



**Elementary/Middle/Secondary**

**2023 – 2024**

**Code of Student Conduct  
and  
Student Rights  
and Responsibilities**

**Christopher A. Cowart**  
Superintendent of Schools

**John Lott Jr.**  
Assistant Superintendent

SCHOOL BOARD OF LEVY COUNTY  
480 MARSHBURN DRIVE, BRONSON, FL 32621  
352-486-5231  
Website: <http://www.levyk12.org>

The School Board of Levy County is an Equal Opportunity Employer  
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**LEVY COUNTY  
CODE OF  
STUDENT CONDUCT  
AND  
STUDENT RIGHTS  
AND  
RESPONSIBILITIES  
INTRODUCTION  
PHILOSOPHICAL BASIS**

The mission of the Levy County School Board is to educate all students in a safe environment and graduate them ready for college and career success. To this end, we intend to enhance each student's potential for learning and to foster positive interpersonal relationships. Levy County supports the concept that students who possess personal, academic, civic and occupational adequacies will become effective and productive citizens. Students must develop and accept the responsibilities and obligations of citizenship. Our Student Code of Conduct encourages students to take ownership of their educational opportunities by providing a safe environment conducive for reaching his/her academic potential. Therefore, providing a positive school climate that supports academic achievement, fairness, civility, acceptance of diversity, and mutual respect.

Effective instruction requires order and discipline which may be described as the absence of distractions, frictions, and disturbances which interfere with the effective functioning of the educational environment. It is also the presence of a friendly, yet businesslike, atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals.

As students' progress in our public schools, it is reasonable to assume that an increase in age and maturity will result in the students' assuming greater responsibility for their actions. It is recognized that differences in age and maturity require different types of disciplinary action; however, the procedures identified shall apply to all students in grades Pre-K - 12.

To assist parents, administrators, and faculty in maintaining such an environment, the Code of Student Conduct and Student Rights and Responsibilities will:

- ⇒ Describe roles of the home, student, school, and school personnel
- ⇒ Describe student rights and responsibilities
- ⇒ Identify formal disciplinary actions
- ⇒ Standardize procedures for administering formal disciplinary actions
- ⇒ Identify classifications of violations and describe procedures for disciplinary action

Each school is permitted and encouraged to develop rules, procedures, and expectations for student conduct. While these may not conflict with direction provided in the district-wide Code of Student Conduct and Student Rights and Responsibilities, broad latitude in dealing with local school problems shall be afforded to each school so that student discipline may be responsive to particular problems in each individual school.

## **ROLES OF THE HOME, STUDENT, SCHOOL, AND SCHOOL PERSONNEL**

In order for effective instruction to occur, there must be a cooperative relationship between student, parent, and educator. This relationship may be described as follows:

### **Parents or Guardians Who:**

- ⇒ Maintain regular communications with the school authorities concerning their child's progress and conduct
- ⇒ Insure that their child is in daily attendance and promptly report and explain an absence or tardiness to school
- ⇒ Provide their child with the resources needed to complete class work
- ⇒ Assist their child in being healthy, neat and clean
- ⇒ Bring to the attention of school authorities any problem or condition which affects their child or other children of the school
- ⇒ Discuss report cards and work assignments with their child
- ⇒ Maintain up-to-date home, work, and emergency telephone numbers at the school, including doctor, hospital preferences, and an emergency health care form

### **Students Who:**

- ⇒ Attend all classes daily and are punctual in attendance
- ⇒ Are prepared to come to class with appropriate working materials
- ⇒ Are respectful to all individuals and property
- ⇒ Refrain from profane or inflammatory statements
- ⇒ Conduct themselves in a safe and responsible manner
- ⇒ Are clean and neat
- ⇒ Are responsible for their own work
- ⇒ Abide by the rules and regulations of the schools and each classroom teacher
- ⇒ Seek changes in an orderly and recognized manner
- ⇒ Ask school personnel for guidance when unsure of procedures
- ⇒ Are responsible and accountable for their choices and decisions

### **Schools That:**

- ⇒ Encourage students to adhere to school and classroom policies and procedures
- ⇒ Maintain an atmosphere conducive to academic success and appropriate behavior
- ⇒ Exhibit an attitude of respect for students
- ⇒ Plan a flexible curriculum to meet the needs of all students
- ⇒ Promote and provide effective training or discipline based upon fair and impartial treatment of all students
- ⇒ Develop a good working relationship among staff and with students
- ⇒ Develop and maintain appropriate extra-curricular activities

- ⇒ Encourage the school staff, parents or guardians, and students to use the services of community agencies
- ⇒ Promote regular parental communication with the school
- ⇒ Encourage parent participation in affairs of the school
- ⇒ Seek to involve students in the development of policy
- ⇒ Endeavor to involve the community in the development of policies and procedures that will enhance the educational environment.

#### **School Personnel Who:**

- ⇒ Are in regular attendance and on time
- ⇒ Perform their duties with appropriate materials
- ⇒ Respect other individuals and their property
- ⇒ Refrain from profane or inflammatory statements
- ⇒ Conduct themselves in a professional, reasonable and responsible manner
- ⇒ Are clean and neat
- ⇒ Adhere to the rules and regulations established by the school
- ⇒ Pursue improvements in an orderly and recognized manner
- ⇒ Utilize a variety of positive academic and behavioral strategies:
  - Student program adjustment
  - Referral to appropriate personnel for group or individual counseling with school counselors, peer counseling, psychological evaluations, and such other services deemed appropriate
  - Conferences and/or contacts between administrators, parent(s) or guardians, teachers, and students
  - Referral to appropriate agencies for specific problems
  - Are aware of and have respect for the diverse cultures within our community

### **JURISDICTION OF THE SCHOOL BOARD**

Levy County Public School students are subject to the rules and regulations of the School Board of Levy County during the school day and regular school activities; while being transported on school buses or at the public expense to and from school or other educational 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 to the foregoing, jurisdictional control over the student may be extended to the immediate vicinity of the school and designated bus stops, in accordance with law (1006.28 (6) (d) 7), 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.

To ensure the safety and welfare of pupils and employees, cameras may be used to monitor behavior on school property. Disciplinary action may occur based upon the evidence of the videotapes.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

It is the intent of the Student Rights and Responsibilities, as expressed in this document that students understand that individual rights involve associated responsibilities, and that individual rights must be viewed in relationship to the health, safety, and welfare for all students.

The principal, or his/her designee, shall assume administrative responsibility and instructional leadership under the supervision of the Superintendent, or his/her designee, in accordance with rules and regulations of the School Board for planning, management, and operation of the school to which he/she is assigned. The faculty and staff shall assist in the orderly operation of the school and assure the rights of students.

## **ALCOHOL/DRUGS/TOBACCO**

### **Philosophical Basis:**

The unlawful possession, use, or distribution of illicit alcohol, drugs, or tobacco is not only wrong, but also harmful.

### **Student Responsibilities:**

- ⇒ Each student has the responsibility not only to himself/herself, but also others not to use, possess, sell, or distribute any alcohol, drugs, or tobacco on school grounds or during school-sponsored activities.

### **Student Rights:**

- ⇒ To be informed of School Board policies and individual school rules regarding alcohol, drugs, or tobacco
- ⇒ To have access to information on substance abuse counseling programs
- ⇒ To have available curriculum that educates students about the harmful effects of alcohol, drugs, or tobacco

## **ATTENDANCE**

### **Philosophical Basis:**

School administrators have an obligation under State Law to enforce compulsory school attendance laws. Regular attendance by students will facilitate the development of the skills and knowledge necessary to function in a modern democratic society.

### **Student Responsibilities:**

- ⇒ To take advantage of their educational opportunity by attending all classes daily and on time
- ⇒ To provide the school with an adequate explanation with appropriate documentation indicating the reasons for an absence
- ⇒ To request makeup assignments from teachers upon return to school and to complete this work within a reasonable length of time as determined by the teacher when there is an excused absence



**Student Rights:**

- ⇒ To be informed of School Board policies and individual school rules regarding absenteeism and tardiness (School Board Policy 5.03 Student Attendance/Absences)
- ⇒ To appeal a decision pertaining to an absence
- ⇒ To make up classwork within a reasonable length of time as determined by the teacher

## **COUNSELING**

**Philosophical Basis:**

Personal concerns of students can seriously limit their educational development. Schools have the responsibility to provide a counseling program and to make relevant and objective information available to students.

**Student Responsibilities:**

- ⇒ To use guidance services for their own educational and personal improvement
- ⇒ To schedule appointments in advance unless the problem or concern is one of an emergency
- ⇒ To work cooperatively with all school personnel

**Student Rights:**

- ⇒ To be informed as to the nature of the guidance services available in their school
- ⇒ To have access to individual and group counseling
- ⇒ To request a change of counselor

## **CURRICULUM**

**Philosophical Basis:**

The degree of curriculum involvement is a function of age, grade, maturity, and sophistication on one hand and the level and complexities of courses on the other. Student opinion regarding curriculum offerings is extremely important and therefore deserves careful analysis and consideration.

**Student Responsibilities:**

- ⇒ To request participation in academic programs and extra-curricular activities that are commensurate with ability
- ⇒ To seek assistance in course selection from informed persons in the school
- ⇒ To cooperate with the instructor and contribute to an atmosphere free from bias and prejudice
- ⇒ To cooperate fully and exert every effort to achieve mastery of the basic skills

**Student Rights:**

- ⇒ To have equal educational opportunity with regard to academic programs and extra-curricular activities
- ⇒ To receive district curriculum course descriptions that will facilitate informed choices
- ⇒ To receive instruction in courses of study under competent instructors in an atmosphere free from bias and prejudice
- ⇒ To participate in appropriate basic skills programs in elementary, middle, and high schools

## **FREE SPEECH/EXPRESSION**

### **Philosophical Basis:**

Citizens in our democracy are guaranteed self-expression under the 1st and 14th Amendments of the United States Constitution; therefore, in a democratic society, one of the basic purposes of education is to prepare students for responsible self-expression. National origin, minority, or limited English proficient students shall not be subjected to any disciplinary action because of their use of a language other than English.

### **Student Responsibilities:**

- ⇒ 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
- ⇒ To act in a manner which preserves the dignity of patriotic observances
- ⇒ To respect the religious beliefs of others
- ⇒ To plan for, seek approval of, and conduct activities which are consistent with the educational objectives of the school

### **Student Rights:**

- ⇒ To form and express viewpoints through speaking and writing in a manner which is not obscene, slanderous, libelous, or likely to cause disruption in school
- ⇒ To affirm their identity with the American idea (i.e., pledging allegiance to the flag)
- ⇒ To refrain from any activity which violates the precepts of their religion
- ⇒ To use and cite printed materials and other resources of any nature, including any religious viewpoint, which are pertinent and responsive to assigned work and school projects
- ⇒ To assemble peaceably on school grounds or in school buildings (such assembly shall be consistent with all applicable Federal, State, and local regulations)

## **GRADES**

### **Philosophical Basis:**

An academic grade should reflect the teacher's most objective assessment of the student's academic achievement. Academic grades should not be used as a means of maintaining order in a classroom, nor should student behavior be included in calculating academic grades.

### **Student Responsibilities:**

- ⇒ To become informed of the grading criteria
- ⇒ To maintain standards of academic performance commensurate with ability, and to make every effort to improve performance upon receipt of notification of unsatisfactory progress

### **Student Rights:**

- ⇒ To receive a teacher's grading criteria at the beginning of each year or semester course
- ⇒ 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**

### **Philosophical Basis:**

Federal and State laws provide persons with reasonable expectation of privacy in addition to freedom from unreasonable search and seizure of property. Such guarantees are not unlimited and must be balanced by the school's responsibility to protect the health, safety, and welfare of all students.

### **Student Responsibilities:**

- ⇒ To attend school and other School Board activities without bringing materials or objects prohibited by law or School Board policy or other items that will detract from the educational process
- ⇒ 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

### **Student Rights:**

- ⇒ 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 (See School Locker Search and Search of Individual)
- ⇒ To attend school in an educational environment in which personal property is respected
- ⇒ Students have the right to privacy, including (a) a restroom or changing facility designated for exclusive use by females and restroom or changing facility designated for males, or (b) a unisex restroom or changing facility. Section 553.865, F.S.

