

Code of Student Conduct

for
Elementary Students



The School District of Palm Beach County, FL

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

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The School District of Palm Beach County

Code of Student Conduct

Introduction

The Code of Student Conduct is the District’s policy that creates a safe learning environment to ensure academic success. If this objective is to be accomplished, it is necessary that the school environment be a safe and supportive community.

To assist students, parents, guardians, administrators, and school personnel in maintaining a safe and supportive environment, the *Code of Student Conduct* will:

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

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

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

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

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

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

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

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

Schools shall ensure ELL students and their parents are also provided the opportunity to fully understand behavior expectations and consequences in a language that they understand. Furthermore, in working within the Code of Student Conduct, school administration and staff must be sensitive to cultural differences a student may exhibit.

Students, parents, and school employees are encouraged to read the Code of Student Conduct and become familiar with its content. Related School Board Rules may be found on the Palm Beach Website at <http://www.palmbeachschools.org/policies>.

Scope of the *Code of Student Conduct*

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

- Poor academic achievement is not an act of misconduct. Therefore, the *Code of Student Conduct* must not be used to discipline students for poor academic achievement or failure.
- A parent's failure to appropriately support his/her child's education cannot be considered misconduct on the part of the child.
- The *Code of Student Conduct* applies to all students. However, discipline for students with disabilities shall be administered in accordance with federal and state law.
- In working within the Code of Student Conduct, school administration and staff must be sensitive to cultural differences a student may exhibit.

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

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

Student Conduct and Behavior

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

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

- f. “[V]iolation of the district school board's sexual harassment policy by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or imposition of other disciplinary action by the school, and may also result in criminal penalties being imposed.”
 - g. “... [A]ny student who is determined to have made a threat or false report, as defined by §§ 790.162 and 790.163, [F.S.], respectively, involving school or school personnel’s property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than 1 full year and referred for criminal prosecution.”
13. To the extent that any definition, recommended disciplinary action or any provision in the policies serving as the basis for code governing student conduct are contrary to state law or state board of education rule, the law or state board rule shall control.
 14. Grievance Against Schools
 - a. Students, parents, or guardians are required to follow the District’s established procedure for addressing discipline grievances against the school.
 - b. The Superintendent shall establish procedures by which students and parents may present discipline grievances to appropriate school authorities.
 15. Each school center shall be required to submit any site level policies (i.e. dress code) to district staff for review.
 16. Schools shall ensure ELL students and their parents are also provided the opportunity to fully understand behavior expectations and consequences in a language that they understand. Furthermore, in working within the Code of Student Conduct, school administration and staff must be sensitive to cultural differences a student may exhibit.

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

Responsibilities of Students

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

Responsibilities of Parents/Guardians

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

Responsibilities of Teachers

- Define, supervise, teach, model, and support appropriate student behaviors to create positive school environments.
- Use appropriate classroom management strategies to maintain a learning environment that supports academic success.
- Teach and review the Code of Student Conduct in appropriate languages.
- Teach and model the Universal Expectations, behavior matrix and classroom rules in language that students comprehend.
- Provide a positive classroom and school environment.
- Provide corrective feedback and re-teaching of a behavioral skill when a student demonstrates challenging behavior or when misconduct occurs.
- Address infractions through a variety of interventions, including positive behavior interventions and supports.
- Provide Interventions/corrective strategies that would not be humiliating or demeaning.
- Use professional judgment to prevent minor incidents from becoming major challenges.
- Follow any Behavior Intervention Plan (BIP) for identified students.
- Report the behavior to the appropriate school administrator at the school for a student who engages in ongoing misconduct, despite appropriate interventions.
- Review discipline data to make informed decisions.
- Request additional training or staff development as needed.
- Refer students to School Based Team who are in need of additional support.

