the student.

Work Details: Students may be required to serve on work details at the school for misconduct. Each work detail shall not endanger the health or safety of a student
Student Alternative Placement Questions

Start

1. Student Discipline Manager

2. Assistant Principal/Assistant Principal of Discipline

3. Principal

4. Student Discipline Coordinator

5. Sr. Executive Director of Student Pathways (Procedures Only)

Finish
Student Out of School Suspension Questions

1. Student Discipline Manager
   - 2. Assistant Principal/Assistant Principal of Discipline
   - 3. Principal
   - 4. Student Discipline Coordinator
   - 5. Sr. Executive Director of Student Pathways (Procedures Only)

Finish
Student Expulsion Questions

1. Student Discipline Manager/Assistant Principal of Discipline

2. Principal

3. Student Discipline Coordinator

4. Sr. Executive Director of Student Pathways

If you dispute the Discipline:
The School Board of Marion County, Florida
Opportunity to Dispute Discipline Consequences

If you dispute the Facts:
Division of Administrative Hearings (DOAH)
Expulsion Hearing