PARENT RESOURCE MANUAL AND STUDENT CODE OF CONDUCT 2020-2021

200 N. Clara Ave.
DeLand, FL 32720
(386) 734-7190
WWW.VCSEDU.ORG
The Volusia County School District provides translation of the Parent Resource Manual and Student Code of Conduct. Request for a translated hard copy may be made to the school principal or an electronic version is available at www.VCSedu.ORG.

The English language version is considered the most accurate.

In the event of a disagreement or discrepancy between the translation and the original English version of this handbook or any notice or disclaimer therein, the original English version will prevail.
<table>
<thead>
<tr>
<th>CONTENTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTENTS</td>
<td>3-4</td>
</tr>
<tr>
<td>LETTER FROM SUPERINTENDENT</td>
<td>5</td>
</tr>
<tr>
<td>PARENT ACKNOWLEDGEMENT AND CONSENT OF REQUIRED SCHOOL INFORMATION FOR SY 2020-2021</td>
<td>6</td>
</tr>
<tr>
<td>PARENT RESOURCE MANUAL</td>
<td>7</td>
</tr>
<tr>
<td>ELECTRONIC INFORMATION SERVICES AGREEMENT</td>
<td>7</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>8</td>
</tr>
<tr>
<td>FAMILY INVOLVEMENT</td>
<td>9</td>
</tr>
<tr>
<td>RESOLVING CONCERNS</td>
<td>10</td>
</tr>
<tr>
<td>STUDENT RESOURCES</td>
<td>11</td>
</tr>
<tr>
<td>MENTAL HEALTH</td>
<td>12-14</td>
</tr>
<tr>
<td>CODE OF STUDENT CONDUCT AND DISCIPLINE ELEMENTARY</td>
<td>15-37</td>
</tr>
<tr>
<td>Preface/introduction</td>
<td>15</td>
</tr>
<tr>
<td>Parent/Guardian Responsibility, Application of the Code, Safety and Security</td>
<td>16</td>
</tr>
<tr>
<td>STUDENT’S RIGHTS AND RESPONSIBILITIES</td>
<td>17</td>
</tr>
<tr>
<td>MEDIA ACCESS TO SCHOOL ACTIVITIES</td>
<td>18</td>
</tr>
<tr>
<td>DISCIPLINARY OFFENSES AND RESPONSES</td>
<td>18</td>
</tr>
<tr>
<td>Definitions</td>
<td>18-25</td>
</tr>
<tr>
<td>Classification of Violation/General Expectations</td>
<td>25</td>
</tr>
<tr>
<td>Statutory Notices</td>
<td>26-27</td>
</tr>
<tr>
<td>Discipline Offenses and Responses</td>
<td>27-32</td>
</tr>
<tr>
<td>Code of Student Conduct and Discipline Procedures</td>
<td>32-33</td>
</tr>
<tr>
<td>CODE OF STUDENT CONDUCT AND DISCIPLINE SECONDARY</td>
<td>38-60</td>
</tr>
<tr>
<td>Preface/Introduction</td>
<td>38</td>
