CODE OF STUDENT CONDUCT
2020-21
The School Board of Orange County, Florida (Board) Policy JIC, entitled “Code of Student Conduct,” in addition to Section 1006.07, Florida Statutes, requires the adoption of a Code of Student Conduct (Code). The Orange County Public Schools (OCPS) Code applies to all activities throughout the school, while being transported to and from school at a public expense, a reasonable time before and after school, during school-sponsored activities, and any other jurisdictional area as permitted by applicable laws and regulations.

The Code shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each school year and quarterly thereafter and for transferring students upon their enrollment.

In order to conserve resources, schools will not distribute paper copies of the Code to every student. You can locate an electronic copy of the Code online at the District website: www.codeofconduct.ocps.net, or on your school-issued device for middle and high school students. If you require a paper copy of the Code, please check the box below and return this form to your child’s school.

The following represents a minimal portion of information found within the Code; students and parents/guardians are encouraged to read the Code in its entirety:

- I have read about Safe Harbor in the Code and understand that I must turn in the prohibited item before an investigation has started.

- If I am charged with a felony, whether on OCPS grounds or in the community, I will not be eligible to participate in extracurricular/co-curricular activities.

- I may be recommended for full exclusion from all OCPS schools or placed at an alternative school for committing certain disciplinary offenses to include, but are not limited to, possession of a weapon, possession/distribution/selling drugs, sexual offenses, theft/robbery, vandalism, severe acts of bullying/harassment, hazing, and/or physical attacks.

- All threats made to a school or person will be taken seriously, regardless of intent.

- I understand I have the right to choose to participate in an OCPS disciplinary investigation.

- Searches of students and property will be conducted if school personnel have reasonable suspicion of a violation of the law or the Code. Reasonable suspicion is not required to conduct random searches of OCPS owned property. Random searches may occur at any time and are not protected by Safe Harbor.

- I understand that vaping/smoking any substance (drugs, nicotine, etc.) is not permitted on Board property, transportation, or school-sponsored activities.

- I can anonymously report any suspicious or criminal behavior I observe to the Speak Out Hotline at (800) 423-TIPS (8477), at www.speakouthisline.org, or by texting “speakout” plus my tip information to CRIMES (274637). I can also report any suspicious or criminal behavior I observe to FortifyFL through the FortifyFL app, on my school-issued device, or by going online at www.getfortifyfl.com.
CODE OF STUDENT CONDUCT SUMMARY
## CODE OF STUDENT CONDUCT SUMMARY

The Code has four levels of offenses. Level I offenses are the least serious and will be dealt with by imposing less severe consequences than Level IV offenses. A Level IV offense is grounds for a 10-day suspension and a consideration for expulsion.

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- Counseling and Direction
- Verbal Reprimand
- Special Work Assignment
- Withdrawal of Privileges
- Return of Property
- Detention
- Referral to Intervention Program
- Restorative Practice
- Referral to Mental Health Services
- Assigned Seat
- Safety Plan
- SAFE/Guidance Referral
- Schedule Change
- No Contact Contract
- Warning of Referral to Level II
- Alternative Classroom

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- Parent Contact
- Counseling and Direction
- Behavior Contract/Plan
- Restorative Practice
- PASS
- Special Work Assignment
- Detention
- Suspension from Bus
- Confiscation of Contraband
- Referral to Intervention Program
- Removal from Extracurricular Activities
- SAFE/Guidance Referral
- Safety Plan
- Schedule Change
- No Contact Contract
- Referral to Mental Health Services

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- Parent Contact
- Counseling and Direction
- Behavior Plan/Contract
- Restorative Practice
- PASS
- Schedule Change
- Suspension from Bus
- Referral to Intervention Program
- Removal from Extracurricular Activities
- SAFE/Guidance Referral
- Schedule Change
- No Contact Contract
- Referral to Mental Health Services

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- Confiscation of Contraband
- Suspension from School
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Code of Student Conduct Summary

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- Level 1I: Misconduct on the School Bus (removed)
- Level 1KK: Electronic Device Violation
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- Level 1 Consequences
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INTRODUCTION
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Orange County Public Schools (OCPS) has developed the Code of Student Conduct (Code) to help students, parents/guardians, and school personnel understand the guidelines for maintaining a safe and orderly learning environment.

The Code applies to all OCPS students in Kindergarten through Grade 12, including high school and school age students attending either a technical center in a dual-enrollment program or a community school program for high school credit.

Each OCPS student must obey OCPS rules and the Code:

- While on school grounds;
- While being transported to or from school at public expense;
- During school-sponsored activities, including, but not limited to distance learning, field trips, athletic functions, and similar activities; and
- If appropriate, any other area as permitted by Florida Statutes and/or State Board of Education Rules.

Schools may also have the authority to discipline students for acts near or related to the school or when a student’s conduct may harm the health, safety, or welfare of the student, of other students, of the school or of school personnel. In addition, while students may be disciplined for offenses according to the responses outlined in the Code, please be aware that there could be additional consequences through law enforcement for acts that violate the law.

Notice of Limited Responsibility for Supervising Students

OCPS employees are not responsible for supervising students who arrive on school grounds more than 30 minutes before school and/or 30 minutes before a school-sponsored activity is scheduled to begin or students remaining on school grounds more than 30 minutes after school and/or 30 minutes after the school-sponsored activity ends. OCPS is not responsible for supervising students not in attendance at school, or students not authorized to participate in school-sponsored activities. Casual or incidental contact between OCPS personnel and students on school grounds shall not result in a duty to supervise students. Parents/guardians should not rely on OCPS employees to provide supervision for their child outside of the aforementioned time period.

Nothing in this section precludes OCPS from administering discipline for acts or behavior that occur on OCPS property.

OCPS EEO Non-Discrimination Statement

The School Board of Orange County, Florida, does not discriminate in admission or access to, or treatment or employment in its programs and activities, on the basis of race, color, religion, age, sex, national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, or any other reason prohibited by law. The following individuals at the Ronald Blocker Educational Leadership Center, 445 W. Amelia Street, Orlando, Florida 32801, attend to compliance matters: Equal Employment Opportunity (EEO) and Title IX Officer: Keshara Cowans; ADA Coordinator: Michael Graf; Section 504 Coordinator: Tajuana Lee-Wenze. (407.317.3200)
SECTION I:
FAMILY EDUCATION RIGHTS
AND PRIVACY ACT (FERPA)
SECTION I: FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Notification of Rights Under FERPA for Elementary and Secondary Schools
The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older (eligible students) certain rights with respect to your student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access. Parents/guardians or eligible students who wish to inspect their child’s or their education records must submit a written request to the principal that identifies the record(s) the parents or eligible student wishes to inspect. The principal 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 record that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. Parents/guardians or eligible students who wish to ask the school to amend their child’s or their education records must write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. If the school decides not to amend the record as requested, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. If, as a result of the hearing, the school still decides not to amend the record, the parent/guardian or eligible student can insert a statement into the record setting forth his or her views regarding the nature of the inaccuracy. The statement must remain with the contested part of the record for as long as the record is maintained. Please note, while the FERPA amendment procedure may be used to challenge facts that are inaccurately recorded, it may not be used to challenge a grade, an opinion, or a substantive decision made by a school about a student. FERPA was intended to require only that schools conform to fair recordkeeping practices and not to override the accepted standards and procedures for making academic assessments, disciplinary rulings, or placement determinations. Additionally, if FERPA’s amendment procedures are not applicable to a parent’s/guardian’s request for amendment of education records, the school is not required under FERPA to hold a hearing on the matter.