Responsibilities of School Administrators

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

Responsibilities of Exceptional Student Education (ESE) Contacts

- **Initiate and facilitate an IEP meeting to address behavioral challenges a student may be exhibiting.**
- **Ensure IEPs contain appropriate measurable behavior goals when a student's behavior is inhibiting his/her learning or the learning of others.**
- **Obtain consent to complete a Functional Behavior Assessment (FBA) when a student's behavior is inhibiting his/her learning or the learning of others and/or when a student has been suspended for a total of (7) days.**
- **Ensure a Behavior Intervention Plan is developed and implemented when a student's behavior is inhibiting his/her learning or the learning of others and/or when a student has been suspended for a total of (7) days.**
- **Monitor suspension days and facilitate a manifestation determination hearing for all suspensions exceeding 10 days per school year.**

Responsibilities of Community Language Facilitators (CLF)

- **Ensure students understand behavior expectations, rules and consequences upon enrollment in school.**
- **Ensure parents also understand behavior expectations, rules and consequences upon enrollment in school.**
- **Ensure a student's due process rights (notice and opportunity to be heard) when being disciplined or during a behavioral investigation.**
- **Ensure parents understand their appeal rights for suspensions and/or expulsions and assist in their appeal via translation and/or interpretation services.**

Responsibilities of District Administrators

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

In an effort to fully implement School-wide Positive Behavior Support (SwPBS) and reduce the loss of instructional time the School District of Palm Beach County expects that each school will utilize a wide variety of corrective strategies. Teachers must utilize and document a minimum of two research based interventions prior to writing and submitting a discipline referral on a minor offense. Some examples are provided below.

Sample Classroom/ Teacher Interventions Prior to Discipline Referral

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

Any writing assignment or communication to home must be in a language that students and parents can fully understand.

Administrative Prevention and Early Intervention

Prior to a student receiving a suspension it is the administrator's responsibility to ensure that the student has had two interventions that address the student misbehavior. These interventions must be DOCUMENTED. Exceptions to this are offenses, which are most serious in nature (Level 3 and Level 4), and have occurred with no prior opportunity to provide early interventions.

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

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

- Any writing assignment or communication to home must be in a language that students and parents can understand.

What is the Discipline Guide?

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

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

The DISCIPLINE GUIDE is designed to assist you and your child in understanding the consequences of violating school rules. While most parents will have no need to be familiar with the discipline guide (pages 14-31), the School Board and the district want to ensure that parents are knowledgeable about the actions of its school administrators when students misbehave. The DISCIPLINE GUIDE enables administrators to assign consequences consistently, regardless of the school your child attends. When a student has multiple violations in one incident, such as fighting with a weapon, the administrator will impose the more *severe consequences*.

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

Discipline Referral Incidents in Palm Beach County are classified as Level 1, Level 2, Level 3 or Level 4 infractions. When deciding what disciplinary action should be taken, the Principal or designee shall consider the student’s age, exceptionality, ELL status, previous conduct, intent, and severity of the incident.

Administrators are asked to administer discipline in a progressive manner. The underlying principle is to use the least severe action that is appropriate for the misbehavior. Administrators would increase the severity of the action if the misbehaviors continue.

Level 1 Incident Codes and Descriptions

Discipline incidents that have been addressed by the teacher and now warrant a discipline referral or administrative assistance. Infractions in this category require corrective strategies prior to referral.

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

DISRUPTIVE INCIDENTS	
Bullying (Level 1)	Inflicting physical hurt or psychological distress on one or more students and may involve: teasing or social exclusion.
Cellular Telephone/Technology violation	The use of wireless communication devices including but not limited to cellular telephones, camera telephones, MP3 players, iPods, readers and other electronic devices in violation of the time, place,

	and manner as outlined in the <i>Code of Student Conduct</i> (SB Policy 5.183).
Confrontation	A verbal confrontation, or the encouraging or inciting of a confrontation that has the propensity to escalate into a fight.
Disrespectful Language	Written or verbal remarks or gestures that show a lack of respect, rudeness or are inappropriate. The use of words or acts which demean, degrade, antagonize, or humiliate a person or group of persons.
Disobedient/Insubordination	Failure to obey a reasonable instruction or request by a staff member.
Disruptive (Unruly) Behavior or Play	Behavior by its nature that disrupts the educational process, but is not criminal. Conduct that interferes with the process of teaching/learning, or disrupts the orderly environment of the classroom or learning environment. <i>Examples: student(s) engaging in rowdy, rough behavior in the classroom</i>
Harassment (Level 1)	Any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct.
Inappropriate Activity	Any activity that is disruptive and tends to interfere with the process of teaching and learning that cannot be coded in another Level 1 incident.
Lying /Misrepresentation	Intentionally providing false or misleading information to, or withholding valid information from, a school staff member.
Prohibited items, Non-criminal and Unauthorized use of Medication	Possession and/or use of items or contraband designated by the school as inappropriate materials AND any other items that causes distraction or damage to persons or property or otherwise interfere with the learning process (included would be matches and lighters). Unauthorized possession or use of one's own prescription medication or over-the-counter <i>mild pain medication</i> including but not limited to items such as Aspirin, Advil, Aleve, Midol, NoDoze, or herbal supplements without parental approval AND school notification. (Refer to Level 3 and Level 4 for weapons, drugs, alcohol, tobacco, obscene materials or other articles which may require law enforcement intervention.)
Unauthorized Sale/Distribution of Materials (non-criminal)	Unauthorized selling or distributing of materials during school, e.g. candy, magazines