</tr>
<tr>
<td>STUDENT’S RIGHTS AND RESPONSIBILITIES</td>
<td>39</td>
</tr>
<tr>
<td>MEDIA ACCESS TO SCHOOL ACTIVITIES</td>
<td>41</td>
</tr>
<tr>
<td>DISCIPLINARY OFFENSES AND RESPONSES</td>
<td>41</td>
</tr>
<tr>
<td>Definitions</td>
<td>41-48</td>
</tr>
<tr>
<td>Classification of Violation/General Expectations</td>
<td>48</td>
</tr>
<tr>
<td>Statutory Notices</td>
<td>49-50</td>
</tr>
<tr>
<td>Discipline Offenses and Responses</td>
<td>50-55</td>
</tr>
<tr>
<td>Code of Student Conduct and Discipline Procedures</td>
<td>55-57</td>
</tr>
<tr>
<td>POLICY AGAINST BULLYING AND HARASSMENT</td>
<td>61</td>
</tr>
<tr>
<td>DATING VIOLENCE AND ABUSE (520)</td>
<td>68-69</td>
</tr>
<tr>
<td>DISCRIMINATION AND HARRASSMENT COMPLAINT/INQUIRY PROCEDURES</td>
<td>70</td>
</tr>
<tr>
<td>PROHIBITED ITEMS</td>
<td>71</td>
</tr>
<tr>
<td>STUDENT TRANSPORTATION</td>
<td>72-73</td>
</tr>
<tr>
<td>STUDENT EDUCATION GRIVIANCE PROCEDURE</td>
<td>73</td>
</tr>
<tr>
<td>PUPIL INFORMATION POLICIES (DRESSCODE)</td>
<td>74-77</td>
</tr>
<tr>
<td>STUDENT ATTENDANCE POLICY</td>
<td>78-83</td>
</tr>
<tr>
<td>STUDENT ABSENCES FOR RELIGIOUS INSTRUCTION AND OBSERVANCES OF RELIGIOUS HOLIDAYS</td>
<td>83</td>
</tr>
<tr>
<td>ADMINISTRATION OF PRESCRIPTION MEDICATION</td>
<td>84-85</td>
</tr>
<tr>
<td>ADMINISTRATION OF NON-PRESCRIPTION DRUGS</td>
<td>86-97</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>ADMINISTRATION OF EMERGENCY INJECTABLE MEDICATION</td>
<td>87</td>
</tr>
<tr>
<td>MEDICAL MARIJUANA</td>
<td>87-89</td>
</tr>
<tr>
<td>STUDENTS WITH COMMUNICABLE DISEASES</td>
<td>89</td>
</tr>
<tr>
<td>CONSENT FOR HEALTH SERVICES</td>
<td>89</td>
</tr>
<tr>
<td>HEAD LICE</td>
<td>90</td>
</tr>
<tr>
<td>HOMEWORK 309</td>
<td>91</td>
</tr>
<tr>
<td>SCHOOL CLUBS</td>
<td>91</td>
</tr>
<tr>
<td>PROMOTION AND GRADUATION</td>
<td>92</td>
</tr>
<tr>
<td>CONDUCT AT GRADUATION CEREMONIES</td>
<td>92</td>
</tr>
<tr>
<td>PUBLIC NOTICE REGARDING STUDENT RECORDS</td>
<td>93-95</td>
</tr>
<tr>
<td>PLEDGE OF ALLIGIENCE</td>
<td>95</td>
</tr>
<tr>
<td>USE OF ELECTRONIC SERVICES AND SCHOOL OFFICE EQUIPMENT</td>
<td>96-98</td>
</tr>
<tr>
<td>SCHOOL BOARD MEMBERS</td>
<td>99</td>
</tr>
</tbody>
</table>
August 20, 2020