3. The right to consent to disclosure of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff; the person elected to the school board; or, a person or company with whom the district has contracted to perform a specific task. 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. Additionally, personally identifiable information will be released without consent to appropriate officials in emergency situations, to comply with a lawfully issued subpoena and in cases involving compulsory school attendance and child abuse. Further disclosures of personally identifiable information from educational records of a student without obtaining prior written consent of the parents or the eligible students can be found in 34 C.F.R. Part 99.31. Please note: Per FERPA, disciplinary records are also considered educational records and cannot be disclosed unless one of the above exceptions applies.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The address of the office that administers FERPA is:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW
   Washington, DC 20202-4605.
Release of Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that OCPS, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, OCPS may disclose appropriately designated “directory information” without written consent, unless you have advised OCPS to the contrary in accordance with OCPS procedures and Board Policy JRA, entitled, “Student Records.” The form to opt-out of the release of directory information can be obtained from your child’s school or by completing the form found at https://www.ocps.net/cms/One.aspx?portalId=54703&pageId=1259544. Please note, directory information, as permitted by the Board, will only be shared with contracted entities and pursuant to Board Policy JRA.

In accordance with FERPA and Board Policy JRA, the following information, also known as “directory information,” can be found in your child’s school records and is not confidential:

- Student name;
- Student address;
- Telephone numbers, if listed;
- Name of the most recent previous school or program attended;
- Dates of attendance at schools in the district;
- Participation in officially recognized activities and sports;
- Diplomas, certificates, and honors received;
- Date of graduation; and
- Date and place of birth.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent. [Note: These laws are Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).]

In addition, the names and directory information pertaining to children of active or former law enforcement officers, investigative personnel of the Department of Health and Rehabilitative Services, firefighters, justices and judges, and other officials, as outlined in Section 119.07, Florida Statutes, are exempt from disclosure. If such a parent/guardian makes a written request to the school that information not be released by the school without parent/guardian consent, the school shall not release such information.

Release of Educational Records to Other Educational Agencies

FERPA permits disclosure of educational records to other educational agencies or institutions in accordance with 34 C.F.R. § 99.34. OCPS may disclose educational records to other educational agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer. The parent/guardian may request a copy of the record that was disclosed, and/or the parent/guardian may request a hearing as outlined in this Section. In addition, pursuant to Section 1003.25, Florida Statutes, educational records transferred to another educational agency shall include: verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services; and psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by OCPS, as appropriate.
SECTION II: STUDENT RIGHTS AND RESPONSIBILITIES
### SECTION II: STUDENT RIGHTS AND RESPONSIBILITIES

<table>
<thead>
<tr>
<th>Safe, Positive, and Receptive Learning Environment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Student Rights</strong></td>
<td><strong>Student Responsibilities</strong></td>
</tr>
<tr>
<td>To attend school in a positive learning environment</td>
<td>To maintain a decorum that enhances a positive learning environment</td>
</tr>
<tr>
<td>To have school personnel who are receptive to student needs and concerns</td>
<td>To express needs and concerns in an appropriate manner</td>
</tr>
<tr>
<td>To have knowledge of the Code</td>
<td>To follow the guidelines set forth in the Code</td>
</tr>
</tbody>
</table>

### Attendance

<table>
<thead>
<tr>
<th><strong>Student Rights</strong></th>
<th><strong>Student Responsibilities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>To be informed of Board policies and school rules about absenteeism and tardiness</td>
<td>To attend classes daily and be on time</td>
</tr>
<tr>
<td>To appeal a decision about an absence</td>
<td>To explain or document the reason for an absence</td>
</tr>
<tr>
<td>To request make-up work after an absence/suspension and to complete it in a reasonable amount of time</td>
<td>To make-up class work in a reasonable amount of time after an excused absence/suspension</td>
</tr>
</tbody>
</table>

### Counseling

<table>
<thead>
<tr>
<th><strong>Student Rights</strong></th>
<th><strong>Student Responsibilities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>To be informed about school guidance services</td>
<td>To use guidance services for educational and personal improvement</td>
</tr>
<tr>
<td>To have access to individual and group counseling</td>
<td>To schedule guidance appointments ahead of time, except in emergencies</td>
</tr>
<tr>
<td>To request counseling</td>
<td>To work cooperatively with all school personnel</td>
</tr>
</tbody>
</table>

### Curriculum

<table>
<thead>
<tr>
<th><strong>Student Rights</strong></th>
<th><strong>Student Responsibilities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>To receive a teacher’s grading standard at the beginning of the grading period</td>
<td>To request academic and extracurricular programs that are in line with ability</td>
</tr>
<tr>
<td>To receive course descriptions</td>
<td>To ask for help from school personnel in choosing courses</td>
</tr>
<tr>
<td>To learn from competent teachers in an atmosphere free from bias and prejudice</td>
<td>To cooperate with teachers and contribute to an atmosphere free from bias and prejudice</td>
</tr>
<tr>
<td>To take part in basic skills programs in elementary, middle, and high schools</td>
<td>To make every effort to master the basic skills</td>
</tr>
</tbody>
</table>

### Grades

<table>
<thead>
<tr>
<th><strong>Student Rights</strong></th>
<th><strong>Student Responsibilities</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>To receive a teacher’s grading standards at the beginning of the grading period</td>
<td>To learn about grading standards</td>
</tr>
<tr>
<td>To be notified of failure/potential failure when work is unsatisfactory</td>
<td>To meet academic standards in line with ability and to make every effort to improve unsatisfactory work</td>
</tr>
</tbody>
</table>
### Free Speech/Expression

<table>
<thead>
<tr>
<th>Student Rights</th>
<th>Student Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>To express views through speaking and writing, but without being obscene,</td>
<td>To respect the right of others to express their views and refrain from using speech or</td>
</tr>
<tr>
<td>disruptive, abusive, or derogatory</td>
<td>expression that could substantially disrupt the learning environment or harm the health,</td>
</tr>
<tr>
<td></td>
<td>safety, or welfare of others</td>
</tr>
<tr>
<td>To participate in patriotic observances, however, students have a right to</td>
<td>To behave respectfully during patriotic observances</td>
</tr>
<tr>
<td>not participate in recitation of the Pledge of Allegiance</td>
<td></td>
</tr>
<tr>
<td>To have one’s religious beliefs respected</td>
<td>To respect the religious beliefs of others and to refrain from activities that hold</td>
</tr>
<tr>
<td></td>
<td>religious beliefs up to ridicule</td>
</tr>
<tr>
<td>To assemble peaceably on school grounds while following federal, state, and</td>
<td>To plan, get approval for and conduct activities that are in line with the school’s goals</td>
</tr>
<tr>
<td>local regulations</td>
<td></td>
</tr>
<tr>
<td>To help develop and distribute publications as part of the educational process</td>
<td>To follow the rules of responsible journalism under the guidance of an advisor, including</td>
</tr>
<tr>
<td></td>
<td>seeking complete information about topics and refraining from publishing false or obscene</td>
</tr>
<tr>
<td></td>
<td>material</td>
</tr>
<tr>
<td>To be protected from sexual harassment</td>
<td>To refrain from sexually harassing students, staff, and community members on OCPS property</td>
</tr>
</tbody>
</table>