LEVEL 1

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

Level 2 Incidents and Definitions

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

DISRUPTIVE/PHYSICAL/VERBAL INCIDENTS	
Bus Disruption	Behavior that disrupts and/or distracts the driver from safely operating the school bus.
Hazing	Hazing is considered to be any willful act done by a student for the purpose of subjecting another student to humiliation, intimidation, physical abuse or threat of abuse, social or other ostracism, shame, or disgrace. Permission, consent, or assumption of the risk by a student subjected to hazing does not affect the violation of this policy.
Physical Aggression (not involving Law Enforcement)	Brief exchange of physical contact which could include pushing or shoving that doesn't result in significant injury AND does not require significant adult intervention to separate or restrain. <i>(NOTE: If a physically aggressive act results in serious bodily injury then the incident should be coded Physical Battery on a Student/Person)</i>
Profane/Obscene Language (Use of Abusive Language, Obscene gestures)	Abusive, profane, obscene, or vulgar language (verbal, written, or gestures) or conduct in the presence of another person.
Repetitive Bullying	Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or persuasive enough to create an intimidating, hostile or offensive environment, or unreasonably interfere with the individual's school performance or participation, , and as defined in SB Policy 5.002.
Repetitive Disobedience/Open Defiance / Insubordination	Repeated referrals (3 or more) for disobedience, defiance, and insubordination.
Repetitive Disruptive Behaviors	Repeated referrals (3 or more) for Level 1 disruptive behaviors including disruptive play, disrespectful language, and any other repetitive behaviors that create a disruptive learning environment.
Repetitive Harassment	Any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct. that (1) places a student or school employee in reasonable fear or harm to his or her person or damage to his or her property, (2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or (3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person, that causes substantial emotional distress in such a person and serves no legitimate purpose, and as defined in SB Policy 5.002.
Threat, non-criminal	A statement which does not meet the criteria of a criminal assault. A low level threat that poses a minimal risk to the victim and public safety. The threat is vague and indirect; the information contained within the threat is inconsistent, implausible or lacks detail; the threat lacks realism; and the content of the threat suggests the person is unlikely to carry it out. (Refer to Menacing Statement, Verbal Assault,

	and Threat of Violence, High Level for more serious threats)
PROPERTY INCIDENTS	
Abuse of School Property/Minor Vandalism	To use wrongly or improperly, or to maltreat any school equipment or property. [Refer to Vandalism more than \$1000 (includes materials and labor) for significant damage or destruction]
Petty Theft / Stealing (less than \$300)	The unlawful taking, carrying, leading, or riding away of property less than \$300 in value from the possession, or constructive possession, of another person. [Refer to Stealing (more than \$300) for more serious thefts]
RULES VIOLATIONS INCIDENTS AND OTHER SERIOUS INCIDENTS	
Firecrackers/Poppers	Possession, use, sale, storage, or distribution of firecrackers, poppers or associated devices as long as the object is not used as a weapon or is not considered a weapon by Florida statutes. (Refer to - Possession of Other Potentially Dangerous Items and - Possession, Use, Sale, Storage, or Distribution of an Explosive Device for more dangerous fireworks)
Forgery of a Document or Signature	To fashion or reproduce the signature of another for fraudulent purpose.
Gambling	One who participates in games of chance or skill for money, profit, or anything of value.
Menacing Statements	A medium level of threat which could be carried out, although it may not appear entirely realistic. The threat is more direct and more concrete than a low level threat; the wording in the threat suggests that the aggressor has given some thought to how the act will be carried out; there may be a general indication of a possible place and time (though these signs still fall well short of a detailed plan). There is no strong indication that the aggressor has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence pointing to the possibility.
Possession/Use of Tobacco Products	Possession, use, sale, storage, or distribution of tobacco products on school district property. Tobacco products include, but are not limited to cigarettes, cigars, snuff, dip, pipe tobacco, and chewing tobacco.
Severe/Repetitive Inappropriate Activity	Any Level 2-type activity that is disruptive and/or inappropriate in a school setting that does not fit into another Level 2 category.
Sexual Harassment	Unwanted or repeated verbal or physical sexual behavior that is offensive and objectionable to the recipient causes discomfort or humiliation or creates a hostile environment. (undesired sexual behavior towards another)
Unserviced Detention (Regular)	Unexcused absence from a scheduled regular detention.
Unserviced Detention (Saturday)	Unexcused absence from a scheduled Saturday detention.