Dear Students and Family Members,

The Volusia County School District has adopted a comprehensive Student and Family Policy Guide and Code of Student Conduct that maintains order on school property and at school functions. It also clearly defines the responsibilities and rights of students attending Volusia County Schools. The Volusia County School District seeks to deliver the highest quality of educational services without disruption or interference to provide a safe and orderly school environment for all students and staff.

Our district's Vision Statement, "Create life-long learners prepared for an ever-changing global society," shows that we are in this business to make sure our students acquire skills that will carry them beyond high school and college, it will lead to careers that will last a lifetime. We want to ignite a passion for learning in all students to be productive citizens.

Research shows that the quality of learning improves when students are serious about their education, when educators and parents have high expectations for each student, and when the school environment provides the optimum safe and orderly conditions.

The district has a long-standing set of expectations for conduct on school board property and at school functions. The consequences of student actions that disrupt the educational process are clearly stated in this guide. The School Board and administration will work to ensure and support appropriate behavior at school, on the school bus, or at school-sponsored activities. We hope that you will take the time to become familiar with the revised Parent Resource Manual and Code of Student Conduct and work with us to maintain a quality atmosphere of learning in our schools.

Sincerely,

Carmen J. Balgobin, Ed.D.
PARENT ACKNOWLEDGEMENT AND CONSENT OF REQUIRED SCHOOL INFORMATION FOR SY 2020-2021

Florida law requires school districts to publish important information for public school students and their parents/guardians. This information includes:

1. Student & Family Policy Guide and Code of Student Conduct and Discipline; and
2. Electronic Information Services (EIS) Acceptable Use Agreement for Students and School Board Policy 518, “Use of Electronic Information Services and School Office Equipment.”

These documents are available online at: https://www.vcsedu.org/parents/beginning-school-year-forms
*A hardcopy of each document is available at your school’s front office*

PLEASE COMPLETE AND RETURN THIS FORM TO YOUR CHILD’S SCHOOL

Parents/Guardians and students are required to sign this form below. My signature acknowledges that I have read and understand each document outlined above and agree to comply with them.

Student Name (Please Print): ________________________________________________________

Last Name   First Name   MI

School: ___________________________________________ Student ID: ___________ Grade: ______

Student’s Signature: ___________________________________________ Date: ___/___/___

Parent/Guardian Name: ___________________________________________

Parent/Guardian Signature: _______________________________________ Date: ___/___/___

PARENT PRINTED COPY REQUEST

☐ Parents/Guardians, please check this box ONLY if you wish to receive a printed copy of the documents for this school year rather than view each document via our district website. Your signature and submission of this document confirms receipt of each document and/or knowledge of their location online.

Receiving Staff Signature: ___________________________________________ Date: ___/___/___ Staff signature denotes all requirements of this document have been fulfilled to the best of your knowledge, (i.e.: paper copies have been provided if PARENT PRINTED COPY REQUEST was checked).
The *Parent Resource Manual and Student Code of Conduct* is published to communicate the expectations of the School Board for students’ behavior in grades K-12 and to summarize the policies of the Volusia County Schools related to the management of student conduct. Accordingly, this handbook:

1. Defines the *responsibilities and rights* of students.
2. Defines the *rules of conduct, attendance*, and the *behavioral expectations* for students.
3. Establishes the *consequences for violations* of the rules of conduct; and
4. Describes the *procedures for processing disciplinary violations*.

**FAILURE TO RETURN THIS ACKNOWLEDGMENT WILL NOT RELIEVE A STUDENT OR THE PARENT(S)/GUARDIAN(S) FROM RESPONSIBILITY FOR KNOWLEDGE OF THE CONTENTS OF THE CODE AND POLICIES AND WILL NOT EXCUSE NON-COMPLIANCE BY THE STUDENT WITH THE PROVISIONS OF THE CODE.**

---

**ELECTRONIC INFORMATION SERVICES (EIS) ACCEPTABLE USE AGREEMENT FOR STUDENTS**

**SY 2020-2021**

**COMPUTER/EDUCATIONAL TECHNOLOGIES/INTERNET USE CONSENT**

- I understand that my computer use is not private and that the District may monitor my activity on the networked communication system.
- I understand that any use of the wireless network provided for student-owned technology in designated classrooms under the direction of the teacher is with the understanding that such is generally not secure, not private, and is not anonymous.
- I understand that any use of Volusia County Schools-owned devices for use at home and school under the direction of specific schools/classrooms is with the understanding that I have read and agree to the terms and conditions outlined by the school.
- I have read the Student Support Services Policy 518 and agree to abide by the provisions. Access to Internet sites is filtered and in compliance with the Children’s Internet Protection Act (CIPA). Any attempt to bypass the filter is a violation of district policies and procedures governing student conduct.
- I understand that violation of these provisions may result in revocation of network access or may result in disciplinary action under the Code of Student Conduct.
The purpose of this document is to assist students, parents, and school personnel in establishing and maintaining a safe, nurturing, and well-disciplined learning environment for all. To be fully effective, the Parent Manual/Code of Student Conduct addresses not only the role of the parents, the students, and the school, but also specifies areas relative to the responsibilities and rights of students and parents; grounds for disciplinary action; and procedures to be followed for acts requiring disciplinary action. The manual also includes helpful information relating to assistance with mental health and other challenges that are being faced by our students.