## **STUDENT RECORDS**

### **Philosophical Basis:**

A well-developed student record file contains information needed for making appropriate educational decisions for the student. Student records are to be treated confidentially and should contain information that is relevant, accurate, and appropriate.

### **Responsibilities of Students, Parents, and Guardians:**

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

\*Release of records of students 17 years of age or younger who attend an elementary or secondary school requires the signature of the parent or guardian.

### **Rights of Students, Parents, and Guardians:**

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

## **STUDENT GOVERNMENT**

### **Philosophical Basis:**

Effective student governments are the forums for the training and involvement of students in the democratic processes. Members of the school community share the responsibility for shaping governments into positive instruments for student involvement.

### **Student Responsibilities:**

- ⇒ To elect student government officers and representatives who are responsive to the needs of the school and who will work constructively toward the resolution of such needs
- ⇒ To become knowledgeable of School policies governing the actions of students
- ⇒ To conduct election campaigns in a positive, mature manner, with all due respect provided their opponents
- ⇒ To attend regularly scheduled meetings, if an elected student representative, and exhibit appropriate conduct at all times

### **Student Rights:**

- ⇒ To form and operate a student government within the respective schools under the direction of a faculty advisor
- ⇒ To have access to policies of the School Board and the individual school policies governing the actions of students
- ⇒ To seek office in student government, or any school organization, regardless of race, sex, color, creed, or political beliefs
- ⇒ To attend, as student government officers and representatives, official student government meetings upon approval of such meetings by the school principal, or his/her designee

## **STUDENT PUBLICATIONS**

Education is the process of inquiry and learning, acquiring and imparting knowledge, and exchanging ideas. One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects. Official student publications, such as school newspapers, should include viewpoints representative of the entire student body.

### **Student Responsibilities:**

- ⇒ To refrain from publishing libelous and obscene materials, to seek full information on the topics about which they write and to observe normally accepted rules for responsible journalism under the guidance of the faculty advisor

### **Student Rights:**

- ⇒ To participate in the development and distribution of publications as a part of the educational process

## **STUDENT SURVEYS**

The Protection of Pupil Rights Amendment (PPRA) requires School Board of Levy County to notify you and obtain consent or allow you to opt your child out of participating in certain school activities.

These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parents;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

## **STUDENT GRIEVANCES**

The purpose of this rule is to provide a framework within which students can present grievances to the faculty and administration of the Levy County School District for speedy and just resolution. Informal settlements at any stage of the procedure shall be binding on all parties, but shall not constitute a precedent for any subsequent grievance proceedings.

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

### **A. Grievance Procedure**

1. When a dispute arises, the student must first discuss the complaint informally with the person against whom it is directed. The student may seek the assistance of the Student Services personnel, or other faculty members, and/or his/her parent(s) or guardian(s) in mediating the dispute. The student may be accompanied by his/her parent(s) or guardian(s) or other representative at all steps in this process in order to arrive at an equitable resolution to a dispute.
2. If the dispute is not resolved by informal discussion, the student may submit a written, signed grievance to the principal, or his/her designee, not later than the close of the tenth (10th) school day following the alleged incident prompting the grievance.

The written grievance must include a description of the dispute and the facts, as well as an explanation of the desired resolution of the grievance. The principal, or his/her designee, shall act upon the grievance within ten (10) school days, holding such conferences with the student as necessary. A written answer shall be provided by the principal or his/her designee, to the student.

3. Unless safety or the learning environment for other students is at risk, all negative consequences for the grievant shall be held in abeyance from the date the appeal is submitted until its completion. However, affirmative relief sought by a student shall not be applicable until the appeal is completed in a manner favorable to the student.
4. If the principal's, or his/her designee's, decision is unacceptable to the student, he or she may submit to the Superintendent of Schools, or his/her designee, a written, signed grievance.

The grievance shall state with specificity all material facts which are not in dispute, as well as evidence or explanation for disputed facts, together with the specific rule, policy, or statute claimed to have been violated. The grievance shall also include a true copy of all documents which were presented to or considered by the principal, or his/her designee, and a copy of the written disposition by the principal, or his/her designee. No new information may be added to the documentation.

5. The grievance must be submitted to the Superintendent, or his/her designee, not later than five (5) school days following notification of the principal's, or his/her designee's, decision. The Superintendent, or his/her designee, shall conduct a hearing if necessary to resolve disputed facts, and shall issue and serve a written decision within fifteen (15) school days to the student and to the appropriate principal, or his/her designee, following such consideration as the Superintendent, or his/her designee, deems proper.

The decision of the Superintendent, or his/her designee, shall include appropriate findings of fact and shall include a true copy of all documents which were presented to, or considered by, the Superintendent, or his/her designee, in reaching his/her decision.

6. If the Superintendent's, or his/her designee's, decision is unacceptable to the student, he or she may submit a signed grievance to the School Board. Such submission must be within five (5) school days following notification of the Superintendent's, or his/her designee's, decision and shall be filed with the Superintendent, or his/her designee. The grievance shall be accompanied by a true copy of the Superintendent's, or his/her designee's, written decision, together with a true copy of all documents presented to or considered by the Superintendent, or his/her designee, in reaching his/her decision. No additional testimony or evidence will be heard or considered by the Board.
7. Within ten (10) days of the receipt of the student's grievance addressed to the Board, the Superintendent, or his/her designee, shall file with each member of the Board the student's grievance and supporting documents, together with the Superintendent's, or his/her designee's, written response. The Superintendent, or his/her designee, shall cause the grievance to be considered at the next meeting of the Board at which time matters for consideration are included, and shall notify the student of the date, time, and place of such meeting. The Board will not consider any matters which were not previously raised in the grievance filed with the Superintendent or his/her designee.
8. The Board may permit the student and/or his/her representative and the Superintendent, or his/her designee, to make a brief oral presentation to the Board. The order and time limits of the presentation shall be:
  - a. Student and/or representative (5 minutes);
  - b. Superintendent and/or staff (5 minutes);
  - c. Student response (3 minutes);
  - d. Superintendent's, or his/her designee's, response (3 minutes);
  - e. Board questions;
  - f. Student's closing comments (1 minute);
  - g. Superintendent's, or his/her designee's, closing comments (1 minute); and
  - h. Board discussion and action. \*\* The decision of the Board shall be final. \*\*

## **STUDENT REMOVAL FROM CLASSROOM SETTING**

### **FLORIDA STATUTES 1003.32**

A teacher may remove a student from the classroom setting in accordance with administrative guidelines and the following conditions:

1. Teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior and ensuring the safety of all students in their classes and school:
  - a. Have disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students temporarily removed from the classroom for behavior management intervention.
  - b. Have violent, abusive, uncontrollable, or disruptive students directed for information or assistance from appropriate school or district personnel.
2. 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 ability of the student's classmates to learn.

### **BUS DISCIPLINE**

Students shall be subject to progressive disciplinary action for each bus disciplinary referral. To ensure the safety and welfare of pupils and employees, cameras may be used to monitor behavior on the school bus. Disciplinary action may occur based upon the evidence of the videotapes.

### **PARTICIPATION IN EXTRACURRICULAR ACTIVITIES**

To participate in interscholastic/extracurricular activities, students will be subject to the following attendance requirements:

- ⇒ If a student has five unexcused absences in a nine week grading period they will be placed on probation, and the student and the parent will be required to sign an improvement contract.
- ⇒ If the student has five unexcused absences the following nine weeks, the student will be placed on extra-curricular suspension. This suspension is lifted after a successful nine weeks attendance period in which the student missed fewer than five unexcused absences.
- ⇒ A student must attend school at least four periods in order to participate in extracurricular activities that day.
- ⇒ Any student athlete, regardless of school enrollment (such as private school, home education students, etc.) must comply with the Levy County Student Code of Conduct
- ⇒ A student must complete an alternative placement disciplinary action before being allowed to participate in extracurricular activities. If a student withdraws from school to avoid alternative placement, they will not be eligible to participate or attend extracurricular activities.

#### **Probation:**

Probation will require a weekly progress report be submitted by the student to their sponsor or coach. This progress report will include all three areas of concern: Attendance, Academics, and Discipline.

It will be the student's responsibility to provide that progress report to the sponsor or coach. Failure to do so will result in no participation in extracurricular activities until it is provided. The progress report must be signed by the student's teachers, and signify that they have maintained minimum requirements for that week.

To participate in interscholastic extracurricular activities, students will be subject to the following academic requirements:

- ⇒ Students must maintain a 2.0 GPA to participate in interscholastic/extracurricular activities. Students who start an activity below a 2.0 GPA would start on probation.
- ⇒ If a student's GPA falls below a 2.0 GPA, then they will be placed on probation (excludes FHSAA sports).
- ⇒ Probation requirements are outlined above.
- ⇒ If the 2.0 GPA isn't maintained for the next nine week grading period, the student will be on extra-curricular suspension until they have a 2.0 GPA.

To participate in interscholastic/extracurricular activities, students will be subject to the following discipline requirements:

- ⇒ If a student receives In-School Suspension, they may not participate in extracurricular competition the day they serve ISS.
- ⇒ If a student accumulates five days of ISS, or one day of Out of School Suspension, they will be placed on probation for 30 calendar days.
- ⇒ OSS totals beyond three days or more in a nine week grading period would result in an extracurricular suspension for the next 30 calendar days.

To participate in interscholastic/extracurricular activities, students will be responsible for paying a student activity fee of \$20. This is an annual fee collected once regardless of the number of interscholastic / extracurricular activities a student participates in.

Interscholastic extracurricular activities include participation in any school-authorized or education-related activity occurring during or outside the regular school day.

If a student is arrested for a felony or a delinquent act which would have been a felony if committed as an adult, he/she shall not be allowed to participate in extracurricular activities until a disposition by a court of law. If convicted the student shall have the privilege to participate in extracurricular activities revoked for the current year and the next year.

Students may be suspended from participation in extracurricular activities for failure to pay for lost or damaged textbooks. The debt may be satisfied by the pupil through community service activities at the school site as determined by the principal or his/her designee. (F.S. 1006.28 (3))

**Eligibility Rules:** as set forth in F.S. 1006.15(9)

- A. A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or interscholastic extracurricular activity has not reached the identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate.  
The FHSAA and District may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.
- B. However, a student may not participate in a sport if the student participated in that same sort at another school during that school year, unless the student meet one (1) of the following criteria:
  - 1. Dependent children of active duty military personnel whose move resulted from military orders.



2. Children who have been relocated due to a foster care placement in a different school zone.
3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
4. Authorized for good cause in District policy.

Good cause shall be found in cases where:

- a. The student was assigned a new school by the Superintendent for reasons unrelated to athletics.
- b. The student was on a waiting list for admission into a school for controlled open enrollment or for entry into a magnet or CTE program and was granted admission from the waiting list.
- c. The student has moved to a new residence with the parent with whom she/he has been living previously that is in a different attendance zone.
- d. The student moved to a new residence following the marriage of the student.
- e. The student would suffer an undue hardship if declared ineligible to participate.

## **PARENT MEETINGS**

Student's parents may be accompanied at any meeting with school district personnel, with another adult of his or her choice to assist the parent or guardian in communicating with school district personnel.

If accompanied by more than one adult, there must be prior notification given to the school district personnel. (F.S. 1002.20).

## **DRESS CODE**

The Levy County School Board recognizes that clothing fashions and fads come and go, but distinctions still need to be made as to what is acceptable attire for educational purposes.

Some clothing that is appropriate in other settings would be completely inappropriate and disruptive to the learning atmosphere in a school setting. These guidelines shall not infringe upon any student's religious beliefs.

The principal, or his/her designee, is responsible for interpreting and clarifying the Student Dress Code upon student or parent request. The principal, or his/her designee, is the final authority for interpreting and applying the Student Dress Code related to special events conducted at the school.