Level 2

Behaviors	Administrative Responsibilities	Range of Discipline Actions
<p>Level 2 Incidents are more serious than Level 1 Incidents. These behaviors significantly interfere with the learning process and/or the wellbeing of others</p> <p style="text-align: center;"><u>LEVEL 2 INCIDENTS</u></p> <ul style="list-style-type: none"> ➤ Repetitive Harassment * ➤ Bus Disruption ➤ Profane or Obscene Language ➤ Threat, non-criminal * ➤ Physical Aggression * ➤ Repetitive Disruptive Behaviors * ➤ Repetitive Disobedience ➤ Repetitive Bullying * ➤ Hazing * ➤ Vandalism <1000 ➤ Petty Theft or Stealing <300 ➤ Possession of Tobacco Products ** ➤ Un-served Detentions (Regular) ➤ Un-served Detentions (Saturday) ➤ Firecrackers/Poppers * ➤ Forgery of Document of Signature ➤ Gambling * ➤ Sexual Harassment * ➤ Menacing Statements, Non-Criminal * ➤ Severe/Repetitive Inappropriate Activity * <p>*Referral to School Based Team Mandatory</p>	<p style="text-align: center;">Range of Corrective Strategies Prior to Administering Discipline</p> <ul style="list-style-type: none"> ➤ Investigation ➤ Witness Statements ➤ Review of Matrix of Expectations ➤ Coaching ➤ Reflective Assignment ➤ Apology Letter ➤ Check in-Check Out ➤ Restorative Justice ➤ Ripple Effects ➤ Stay Away Agreement ➤ Victim Safety Plan 	<p>Where appropriate Principals or designees should apply discipline in a progressive manner.</p> <p>The principal or designee can select one of the strategies from Level 1, as well as one action from Level 2.</p> <p style="text-align: center;">Administrative Responsibilities</p> <ul style="list-style-type: none"> ➤ Parent/Guardian Contacted (M) ➤ Conference with Student (M) <p style="text-align: center;"><u>LEVEL 2 ACTIONS</u></p> <ul style="list-style-type: none"> ➤ Mediation ➤ Behavior Contract ➤ Plan Meeting (IEP, 504, LEP) ➤ Daily Weekly Report ➤ Voluntary Restitution ➤ Restorative Justice ➤ Community Service ➤ Loss of Privileges ➤ Confiscation ➤ In-School Intervention ➤ In-School Suspension ➤ Days Held in Abeyance ➤ Tobacco Alternative Program ** ➤ Bus Suspension ➤ Out of School Suspension for 1-3 days <p>** 1st Offense – Parent Conference, Afterschool Detention, Referral to School Guidance</p> <p>** 2nd Offense - Parent Conference, 1 day OSS, Counseling Materials</p> <p>**3rd Offense – Parent Conference, 3 days OSS</p> <p>M = Mandatory</p>

Level 3 Incidents and Definitions

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

CRIMES AGAINST PERSONS INCIDENTS	
Extortion / Blackmail /Coercion	The use of threat or intimidation to obtain anything of value from another person, including, but not limited to, money. (Refer to <i>Bullying/ Harassment or Repetitive Bullying, Harassing, Intimidating, or Threatening Behavior</i> for minor offenses that do NOT require law enforcement intervention)
Fighting	Mutual participation in a hostile, physical encounter; mutual participation in an altercation involving physical violence. <i>(NOTE: Self-Defense is described as an action to restrain or block an attack by another person or to shield yourself from being hit by another person. Retaliating by hitting a person back is not self-defense and will be considered as fighting.)</i>
Physical Aggression on a Student / Person (Non-School Board Employee)	The willful and unlawful use of force or violence upon the person of another that does not result in serious bodily injury and the individual is not fighting back. Law enforcement should be notified; criminal charges may or may not be filed.
Physical Aggression on a School Board Employee	A physically-aggressive act such as pushing, pulling, or striking toward a School Board employee. Generally, the physical act does not result in injury. Law enforcement should be notified; criminal charges may or may not be filed. <i>(NOTE: IF A RECOMMENDATION FOR EXPULSION IS PROPOSED, then the level 4 code # 96, Battery on SBE, should be used.)</i>
Robbery	The taking or attempting to take anything of value that is owned by another under confrontational circumstances by force or threat of force of violence and/or by putting the victim in fear. A key difference between robbery and larceny is that a threat of battery is involved in robbery.
Verbal Assault on a Student /Person	Any intentional, unlawful threat, by word or act, to do violence to another person, coupled with an apparent ability to do so, and performing some act that creates a well-founded fear of imminent violence to another person
Verbal Assault on School District Employee	Any intentional, unlawful threat, by word or act, to do violence to a School Board employee, coupled with an apparent ability to do so, performing some act that creates a well-founded fear of imminent violence to another person.