Students in the School District of Volusia County are subject to the Code of Student Conduct during the school day and regular school activities, while being transported on school buses or at public expense to and from school or other education facilities. Students are also subject at such time and places that include - but are not necessarily limited to - school sponsored events, field trips, athletic functions, and other activities where appropriate school personnel have jurisdiction over students. In addition, jurisdictional control over students may be extended as per Florida Statute Sections 1006.07, 1006.09, 1006.13, 1006.147, and 1003.31 whenever the conduct of a student is deemed to have a detrimental effect on the health, safety, and welfare of any member of the school community or the learning environment of the school.
The value of family involvement in school is strongly supported by research that indicates its benefits for children, parents, schools, and the community. The involvement of family has shown to be a critical component in the building of an effective school-family relationship.

Family involvement in schools has been shown to contribute to student success:
- Improved student achievement, including math and reading scores.
- Higher motivation to excel in school.
- Better school attendance.
- Improved behavior at home and school.
- Better social skills and adaptation to school.

Family involvement in schools also has rewards for parents:
- The opportunity to closely monitor their children’s performance and recognize and address difficulty they may be having in school.
- Better relationships and communication with their children’s teachers.
- Having a voice in decisions that enhance the academic environment of the school and improve the educational experience.

Family involvement also gives schools many advantages:
- Immediate access to parents to garner their support on school initiatives.
- Improved teacher morale.
- Higher ratings of teachers by parents, which can boost their reputation in the community.
- Involved parents can become powerful allies to engage communitywide support for educational excellence for children in the community.

Volusia County Schools’ families are expected to abide by the following:
- Ensure that their child attends school each day and promptly report and explain an absence or tardiness to the school.
- Refrain from using profanity, abusive language, or inflammatory actions in personal interactions.
- Bring to the attention of school authorities any problem or condition which affects their child or other children of the school community.
- Attend Parent/Teacher conferences.
- Maintain up-to-date home, work, and emergency numbers at the school.
- Seek changes in an orderly and approved manner.

**IMPORTANT:** Any parent who acts in an unacceptable manner (i.e. gross disrespect, threatening, or causing disruption to professional or academic climate) toward any staff member or student may be trespassed from the school.
Parents and guardians enjoy great relationships with their student’s teachers, principals, and other professionals at school. But sometimes questions or concerns arise. When this happens, what should you do? Here is a simple guide to Volusia County Schools’ complaint resolution process.

1. Communicate Respectfully
Yelling, name-calling, and cursing does not accomplish anything. Actively listen (all parties will be heard), calmly discuss your concerns, speak one at a time, and work together to seek a mutually beneficial resolution. Remember that everyone has the same goal: your student’s best interests and those of all the students in your school.

2. Start at the lowest level.
If you have a concern, first try to resolve it by discussing the situation with your student’s teacher, counselor, or other professional. Disputes and misunderstandings are often best resolved in person. Often, misunderstandings can be cleared up or issues addressed through a courteous conversation at the school level.

3. If the issue is not resolved, talk to a school administrator.
Some concerns cannot be resolved with school staff, and in this case, you should schedule a meeting or phone call to discuss the situation with your school’s assistant principal or principal.

4. Last stop: District Office.
If after discussing the situation with the principal you still feel there has not been a satisfactory resolution, you may refer the complaint to the district office. You will be asked to fill out a Parent Concern Form outlining your concerns, and a district staff member will review the information and contact you.