Students will dress in attire which does not distract from the learning process or the educational environment. The Levy County School Guidelines that support this concept are the following:

- ⇒ Students may not wear net or see through clothing, tank tops, halter tops, low-cut tops, or tops that expose the midriff. Spaghetti straps and oversized arm holes are not permitted.
- ⇒ Clothing shall cover all undergarments and body parts and not expose underwear or body parts in an indecent or vulgar manner.
- ⇒ Student Dress shall not disrupt the orderly learning environment.
- ⇒ Belts shall be buckled and all clothing shall be appropriately buttoned.
- ⇒ Shorts, skirts, or pants shall be worn at the natural waistline.

- ⇒ Attire (including body tattoos) shall not illustrate, enhance, or depict tobacco/alcohol/drugs nor have offensive racial, satanic, gang-related, sexually suggestive, obscene, or violent messages. This includes colored bandanas which can carry gang-related symbolism.
- ⇒ Shoes shall be worn at all times; shoes with wheels are not permissible.
- ⇒ Skirts, shorts, dresses, and slits in dresses shall be at least fingertip length or longer. Clothing with holes shall also conform to this requirement, and no holes should be above the fingertip length.
- ⇒ Skirts, shorts, dresses, and pants that are too tight shall not be permitted, e.g., bicycle shorts, aerobic shorts, leggings, etc.
- ⇒ Pajamas, bedroom slippers, and sleepwear are not permissible.
- ⇒ Hats/caps are not permitted to be worn inside any building
- ⇒ In accordance with Florida Statutes 1001.43, students may wear sunglasses, hats, or other sun protective wear while outdoors during school hours.
- ⇒ In accordance with Florida Statutes 1002.20, students may possess and use over-the-counter topical sunscreen product while at school or at a school-sponsored event without a physician's note or prescription.

**INDIVIDUAL SCHOOLS MAY HAVE ADDITIONAL DRESS CODE REQUIREMENTS TO MEET COMMUNITY AND/OR SCHOOL NEEDS.**

### **CELL PHONES OR OTHER ELECTRONIC COMMUNICATION DEVICES (ECDs)**

The School Board is aware that parents and students use electronic communication devices to communicate with each other, however the use of ECDs on school grounds must be appropriately regulated to protect students, staff, and the learning environment.

Cell phones and other ECDs that are heard or are in use by students on school grounds during school hours without the consent of school personnel will be confiscated. Cell phones, ECDs and listening accessories are allowed to be on and in operational mode before the school day begins, and after the ending school bell for dismissal. Due to safety and security, headphones, earbuds, Air Pods, or other wired or wireless listening accessories that could be connected to cell phones or personal ECDs are prohibited during the school day. All other cell phone use shall be at the direction and permission of school personnel including bus drivers. Only electronic communications approved by school officials for a school assignment will be permitted. Any other electronic communications will be considered a violation and will be prohibited. Electronic communications include, but are not limited to, phone calls, video/audio recordings, photographs, social media and/or text messages.

Taking pictures or video of school staff or students without their permission, or recording fights are strictly prohibited. ECDs may not be used for illegal purposes, or for transmitting, retrieving, or storing any communications of an obscene, discriminatory, harassing nature, or for any other purpose that is against school board policy.

Electronically capturing, transferring, or other sharing of nude, obscene, pornographic, or otherwise illegal images or photographs will be reported to law enforcement and may constitute a crime under state and/or federal law that could result in arrest and prosecution. ECDs containing such illegal images will be confiscated and turned over to law enforcement.

The school will not be held responsible for lost or stolen cell phones and/or any electronic devices. No student may have in his or her possession any wireless communication device or any other item that records, stores, or transmits data during any standardized testing (FSA, EOC, etc.). If a cell phone/electronic device is visible, being handled, or otherwise used in any manner during a test or exam, it will be considered cheating and the student may receive a zero for that test or exam and disciplinary action.

Note: Inappropriate use of an electronic communications device will result in the following disciplinary action:

**First Offense**

Device confiscated, Parent contacted to arrange return

**Second Offense**

Device confiscated, Parent contacted to arrange return, One day ISS or comparable consequence

**Third Offense**

Device confiscated, Parent contacted to arrange return, One day OSS

**Future Offenses**

Additional OSS days and/or alternative placement or expulsion

**Refusal to Surrender ECD**

**First Offense**-One Day ISS, **Second Offense**-Three Days ISS, **Third Offense**-One Day OSS, **Future Offenses**- Additional OSS days and/or alternative placement or expulsion

ECD Use That Results in Substantial School Disruptions Up to 10 days OSS and/or alternative placement or expulsion.

## **DISCIPLINARY RESPONSE CODE**

In order to establish reasonable consistency in the schools, a uniform Disciplinary Response Code has been developed. Schools and teachers may develop individual rules and disciplinary practices to deal with individual school or classroom problems which supplement this Code and which are not in conflict with it. The Code of Student Conduct and Student Rights and Responsibilities apply to all students enrolled in the Levy County Public Schools in pre-kindergarten through grade 12.

This section of the Code of Student Conduct and Student Rights and Responsibilities identifies infractions for which a student may be disciplined and sets forth disciplinary responses which are appropriate for the infraction. Each infraction is defined in this section of the Code and is accompanied by a listing of appropriate disciplinary responses.

In the section immediately following the Disciplinary Response Code, a brief explanation of appropriate disciplinary responses is provided along with a description of major procedures which are followed to ensure procedural due process is afforded when a more severe discipline action is considered or given.

Disciplinary infractions and the responses to them are divided into four levels. Each level represents progressively more serious infractions culminating in Level IV offenses. Disciplinary responses to infractions become progressively more severe as one moves upward in the levels of misconduct.

**In choosing an appropriate disciplinary response for offenses below Level IV, school personnel may select from the disciplinary responses 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 IV offenses require a ten (10) day suspension and a recommendation for expulsion from public schools for a minimum of one semester. School personnel may choose to recommend a longer period of expulsion if circumstances warrant and 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.**

In certain circumstances, a combination of disciplinary responses may be appropriate. For example, for Level I offenses, it may be appropriate to contact the parents of the student while also offering a verbal reprimand.

For a Level II offense, a student might receive a behavior contract accompanied by parental contact and counseling and directions. Generally, however, the more severe the disciplinary response, the more inappropriate it would be to combine optional responses of a severe nature. One would not, for example, impose corporal punishment and a suspension from school.

Students and parents are encouraged to study the Disciplinary Response Code as well as local school rules in order to understand the response to conduct on the school campus or while under the jurisdiction of the School Board and its employees.

## **LEVEL I - DISCIPLINE RESPONSE CODE**

Level I offenses are minor acts of misconduct which interfere with the orderly operation of the classroom, a school function, or transportation by bus.

The misconduct should be handled first by the individual staff member involved. When additional action becomes necessary because of continued violation or other serious concerns, the student will then be referred to the school administrator or designee for disciplinary action.

The school administrator or designee, after review of the student's explanation, consultation with school personnel involved, and further investigation (when needed), will determine the appropriate assignment of disciplinary action.

### **Level I:**

- ⇒ Parent contact
- ⇒ Counseling and direction
- ⇒ Verbal reprimand
- ⇒ Special work assignment
- ⇒ Withdrawal of privileges
- ⇒ Detention
- ⇒ School/classroom positive/negative reinforcement plan
- ⇒ Warning of referral to Level II

### **Infractions**

- |    |                         |  |
|----|-------------------------|--|
| A. | Classroom / Disruption: | Conduct or behavior which interferes with or disrupts the teacher / learning process   |
| B. | Disorderly Conduct:     | Conduct or behavior which interferes with or disrupts the orderly process of the school environment or a school function           |
| C. | Dress Code:             | Non-conformity to established dress code   |
| D. | Misconduct on Bus:      | Conduct or behavior which interferes with the orderly, safe, and expeditious transportation of students or other authorized riders |
| E. | Tardiness:              | Excessive late arrival to school or class  |
| F. | Repeated / Misconduct:  | Repeated behavior which includes one or more of the above offenses   |
| G. | Other:                  | Other than offenses listed above   |

### **LEVEL II - DISCIPLINE RESPONSE CODE**

Intermediate acts of misconduct may include minor acts of misconduct previously identified. It may also include repeated acts of misconduct and acts directed against persons or property but which do not seriously endanger the health or safety of others. This misconduct must be reported to the school administrator or designee for disciplinary action.

The school administrator or designee will follow the procedure designated for minor violations in the investigation of circumstances and the assignment of the appropriate disciplinary action.

#### **Level II:**

- ⇒ Parental contact
- ⇒ Behavior contract
- ⇒ Refer for counseling services
- ⇒ Corporal punishment
- ⇒ Suspension from school
- ⇒ In-school suspension
- ⇒ Alternative classroom assignment
- ⇒ Work detail
- ⇒ Detention
- ⇒ Confiscation of unauthorized materials
- ⇒ Suspension from bus (for bus-related misconduct)
- ⇒ School/classroom positive/negative reinforcement plan
- ⇒ Appropriate response from Level I
- ⇒ Warning of referral to Level III
- ⇒ Suspension from participation and attendance at extracurricular activities

## **Infractions**

- |    |   |   |
|----|---|---|
| A. | Inappropriate Physical Contact:             | Minor physical conflict between two or more students; to another student(s)   |
| B. | Gambling:                                   | Any participation in games (or activities) of chance for money and/or other things of value   |
| C. | Open Defiance:                              | Either verbal or non-verbal refusal to comply with school rules or directions from school staff. This includes the refusal to participate in classroom assignments or activities.   |
| D. | Threat/Intimidation:                        | An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means. |
| E. | Misconduct on the Bus:                      | Repeated or serious misconduct which interferes with the orderly, safe, and expeditious transportation of students or other authorized riders.  |
| F. | 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 or a school function.   |
| G. | Repeated Misconduct of Less Serious Nature: | Repeated misconduct which tends to disrupt an orderly school environment  |
| H. | Cheating:                                   | Willful or deliberate unauthorized use of work of another person for academic purposes, or inappropriate use of notes or other material in the completion of an academic assignment or test (In addition to disciplinary responses, the granting of credit for this assignment may be considered null and void).  |
| I. | Disrespect for Others:                      | Conduct or behavior which demeans, degrades, antagonizes, humiliates, or embarrasses a person or group of persons   |
| J. | Failure to Report For Detention:            | Failure to report for assigned discipline   |
| K. | False and/or Misleading Information:        | Intentionally providing non-valid or misleading information, or the withholding of valid information, to a school system staff member   |
| L. | Insubordination:                            | Refusal or failure to comply with a direction or an order from a school system staff member, failure to comply with State Law, School Board Policy, local school rules, behavior contracts, or classroom rules  |

M.	Profane, Obscene, Language/Materials:	The use of either oral or written or Abusive language, gestures, objects or pictures which are socially unacceptable and which tend to disrupt the orderly school environment or school functions. Students are prohibited from possessing any written material (either printed or in their own handwriting) or other objects that are racially divisive or create ill will or hatred.
N.	Unauthorized Absence from School or Class:	Violation of the State Attendance Laws
O.	Unauthorized Computer Use:	Violation of School Board of Levy County Acceptable Use Guidelines.
P.	Other Serious Misconduct:	Other than offenses listed above
Q.	Use of Cellular Phone / Electronic tablets, Phone Pager / Wireless Communication Device:	Any electronic device such as, but not limited to, cellular phones, text messaging devices, and digital cameras must be used in accordance with school and District policies concerning these devices. The use of any of these devices for malicious or criminal intent could move the discipline infraction to a Level III offense upon investigation of the infraction.
R.	Minor Threats/Intimidation:	Threat to do violence.

### **LEVEL III - DISCIPLINE RESPONSE CODE**

Major acts of misconduct shall include repeated acts of misconduct previously referred for administrative action, those acts with prior warning of referral to Level III Disciplinary Action, those acts that seriously disrupt the learning climate of the school, those acts which are emergency in nature which seriously endanger the health, safety, and property of others in the school, those acts which substantially damage or destroy school property and other acts criminal in nature.