### Privacy and Property Rights

<table>
<thead>
<tr>
<th>Student Rights</th>
<th>Student Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>To have privacy of personal possessions unless school personnel have reason</td>
<td>To keep materials prohibited by law or Board policy away from school or school activities</td>
</tr>
<tr>
<td>to believe a student is in possession of materials prohibited by law or Board</td>
<td></td>
</tr>
<tr>
<td>policy; any individual on Board property is subject to search</td>
<td></td>
</tr>
<tr>
<td>To have personal property respected</td>
<td>To respect others’ personal property</td>
</tr>
</tbody>
</table>
Safe Harbor Provision
A student may approach a school official or contracted personnel and turn in an object which is not allowed by the Code. Unless an investigation by school officials regarding the possession of an object that is not allowed by the Code has already started, a student who approaches a school official and turns in the object, may not receive discipline. An investigation starts when a school official or contracted personnel becomes aware of the object that is not allowed by the Code. The school will make arrangements with the student’s parent/guardian to pick up the object from the school, if applicable.

If a student discovers illegal objects such as drugs, weapons, or other contraband on school property, including on a school bus, the student may approach a school official or contracted personnel and report the discovery. A student may not be in violation of the Code by making such a report. School officials shall adhere to policies and procedures concerning further investigation of the report.

Law enforcement may be contacted for specific offenses, which may include, but are not limited to, firearms, drugs, and explosive devices. Objects not allowed by the Code that are discovered during a random search are not protected by the Safe Harbor provisions.

Participation in Extracurricular/Co-curricular Activities
In order to participate in extracurricular/co-curricular activities or athletic programs, students must adhere to Board policies, school-based criteria, and applicable law. A student may not be eligible to participate in extracurricular/co-curricular activities for certain disciplinary offenses. It is important for students to understand that the behavioral expectations placed upon students by the school can extend beyond the classroom and school campus. Pursuant to Florida law, the Board has the authority to withhold participation privileges from students. In addition, schools reserve the right to remove any student for any offense of the Code which substantially disrupts the school or community.

A student may not participate in any extracurricular/co-curricular activity if the student participated in that same sport at another school during the same school year unless the student has been relocated due to foster care placement, experienced death of a parent/guardian, or been impacted by military orders or court-ordered changes in custody. A student’s eligibility to participate in extracurricular/co-curricular activities may not be affected by recruiting allegations until a final determination has been reached.

The Juvenile Justice System has committed to working in conjunction with school officials toward maintaining standards of behavior for all students including those who participate in extracurricular/co-curricular activities. With this in mind, any student who has been formally charged with a felony or similar offense by a prosecuting attorney shall be excluded from participation in extracurricular/co-curricular activities for a minimum of one calendar year. If the student is not found guilty or if the charges are dismissed, the student may return upon presenting documentation of the court’s decision. Additionally, a student is ineligible to participate in extracurricular/co-curricular activities if a court order prohibits the student’s enrollment in a traditional school setting.

Any student who has committed a Level III hazing offense shall be excluded from participation in extracurricular/co-curricular activities for a minimum of one calendar year. Any student who has committed a Level IV hazing offense shall be excluded from participation in extracurricular/co-curricular activities for the remainder of their enrollment at OCPS.

Nothing in this section of the Code shall preclude the exercising of any existing authority of the Superintendent/designee or the Juvenile Justice System.

Additional information pertaining to extracurricular/co-curricular activities can be found in Section VI of this Code and in the Board Policy JJ entitled “Extracurricular Activities.”
SECTION II: STUDENT RIGHTS AND RESPONSIBILITIES

Code of Civility

The education of a child happens only through a partnership among the child, school faculty and staff, parent(s) or guardian(s), the community and district office employees. Partnership is an active state that includes sharing responsibilities, having meaningful communication and welcomed participation.

When people who are working together agree, the partnership runs smoothly. Two people will not always agree and that can make partnership difficult. The partnership is most powerful, as children are educated to reach their potential, when we agree on how to disagree. We must be civil in our discourse.

Civility is often described by its absence. We hear of harmful actions such as road rage, physical confrontation, ethnic stereotypes and slurs. But civility is not just an absence of harm. It is the affirmation of what is best about each of us individually and collectively. It is more than saying “please” and “thank you.” It is reflecting our respect for others in our behavior, regardless of whether we know or like them. It is not simply being politically correct and should not to be used to stifle criticism or comment. It is being truthful and kind and for us to take responsibility for our own actions rather than blaming others.

As we communicate with each other, we need to remember that we are working together to benefit the children of this community.

Therefore, the Board requires that, as we communicate; students, OCPS faculty and staff, parents, guardians and all other members of the community shall:

1. Always treat each other with courtesy and respect
   This means:
   • We listen carefully and respectfully as others express opinions that may be different from ours.
   • We share our opinions and concerns without loud or offensive language, gestures or profanity.

2. Treat each other with kindness
   This means:
   • We treat each other, as we would like to be treated.
   • We do not threaten or cause physical or bodily harm to another.
   • We do not threaten or cause damage to the property of another.
   • We do not bully, belittle or tease one another and we do not allow others to do so in our presence.
   • We do not demean and are not abusive or obscene in any of our communications.

3. Take responsibility for our own actions
   This means:
   • We share information honestly.
   • We refrain from displays of temper.
   • We do not disrupt or attempt to interfere with the operation of a classroom or any other work or public area of a school or school facility.

4. Cooperate with each other
   This means:
   • We obey school rules for access and visitation.
   • We respect the legitimate obligations and time constraints we each face.
   • We notify each other when we have information that might help reach our common goal. This will include information about safety issues, academic progress, changes that might impact a student’s work or events in the community that might impact the school.
   • We respond when asked for assistance.
   • We understand that we do not always get our way.
SECTION II: STUDENT RIGHTS AND RESPONSIBILITIES

Code of Civility

Authority and Enforcement of the Code of Civility

Authority and enforcement of a code for civil conduct ultimately depends on the individual and collective will of those involved – students, OCPS faculty and staff, parents, guardians and all other members of the community. However, individuals need to know how to respond to uncivil behavior and how such behavior will be responded to. Therefore:

1. A student who believes that he or she has not been treated in a manner reflective of the Code of Civility should report such behavior to the appropriate school administrator.

2. A parent, guardian or community member who believes that he or she has not been treated in a manner reflective of the Code of Civility should report such behavior to the staff member’s immediate supervisor.

3. An employee who believes that he or she has not been treated in a manner reflective of the Code of Civility should use the following guidelines:

   • If personal harm is threatened, the employee may contact law enforcement.

   • Anyone on school district property without authorization may be directed to leave the premises by an administrator or school resource officer. Anyone who threatens or attempts to disrupt school or school district operations, physically harm someone, intentionally cause damage, uses loud or offensive language, gestures, profanity or shows a display of temper must be directed to leave the premises by an administrator or school resource officer. If such person does not immediately and willingly leave and if the school resource officer is not available, law enforcement shall be called.

   • If a telephone call recorded by an answering machine, e-mail, voicemail message or any type of written communication is demeaning, abusive, threatening or obscene the employee is not obligated to respond.
     - If personal harm is threatened, the employee may contact law enforcement.
     - The employee shall save the message and contact his or her immediate supervisor, the school resource officer and/or OCPS District Police.