Model Appropriate Behavior.
Young people learn how to handle real-life situations from the behavior exhibited by the adults around them. This process provides a framework parents can use to teach their children courteous, respectful, and effective ways to resolve conflicts.
<table>
<thead>
<tr>
<th>Resources</th>
<th>Phone</th>
<th>Text/Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adapt Behavioral Services</td>
<td>386-898-5003</td>
<td><a href="http://www.adapt-fl.com">www.adapt-fl.com</a></td>
</tr>
<tr>
<td>Beach House CINS/FINS</td>
<td>386-236-3111 (24/7)</td>
<td></td>
</tr>
<tr>
<td>Beacon Center</td>
<td>386-255-2102</td>
<td><a href="http://www.mybeaconcenter.com">www.mybeaconcenter.com</a></td>
</tr>
<tr>
<td>Big Bear Behavioral Health</td>
<td>1-800-840-2528</td>
<td>psychamerica.org</td>
</tr>
<tr>
<td>Children’s Home Society</td>
<td>386-304-7600 (ext. 226)</td>
<td><a href="https://www.chsfl.org">https://www.chsfl.org</a></td>
</tr>
<tr>
<td>Chrysalis Health</td>
<td>386-254-2848</td>
<td><a href="http://www.chrysalishealth.com">www.chrysalishealth.com</a></td>
</tr>
<tr>
<td>Circle of Friends</td>
<td>386-473-4566</td>
<td><a href="http://www.cofsfl.org">www.cofsfl.org</a></td>
</tr>
<tr>
<td>Community Partnership for Children</td>
<td>386-238-4900</td>
<td><a href="http://www.communitypartnershipforchildren.org">www.communitypartnershipforchildren.org</a></td>
</tr>
<tr>
<td>Devereux House</td>
<td>386-738-5543</td>
<td><a href="http://www.devereux.org">www.devereux.org</a></td>
</tr>
<tr>
<td>E.S.P. Case Management Prof., Inc</td>
<td>386-760-7533</td>
<td>espcasemanagement.com</td>
</tr>
<tr>
<td>Eating Disorder Hotline</td>
<td>1-800-931-2237</td>
<td>NEDA to 741741</td>
</tr>
<tr>
<td>Florida Abuse Hotline</td>
<td>1-800-962-2873</td>
<td>reportabuse.dcf.state.fl.us</td>
</tr>
<tr>
<td>Halifax Behavioral Services</td>
<td>386-425-3900</td>
<td><a href="http://www.halifaxhealth.org">www.halifaxhealth.org</a></td>
</tr>
<tr>
<td>House Next Door, Inc.</td>
<td>386-738-9169 (Deland)</td>
<td><a href="http://www.thehnd.com">www.thehnd.com</a></td>
</tr>
<tr>
<td></td>
<td>386-301-4073 (Daytona)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>386-860-1776 (Deltona)</td>
<td></td>
</tr>
<tr>
<td>Human Trafficking Hotline</td>
<td>1-888-373-7888</td>
<td>233733</td>
</tr>
<tr>
<td>LGBTQ Crisis Line</td>
<td>1-866-488-7386</td>
<td>START to 678678</td>
</tr>
<tr>
<td>Medallion Health Care</td>
<td>386-341-0550</td>
<td><a href="http://www.medallionhealthfl.com">www.medallionhealthfl.com</a></td>
</tr>
<tr>
<td>Neighbor to Family</td>
<td>386-523-1440</td>
<td><a href="http://www.neighboroffamily.org">www.neighboroffamily.org</a></td>
</tr>
<tr>
<td>Palm Point Behavioral</td>
<td>321-603-6550</td>
<td>palmpointbehavioral.com</td>
</tr>
<tr>
<td>Self-Harm Hotline</td>
<td>1-800-366-8288</td>
<td>CONNECT to 741741</td>
</tr>
<tr>
<td>SMA 24/7 HELPLINE</td>
<td>1-800-539-4228</td>
<td>smahealthcare.org</td>
</tr>
<tr>
<td>Strategies, Inc.</td>
<td>386-767-3752</td>
<td><a href="http://www.strategiesincaba.com">www.strategiesincaba.com</a></td>
</tr>
<tr>
<td>Suicide Prevention Hotline</td>
<td>1-800-273-8255</td>
<td>HELLO to 741741</td>
</tr>
<tr>
<td>211 Local Resources &amp; Support</td>
<td>211</td>
<td>211live.org</td>
</tr>
</tbody>
</table>

211 Live Resources & Support
MENTAL HEALTH

It is our belief that school mental health services are essential to creating and sustaining safe schools. Increased access to mental health services and supports in schools is vital to improving the physical and psychological safety of our students and schools, as well as academic performance and problem-solving skills. School mental health supports that encompass social-emotional learning, mental wellness, resilience, and positive connections between students and adults are essential to creating a school culture in which students feel safe and empowered to report safety concerns, which is proven to be among the most effective school safety strategies. Additionally, in the aftermath of a crisis, school-employed mental health professionals provide supports that facilitate a return to normalcy, are sustainable, and can help to identify and work with students with more intense or ongoing needs.