Major acts of misconduct must be reported immediately to the school administrator or designee and may result in immediate removal of the student from the school.

The school administrator or designee shall quickly assess the situation. When an emergency exists, procedures for handling the emergency shall be put into effect immediately to reduce the state of emergency.

The school administrator or designee will follow the established investigative procedure and the assignment of the appropriate disciplinary action.

Any recommendation for expulsion shall be for at least a minimum of one semester, or 18 weeks. The Superintendent may recommend a student who has made adequate progress academically and behaviorally, return to their regular educational setting prior to serving a full semester (18 weeks), if it is determined to be in the best interest of the student and the school system, and the Board approves.

#### **Level III:**

- ⇒ Parental contact (mandatory)
- ⇒ Assignment to special program/school
- ⇒ Behavior contract (written)

- ⇒ Suspension from bus
- ⇒ Suspension from school
- ⇒ Expulsion from school
- ⇒ Expulsion from bus (for bus-related misconduct)
- ⇒ Appropriate response from Levels I or II
- ⇒ Warning of referral to Level IV
- ⇒ Suspension from participation and attendance at extra-curricular activities
- ⇒ Placement in an alternate on-campus location on a temporary basis pending the final recommendation by a District Administrative Discipline Review Committee (DADRC).

### **Infractions**

- |    |  |   |
|----|--|---|
| A. | Alcohol:   | The obvious use, under the influence of, or possession/sale of alcoholic beverages.   |
| B. | Drugs:   | The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. This includes drug paraphernalia or any other substance capable of modifying mood or behavior. This includes any substance that is represented to be or imitate any illegal drug. Possession of such substances beyond that which might be reasonably consumed/used by one person in a short period of time may be considered a Level IV offense. |
| C. | Battery:   | Actual and intentional touching or striking another against their will or the intentional causing of bodily harm to an individual   |
| D. | Fighting /Mutual Altercation:                      | When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR.  |
| E. | Burglary<br>(Illegal entry into a facility):       | Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.   |
| F. | Destruction of Property<br>/ Vandalism / Graffiti: | The willful or malicious destruction of school system property or the property of others (less than \$1,000 damage)   |
| G. | Bullying/Harassment:                               | <p>Bullying: (intimidating behaviors that are repeated, intentional, and involve a power imbalance) systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Section 1006.147(3)(b), F.S..</p> <p>Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property.</p>  |



If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment.

Harassment: (one-time, insulting behaviors) Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 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. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related.

*See policy on Bullying pages 31-41*

- H. Threat/Intimidation: An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.
- I. Gross Insubordination/  
Open Defiance: Willful refusal to submit to or comply with authority, exhibiting contempt or open resistance to a direct order
- J. Illegal Organizations: Belonging to or participating in fraternities, sororities, or secret societies associated with school as defined in Florida Statutes
- K. Tobacco/Vapes: The possession, sale, purchase, distribution, or use of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21.  
  
(NOTE: In accordance with F.S. 569.11, it is unlawful for anyone under age 21 to possess tobacco or nicotine products.  
  
Penalties include up to a \$25 fine, community service, anti-tobacco education programs, and/or suspension, revocation, or withholding issuance of a driver's license.)
- L. Stealing: The taking of the property of another without the permission of the person.
- M. Trespassing: To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry.  
Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass are required to be reported in SESIR.

	Trespass incidents that did not have a prior official warning, did not result in arrest, or did not involve students under suspension or expulsion should be reported as locally defined incidents according to district policies.
N. Possession of Contraband Material (other than alcohol, drugs, tobacco products, weapons, firearms):	Possession, use and/or distribution of materials or item which are forbidden, (contraband may be confiscated and not returned to the student). (Mere possession of a small pocket knife may be considered under this heading if there has been no display of the knife nor has possession been coupled with threats or intimidation).
O. Repeated Misconduct of a More Serious Nature:	Repeated misconduct which tends to substantially disrupt the orderly conduct of a school or a school function repeated misconduct as function repeated misconduct as set forth in Level II of the Code of Conduct.
P. Gang Activity (Reference School Board Policy 5.30):	Indicators of gang activity include, but are not limited to the following: Unauthorized gathering of suspected gang members, wearing or possessing gang identification of any kind, wearing clothing or colors in a manner designed to show gang membership, displaying hand signals or other non-verbal signs for the purpose of showing gang membership, writing or displaying items showing gang insignias, distributing or possessing gang related literature or displaying physical characteristics or expressing verbal comments, phrases or words reflecting gang membership
Q. Obstruction of a Camera:	Actual and/or intentional obstruction of the view of a camera on a bus and/or school grounds
R. Other Serious Misconduct:	Other than offenses listed above which substantially disrupt the orderly conduct of a school or school function (This may also include "Felony Suspension" - School Board Policy 5.10 (6) - and intentional false accusations against employees as provided by Florida Statute.)
S. Unauthorized use of Cameras (digital, Video, Cell phone, cameras, etc):	The use of electronic imaging devices to capture pictures of teachers, staff, or students without permission. Students shall not post unauthorized videos or images on the internet which violate the Student Code of Conduct. Videos or images that are obscene or violent in nature or cause a substantial disruption to the school environment, may be considered a level IV offense.
T. Hazing:	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. "Hazing" includes, but is not limited to: (a) pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or (b) any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

## **LEVEL IV - DISCIPLINE RESPONSE CODE**

Major acts of misconduct are those of the most serious category. Any of these acts committed shall be sufficient grounds for expulsion, and shall result in a mandatory ten-day suspension with recommendation for expulsion for at least a minimum of one semester, or 18 weeks except as noted below for students in the primary grades. The Superintendent may recommend a student who has made adequate progress academically and behaviorally, return to their regular educational setting prior to serving a full semester (18 weeks), if it is determined to be in the best interest of the student and the school system, and the Board approves.

Major acts of misconduct must be reported immediately to the school administrator or designee and may result in immediate removal of the student from the school.

The school administrator or designee shall quickly assess the situation. When an emergency exists, procedures for handling the emergency shall be put into effect immediately to reduce the state of emergency. The school administrator or designee will follow the established investigative procedure and the assignment of the appropriate disciplinary action.

For students in kindergarten through third grade, the disciplinary response procedure shall be parental contact, ten (10) days suspension from school, and a written behavior contract which shall serve as a period of probation for a minimum of one semester. The principal/designee may place a student in an alternate placement location on a temporary basis, in lieu of suspension, pending the final recommendation by a District Administrative Discipline Review Committee (DADRC). The DADRC meeting should be arranged within 24 hours of the offense, and held as soon as possible. In severe cases, the principal, or his/her designee, may elect to recommend expulsion immediately. In selecting this action, the principal, or his/her designee, shall consider the age, the prior discipline record, the seriousness of the behavior, the intent of the student, and if the health, safety, and welfare of other students and/or staff has been endangered.

A violation of the probation during this period shall cause the disciplinary response to be advanced to expulsion from school for a minimum of one semester.

### **Level IV:**

- ⇒ Parental contact (mandatory)
- ⇒ Suspension from school with possible recommendation for expulsion
- ⇒ Probationary plan (available only for grades kindergarten through third grade)
- ⇒ Placement in an alternate on-campus location on a temporary basis pending the final recommendation by a District Administrative Discipline Review Committee (DADRC). In compliance with State Board Rule 6A-1.0404, Zero Tolerance for School Related Violent Crime, students found to have committed the following offenses on school property, school sponsored transportation, or during a school sponsored activity shall receive the most severe consequences provided for in this Code and School Board policy: homicide (murder, manslaughter); sexual battery; armed robbery; aggravated battery; battery or aggravated battery on a teacher or other school personnel; kidnapping or abduction; arson; possession, use or sale of any firearm; or possession, use or sale of any explosive device.

Local law enforcement authorities shall be notified as soon as possible when one of the above offenses is committed. This provision shall not be construed to remove the School Board's or Superintendent's, or his/her designee's, discretion in cases where mitigating circumstances may affect decisions on disciplinary action (reference School Board Policy 5.13)

- ⇒ Violent or disruptive students will be assigned to an alternative educational program or referred to mental health services identified by the school district.

Any student who is determined to have brought a firearm or weapon to school or who is determined to have made a threat or false report, in addition to other existing actions, must be referred to mental health services identified by the school district [per s. 1012.584(4)] for evaluation or treatment.

### **Infractions**

- |    |  |   |
|----|--|---|
| A. | Alcohol:   | The selling, transmission, or purchase of alcoholic beverages, The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.  |
| B. | Arson:   | To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.   |
| C. | Aggravated Battery   | A battery where the attacker intentionally or knowingly causes more serious injury as defined in Rule 6A-1.0017(8) (g), 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. Actual reckless or intentional, touching, or striking, or threatening (verbal or physical) of a school system employee or a volunteer against his or her will |
| D. | Bomb Threats/<br>Explosions:   | Any communication, or failure to divulge information one may possess, or participating in an activity which has the effect of threatening an explosion to do malicious, destructive, or bodily harm to school system property or at a school function, or the persons in or on that property or attending the function: preparing, possessing, or igniting explosives including unauthorized fireworks on school property or at a school function                   |
| E. | False Fire Alarm:  | The willful and/or malicious activation of a fire alarm system or the willful and/or malicious reporting of a false fire  |
| F. | Inciting, Leading, or<br>Participating in a<br>Major Student Disorder: | The willful and/or malicious act of inciting, leading or participating in any disruption or disturbance which interferes with the educational process, or which can result in damage or destruction to public or private property, or cause personal injury to participants and others  |
| G. | Robbery:   | The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear.  |

A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.

H. Sexual Offenses:

Sexual Assault (SXA) - An incident that includes fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault. Sexual Battery (Rape) (SXB) - (attempted or actual) Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or foreign object. Both males and females can be victims of sexual battery.

Sexual Harassment (SXH) - (undesired sexual behavior) Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.

Sexual Offenses (Other) (SXO) - (lewdness, indecent exposure) other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. (Law enforcement must be notified to investigate.)

I. Weapons:

Possession of a firearm or any instrument or object as defined by Section 790.001(6) and (13), F.S., that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

“Look-a-like” or toys which resemble weapons including, but not limited to, paintball guns, water guns, dart guns, knives, daggers, and grenades shall be considered under this level if used or displayed as a weapon. Mere possession of a “look-a-like” or toy weapon may be considered a Level IV offense if the circumstances and/or age of the student warrants. (Weapons shall be confiscated and will not be returned to the student.)

**NOTICE:**

**Any student who is determined to have brought a firearm, as defined in Section 921 of Title 18 of the United States Code and School Board Policy 5.14 to school, any school function, or on any school sponsored transportation will be recommended for expulsion, with or without continuing educational services, from school for a period of not less than one (1) full year and referred for criminal prosecution.**

**The Superintendent, or his/her designee, may consider the one (1) year expulsion requirement on a case by case basis and request the School Board to modify the requirement if it is determined to be in the best interest of the student and the school system.**

- |   |   |
|---|---|
| J. Any Act Which Substantially Disrupts the Orderly Conduct of a School or a School Function: | Behavior not specifically described above which substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others   |
| K. Repeated Misconduct of a More Serious Nature:  | Repeated misconduct which tends to substantially disrupt the orderly conduct of a school or a school function; repeated misconduct as set forth in Level III of this Code (Recommendations for expulsion relative to repeated misconduct must be based on documented referrals.)  |
| L. Criminal Mischief:   | Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. (destruction, damage, or defacement of school or personal property) (\$1,000 threshold).   |
| M. Grand Theft:   | The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery. |

**NOTE: No student shall be suspended for unexcused tardiness, lateness, absence, or truancy.**

## **BULLYING, CYBER-BULLYING, AND CYBER-STALKING**

### **“Bullying”**

#### **1. Statement Prohibiting Bullying and Harassment**

- A. It is the policy of the School Board of Levy County that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. The District upholds that bullying or harassment of any student or school employee is prohibited
  - 1. During any education program or activity conducted by a public K12 educational institution;
  - 2. During any school-related or school-sponsored program or activity;
  - 3. On a school bus of a public K-12 educational institution;
  - 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution within the scope of the School District, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school sponsored program or activity; or
  - 5. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or a school, if the bullying substantially interferes with or limits the victim’s ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. School staff is not required to monitor any non-school-related activity, function, or program.