   • If any member of the public uses obscenities or speaks in a demeaning, loud or insulting manner, the employee to whom the remarks are directed shall take the following actions:
     - Calmly and politely, ask the speaker to communicate civilly.
     - If the verbal abuse continues, give appropriate notice to the speaker and terminate the meeting, conference or telephone conversation.
     - If the meeting or conference is on school district premises, request that an administrator or authorized person direct the speaker to promptly to leave the premises.
     - If the speaker does not immediately leave the premises, an administrator or other authorized person shall notify law enforcement to take any action deemed necessary.
SECTION III:
STUDENT NOTIFICATIONS
SECTION III: STUDENT NOTIFICATIONS

Student Dress

The dress and grooming of Orange County Public Schools’ students shall contribute to the health and safety of the individual, promote a positive educational environment, and not disrupt the educational activities and processes of the school. These standards of dress and grooming apply to all students in the public schools of Orange County, unless a specific exemption is granted by the principal. Any request for an exemption shall be made to the principal.

1. Clothes shall be worn as they are designed. For example, suspenders should be over the shoulders, pants secured at the waist, belts buckled, no underwear as outerwear, no underwear exposed.

2. Clothing must cover the body from one armpit across to the other armpit and down to approximately mid-thigh (see image to the right). Tops must have straps. Undergarments must not be viewable. Rips, holes, or tears in clothing must be below mid-thigh.

3. Shoes shall be worn at all times and should be safe for the school environment. The following shoes are not acceptable for any OCPS student: cleated shoes or shoes with wheels. In addition, the following shoes are not acceptable for OCPS students in grades K-8: thong sandals or backless shoes.

4. Headgear shall not be worn on campus during the school day, unless the headgear is approved by the principal.

5. Specialized courses may require specialized attire, such as sports uniforms, or safety gear and must be approved by the principal before being worn during the school day.

6. See-through, revealing, or mesh garments must not be worn without appropriate coverage underneath that meet the minimum requirements of this dress code.

7. Gang paraphernalia, garments and/or jewelry, tattoos, or other insignias, which display or suggest sexual, vulgar, drug, alcohol, or tobacco-related wording/graphics or may tend to provoke violence or disruption in school shall not be worn.

8. Clothing must not state, imply, or depict hate speech or imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected class.

9. Clothing and accessories that endanger students or staff shall not be worn.

Students shall wear a face mask/face covering/face shield if required by the Board, OCPS, Principal, or other official with authority to mandate the wearing of this protective gear. This requirement may be waived with approval from the principal only if a student is medically unable to wear a face mask/face covering/face shield.

10. Individual schools may implement school uniforms with community input and approval of the principal’s supervisor.

11. Individual schools are expected to use the state and district dress and grooming guidelines as minimum standards; any adjustments may be made upon approval of the principal’s supervisor. The principal at each school reserves the right to determine what appropriate dress is for the school as detailed in these minimum standards.

Any student who violates this dress policy will be subject to disciplinary action as outlined in Sections IV and V of the Code, Section 1006.07(2)(d), Florida Statutes, and below:

1. For a first offense, a student shall be given a verbal warning and the school principal shall call the student’s parent/guardian.

2. For the second offense, a student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal shall meet with the student’s parent/guardian.

3. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to Section 1003.01(5) for a period not to exceed 3 days, the student is ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student’s parent/guardian and send the parent/guardian a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.
SECTION III: STUDENT NOTIFICATIONS

Standards of Conduct for Students using Transportation Provided by OCPS

Because of OCPS’s continuing efforts to provide safe transportation for all students, whether for a field trip, athletic function, similar activity, or to and from home, students are expected to abide by the following standards of school bus behavior, in addition to the Code:

1. Obey the bus driver at all times.
2. Stand off the roadway while waiting for the bus.
3. Be at the bus stop five minutes prior to a scheduled stop time.
4. Cross the roadway several steps in front of the bus.
5. Ride only on the assigned bus.
6. Board and depart at the assigned bus stop.
7. Act appropriately while waiting for the bus.
8. Give your proper name when requested by the bus operator or monitor.
9. Remain seated at all times when the bus is moving and properly wear a seat belt, as applicable.
10. Remain silent when the dome lights are on.
11. Remain silent at railroad crossings.
12. Refrain from littering on the bus.
13. Refrain from bringing reptiles, bugs, animals, or marine life (dead or alive) on the bus unrelated to school activities.
14. Refrain from displaying signs from the bus.
15. Refrain from using profane language or gestures.
16. Refrain from acts of vandalism.
17. Refrain from throwing any objects from the windows of the bus.
18. Refrain from any conduct or behavior that interferes with the orderly, safe, and expeditious transportation of yourself or other bus riders.
19. Students are permitted to use their electronic device while on OCPS/OCPS-sponsored transportation so long as the student utilizes earbuds, headphones, etc. and has at least one ear free to hear directions.
20. Skate boards are not permitted on the school bus.

Recording devices have been installed on many buses. Students may be filmed at any time during their ride. The recordings may be utilized to determine violations of the Code. Violations of the aforementioned standards, or any other section of the Code may be the basis for suspension or expulsion from the bus/school.
SECTION III: STUDENT NOTIFICATIONS

Possession, Use, or Sale of Controlled Substances and/or Alcohol
According to state law and Board Policy JICH, entitled “Drug and Alcohol Use by Students,” the unlawful use, possession, or sale of controlled substances, as defined in Chapter 893, Florida Statutes, and/or alcohol by any student while the student is upon school property or in attendance at a school function is grounds for disciplinary action by the school (such as suspension and/or expulsion) and may also result in criminal penalties being imposed.

Possession of Firearms or Weapons on OCPS Property
Possession of a firearm or weapon, as defined in Chapter 790 of the Florida Statutes, by any student or visitor (except law enforcement officers as defined in Chapter 943, Florida Statutes) while the student or visitor is on school property or in attendance at a school function, is grounds for disciplinary action and may also result in criminal prosecution. This includes, but is not limited to, possessing or carrying a firearm or weapon on his/her person, in a vehicle, container or other conveyance.

Any student who is determined to have brought a firearm or weapon, as defined in Chapter 790 of the Florida Statutes, to school, to any school function, or onto any school-sponsored transportation, or to have possessed a firearm or weapon at school, will be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than one (1) full school year and referred to mental health services identified by OCPS pursuant to Section 1012.584(4), Florida Statutes and the criminal justice or juvenile justice system.

Simulated Weapons
A student may not receive disciplinary action for simulating a firearm or weapon while playing, or for wearing clothing or accessories that depict a firearm or weapon, or expressing an opinion regarding Second Amendment Rights, unless the simulation causes a substantial disruption to learning, causes bodily harm, or places another person in fear of harm as outlined below. Simulating a firearm or weapon while playing includes, but is not limited to:

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

However, a student may receive disciplinary action if simulating a firearm or weapon while playing, if the playing substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm. The severity of consequences imposed upon a student, including referral to the criminal justice or juvenile justice system, must be proportionate to the severity of the offense and consistent with Board policies for similar offenses. If a student is disciplined for such conduct, the school principal or designee must call the student’s parent/guardian. Disciplinary action resulting from a student’s clothing or accessories that depict firearms or weapons shall be determined pursuant to the OCPS Dress Code, unless the wearing of the clothing or accessories causes a substantial disruption to student learning, in which case the infraction may be addressed in a manner that is consistent with Board policies for similar offenses. This paragraph does not prohibit schools from adopting a school uniform policy.