Volusia County Schools has developed a comprehensive approach to addressing the mental health, social-emotional, and behavioral needs of our students by employing school based mental health programs. The school based mental health programs that are employed by Volusia County Schools focus on all students with some targeting students at high risk of mental health problems. For most of the programs the content is provided to the students in specific, daily, or weekly sessions over a period of weeks or over the entire school year. For some of the programs, the intervention is incorporated into the existing school curriculum and daily activities and support is ongoing. Classroom teachers, student services professionals, school social workers, and school psychologists are all trained to provide the school based mental health programs to our students. Below is a list of programs that are currently being implemented within Volusia County Schools.

CHAMPS - CHAMPS assists classroom teachers to design (or fine tune) a proactive and positive classroom management plan that will overtly teach students how to behave responsibly.

Check & Connect - comprehensive intervention designed to enhance student engagement at school and with learning for marginalized, disengaged students in grades K-12, through relationship building, problem solving and capacity building, and persistence. A goal of Check & Connect is to foster school completion with academic and social competence.

Coping Cats - Used by School Psychologists and School Social Workers for Counseling as a Related Service with ESE students. It is a cognitive-behavioral therapy intervention that helps children recognize and analyze anxious feelings and develop strategies to cope with anxiety-provoking situations.

I Can Problem Solve - I Can Problem Solve (ICPS) is a universal school-based program designed to enhance the interpersonal cognitive processes and problem-solving skills of children in preschool through grade 6.

Positive Behavior Intervention & Supports - PBIS is based on understanding why problem behaviors occur. This approach to behavior can occur on a school-wide level, in a specific setting, classroom, or with an individual student. PBIS is the application of evidence-based strategies and systems to assist schools to increase academic performance, increase safety, decrease problem behavior, and establish positive school cultures.

Restorative Practices - A restorative school is one which takes a restorative approach to resolving conflict and preventing harm. Restorative approaches enable those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to acknowledge this impact and take steps to put it right. Restorative approaches refer to a range of methods and strategies which can be used both to prevent relationship-damaging incidents from happening and to resolve them if they do happen.

RULER Approach to Social-Emotional Learning - RULER is an acronym that stands for Recognizing, Understanding, Labeling, Expressing and Regulating emotions. The program grounds teachers, staff, students, and families in the Anchors of Emotional Intelligence. The fundamental RULER tools enhance individuals’ ability to understand and regulate their own emotions and to consider and empathize with how others are feeling. The Anchors also foster the kind of healthy emotional climate essential to personal growth.
Sanford Harmony – A program with a series of innovative relationship-building teaching strategies designed to strengthen understanding and communication between children. The goal of Harmony is to create inclusive classroom communities, where teaching takes priority over resolving personality conflicts or issues among students.

Second Step - Research-based, sequenced curriculum focusing on essential life and learning skills, anger management, conflict resolution and self-regulation. Media-rich content engages students and reinforces positive behavior and fully scripted lessons are easy to integrate into the day.

Social Skills Improvement System (SSIS) - The Social Skills Improvement System addresses the need for an evidence-based, multi-tiered assessment and intervention system to help you help students develop, improve, and maintain important social skills.