#### **2. Definitions**

- A. Accused is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing, of bullying.
- B. Bullying includes cyber-bullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual’s school performance or participation; and may involve but is not limited to:
  - 1. Unwanted Teasing;
  - 2. Social Exclusion;
  - 3. Threat;

4. Intimidation;
5. Stalking;
6. Cyber Stalking, or Cyberbullying
7. Physical violence;
8. Theft;
9. Sexual, religious, anti-Semitic, cultural, or racial harassment;
10. Public or private humiliation; or
11. Destruction of property.

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

- C. Complainant is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or in writing.
- D. Cyber-bullying means bullying through the use of technology or any electronic communication, which includes but not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications.

Cyber-bullying includes the creation of a webpage or weblog in which the creator assumes the identify of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

- E. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in course of conduct to communicate, or 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.
- F. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that
  1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
  2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
  3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
  4. Has the effect of substantially disrupting the orderly operation of a school.



G. Bullying and harassment also encompass

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

H. Cyber-stalking as defined in s. 784.048(1) (d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

3. Behavior Standards

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

4. Consequences

A. Committing an act of bullying or harassment

1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.

2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
  3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.  
  
Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
  4. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- B. Wrongful and intentional accusation of an act of bullying or harassment
1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
  2. Consequences and appropriate remedial interventions for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.
  3. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
5. Reporting an Act of Bullying or Harassment
- A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy and will determine the appropriate action.
  - B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
  - C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
  - D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
  - E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.

- F. A school employee, school volunteer, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
  - G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
  - H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
  - I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. The principal/designee or District Administrator shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner.
6. Investigation of a Report of Bullying or Harassment
- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act.
  - B. While the District does not assume any liability for incidents that occur at a bus stop or en route to and from school, a student or witness may file a complaint following the same procedures for bullying or harassment against a student and the school will investigate and/or provide assistance and intervention, as the principal/designee deems appropriate.
- Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at school bus stop.
- C. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.
  - D. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
  - E. The investigator shall collect and evaluate the facts including but not limited to
    - 1. Description of incident(s) including nature of the behavior;
    - 2. Context in which the alleged incident(s) occurred;
    - 3. How often the conduct occurred;
    - 4. Whether there were past incidents or past continuing patterns of behavior;
    - 5. The relationship between the parties involved;
    - 6. The characteristics of parties involved, *i.e.*, grade, age;
    - 7. The identity and number of individuals who participated in bullying or harassing behavior;

8. Where the alleged incident(s) occurred;
  9. Whether the conduct adversely affected the student's education or educational environment or the employee's work or workplace environment;
  10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
  11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
  12. The date, time and method in which all parties involved, in the case of employees were contacted.
- F. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
  2. A written final report to the principal.
- G. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
- H. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
7. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District.
- A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
- B. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
1. If it is within the scope of the District, a thorough investigation shall be conducted.
  2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
  3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.
- C. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyber-bullying are investigated.
8. Notification to Parents/Guardians of Incidents of Bullying or Harassment
- A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment, and the parents/legal guardians of the perpetrator of an act of bullying or harassment as well as notification to all agencies when criminal charges may be pursued against the perpetrator.

1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated, or reasonably thereafter. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
  2. If the bullying or harassment incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying or harassment incident about the Unsafe School Choice Option Every Student Succeeds Act, Title VIII, Part F, Subpart 2, Section 8532, that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”
- B. Immediate notification to the parents/legal guardians of the perpetrator of an act of bullying or harassment.
- The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated.
- Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
- C. Notification to local agencies where criminal charges may be pursued. Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.
9. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling When bullying or harassment is suspected or when a bullying or harassment incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.
- A. The teacher or parent/legal guardian may request informal consultation with school staff, (specialty staff, e.g., school counselor, school psychologist), to determine the severity of concern and appropriate steps to address the concern. The involved student's parents or legal guardian are included.
- B. School personnel or the parent/legal guardian may refer a student to the school intervention team or equivalent school-based team with a problem solving focus for consideration of appropriate services.
- Parent or legal guardian involvement shall be required when the student is referred to the intervention team.

- C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
  - D. If a formal discipline report or formal complaint is made against an employee, the principal/designee or district administrator must refer the employee to the Employee Assistance Program for determination of appropriate counseling support and/or interventions
  - E. A student may be required to obtain counseling and/or attend a recognized treatment program at parental expense and show proof of completion of such counseling or program. Such offenses may include, but are not limited to, substance abuse, threats, intimidation, bullying, harassment, or acts motivated by hate or bias.
  - F. An employee component to address intervention and assistance as determined appropriate by the Employee Assistance Program that includes, but are not limited to:
    - 1. Counseling and support to address the needs of the victims of bullying; and
    - 2. Research-based counseling/interventions to address the behavior of the employees who bully others (e.g., empathy training, anger management).
  - G. A school-based component to address intervention and assistance shall be utilized by the intervention team. The intervention team may recommend
    - 1. Counseling and support to address the needs of the victims of bullying or harassment;
    - 2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, e.g., empathy training, anger management; and/or
    - 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.
10. Reporting Incidents of Bullying and Harassment
- A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S.  
 The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. Cyber bullying incidents shall be included within the bullying incidents category.  
 The report shall also include, each reported incident of bullying or harassment and the resulting consequences, including discipline and referrals. Cyber-bullying incidents shall be included within the bullying incidents category. The report shall also include, in a separate section each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.
  - B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying or harassment as an incident code as well as bullying-related as a related element code.

1. SESIR Definitions
  - a. Bullying – Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.
  - b. Harassment – Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.
2. Bullying and/or harassment incidents shall be reported in SESIR with the bullying (BUL) or harassment (HAR) code. Unsubstantiated incidents of bullying or harassment shall be coded UBL or UHR.
3. If the bullying or harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are
  - a. Alcohol
  - b. Arson
  - c. Battery
  - d. Breaking and Entering
  - e. Disruption on Campus
  - f. Drug Sale/Distribution Excluding Alcohol
  - g. Drug Sale/Possession Excluding Alcohol
  - h. Fighting
  - i. Homicide
  - j. Kidnapping
  - k. Larceny/Theft
  - l. Robbery
  - m. Sexual Battery
  - n. Sexual Harassment
  - o. Sexual Offenses
  - p. Threat/Intimidation
  - q. Trespassing
  - r. Tobacco
  - s. Vandalism
  - t. Weapons Possession
  - u. Other Major (Other major incidents that do not fit within the other definitions)

- C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.
  - D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
  - E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records.
11. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment
- A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
  - B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying or harassment in schools.
  - C. The District shall establish a list of programs that provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying and harassment including instruction or recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations. The list of authorized programs shall be available at each school, District offices, and on the District website.
12. Reporting to a Victim's Parents/Legal Guardians the Legal Actions Taken to Protect the Victim.
- The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated.
- According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident.
- Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
13. Publicizing the Policy
- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.



- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students in a student assembly or other reasonable format.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

14. Review of Policy

The Superintendent and appropriate staff shall review this policy at a minimum every three (3) years. The review shall include input from parents, law enforcement, and other community members.

The Superintendent shall present the policy and any recommended changes to the School board for consideration.

## **REPORTS TO LAW ENFORCEMENT AGENCIES**

The School Board views disruptive and criminal acts, and those which may affect the health, safety, and welfare of those on a school campus, as extremely serious in nature.

In addition to disciplinary action administered at the school level, certain acts may be reported to the appropriate Law Enforcement Agency.

These may include, but are not limited to:

- ⇒ Arson
- ⇒ Assaults other than minor fighting
- ⇒ Bombs and other explosive agents other than minor fireworks
- ⇒ Breaking and entering
- ⇒ Disturbances which substantially disrupt school
- ⇒ Fire alarms or calls
- ⇒ Distribution of drugs and alcohol products
- ⇒ Possession/use/distribution of weapons
- ⇒ Property damage of a substantial nature
- ⇒ Robbery
- ⇒ Sexual offenses endangering the health, safety, or welfare of others
- ⇒ Theft of items of a substantial nature
- ⇒ Trespassing after warning
- ⇒ Vandalism other than of a minor nature
- ⇒ Possession of substantial quantities of drugs/alcohol

## **ADMINISTRATIVE PLACEMENT**

The Superintendent may assign a student to any school or educational program if it is deemed in the best interest of that student or the school district. (Board Policy 5.02(2))

## **FELONY HEARING**

When a student is charged with an off campus felony, shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled, the principal shall conduct an administrative hearing to determine whether or not the student should be suspended or placed in an alternative placement program.

## **ELECTRONIC MONITORING DEVICES**

Students who have been court ordered to wear an electronic monitoring device such as an ankle bracelet will be placed in an alternative placement program.

## **LIKE PLACEMENT**

Students who enter or return from a Division of Juvenile Justice facility or were placed in an alternative placement setting by another school district prior to enrollment in Levy County schools, will be placed in an alternative placement setting.

## **PARENTAL NOTIFICATION**

Reasonable efforts shall be made by the school administration to notify parents at any time their child has been the victim of misbehavior which results in their child's injury or potential injury.

## **SCHOOL LOCKER / INDIVIDUAL SEARCH**

The School Board reserves the right to inspect a student's school locker in order to protect the health, safety, and welfare of the students. Lockers are the property of the school system and each student who desires to exercise the privilege of using a school locker must sign a form, if requested, acknowledging that the locker is school property and may be opened by school authorities at any time without notice or consent and without the student's knowledge or presence. Routine locker clean-ups shall not be considered a search.

This authority also extends to the Bus Stop and School Parking Lot. If a principal, or his/her designee, has reasonable cause to believe that a student is in possession of contraband, he/she shall request the student submit to a search of his or her person or his or her belongings in accordance with School Board Policy 5.09 -- Pupil Detention, Search, and Seizure. If the student refuses, the principal, or his/her designee, may call the appropriate law enforcement agency and/or the student's parents. Strip searches of students by school staff are prohibited.

## **STUDENT PARKING**

Student parking on campus is a PRIVILEGE and is something that can be revoked if the expectations and procedures listed below are not followed. In order to purchase a parking permit, each student must be enrolled at a Levy County secondary school and have the following items:

- a. Valid Florida Driver's License (NOT A LEARNER'S PERMIT)
- b. Valid DOT Vehicle Registration
- c. Proof of Insurance
- d. Parking permit from the school. (Students parking without a permit may have their vehicle towed.)

ALL VEHICLES on school property are subject to search at any time. Parking on campus gives school officials and/or law enforcement your consent to search the vehicle and its contents at any time. Search may include the entire vehicle and all of its contents.

While parking on school board property you are assuming all RISK to do so and the school and the School Board of Levy County are NOT responsible or liable for any damage, vandalism, theft, or any other issues related to vehicles parked on this property.

Student parking is allowed only on secondary school property.

## **FORMAL DISCIPLINARY ACTION: DEFINITIONS**

To assist in understanding terms used in regard to discipline in this Code, this section of the Code of Student Conduct and Student Rights and Responsibilities provides specific definitions of major terms utilized in the Disciplinary Responses to misconduct.

- A. **Behavior Contract:** A written contract developed between the student and a teacher, the principal, and/or other school personnel. Parental involvement is highly recommended.
- B. **Confiscation of Unauthorized Materials/Contraband:** Students who bring to the school campus or to a school function materials or items which are prohibitive or which are contraband may have the item or items confiscated. Once confiscated, the return of such items shall be at the discretion of the school.
- C. **Corporal Punishment:** Corporal punishment is the moderate use of physical force or physical contact in the form of paddling by a principal, or his/her designee, as may be necessary to maintain discipline or to enforce school rules.  
  