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

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

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

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

LEVEL 3

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

LEVEL 4 Incidents and Definitions

Discipline incidents that significantly interfere with the safety of others, and are of a threatening or harmful nature. These are the most serious offenses that can occur on school campuses and warrant police intervention and recommendations for expulsions from school.

CODE CRIMINAL INCIDENTS	
Aggravated Assault	An assault with a deadly weapon without intent to kill; or with an intent to commit a felony. "Assault" is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent. (F.S. 784.011 and 784.021)
Battery or Aggravated Battery on a Student/ Person (Non-School Board Employee)	Intentionally or knowingly causing great bodily harm, permanent disability, or permanent disfigurement or using a deadly weapon while committing a battery. A battery is the actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual who is not fighting back. (F.S. 784.03 & 784.045).
Armed Robbery	The taking of money or other property which may be the subject of larceny from the person or custody of another, with intent to either permanently or temporarily deprive the person or the owner of the money or other property, when in the course of the taking there is the use of force, violence, assault, or putting in fear with the use of a firearm or other deadly weapon (F.S. 812.13 (1) & (2) (a)).
To Attempt a Criminal Act Against a Person	Any person who attempts to commit, or who solicits another to commit, or who agrees, conspires, combines, or confederates with another person or persons to commit the offense of a Battery, Robbery, Homicide, Kidnapping, or Sexual Battery against another person or persons, and in such attempt does any act toward the commission of such offense, but fails in the perpetration or is intercepted or prevented in the execution of the offense (F.S. 774.04).
Battery or Aggravated Battery on a School District Employee	A battery or aggravated battery, as defined above, on any person that the student knows, or has reason to know, is an elected official or school district employee whether it is committed on school property, on school sponsored transportation, during a school-sponsored activity or while the elected official or employee is on official school business (F.S. 1006.13(4)).
Homicide - Murder	The unlawful killing of a human being (Florida Statute 782.04) and manslaughter - the killing of a human being by the act, procurement, or culpable negligence of another, without lawful justification (F.S. 782.07).
Imminent Threat of Violence, High Level	High level of threat is a threat that appears to pose an imminent and serious danger to the safety of others; the threat is direct, specific, and plausible; the threat suggests concrete steps have been taken toward carrying it out, for example, statements indicating that the aggressor has acquired or practiced with a weapon or has had the victim under surveillance.

Kidnapping or Abduction	Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his or her will and without lawful authority.
Possession of a Firearm	Possession or sale of any firearm, excluding handguns, on school property, school sponsored transportation or during a school-sponsored activity. A firearm, excluding handguns, is any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, any destructive device, or any machine gun, rifle, or shotgun. The term firearm does not include an antique firearm unless the antique firearm is used in the commission of a crime. A destructive device is any bomb, grenade, mine, rocket, missile, pipe-bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. (NOTE: If a weapon is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry)
Possession of a Handgun	Possession or sale of a handgun on school property, school sponsored transportation or during a school sponsored activity. (NOTE: If a handgun is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry)
Possession, Use, Sale, Storage, or Distribution of an Explosive Device (not firecrackers, poppers)	An explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock. This includes but is not limited to dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators (F.S. 790.001 (5)). (NOTE: If an explosive device is used during an incident, that incident should be coded including an appropriate corresponding weapons-related entry)
Sale, Possession with Intent to Sell or Distribute, or Distribution of Drugs, Imitation Drugs Represented as Drugs, or Prescription Medications	To sell or distribute any mood-modifying substance and/or dangerous substance listed in F.S. Chapter 893,, including, but not limited to, marijuana, hallucinogens, inhalants, as well as any substance represented to be an illegal substance, such as "designer drugs," or caffeine pills, tablets, or caplets, or any substance which is represented to be any such substance while on school district property, school transportation, or at a school related function.
Sexual Battery	Attempted or actual forcible penetration, forced oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object (F.S. 794.011 (1) (h)). Would also include the above sexual act if student was placed under the influence of drugs or alcohol with the purpose of committing such act.