CHAMPS: SOS! - This training is recommended for general education and ESE teachers that have received previous CHAMPS classroom management training but would like additional strategies to address one or more specific student behavior challenges. This training addresses tier 2 and tier 3 behavior challenges. Participants will be guided through a process of identifying, clarifying, and narrowing the scope of one or more classroom management challenges. Participants will design an intervention plan using the following action steps; 1) discuss function of behavior 2) select a replacement behavior for an identified behavior challenge 3) design a teaching plan 4) arrange the environment to facilitate success 5) develop responses for desired and undesired behavior 6) write a behavior goal. Participants will obtain and improve professional knowledge and competencies related to facilitating a highly structured, individualized classroom environment with consistent approaches to student behavior management. Participants will; 1) know how to follow a step-by-step process for analyzing behavioral or motivational problems 2) understand that behaviors can serve a variety of functions 3) develop an intervention plan based on data collection.

Informal Circles: Circles can be done by teachers quickly to have students check in, check out, or deal with classroom tension in a quick and informal manner. It also can be used in academic ways to evaluate understanding of concepts.

Formal Circles: This can be conducted after major offenses have been committed and the student(s) has had to miss school. Formal circles should include school-based stakeholders as well as the offender and his/her support group and the offended with his/her support group. Ideally, they will meet but that may not always be prudent.

Say Something: Say Something is an education and awareness program that provides tools and practices to:

- Recognize the signs and signals of a potential threat – especially in social media.
- Teach and instill in participants how to take action.
- Drive awareness and reinforce the need to Say Something.

Suite 360: Mental Health Education: The Suite 360 program consists of age appropriate and differentiated lessons for each grade level 6-12. These lessons will cover the specific topics that have been identified by the Florida Department of Education to be addressed through developmentally appropriate instruction and skill building. Students will have access to mental/emotional health education curriculum materials which include videos, infographics, images, and media clips. Each lesson will be accompanied by a resource guide with links and text/phone numbers to national and local resources. Lessons will also contain explicit instructions on how to HELP (Help, Empathize, Listen, Plan) or ACT (Apply coping strategies, Consider your options for help, Talk to trusted adult).

WhyTry - The WhyTry programs use a unique multisensory approach that allows students to see, hear, and experience the concepts being taught. Visual analogies give students achievable steps to gain life skills, develop resilience in academic and real-world settings and improve individual emotional health. For the hands-on learner, the program uses activities with relevant tie-ins, to reinforce social emotional principles in an engaging way. For visual learners, it uses relevant videos to
spark classroom discussion, and take advantage of art and writing activities. Additionally, WhyTry uses music to make information relatable to the students in a format that is relatable.
Prior to the beginning of each school year, the school board may make revisions to the Code of Student Conduct and Discipline. The code shall be applied in a uniform manner throughout the school district. The code shall be distributed to each student and to all teachers and administrators. Additional copies will be made available to other persons upon request. Each school will, to the extent possible, obtain a written acknowledgment of receipt of the code by the student and his/her parents/guardians. The absence of a signed acknowledgment of receipt does not affect the application of the code to every student under jurisdiction of the school board.

The code covers student rights and responsibilities as well as violations of conduct, which could lead to disciplinary responses up to and including expulsion. Discipline problems not listed in the code shall be within the jurisdiction of each school under the guidance of the district discipline office. Each school is authorized to attach local school rules to the Code of Student Conduct and Discipline as long as such rules and regulations do not conflict with this code.

This Code of Student Conduct and Discipline is intended to address the responsibilities and requirements in regard to student discipline set out in the following sections of the Florida Statutes: section 1006.07 – District School Board Duties Relating to Student Discipline and School Safety; section 1006.13 – Policy of Zero Tolerance for Crime and Victimization; section 1006.08 – District School Superintendent Duties Relating to Student Discipline and School Safety; and section 1006.09 – Duties of the School Principal Relating to Student Discipline and School Safety. The purpose of this code is to make available to school personnel, students, and parents/guardians rules governing student conduct and discipline adopted by the School Board of Volusia County in order to ensure that:

1. students will understand what behavior is expected of them as well as the range of consequences for misbehavior; and
2. students will be assured of fair and consistent treatment and will understand the procedures for discipline and appeal; and
3. schools will identify students in need of additional behavioral support and provide positive intervention(s) matched to their needs; and
4. schools will inform parent/guardian if more intensive, positive behavioral interventions are required.