Reasonable force used by a teacher, principal, or assistant principal as may be necessary to protect themselves or others from a disruptive student or reasonable restraint necessary to protect an individual or property are permissible and are not considered punishment. The use of corporal punishment shall be in compliance with Florida Statutes.
- D. **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.
- E. **Detention:** Students can be detained before, or after school hours for misconduct with approval of the principal, or his/her designee. Parents or guardians are to be notified that the student will be detained. Responsibility of transportation is that of the student and/or the parent or guardian.
- F. **Expulsion:** Expulsion is defined as the removal of the right and obligation of a student to attend a public school in Levy 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 additional school year of attendance. The School Board of Levy County has the sole right to expel a student from school upon recommendation of the Superintendent, or his/her designee.
- G. **Students with Disabilities:** Disabled students are subject to the same disciplinary action as non-disabled students as long as the disciplinary action does not violate Free and Appropriate Education (FAPE) as a complete cessation of educational services, which is prohibited by law.

A disabled student may be expelled for reasons set forth in this Code provided that the student is afforded the procedural safeguards set forth in the Code and that it is determined by professionals with expertise to make such a decision that the student's offense is not related to his/her specific disability.

In instances where such a student presents an unreasonable hazard to the health, safety, and welfare of others, he/she may be removed from the normal school setting or current assignment until appropriate procedures are followed provided that this does not result in a complete cessation of educational services.

- H. **In-School Suspension:** 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.
- I. **Parent Conferences/Contact:** In cases of student misconduct, a conference between school personnel and the parent or guardian may be held to discuss student behavior. During this conference, future plans, alternative educational opportunities, or behavior contracts may be determined.
- J. **Payment for Damages:** Students destroying school property or property of others may be assessed for payment of damages and their parents may be held responsible to assure payment.
- K. **Post-Expulsion Plan:** A written contract or plan to be developed for each student expelled by the School Board from attending school. The development of such a plan is a school-level function to be developed when the student returns from expulsion.
- L. **Probation Contract:** In kindergarten through grade three, a student who commits a Level IV offense may, at the option of the principal, or his/her designee, be placed on a probationary contract in lieu of expulsion. Such a contract will spell out the expectations of the student and must include parental involvement and cooperation.  
  
Violation of such a contract may result in an immediate recommendation for expulsion minimum of one semester.
- M. **School/Classroom Positive/Negative Reinforcement Plans:** Individual schools and/or teachers may develop structured discipline plans to encourage appropriate behaviors.
- N. **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.
- O. **Special Work Assignments:** The assignment of a reasonable task to be completed by a student is permissible. Such a work assignment should not be to complete additional academic work.
- P. **Suspension:** Suspension is the temporary removal of the student from the regular school program not to exceed ten (10) school days on any one act of misconduct.

A Manifestation Determination meeting must be held for an Exceptional Education Student who is suspended from school for more than ten (10) days to determine if the student's disability and a specific behavior is a manifestation of the student's disability that may result in disciplinary action. The disciplinary action shall not result in cessation of educational services.

The District is responsible for providing educational services in accordance with the Individual Education Plan (IEP). A Manifestation Determination Meeting must be held for a student with a Section 504 Plan who is suspended for more than ten (10) days to determine if the conduct in question caused by, or had a direct and significant relationship to, the student's disability. The team must also consider if the conduct in question is a direct result of the school district's failure to implement the Section 504 Accommodation Plan.

- Q. **Suspension/Expulsion 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 expel a student from bus transportation 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.

- R. **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 at a scheduled school function.

- S. **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.

- T. **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.

## **PROCEDURES RELATING TO DISCIPLINARY ACTION**

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.

## **DUE PROCESS FOR CORPORAL PUNISHMENT**

Procedures to be used in administering corporal punishment shall include:

1. Corporal punishment shall be no more than three (3) licks and shall be administered to a student no more than once a day.
2. The student must be informed about the reason(s) for corporal punishment and given an opportunity to explain reasons why discipline should not be given or that form of discipline is inappropriate.
3. An adult witness must be present when corporal punishment is administered. The student must be present when the adult witness is informed of the reason for corporal punishment.
4. A student or the student's parent, upon request, must be given a written explanation of the need for the punishment and the name of the adult witness who was present.

## **DUE PROCESS PROCEDURES FOR SUSPENSION FROM TRANSPORTATION PRIVILEGES**

The following due process procedures will be afforded the student when a suspension from transportation privileges is being considered.

- Step 1:** Principal, or his/her designee, shall inform the student as to the reason(s) for consideration of suspension from transportation privileges for a period of one to ten days.
- Step 2:** Principal, or his/her designee, shall inform the student as to the kinds and sources of evidence against him/her.
- Step 3:** Principal, or his/her designee, shall provide the student the opportunity to present his/her side of the story (either verbal or written), or to present his/her witnesses.
- Step 4:** Principal, or his/her designee, reports each suspension from transportation privileges in writing to the parent/guardian of the student and to the Superintendent, or his/her designee. This report shall be made within twenty-four (24) hours of the start of the suspension or during the next regular work day.

The principal, or his/her designee, shall make a reasonable effort to notify the parent/guardian prior to the start of the suspension. Failure to make contact with the parent/guardian shall not delay the start of the suspension from transportation privileges. Once the suspension assignment has been imposed, continuation of due process procedures follows.

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

## **DUE PROCESS PROCEDURES FOR EXPULSION FROM TRANSPORTATION PRIVILEGES**

The principal, or his/her designee, shall impose a ten (10) day suspension from transportation privileges. After a review of the student's disciplinary record and/or following School Board mandated policies, the principal, or his/her designee, shall submit a recommendation for expulsion of transportation privileges to the Superintendent, or his/her designee.

The principal, or his/her designee, shall notify the student and the parent/guardian of this decision in writing during the ten (10) day suspension from transportation privileges.

Any student who is suspended from transportation fifteen (15) days or more per semester or twenty (20) days or more per school year shall be recommended by the principal/designee, to the Superintendent, or his/her designee for consideration of expulsion of transportation privileges. Any student enrolling in a Levy County school from another school district, private school, or state, shall be held to the provisions of this policy.

This shall include any days they may have been suspended from transportation privileges during that school year at any previous school.

## **DUE PROCESS PROCEDURES FOR SUSPENSIONS**

A student accused of serious misconduct which, in the opinion of the principal or his/her designated representative, would require suspension from school 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.

Any student under suspension is excluded from all Levy County campuses and activities; including buses.

**Step 1:** The student must be told by the principal or his/her designee, of the reason(s) for consideration of suspension or expulsion.

**Step 2:** The student must be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to present witnesses to the incident.

**Step 3:** The principal, or his/her 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, or his/her designee, shall report each suspension in writing to the student's parent or guardian and to the Superintendent, or his/her designee. This report shall be mailed or delivery initiated within 24 hours of the start of the suspension or on the next regular workday.

Reasonable efforts shall be made to contact the parent or guardian prior to the start of the suspension. If the parent or guardian cannot be reached prior to the start of the suspension, the principal, or his/her designee, may determine that the suspension will start without the prior contact with the parent or guardian, but continued reasonable efforts to contact the parent or guardian shall be made.

**Step 5:** The student and parent have a right to a conference with the principal, or his/her 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, or his/her designee, 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.

## **STUDENT ENROLLMENT / DECLARATION**

In accordance with Florida Statutes 232.025, the student/parent must provide the school with notice of any previous school expulsions, any arrest resulting in a charge, and any juvenile justice action the student has incurred.

## **DUE PROCESS PROCEDURES FOR EXPULSION (School Board Policy 5.11)**

1. The principal/designee, may suspend a student from school for a period not to exceed ten (10) days with a recommendation that he/she be dismissed from school.

Wherever possible, or if conditions permit, the principal/designee, shall hear the student's defense or explanation of his/her conduct and shall explain to the student his/her reasons for suspension with a recommendation of expulsion. Wherever possible, a hearing shall be given the minor student and his/her parents or guardian, or to the adult student, prior to the effective date of the suspension.

2. Where the presence of a disruptive student interferes with the orderly discharge of normal school functions, such student shall be suspended forthwith, and the parents or guardian of the minor student, or the adult student, notified as provided herein with an offer of a conference subsequent to the effective date of the suspension.

In any case, the principal/ designee, shall conduct an investigation into the charges and shall obtain written and signed statements from any witness immediately after the incident.

The principal/designee may place a student in an alternate placement location on a temporary basis, in lieu of suspension, pending the final recommendation by a District Administrative Discipline Review Committee (DARDC). The DARDC meeting should be arranged within 24 hours of the offense, and held as soon as possible. This option should not be used for students who the principal/designee is recommending for expulsion.

3. Any student who is suspended, out of school, fifteen (15) days or more per semester or twenty (20) days or more per school year shall be recommended by the principal/designee, to the District Administrative Discipline Review Committee (DADRC) for consideration of expulsion. Any student enrolling in a Levy County school from another school district, private school, or state, shall be held to the provisions of this policy. This shall include any days they may have been suspended, out of school, during that school year at any previous school.

Alternative placement may be recommended by the DADRC Committee. The Board shall be notified of any recommendations for alternate placement or expulsion.

4. When a principal/designee has suspended a pupil, out of school, and/or recommended alternate placement or expulsion to the Superintendent/designee, the principal/designee, shall follow all procedures set forth in School Board Policy 5.10 for a Pupil Suspension, and shall notify the student and his/her parents or guardians in the suspension letter that the pupil is also being recommended to the Superintendent/designee, for alternative placement or expulsion.

If the Superintendent/designee, upon receiving the recommendation of the principal/designee, shall concur that a recommendation of alternative placement or expulsion is warranted, the Superintendent/designee, shall notify the student and the student's parents or guardians in writing of the decision to recommend alternative placement or expulsion and shall further inform the student and the student's parents or guardians notice of an opportunity to appear at a DADRC hearing or a regular or special meeting of the Board for expulsion hearings, said notice to contain the following:

- A. A narrative summary of the factual, legal, and policy grounds for the recommendation of expulsion, including specific reference to the appropriate section of the Code of Student Conduct;
- B. An explanation of the right of the student or his/her representative to present to the School Board of Levy County written or oral evidence in opposition to the expulsion, or a written statement challenging the grounds upon which the Superintendent/designee, has recommended expulsion;
- C. The date and time that the School Board will consider the expulsion recommendation of the Superintendent/designee;



- D. The right of the student or his/her representative to request a hearing before the School Board pursuant to Florida Statutes 120.57(2), including a form to request such a hearing;
- E. The responsibility of this student or his/her representative to request a hearing in writing at least five (5) working days prior to the date that the School Board is scheduled to consider the recommendation for expulsion, and an explanation that failure to provide five (5) days written notice of the intention to seek a hearing may necessitate a continuance of the hearing and a continuation of the period of suspension for the student;
- F. The right of the student or his/her representative to have counsel present at any hearing on the issue of expulsion;
- G. The right of the student and his/her representative to seek and obtain a continuance to allow for reasonable time to prepare for a hearing, provided that such request for a continuance shall be made at least three (3) working days prior to the scheduled hearing, and shall require an extension of the suspension of the student until the next Board meeting;
- H. The fact that, if necessary, the Superintendent/designee, has extended the out-of-school suspension of the student beyond the normal ten (10) days to allow for the expulsion hearing before the School Board, and the date that the suspension will terminate absent Board action or a continuance in the hearing;
- I. The right of the student, parents, or guardians to waive consideration of all facts by the School Board and to stipulate the entry of an Order of the School Board imposing an expulsion for the remainder of the school year or, if appropriate, the remainder of the school year and up to but not exceeding the following school year, which recommended time of expulsion shall be specified in such Waiver and Stipulation, a copy of which will be included with the letter; and
- J. The right to receive a written explanation of the action taken by the School Board of Levy County, including its reasons for taking such action, within seven (7) days consideration by the Board or a hearing, if one is requested and held.
- K. Students may not come on any Levy County campus nor enter any activity, including extracurricular activities, during this expulsion or alternative placement.
  - 1. If a hearing is requested, the School Board of Levy County may provide for an independent and unbiased attorney to act as Master to conduct the hearing and make rulings on points of law and order, if the Board feels that such a Master is required or reasonable.
  - 2. The Superintendent/designee or his/her designee or counsel shall present his/her case, and the student, and his/her representatives shall present their case, having the right to question each witness of the Superintendent/designee. The Superintendent/designee shall then present any rebuttal evidence, if required, to be followed by the student or the student's representatives.
  - 3. The School Board will be advised during the hearing by the School Board Attorney. Individual Board members may present questions to any witness.
  - 4. The School Board shall provide a written notice to the student and his/her representatives of its decision within seven (7) days of consideration of the recommendation for expulsion, or of any hearing on expulsion requested by the student and his/her representatives, which written notice shall be signed by the Chairman or the Secretary of the Board or Designee of the Secretary.