LEVEL 4

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

Disciplinary Consequences Defined

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

	MUST be given an alternative assignment with an opportunity to receive the same information and grade)
Loss of Privileges (Outside of School Hours)	The loss of privileges such as attending events not during school hours, removal from an athletic team or club, and/or exclusion from a specified activity.
Mentoring	An agreed upon adult or student who provides consistent support, guidance, and concrete help to a student who is in need of a positive role model. Every effort should be made to match students with someone who speaks the same language.
Out-of-School Suspension for Days Held in Abeyance	An out-of-school suspension code specifically designated to address additional suspension days due to non-compliance of an Alternative to Suspension program. This out-of-school suspension is a temporary removal of a student from school for a period of days equal to the days held in abeyance for the particular event. During the out of school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: F.S. 1006.09(1) (b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.)
Out-of-School Suspension	The temporary removal of a student from school for a period of 1 to 10 days. During the out-of-school suspension, the student is prohibited from attendance at school or any school-related functions. (NOTE: F.S. 1006.09(1) (b) establishes that no secondary or elementary school student may be suspended out of school for unexcused tardies, lateness, absence, or truancy.)
Parent/Guardian Attends Class with Child	Parent/Guardian agrees to shadow child and/or attends class with their child at school for an agreed upon time during the child's school day.
Parent/Guardian Conference with Administrator/Teacher(s) at School	Administrative conference with a parent/guardian of the student.
Parent/Guardian Contact	Contacting parent/guardian either by telephone, in person, or by some other means to inform them of the stated incident.
Parent/Guardian Contact by a Language Facilitator	Contact by a language facilitator to a parent/guardian.
Plan Meeting	Student recommended to the necessary department/group for staffing and development of a course of action (interventions) for the student.
Referral for Mediation	Referral to Mediation (Peer or Adult) for stated incident.
Referral to School Based Team	The referral to the school's School Based Team for possible interventions.
Referred to School Guidance Counselor	Counseling of the student by the guidance counselor to assist the student in developing or utilizing the necessary skills to address the stated incident
Referral to Outside Agency	Parent is provided information regarding Agencies that are appropriate for the students identified areas of concern
Reflective Assignment	Help student realize why his/her misbehavior was wrong by

	asking him/her to compose a reflective essay
Restitution	Repayment for damages or loss.
Restorative Justice	A structured process guided by a trained facilitator in which the participants in an incident examine the intended and unintended impact of their actions and decide on interpersonal remedies to repair harm and restore relationship.
Ripple Effects	A media program that is structured towards the area of behavioral concern, allowing students to work at their own pace.
Schedule Change (change of regular classes)	A permanent change in the student's regular class schedule.
Silent Lunch / Lunch Detention	A separate facility and/or seating arrangement for the student during a regularly scheduled may request some cafeteria clean-up assistance from the student such as sweeping, wiping tables, and/or assisting with other clean-up activities.
Stay Away Agreement	A formal agreement regulating the movements of the victim and offender in incidents of bullying.
Student Misconduct, Alternative to Suspension Program	A program designed to educate the student about anger management and to deter future student misconduct. Generally, this is used as an alternative to an out-of-school suspension and to reduce the number of days of a student suspension.
Tobacco / Alcohol / Drug Alternative	A program designed to educate the student about tobacco, alcohol, and/or drugs and to deter future use. Generally, this is used as an alternative to an out-of-school suspension and/or to shorten the length of the suspension.
Voluntary Restitution / Self-Designed Action(s)	Student designs and implements a plan to correct errors made, apologizes, and/or replace/repair property.
Victim Safety Plan	A formal agreement specifying the actions students and school officials will take to protect the victims of bullying.

District Imposed Consequences

Consequences that schools can recommend but only district staff can impose.