Threats or False Reports
Any student who makes a threat or false report as defined by Section 790.162, 790.163, and 836.10, Florida Statutes, involving school or school personnel’s property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, for a period of not less than one (1) full school year and referred to law enforcement, regardless of intent. Threats may include, but are not limited to: bomb threats; threats to use firearms in a violent manner; threats to kill or do bodily injury; and/or threats to conduct a mass shooting or an act of terrorism.

In addition, if a student makes a statement or posts statements on social media alluding to the student bringing a firearm or other weapon to school, on school transportation, or to a school-sponsored event, even if the student does not actually bring the firearm or weapon, the student will be presumed to cause a disruptive environment which will lead to disciplinary action and possible criminal penalties. This section includes student who post similar statements as a self-defense tactic.
SECTION III: STUDENT NOTIFICATIONS

Zero Tolerance for School-Related Violent Crime

In accordance with Section 1006.13, Florida Statutes, entitled “Policy on Zero Tolerance for Crime and Victimization,” the intent of OCPS is to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a threat to school safety, and to encourage schools to use alternatives to expulsion or referral to law enforcement agencies. The Zero Tolerance Policy is not intended to be rigorously applied to petty acts of misconduct and misdemeanors. The Zero Tolerance Policy must apply equally to all students regardless of their economic status, race, or disability. Refer to Board Policy JIC, entitled “Code of Student Conduct,” for further information.

Violence Against School Employees

Any aggression or physical violence against an employee is unacceptable and will not be tolerated. Violence against any OCPS employee, contracted personnel, or volunteer, by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or any other disciplinary action by the school and may also result in criminal penalties.

In addition, any student found to have committed any offense in Section 784.081, Florida Statutes, entitled “Assault or battery on specified officials or employees; reclassification of offenses,” shall be expelled or placed in an alternative school setting or other program, as appropriate. The offenses listed within Section 784.081, Florida Statutes, include, assault or aggravated assault, or a battery or aggravated battery, upon any school district employee when the person committing the offense knows or has reason to know the identity or position or employment of the victim. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

Cell Phone Policy for Students

A student may possess a cell phone on school property and at school-related functions, provided that during school hours, the cell phone remains off and is concealed. However, cell phones/headphones can be used during the school day, if use is part of the curriculum and outlined in the teacher’s lesson/syllabus. Violations of this policy may result in confiscation of the cell phone and/or other disciplinary action during

If confiscated, the parent/guardian will make arrangements to pick up the cell phone from the school, unless law enforcement has taken possession of the cell phone for a criminal act.

At no time shall OCPS be responsible for theft, loss or damage to cell phones or other electronic devices brought onto its property.

These standards apply to all students in the public schools of Orange County, unless an exemption is granted by the principal. Any request for an exemption shall be made to the principal.

Sexting

In accordance with Board Policy JIC, entitled “Code of Student Conduct,” and Section 847.0141, Florida Statutes, sexting is defined as using any computer or electronic device to send, forward, display, retain, store or post sexually explicit, lewd, indecent or pornographic photographs, images or messages. Sexting will not be tolerated and shall be just cause for disciplinary action during:

- School hours or school activities on or off campus;
- While on Board property; or
- Beyond the hours of school operation if the behavior adversely affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the education process or experience.

Student Parking and School Locker Search

All OCPS parking areas and lockers are the property of the school district. School authorities have the right to inspect any student vehicle and/or lockers in order to protect the health, safety, and welfare of students. This includes use of sniffing K-9 detector dogs. Each student who uses OCPS property to park a vehicle or uses a school locker must sign an OCPS Student Parking and/or Student Locker Application and Consent to Search and Waiver of Liability form acknowledging and agreeing to the conditions as a prerequisite to, and in consideration for, the issuance of a student parking decal and/or a student locker. Individual student parked vehicles and/or locker searches will be conducted if school personnel have reasonable suspicion of a violation of the law or of the Code. A student will be presumed to be in possession of an object prohibited by the Code if the object is found in the car the student drove on campus or in the student’s locker. Routine locker clean-ups are not considered searches.

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SECTION III: STUDENT NOTIFICATIONS

Search of Individual
Any individual on OCPS property is subject to search. To this end, OCPS recognizes the need to respect the rights of individuals while protecting the health, safety, and welfare of all students and school employees. OCPS has developed operational guidelines for random electronic scanning utilizing metal detectors and “hands-on” physical searches in schools as a means of helping to create and to maintain a safe educational environment in Orange County. As it relates to student discipline investigations, school personnel are authorized to search a student and their property if reasonable suspicion of a violation of the law or Code exists.

Bullying and Harassment
In accordance with Section 1006.147, Florida Statutes, entitled “Bullying and Harassment Prohibited,” and Board Policy ADD, entitled “Safe Schools,” the Board is committed to protecting its students, employees, and applicants for admission from bullying, harassment, or discrimination for any reason and of any type. The Board believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Substantiated allegations of bullying, harassment, or discrimination will not be tolerated and shall be just cause for disciplinary action. In addition, although unsubstantiated bullying and harassment do not result in disciplinary action, the unsubstantiated bullying and harassment must be documented and reported to the Florida Department of Education through the requirements of the School Environment and Incident Reporting structure. Any student who alleges bullying or harassment by another student may use the school’s student grievance procedure or may complain directly to the principal or designee.

Hazing
In accordance with Section 1006.135, Florida Statutes, entitled “Hazing at High Schools with Grades 6 – 12 Prohibited” and Board Policy JIC, entitled, “Code of Student Conduct,” OCPS is committed to protecting its students from any hazing activities at any time in school facilities, on school property, and off school property if the misconduct is connected to participation or membership of a club or organization of a school. Hazing will not be tolerated and shall be just cause for disciplinary action. Any student, employee, parent/guardian, or third party who has knowledge or engages in hazing, may report it directly to the principal or designee. The reporting of any act of hazing may be made anonymously.

Hazing is defined as any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6-12 for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school with any of grades 6 through 12. “Hazing” includes, but is not limited to, pressuring or coercing the student into violating State or Federal law; forced consumption of any food, liquor, drug, or other substance; forced physical activity that could adversely affect the physical health or safety of the student; or any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements. Hazing does not include custom athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Title IX of the Education Amendments of 1972 and Sex Discrimination
In accordance with Title IX of the Education Amendments of 1972, and Board Policy JB, entitled “Equal Educational Opportunities,” OCPS is committed to protecting its students, employees, and applicants for admission from sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. OCPS believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Substantiated allegations of discrimination will not be tolerated and shall be just cause for disciplinary action. Any student who alleges sex discrimination by another student may use the school’s student grievance procedure or may complain directly to the Title IX Coordinator.

Teen Dating Violence and Abuse
In accordance with Board Policy JB entitled “Equal Educational Opportunities,” dating violence is defined as violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim. Dating violence or abuse by any student is prohibited on school property, during any school related or school-sponsored program or activity, and on school-sponsored transportation, and will be subject to disciplinary action and may result in criminal penalties.