5. All expulsion hearings shall be held in Executive Session of the School Board unless privacy is specifically waived by the student and his/her parents or guardians.
6. The School Board shall have the authority as the receiving school district to honor the final order of expulsion of a student by another school board in accordance with the following procedures:
  - a. final order of expulsion shall be recorded in the records of the school district.
  - b. The expelled student applying for admission to the school district shall be advised of the final order of expulsion.
  - c. The Superintendent/designee of schools may recommend to the School Board that the final order of expulsion be waived and the student be admitted to the school district, or that the final order of expulsion be honored and the student not be admitted to the school district. If the student is admitted by the School Board, with or without the recommendation of the Superintendent/designee, the student may be placed in an appropriate educational program at the direction of the School Board. This may include placement in an alternative placement setting.
- L. If a student withdraws from the district after a recommendation for expulsion has been made by the principal/designee, the Superintendent/designee may continue the process of expulsion. The Superintendent/designee may also place the expulsion in abeyance pending the re-enrollment of the student into the District.
- M. A Manifestation Determination meeting must be held for an Exceptional Education Student who is suspended from school for more than ten (10) days to determine if the student's disability and a specific behavior is a manifestation of the student's disability that may result in disciplinary action. The disciplinary action shall not result in cessation of educational services.

The District is responsible for providing educational services in accordance with the Individual Education Plan (IEP). A Manifestation Determination Meeting must be held for a student with a Section 504 Plan who is suspended for more than ten (10) days to determine if the student's disability and a specific behavior is a manifestation of the student's disability that may result in disciplinary action. A Section 504 disabled student are subject to the same disciplinary action as a non-disabled student if the student's behavior is not a manifestation of his or her qualifying disability.

**N. Threat Assessment Teams**

Each Levy County school shall establish a threat assessment team. The duties of these teams shall include the coordination of resources for the assessment and intervention with individuals whose behavior poses a threat to the safety of school staff or students.

1. These teams shall include persons with expertise in counseling, instruction, school administration, and law enforcement.
2. Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, a threat assessment team shall immediately report its determination to the superintendent or his or her designee. The superintendent or his or her designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection shall preclude school district personnel from acting immediately to address an imminent threat.

3. If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary follow-up actions.
4. A threat assessment team should consult with law enforcement when a student exhibits a pattern of behavior, or when the severity of an act poses a threat to school safety.  
If a student commits more than one misdemeanor, the threat assessment team should consult with law enforcement to determine if the act should be reported. The threat assessment team shall make a recommendation to the Superintendent in regards to school discipline, which may include suspension, placement in an alternative setting, expulsion, or referral to mental health services.

**O. Mental Health Services Flowchart**

1. Classroom Teacher has concerns about a Student's Behavior (The concerns can be Academic or Behavior).
2. The Classroom Teacher shall to address the behavior using evidence-based classroom interventions.
3. If the classroom intervention(s) are successful, the Teacher will continue to implement it until it is no longer needed.
4. If the informal classroom interventions are not successful and the student's behavior escalates or remains the same, the Classroom Teacher will make a formal School Referral to the School Counselor.
5. Upon receipt of the School Referral, the School Counselor will arrange a meeting with the Teacher, and appropriate school personnel (i.e., Problem Solving team) to discuss the student's behavior and lack of progress.
6. At this meeting, additional interventions can be implemented that are school based, make a referral to the District Behavior Specialist, obtain written consent from the parent to conduct a Functional Behavior Assessment and develop a Positive Behavior Intervention Plan, or a recommendation can be made for mental health or community services.
7. If the school Counselor receives or has knowledge that the student is currently receiving services from a community agency, the School Counselor will ask the parents/guardian to sign a consent and release of information form so information about the student's counseling goals, progress, and need for additional school support can be discussed with the practitioner. Timelines for periodic review and sharing of information shall be scheduled.

8. If the student is returning from a community program (i.e. rehabilitation center, hospital, Baker Acted/SCU, DJJ/Detention, jail, involvement with DCF because the student was removed from the home due to a traumatic event), when aware, the School Counselor will arrange a team meeting of appropriate school personnel with a representative from the involved community agency, and the parents/guardian to discuss the student's return to school and the services/support that are needed to help the student successfully transition back to school.
9. If the referral is made for school based Mental Health Services, the School Counselor will complete the formal Mental Health Referral Form and submit to the mental health practitioner. Upon receipt of the referral by the mental health practitioner, the School Counselor will be contacted to arrange a team meeting with the appropriate school personnel and mental health practitioner to discuss the student's behavior, interventions implemented, the student's lack of progress and the need for more intensive services.
10. The mental health practitioner will conduct screenings and assessments to determine the need(s) of the student and based on the data/results will make recommendations for further services and/or implement a mental health intervention.
11. If it is determined from the screening and assessment data that mental health services are not needed, the mental health practitioner will make recommendations based on the screening and assessment data; and will conduct follow-up and monitoring to ensure that the recommendations are implemented and the student's behavior is improving.
12. If it is determined from the screening and assessment data that mental health services are needed, the mental health practitioner will establish goals and timelines for follow-up, monitoring, and evaluation of the student's progress; as well as discuss with the School Counselor and team members timelines for the team to reconvene to discuss the student's behavior, progress, lack of progress, or the need for a more therapeutic treatment plan and community services.
13. If the mental health interventions are successful, the intervention will be continued until services are no longer needed. Periodic monitoring will be provided to ensure the student is maintaining emotional stability/appropriate behavior.
14. When a more therapeutic treatment plan or additional community services are needed the School Counselor will be contacted to arrange a team meeting with appropriate personnel to discuss the student's needs and make appropriate referral(s) for the needed services (i.e., medical, DCF, parent/family assistance etc.).

## **DUE PROCESS PROCEDURES FOR SUSPENSION OF DISABLED STUDENTS**

### **A. Suspension**

1. School personnel may remove a student with a disability who violates the code of conduct from the current placement for not more than 10 days.
2. After 10 days of Out of School suspension, a Manifestation Determination Meeting is required and all subsequent removals require additional manifestation determination meetings. Procedural Safeguards are provided to parents/guardian consistent with State Board Rule 6A-6.03311. The disciplinary action shall not result in cessation of educational services.

3. The IEP team reviews the incident(s) subject to discipline, IEP and all relative data (FBA, PBIP, formal evaluations, observations, parent/student input, medical records, discipline records, etc.). 34 CFR 300.530 (e)
4. The IEP team determines if the conduct in question was the result of the district's failure to implement the IEP or if the behavior was caused by or has a direct and substantial relationship to the student's disability.
5. If the behavior is a manifestation of the student's disability then the IEP team must conduct a FBA/PBIP or Review and modify PBIP and return student to previous placement. A change of placement can occur if the parent and district (school) agree.
6. If the behavior is not a manifestation, IEP team may determine educational placement as the student may be treated as a student without a disability if the IEP team determines there is not a relationship between the misconduct and the disability. The student must be provided FAPE if removed for more than 10 cumulative days in a school year.  
  
Educational services may be provided in an alternative setting, to enable the child to participate in the general education curriculum and progress toward IEP goals. 34 CFR 300.530(d)(i).
7. The disciplinary action shall not result in cessation of educational services.
8. In order to protect the rights of students and parents, the principal, or his/her designee, shall follow the procedures for suspension as contained in School Board Policy 5.10.

### PUBLIC NOTICE STUDENT RECORDS MAINTAINED BY THE LEVY COUNTY PUBLIC SCHOOLS

The Levy County Public Schools maintain educational records in accordance with state and federal laws. Copies of Levy County Public Schools Student records are available for public use during school hours at each school between 8:00 a.m. and 3:30 p.m., Monday through Friday.

Parents, legal guardians, or eligible students (18 years or older) have the **right to review** records on their child, the **right to a copy** of the record, 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 or statements of recommendations or evaluations.

A parent who wishes to review, to challenge, or to get a copy of the record should make an appointment with the principal, or his/her designee, or school counselor. All such requests will be honored by school officials as soon as possible but no later than forty-five (45) days after the request is made.

Natural parents have access to student records regardless of whether or not they have legal custody of the child. The school will release record information to natural parents upon written request, signed by the natural parent, unless the school has a copy of a court order to the contrary on file.

You have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

## **DIRECTORY INFORMATION (1002.22, F.S)**

The Levy County Public Schools reserve the right to release "directory information" without prior permission of the parent unless the parent has notified the principal, or his/her designee, in writing within thirty (30) calendar days of the distribution of the Code of Student Conduct. (Board Policy 5.20)

Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information pursuant to Florida Statutes or federal laws. Lists of students will not be released without Superintendent, or his/her designee, approval.

**Directory Information:** Entities or organizations that require directory information include but are not limited to, Higher Education, Military, Newspapers and/or other media. Directory information includes student's name, address, telephone number, date and place of birth, participation in school sponsored activities and sports, weight and height of members of athletic teams, dates of attendance, graduation date, and awards received. Directory information is often used within the district for yearbooks, school or district websites, and sports rosters / programs.

### **PERSONALLY IDENTIFIABLE INFORMATION (P.I.I.)**

"Personally identifiable information" or "PII" means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3.

All includes, but is not limited to direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Personal 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.

Personal identifiable information will be released without parent consent to appropriate officials in emergency situations, and in order to comply with a lawfully issued subpoena, and in cases involving compulsory school attendance and child abuse.

The School Board of Levy County will not use any online educational service that will share or sell a student's PII for commercial purposes without providing parents a means to either consent or disapprove. This disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this rule with respect to previously acquired PII.

## NOTIFICATION OF RIGHTS UNDER FERPA

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 the student's education records.

These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal a written request that identifies the records 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend their child's or their education record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. 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 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 provide written consent before the school discloses personally identifiable information (PII) from 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. School officials include those employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official shall have a legitimate educational interest and need to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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 name and address of the Office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue,  
SW Washington, DC 20202

## PRIVACY AND CONFIDENTIALITY

The Levy County School Board takes seriously our role in protecting the privacy and confidentiality of our employees and students. We comply with federal and state laws and meet the required standards for securing that information.

As provided in Section 119.071 (5) (a) 3, Florida Statutes, the Levy County School Board hereby makes the following disclosure. We request access to student social security numbers to be used for student identification. The Levy County School Board, the Florida Department of Education, and the Federal government request student's social security number to assist in tracking students who transfer across county lines, for awarding scholarships, the processing of free/reduced lunch applications and for the school health service programs.

The School Board does not release or disclose social security numbers to other parties except as allowed under state and federal law in performance of official school board business.

This notice is provided with the expectation that you will inform any non-minor individuals whose social security numbers are being collected by the district for the above uses.

Student social security numbers are voluntary. The Federal Privacy Act of 1974 (5 U.S.C.552 a) does not allow any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security number.

## IMPORTANT NOTICE

Levy County School Board Policy 5.11 provides for the expulsion from school of any student who has been suspended from school 15 days in one semester or 20 days in one school year.

Included in that policy are provisions relating to students entering a Levy County school after the school year has begun. For your information that language is included to read:

**Any student enrolling in a Levy County School from another school district, private school, or state shall be held to the provisions of this policy. This shall include any days they may have been suspended during that school year at any previous school. Alternative placement may be recommended by the Board.**

Upon receipt of discipline information from schools a student has attended this year, a determination will be made by the school administration in accordance with this policy. If it is determined a student is in violation of this policy, a recommendation of expulsion will be made.

If you have any questions concerning this policy or if you would like a copy of School Board Policy 5.11 in its entirety, please request to see the school administration.