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

Assignment to Special Program/ Alternative School/ Alternative Program (District-placed) - The assignment by the District to an alternative school for a specified period of time. (Pursuant to School Board Policy 8.13)

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

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

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

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

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

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

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

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

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

These offenses may occur at any time, including, but not limited to, while on school grounds; while utilizing school transportation; or during a school-sponsored activity. Bus suspensions can also be warranted for infractions that occur on school transportation vehicles. ONLY Suspensions for Level 3 and Level 4 offenses may carry from one school year to the next.

Whenever a student has been suspended during a school year for **ten (10)** cumulative school days, the appropriate Area Superintendents Office shall be notified and the student referred to the School Based Team for necessary discussion and possible interventions.

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

Appeal Process for Suspension from School or Transportation

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

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

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

The parents shall be notified of the appeal decision.

Provision for Academic Make-Up Work while on OSS/ISS

Students are permitted to make up, for full credit, any academic work missed during the current school year while on an out-of school suspension. Missed class assignments, homework, quizzes, tests, and exams shall be made up in a timely manner for the student to receive full credit. However, the absences will be coded as a suspension. Students who are assigned in-school suspension are expected to be in school, teachers must provide any and all classwork that students must complete. Work must be turned in daily in order to receive full credit. These absences will be coded as in-school suspension.

****Note:** It is the student's responsibility to make specific arrangements with each teacher for completing make-up work. At a minimum, the student shall have the number of days while suspended to complete and hand in make-up work for credit. A zero will be assigned for any work not made up in a timely manner.

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

1. Statutes and Rules

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

2. Suspension

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

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

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

8. Disciplinary Action for Drugs and Weapons

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

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

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

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

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

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

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

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

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

infractions as defined for all students pursuant to Policies 5.1812 or 5.1813 [and Policy 5.1815], with the following limitations:

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

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

4. Expulsion of Students under Section 504/ADA

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

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

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

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

GLOSSARY of Acronyms

ATOD = Alcohol, Tobacco and Other Drugs

AOD = Alcohol or other Drugs

ESE = Exceptional Student Education

ELL = English Language Learners

EP= Education Plan

IEP = Individual Education Plan

LEP = Limited English Proficiency

MDR = Manifestation Determination Review

PBC = Palm Beach County

SwPBS = School-wide Positive Behavior Support

APPENDIXES of Universal Expectations and Matrixes


Forest Hill Elementary OWLS



The Owl Way

All Forest Hill Owls will be...

- Respectful of self, others, and surroundings.
- Responsible and prepared at all times.
- Ready to learn by following directions and procedures at all times.

I am:	ALL SETTINGS	CLASSROOM	HALLWAY & STAIRS	CAFETERIA	PARENT PICK-UP	PLAYGROUND
Respectful	Respect school property Keep hands and feet to self	Listen to each other	Voice level 0	Raise your hand for help	Sit criss-cross	Share equipment
	Listen attentively to the teacher Stay in assigned area Use kind words Greet teachers and staff	Respect other students' property	Use quiet feet	Use level 2 voice Talk only to people at your	Stay in personal place Stay on sidewalk	
Responsible	Be on time for class Be in dress code	Complete assigned class work and homework on time	Walk in straight line three tiles from the wall	No sharing food Food stays in cafeteria	Listen for name	Take turns
	Follow code of conduct	Be prepared with materials Have agenda signed daily	Hands should be free without pencils or pens	Wear your name tag or know your pin number Sit at assigned table Keep food and drink on tray Stay seated at all times		Inform teacher of incident
Safe	Follow code of conduct	Use materials properly	Face forward	Walk in the cafeteria	Stay with your teacher and class	Use equipment correctly
	Walk in the hallways and on staircases When in line face forward and be 3 tiles from the wall	Keep your area clean Have chair on all 4 legs	Walk on right side One hand on rail One step at a time	Keep hands and feet to self No sharing food	Sit and walk behind the red line Use crosswalk to cross the street	
Peacemaker	Use kind words	Show respect and kindness to others	Maintain personal space	Wait your turn in line	Talk with others	Share equipment
	Ask an adult for help Think before you act Resolve conflict with voice level 1	Work co-operatively		Respect personal space and property of others	Keep hands and feet to self Use words to communicate	Share and take turns
Green	Pick up garbage	Turn lights off when you leave		Hope Centennial Elementary School-wide Expectations Matrix Handout 6a		
	Dispose of items properly Follow correct procedures for using yellow/blue bins	Conserve materials				