Anyone who suspects dating violence and abuse is occurring should report the dating violence and abuse to the school administration for further investigation. The reporter may choose to remain anonymous.
SECTION III: STUDENT NOTIFICATIONS

Trafficking
Any form of trafficking, either human trafficking or drug trafficking, is prohibited on all OCPS property, at school-sponsored activities, and on school transportation. Anyone who is a victim of trafficking or anyone who suspects trafficking is occurring and involves OCPS students or employees, should report the allegations to school administration for further investigation. School administration should consult with the school resource officer, or law enforcement officer of the school resource officer is unavailable, before beginning an investigation. The reporter may choose to remain anonymous.

Expulsion
Florida law (Section 1003.01, Florida Statutes) defines “expulsion” as the removal of the right and obligation of a student to attend a public school under conditions set by OCPS, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly.

All Level IV Offenses may result in a one (1) year expulsion from all OCPS schools with or without continuing educational services. Some Level IV offenses require a mandatory one (1) year expulsion as provided by the zero tolerance policy outlined Florida Statutes and this Code; these offenses include: firearm/weapon possession/use and/or threats or false reports.

Please note, the term “expulsion” is interchangeable with “full exclusion” and “expelled.”

Out-of-School Suspension
Florida law (Section 1003.01, Florida Statutes) defines “suspension” as 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 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.

The Code has certain offenses that could result in out-of-school suspension. If a student receives out-of-school suspension they are prohibited from attending school, any school-sponsored activity, or athletic program/event.

Students may qualify for an Alternative to Out-of-School Suspension (A2S) Program based on their disciplinary offense. A2S provides students with a safe, structured, alternative to complete assignments from teachers, while providing character education for life and social skills training. To qualify for A2S, the student’s school administration coordinates with the parent/guardian and student to discuss the A2S process.

Positive Alternative to School Suspension
Florida law (Section 1003.01, Florida Statutes) defines “in-school suspension” as the temporary removal of a student from the student’s regular school program and placement in an alternative program under the supervision of OCPS personnel, for a period not to exceed 10 days.

The Positive Alternative to School Suspension (PASS) program is a short-term, on-site intervention classroom initiative designed to address the unique needs of students who have committed a school level behavioral offense. The classroom components help students develop more effective coping skills, character development principles, pro-social behaviors, while remaining on track with academics in the classroom. Restorative Practices are included in the PASS program and used in congruence with the classroom components. PASS is designed as an enhancement to the Code. Only administrators, with official referral documentation, may place a student in PASS. These placements are on a period by period basis or for an amount of days not to exceed 10 days for any single placement. The goal of this program is to allow schools and administrators to effectively deal with Code violations that do not require a student be removed from the school setting.
SECTION III: STUDENT NOTIFICATIONS

Restorative Practices
OCPS has implemented a Restorative Practices program designed to address the unique needs of students (Grades 6-12) who have committed a non-violent behavioral offense in violation of the Code. Incidents that may qualify for participation in the Restorative Practices programs include, but are not limited to, alcohol, drugs, and theft. Restorative Circles have been instituted with the person harmed, the offender and the school community members (administrator/dean/coordinator).

The foundation of the Restorative Practice program is both respect for community safety and a systemic understanding that builds on strengths of the participants, employs a System-of-Care team approach, embeds Multi-Tier System of Support (MTSS) practices, and identifies clear and specific expectations and outcome measures in order to help the youth develop more effective coping skills and pro-social behaviors. This approach focuses on the situation as being the problem rather than the individual student being the problem. Successful completion of the Restorative Practice program can serve as an acceptable consequence in lieu of an external suspension, expulsion, or other appropriate disciplinary response.

Dual Enrollment/Postsecondary Notification
Students who participate in a dual-enrollment program are subject to both the OCPS Code and the participating postsecondary institution’s Code of Student Conduct. Any disciplinary offenses that occur on OCPS campus will be reported to the participating postsecondary school where the student is dually enrolled and may result in the student being excused from the program. In addition, any disciplinary offenses that occur on the postsecondary institution’s campus will be reported to OCPS for further investigation.

Failure to Attend Classes
If a student arrives at school and then leaves campus, has temporary absences from classes, or fails to attend specific classes, the school can take disciplinary action for skipping.

Truancy
If a student is required by law to attend school, the school will not suspend the student for unexcused absences or truancy. Florida law requires the Superintendent to report to the Department of Highway Safety and Motor Vehicles the name, date of birth, sex, and social security number of all students (14-18 years of age) who accumulate 15 unexcused absences in any 90 calendar day period. These students could lose driver’s licenses or the privilege to obtain a driver’s license if deemed truant by the school and Florida Statutes. In addition, parents/guardians of habitually truant students are subject to actions taken through the judicial system.

Corporal Punishment
The Board prohibits the administration of corporal punishment in the school district.
SECTION III: STUDENT NOTIFICATIONS

Internet Policy: Student Technology Acceptable and Responsible Use Agreement
OCPS is committed to providing a safe, positive, productive, and nurturing educational environment. OCPS believes that all students should have access to technology (e.g. software, Internet, and network access) when they act in a responsible, efficient, courteous, and legal manner. This document contains the Student Technology Acceptable and Responsible Use Agreement for student use of the Internet.

Educational Purpose
Technology access has been established for educational purposes and will be consistent with the district’s curriculum and the Florida Standards. The term “educational purpose” includes academic activities that directly improve upon 21st century skills such as creativity, innovation, critical thinking, problem solving, communication, and collaboration.

Students are expected to follow the rules set forth in the Code and the law in the use of the Internet and network resources.

Students may not use the Internet for commercial purposes. This means they may not offer, provide, or purchase products or services through the Internet at any school using district resources.

Student Internet Access
All students will have district-supervised access to the Internet through the classroom, media center, or computer lab. In accordance with the Children’s Internet Protection Act (CIPA) and the Children’s Online Privacy Protection Act (COPPA), all OCPS web access is filtered. However, this does not preclude the possibility that inappropriate sites are not blocked.

Students will use OCPS Internet access for educational purposes only and will not access profane or obscene material, advocate illegal acts, or advocate violence or discrimination towards other people.

Responsible Uses
In order to ensure a safe, positive, productive, and nurturing educational environment for all, students are expected to demonstrate responsible technology uses. Students will keep information, such as his/her password, address, phone number, birthday, and other identifiable information private. Students will report anyone who tries to use technology to hurt or harass other students or staff or anyone who makes him/her feel uncomfortable.

Students will not login to any account other than their own or use OCPS technology to engage in any illegal acts, such as drug sales, purchasing alcohol, engaging in criminal gang activity, threatening the safety of another person, cyber-stalking, or cyberbullying.

Inappropriate Language
Students will treat others with respect by using appropriate language and offer constructive criticism if appropriate. Students will not use inappropriate language, harass others, knowingly or recklessly communicate false or defamatory information about a person or organization, share privately sent messages without permission of the person who sent it, share private information about another person, or participate in sexting.

System Security
All students will allow any teacher, administrator, or OCPS IT staff to review their work and activities created on a school device or OCPS network at any time. Students are required to ask for permission before connecting his/her personal device to the OCPS network and will make sure any devices used on the OCPS network are approved by the district.