**The School Board of Levy County forbids sexual harassment, harassment, and discrimination in any form on the basis of race, color, gender, religion, age, disability, marital status, national origin or genetic information whether by an administrator, teacher, any other adult, or any student on school property or at any school related activity in accordance with School Board.**

**Policy 6.54 Prohibiting Discrimination, Including Sexual & Other Forms of Harassment.**



**NOTE:** At the beginning of the school year, the Code of Student Conduct and Student Rights and Responsibilities will be read, discussed, and explained to students at their appropriate level of understanding regarding age and any exceptionality that may exist. In addition, each parent will be provided with a copy of the Code of Student Conduct and Student Rights and Responsibilities, by distribution to students, as well as any member of organizations that represent school support such as the School Advisory Committee, PTO, etc.

Florida Statutes 1001.42 (1)-(4); 1012.22 (5); 1006.7 (6); 1006.28 (7); 1006.21 (8); 1001.42 (9)-(20), (22)

<b>LEVY COUNTY SCHOOLS AND ADDRESSES</b>		<b>Grade Level</b>	<b>School Hours</b>
480 Marshburn Drive Bronson, FL. 32621 Telephone: 352-486-5231 Fax: 352-486-5237 School Office Hours: 8:00 a.m. – 4:00 p.m. Teacher Hours: 8:00 a.m. – 3:30 p.m.			
<b>Bronson Elementary School</b> Phone: 352-486-5281 Principal, Marlene Wiggins School Counselor, Tina Bowman	400 Ishie Avenue Bronson, FL. 32621 Fax: 352-486-5285 Assistant Principal, Kaylee Spina	PK– 5	7:55 – 2:35 <b>School # 1011</b>
<b>Bronson Middle / High School</b> Phone: 352-486-5260 Principal: Jennifer Bray Administrative Assistant / Alternative Classroom: John Miller School Counselors: Karen Weins (HS), Dr. Lisa Pinder (MS)	351 Ishie Avenue Bronson, FL. 32621 Fax: 352-486-5263 Assistant Principal: Pamela Asbell	6– 12	8:05 – 2:48 6 <sup>th</sup> grade 8:05 – 2:51 7 <sup>th</sup> – 12 <sup>th</sup> <b>School # 0021</b>
<b>Cedar Key School</b> Phone: 352-543-5223 Principal: Joshua Slempe School Counselor: Jennie Lynn Hudson-Lane	951 Whiddon Avenue Cedar Key, FL. 32625 Fax: 352-543-5988 Assistant Principal: Jeffrey Webb	PK– 12	8:03 – 2:45 <b>School # 0041</b>
<b>Chiefland Elementary School</b> Phone: 352-493-6040 Principal: Amy Webber School Counselor: Melissa McDilda	1205 N.W. 4 <sup>th</sup> Avenue Chiefland, FL. 32626 Fax: 352-493-6042 Assistant Principal: Kelley Hoover	PK – 5	8:00 – 2:30 <b>School # 0241</b>
<b>Chiefland Middle / High School</b> Phone: 352-493-6000 Principal: Matthew McLelland Administrative Assistants: Kyle Parnell (9-12), Kelby Barber (6-8) School Counselors: Stacy Drummond (HS), Teri Edison (MS), Grad Coach: Keli Wilson	808 North Main Street Chiefland, FL. 32626 Fax: 352-493-6018 Assistant Principals: Kelly Gore (9-12), Cheryl Allen (6-8)	6 – 12	8:01 – 2:49 <b>School # 0051</b>
<b>ESE Office / Student Services Office</b> Phone: 352-486-5240 Director Marcy Young	480 Marshburn Drive Bronson, FL. 32621 Fax: 352-486-5242		8:00 – 4:00
<b>Joyce Bullock Elementary School</b> Phone: 352-528-3341 Principal: Hillary Cribbs School Counselor: Na'triel Pullings Battles	130 S.W. 3 <sup>rd</sup> Street Williston, FL. 32696 Fax: 352-528-5541 Assistant Principal: Stacey DeCamp	PK – 2	7:40 – 2:10 <b>School # 0092</b>
<b>Williston Elementary School</b> Phone: 352-528-6030 Principal: Rikki Richardson School Counselor: Kaylee Caraway	801 South Main Street Williston, FL. 32696 Fax: 352-528-5458 Assistant Principal: Cecilie Smith	3 – 5	7:25 – 1:55 <b>School # 0231</b>
<b>Williston Middle / High School</b> Phone: 352-528-3542 Principal Dr. Emily Hancock Administrative Assistants: Todd Schrader / James Pruitt School Counselors: Erinn Tillman (MS), Amanda Myhree (HS), Grad Coach: Amber Philpot	350 S.W. 12 <sup>th</sup> Avenue Williston, FL. 32696 Fax: 352-528-2723 Assistant Principals: Pricilla Hiers / TBD	6 – 12	8:53 – 3:35 <b>School # 0091</b>
<b>Yankeetown School</b> Phone: 352-447-2372 Principal: Dee Westfall School Counselor: Candy Prescott	4500 Highway 40 West Yankeetown, FL. 34498 Fax: 352-447-3961 Administrative Assistant: Timothy McCarthy	PK – 8	8:15 – 2:45 <b>School # 0111</b>
<b>Levy Virtual School</b> Phone: 352-486-5231 Ext. 2116 Director: Morgan Bennett School Counselor: David Harvey	480 Marshburn Drive Bronson, FL. 32621 Fax: 352-486-5237 Administrative Assistant: James Smith	K-12	Times Varies <b>School # 7006</b>
<b>Whispering Winds Charter School</b> Phone: 352-490-5799 Directors: Kimberly Bartley, Jennifer Pittman	2480 N.W. Old Fannin Road Chiefland, FL. 32626 Fax: 352-490-7242	K – 5	7:55 – 2:20 <b>School # 0060</b>
<b>Nature Coast Middle School</b> Phone: 352-490-0700 Director: Charles Bowe	6830 N.W. 140 <sup>th</sup> Street Chiefland, FL. 32626	6 – 8	8:00 – 2:30 <b>School # 0062</b>
<b>Adult High School</b> Phone: 352-493-9533 Director: Christine Dunn	15390 N.W. Highway 19 Chiefland, FL. 32626 Manager of Instructional Services: Leah Gamble		Times Varies <b>School # 0121</b>

# **School Board Members**

## **Cameron Asbell**

District 1- Bronson

## **Paige Brookins**

District 2 – Chiefland

## **Ashley Clemenzi**

District 3 – Yankeetown

## **Tammy Boyle**

District 4 - Cedar Key

## **Devin Whitehurst**

District 5 - Williston

School Board of Levy County  
480 Marshburn Drive, Bronson, FL. 32621  
352-486-5231  
Website: <http://www.levyk12.org>

## **SCHOOL BOARD OF LEVY COUNTY NOTICE OF NON-DISCRIMINATION**

The School Board of Levy County offers the following career and technical programs, including career academies wherein students may earn industry certification: Agritechnology, Agriculture Education Directed Study, Carpentry, Agriscience Foundations, Fundamentals of Ag Systems, Culinary Principals of Teaching, Cooperative Diversified Education, Administrative Office Specialist, Animal Science & Service, Aquaculture, Principals of Ag Business, Ag Sales and Service, Game & Simulation Design, Digital Design, Digital Information Technology, Allied Health Assisting, Emergency Medical Respondent, Nursing Assistant, Vet Assistant, Administrative Office Technology, Business Software Applications, Computer Applications in Business, Principles of Agribusiness, Environmental Horticulture Science & Services and Hospitality/Tourism. Admissions to the programs are open with the exception of Health Academy courses, which require an application.

The district prohibits discrimination in the terms and conditions of employment, and in access to educational programs and activities, and prohibits harassment of any individual or group on the basis of race, color, national origin, gender, age, disability, religion, marital status, or genetic information (and other protected classes included in the district's nondiscrimination policies).

Lack of English language skills will not be a barrier to admission and participation. The district may assess each student's ability to benefit from specific programs through placement tests and counseling, and, if necessary, will provide services or referrals to better prepare students for successful participation. For complaints or concerns of discrimination or harassment, the following person(s) may be contacted:

Kalee Wade, Director of Personnel  
480 Marshburn Drive  
Bronson, FL 32621  
Phone: 352-486-5231  
[kalee.wade@levyk12.org](mailto:kalee.wade@levyk12.org)

ESE/504 Contact: Marcy Young, Director of ESE and Student Services  
480 Marshburn Drive  
Bronson, FL 32621  
352-486-5231  
[marcy.young@levyk12.org](mailto:marcy.young@levyk12.org)

Title IX: Melissa Lewis, Director of Accountability  
480 Marshburn Drive  
Bronson, FL 32621  
352-486-5231  
[melissa.lewis@levyk12.org](mailto:melissa.lewis@levyk12.org)

BOARD APPROVED 05/23/2023

## NOTICE OF DIRECTORY INFORMATION & PERFORMANCE RELEASE

The School Board of Levy County may release "directory information to the general public. This information may include the following information about your student:

Name, Address, Telephone number (if listed), participation in officially recognized activities and sports, weight and height (if an athletic team member), name of the most recent previous school or program attended, dates of attendance at schools in the District and degrees and honors received, and date and place of birth.

☐ I **do not** authorize directory information to be released by the school for my child.

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**I RECOGNIZE** that school performances or activities may be videotaped or photographed for public viewing, such as videotaping, or photographing, and the public showing of such video tape, if such videotaping should occur. This includes posting on the school or district website. I also consent to the release of my child's name, both verbally and in print, when used in connection with said photograph(s)/videotapes(s). It is understood the photographs(s)/videotapes(s) and name of the child may be used for promotional purposes inside and/or outside Levy County School Board.

It is understood that the school or school district will not duplicate photograph(s)/videotape(s) for the benefit of any individual student(s) or parent(s)/legal guardian(s).

**I FURTHER RECOGNIZE** my right to rescind this permission and release at any time upon written notification to the school and the School Board of Levy County, provided that I recognize that if any performance or activity videotaped or photographed prior to my rescinding of this permission and release, my approval of the public showing of said previously taped performance or activity will remain in full force and effect as to that performance or activity.

By signing below and returning this form, I **authorize the school and District to release photography or videotaping for public viewing for the purpose below.**

**Please check those you approve, or check no pictures or media are approved:**

- ☐ **Yearbook Pictures**
- ☐ **Classroom Pictures**
- ☐ **Whole Group Pictures**
- ☐ **Social Media Pictures**
- ☐ **No Pictures or Media are Approved**

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

**By not returning this form with signatures above, I hereby agree for the school and District to freely release directory information and student photography and video for the purpose of school or District websites, social media, etc.**

## **Student Code of Conduct Receipt Acknowledgement**

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(Print students name)

has received & read the Code of Student Conduct & Student Rights & Responsibilities handbook.

---

Parent's Signature

---

Date

---

Student's Signature

---

Date

# Speak Out !

Fight crime with  
the most powerful weapon  
you have – **YOUR MOUTH!**

***Call 1-877-349-8477***  
to report criminal activity  
at your school.  
You never have to  
give your name.

A promotional graphic for the FortifyFL app. On the left is a red square icon with a white exclamation mark and a small map of Florida. To its right, the text 'FORTIFYFL' is in large white letters, followed by 'SUSPICIOUS ACTIVITY REPORTING APP' in smaller white letters. Below this is a horizontal line, then '#FORTIFYFL' and 'GETFORTIFYFL.COM' in white. Further down are the Apple App Store and Google Play logos, followed by three circular logos: the Florida Department of Education, the Florida Department of Law Enforcement, and the Florida Department of Transportation. To the right of the text is a white smartphone displaying various app icons. To the right of the phone is a white oval button with the text 'DOWNLOAD NOW' in black.

**FORTIFYFL**  
SUSPICIOUS ACTIVITY REPORTING APP

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**GETFORTIFYFL.COM**

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**EDUCATION**  
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## Suspicious Activity Reporting App

FortifyFL is a suspicious activity reporting tool that allows you to instantly relay information to appropriate law enforcement agencies and school officials.