Students will not use technology to gain access to student grades or private student records, download unauthorized software, apps, extensions, or plug-ins on a school device, intentionally spread computer viruses, or bypass, destruct, disrupt, modify, or abuse OCPS network access.
SECTION IV:
DISCIPLINARY RESPONSE CODE FOR SECONDARY/POSTSECONDARY SCHOOLS
SECTION IV: DISCIPLINARY RESPONSE CODE FOR SECONDARY/POSTSECONDARY

Disciplinary Response Code Overview

The following section provides the disciplinary offenses and potential consequences for Secondary/Postsecondary students for behavior that occurs on OCPS property; on OCPS transportation; during school-sponsored activities, including, but not limited to distance learning, field trips, athletic functions, and similar activities; and if appropriate, any other area as permitted by Florida Statutes and/or State Board of Education Rules. Student disciplinary offenses and the responses to them are divided into four levels. Each level represents progressively more serious offenses and responses to them become progressively more severe. Some offenses require consultation with law enforcement if the offense is deemed to be a violation of state or federal laws.

OCPS promotes a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a serious threat to school safety. School based administrators shall provide consistent school-based discipline, where appropriate, and authorized by policy and this Code. In addition, pursuant to Section 1006.09, Florida Statutes, a good faith effort shall be made by the principal or designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined by the Board and this Code.

OCPS is committed to providing a safe environment for all students and seeks support from the community and parents/guardians in achieving this goal. To that end, Section 1003.04, Florida Statutes, provides that the parent/guardian of each public K-12 student must cooperate with the authority of the Board, OCPS, the Superintendent, the Principal, teachers, and school bus drivers, 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, uncontrollable, or disruptive.

Student Discipline Investigations

OCPS is responsible for investigating all allegations of student misconduct within its jurisdiction using the preponderance of the evidence legal standard. Therefore, OCPS employees are authorized to interview students and obtain witness statements from students involved in offenses of the Code, however, any student may refuse to participate in an investigation. It is important to note that if the behavior is believed to be criminal and a violation of Florida Statutes, the school resource officer, or law enforcement officer, if the school resource officer is not available, may participate in the investigation. Parents/guardians may request their student not participate in student discipline investigations without authorization from the parent/guardian by submitting the request, in writing, to the school administration. Refusal to participate in the investigation does not prohibit OCPS from continuing with the investigation and administering an appropriate disciplinary consequence. In addition, refusal does not prohibit the school resource officer, or law enforcement officer, from continuing the criminal investigation and imposing criminal penalties if warranted.

After the discipline investigation is complete, the parent/guardian may request a copy of all documentary evidence upon which the proposed disciplinary consequence is based; however, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed, a copy will not be provided. Additional information pertaining to discipline offenses and procedures can be found within this section of the Code and Section VI.

If the discipline investigation is conducted due to allegations of a threat or threatening behavior, the investigation will be submitted to the School Threat Assessment Team for review. The School Threat Assessment Team is established by Board Policy JICK, entitled, “Threats,” and Section 1006.07, Florida Statutes.
**SECTION IV: DISCIPLINARY RESPONSE CODE FOR SECONDARY/POSTSECONDARY**

**Level I: Discipline Response Code**

Level I offenses are minor acts of misconduct that interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program or approved transportation.

The OCPS employee involved should intervene in the misconduct. If further action is necessary, the employee should refer the student to the school administrator for disciplinary action. After hearing the student’s explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will decide on disciplinary action. Suspension is not an available disciplinary response for Level I violations.

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<tr>
<th>LEVEL I: OFFENSES</th>
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<tr>
<td>A. Cheating</td>
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<td>B. Disorderly Conduct</td>
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<td>C. Disrespect</td>
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<td>D. Dress Code</td>
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<td>E. False and/or Misleading Information</td>
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<td>F. Profane, Obscene, or Abusive Language/ Materials</td>
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<td>G. Electronic Device Violation</td>
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<td>H. Tardiness</td>
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<tr>
<td>I. Unauthorized Absence from School or Class</td>
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<td>J. Other Misconduct</td>
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<tr>
<td>K. Unsubstantiated Bullying</td>
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<td>L. Unsubstantiated Harassment</td>
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<tr>
<td>M. Harassment</td>
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</table>

**LEVEL I: CONSEQUENCES**

1. Parent/guardian contact mandatory*  
2. Counseling and direction*  
3. Verbal reprimand  
4. Restorative Practice  
5. Special work assignment  
6. Withdrawal of privileges  
7. Return of property  
8. Detention  
9. Referral to intervention program  
10. Confiscation of unauthorized materials, objects, or contraband  
11. Assigned seat  
12. Safety plan  
13. SAFE/Guidance referral  
14. Schedule change  
15. No contact contract  
16. Referral to mental health services  
17. Warning of referral to Level II  

*Required Administrator Responsibilities
**SECTION IV: DISCIPLINARY RESPONSE CODE FOR SECONDARY/POSTSECONDARY**

**Level II: Discipline Response Code**
Level II offenses are more serious acts of misconduct than Level I offenses. Level II includes repeated acts of misconduct from Level I and acts directed against people or property that do not seriously endanger the health or safety of others.

The misconduct must be reported to the appropriate school administrator for further investigation. After hearing the student’s explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will follow the procedure designated for Level II violations in investigating the matter and deciding on the progressive disciplinary action. Out of school suspension is not an available disciplinary response for Level II violations.

**LEVEL II: OFFENSES**

<p>| A. | Destruction of Property/ Vandalism (under $100) | The willful or malicious destruction of school property or the property of others. |
| B. | Disrespect | Repeated conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel. <em>This offense may include, but is not limited to, inappropriate language directed towards another that is not profane.</em> |
| C. | Fighting | Minor physical contact between two or more students such as pushing, shoving, or alteration that stops upon verbal command. |
| D. | Forgery (Non-criminal) | To create or reproduce the signature or document of another for fraudulent purposes. <em>This offense may include, but is not limited to, signing a document with your parent’s signature without permission.</em> |
| E. | Gambling | Any unlawful participation in games (or activities) of chance for money and/or other things of value. |
| F. | Insubordination/ Open Defiance | Verbal or non-verbal refusal to comply with school rules or directions from an OCPS employee, contracted personnel, or volunteer without causing a disruption or committing any further acts. |
| G. | Intimidation/ Threats | Any direct or indirect threat to do harm to another person’s property. Or any direct or indirect harm to hit, fight, or beat up another student or a threat to another student’s life if the threat to life is vague, said out of anger or frustration, an expression of humor or rhetoric and can be easily resolved. The content of the threat suggests the person is unlikely to carry it out. This section does not include threats made to OCPS employees; all threats to employees are a Level III or IV. |
| J. | Stealing (under $375) | Taking the property of another without permission of the person. |
| K. | Unauthorized Assembly, Publications, etc. | Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications, including misuse of electronic messages or computers which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity. |
| L. | Bullying | A bullying offense includes repeatedly being cruel to other students, OCPS employees, volunteers, or contracted personnel, on or off OCPS property if it adversely impacts the educational environment at school for students or staff. <em>This offense may include, but is not limited to, repeated teasing, name calling, and/or minor physical contact.</em> |
| M. | Other Serious Misconduct | Any other intermediate act of misconduct or any more serious, harmful, or disruptive example of any of the offenses described in Level I, which interferes with the orderly operation of the school or school function and cannot be coded as another Level II offense. |
| N. | Gang Related | The possession, use, or displaying of items associated with gang activity that include, but is not limited to, clothing and accessories, gang related insignias, writings, signs, or symbols that promote gang affiliation and/or involvement. |
| O. | Harassment | Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear or harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits, and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. <em>This offense may include, but is not limited to, name calling with profanity, and/or minor physical contact.</em> |</p>
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<thead>
<tr>
<th>Q.</th>
<th>Electronic Device Violation</th>
<th>The repeated misuse of wireless communication devices, which is not educational in nature and may include, but is not limited to, cellphones, smartphones, smart watches, MP3 players, iPods, e-readers, tablets, laptops, and other electronic devices.</th>
</tr>
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<tr>
<td>R.</td>
<td>Sexual Harassment</td>
<td>Any minor slur, innuendo, gesture, or other written or verbal conduct reflecting on an individual’s gender which has the purpose of creating an offensive educational environment. This offense may include, but is not limited to, unpleasant distasteful comments, jokes, or gestures that are sexual in nature; however, this does not include acts involving physical contact.</td>
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<tr>
<td>S.</td>
<td>Horseplay</td>
<td>Any rough uncontrolled play or prank that involves two or more students who refuse to stop when directed by an adult and there is risk of injury as a result of the horseplay.</td>
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<tr>
<td>T.</td>
<td>Dress Code</td>
<td>Non-conformity to the dress code (second and subsequent offenses).</td>
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</tbody>
</table>

**LEVEL II: CONSEQUENCES**

1. Parent/guardian contact mandatory*  
2. Counseling and direction*  
3. Behavior plan/contract  
4. Restorative Practice  
5. P.A.S.S. (1-10 days)  
6. Special work assignment  
7. Detention  
8. SAFE/Guidance referral  
9. Confiscation of unauthorized materials  
10. Return of property  
11. Suspension from bus (1-10 days)  
12. Referral to intervention program  
13. Alternative Classroom  
14. Safety plan  
15. Schedule change  
16. No contact contract  
17. Temporary removal or participation in extracurricular/co-curricular programs or activities  
18. Referral to mental health services  
19. Warning of referral to Level III

*Required Administrator Responsibilities
### SECTION IV: DISCIPLINARY RESPONSE CODE FOR SECONDARY/POSTSECONDARY

#### Level III: Discipline Response Code

Level III offenses are major acts of misconduct that disrupt the orderly operation of the school, school function, or approved transportation that threatens the health, safety, and property of others.

The misconduct must be reported right away to the school administrator for further investigation. After hearing the student’s explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will follow the procedure designated for Level III violations in investigating the matter and deciding on the progressive disciplinary action, which may result in the removal of the student from the school or activity immediately.

<table>
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<tr>
<th>LEVEL III: OFFENSES</th>
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<tr>
<td><strong>A. Physical Attack</strong></td>
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<td><strong>C. Destruction of Property/Vandalism ($100 to $999)</strong></td>
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<td><strong>D. Disrespect</strong></td>
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<td><strong>E. Extortion/Blackmail</strong></td>
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<td><strong>F. Fighting</strong></td>
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<td><strong>G. Firecrackers/Fireworks</strong></td>
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<td><strong>H. Gross Insubordination/Open Defiance</strong></td>
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<td><strong>I. Illegal Organizations</strong></td>
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<tr>
<td><strong>J. Possession of Contraband Material</strong></td>
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<tr>
<td><strong>L. Smoking/Vaping and Other Use of Tobacco/Nicotine Products</strong></td>
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<tr>
<td><strong>M. Stealing ($375 to $749)</strong></td>
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<td><strong>N. Trespassing</strong></td>
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<td><strong>O. Violation of Curfew</strong></td>
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<td>P. Bullying</td>
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<tr>
<td>Q. Other Serious Misconduct</td>
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<tr>
<td>RR. Physical Aggression on an Employee or Contracted Personnel</td>
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<td>S. Sexual Harassment</td>
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<tr>
<td>T. Intimidation/Threats to a Person</td>
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<td>U. Gang Related</td>
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<td>V. Harassment</td>
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<tr>
<td>W. Hazing</td>
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<tr>
<td>Y. Electronic Device Violation</td>
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<td>Z. District Technology Violation</td>
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</table>
Horseplay

Any rough uncontrolled play or prank that involves two or more students who refuse to stop when directed by an adult and there is injury as a result of the horseplay. Any horseplay that results in serious injury where medical attention is needed may result in a Level IV offense.

### LEVEL III: CONSEQUENCES

1. Parent/guardian contact mandatory*
2. Counseling and direction*
3. Behavior plan/contract
4. Restorative Practice
5. Return of property
6. P.A.S.S. (1-10 days)
7. Suspension from bus (1-10 days)
8. Suspension from school (1-10 days)
9. Detention
10. Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities
11. Referral to intervention program
12. Confiscation of unauthorized materials, objects, or contraband
13. Schedule change
14. Safety plan
15. No contact contract
16. SAFE/Guidance referral
17. Referral to mental health services
18. Warning of referral to Level IV

*Required Administrator Responsibilities
**Level IV: Discipline Response Code**

Level IV offenses are the most serious acts of misconduct and are grounds for expulsion. Any Level IV act shall result in a 10-day suspension with a potential recommendation for expulsion.

Major acts of misconduct must be reported right away to the school administrator for further investigation. After hearing the student’s explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will follow the procedure designated for Level IV violations in investigating the matter and refer the Level IV to District personnel for further review.

Students who commit a Level IV offense may be referred to local authorities for further investigation.

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<th>LEVEL IV: OFFENSES</th>
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<tbody>
<tr>
<td><strong>A.</strong> Alcohol</td>
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<td><strong>B.</strong> Arson</td>
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<td><strong>C.</strong> Intimidation/ Threats to a Person</td>
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<td><strong>D.</strong> Battery</td>
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<td><strong>E.</strong> Threats to the School</td>
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<td><strong>F.</strong> Drugs/Possession/ Use</td>
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**LEVEL IV: CONSEQUENCES**
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<tr>
<th></th>
<th><strong>1. Parent/guardian contact mandatory</strong>&lt;sup&gt;*&lt;/sup&gt;</th>
<th><strong>2. Counseling and direction</strong>&lt;sup&gt;*&lt;/sup&gt;</th>
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<td>3.</td>
<td>Up to a 10 day suspension with a recommendation for expulsion (mandatory)</td>
<td><strong>8.</strong> Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities, e.g., to include, but not limited to, senior graduation</td>
</tr>
<tr>
<td>4.</td>
<td>Expulsion from the school district</td>
<td><strong>9.</strong> Restorative Practice</td>
</tr>
<tr>
<td>5.</td>
<td>Assignment to an alternative school</td>
<td><strong>10.</strong> Schedule change</td>
</tr>
<tr>
<td>6.</td>
<td>Referral to an intervention program</td>
<td><strong>11.</strong> Safety plan</td>
</tr>
<tr>
<td>7.</td>
<td>Bus expulsion</td>
<td><strong>12.</strong> No contact contract</td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td><strong>13.</strong> SAFE/Guidance referral</td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td><strong>14.</strong> Referral to mental health services</td>
</tr>
</tbody>
</table>

<sup>*</sup>*Required Administrator Responsibilities*