The code is intended to be an instructive policy based on interventions and supports for students. However, when consequences are warranted, they shall be implemented based on a system of progressive discipline. Minor infractions and first offenses have a less serious consequence than major infractions and repeat offenses. Factors such as age, grade level, social, emotional and intellectual development, disability, special education status, other contributing factors to the student’s behavior, the degree of harm caused and the student’s willingness to repair the harm shall also be considered. Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount.
PARENT/GUARDIAN RESPONSIBILITY

The cooperation of parents/guardians/family members, school personnel, and students is essential if good discipline in the school is to be achieved. Parents/guardians are expected to contribute to good discipline by:

1. maintaining a positive attitude toward education;
2. showing an interest in their children's progress through regular communication with their children and the school;
3. assuring that their children are neat, clean, and appropriately dressed;
4. ensuring their children's timely daily attendance;
5. reporting and explaining promptly to the school officials any absence;
6. teaching their children respect for authority of school personnel;
7. informing the school immediately of any condition or circumstance, which may affect their children's ability to learn, to attend school regularly, or to participate in school activities;
8. cooperating with school personnel in solving disciplinary problems; and
9. not allowing their children to disrupt the education of others.

APPLICATION OF THE CODE

This code applies to EVERY student who is under the jurisdiction of the School Board of Volusia County. It will be in effect on school property, at other places where teachers and school administrators have jurisdiction over students, such as extracurricular activities (athletics, dances, concerts, field trips, etc.) and applies to all student use of electronic hardware, software, and/or internet applications being used in a class, school or district activity, including where such use occurs off campus. This code also applies to students when they are being transported on school buses and at all bus stops, to students participating in the Hospital/Homebound, Off-campus Instruction Program and for any off-campus conduct as provided by law. In addition, jurisdictional control over students may be extended as per Florida Statute Sections 1006.07, 1006.07, 1006.13, 1006.147, and 1003.31 whenever the conduct of a student is deemed to have a detrimental effect on the health, safety, and welfare of any member of the school community or the learning environment of the school.

SAFETY AND SECURITY

With the increase of security awareness and protocol, Volusia County Schools has implemented the following procedures for the safety and security of students, staff and visitors to Volusia County sites and sponsored events:

**Backpacks** – Bookbags and/or backpacks should be limited to standard dimensions. Those larger than 15” x 21” are prohibited. Duffel or large bags are prohibited from being used and may be confiscated upon entering a Volusia County School site or event. Only clear bags are allowed at after school events such as sporting events, graduations or programs in the auditorium or cafeteria. This includes school-sponsored events that take place off campus. Small handbags (clutches) and diaper bags are the exception. All bags, however, are subject to search. Any backpack, bag, carrying device or musical instrument carrying case is subject to search prior to entering the campus or off campus event as posted on all school board sites.

**Earbuds** - In order for students to be made aware of security announcements or other hazardous situations in a timely manner, it is expected that all students will adhere to single earbud use while on campus, at school-sponsored events and on school-sponsored transportation.

Safety is the responsibility of everyone. All should be active and engaged in our shared school safety and security responsibility. Students are required to report any threats to an adult and staff are required to immediately report to administration. FortifyFL is an anonymous mobile app for reporting suspicious activity which can be used by anyone to report any threats towards a person or school. All are encouraged to download and utilize FortifyFL at www.getfortifyfl.com.
I. **STUDENT’S RIGHTS AND RESPONSIBILITIES**

Students are entitled to a public education as long as they adhere to the guidelines set forth in this code. School authorities will place limitations on the rights of students when necessary to prevent disruption on the school campus, on school buses, and at school-sponsored activities.

### ATTENDANCE

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have the right to a prescribed number of days of meaningful learning experience.</td>
<td>Students enrolled in Volusia County School have the responsibility to attend school regularly.</td>
</tr>
</tbody>
</table>

### RESPECT FOR PERSONS AND PROPERTY

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have the right to use school property in a manner approved by the school center.</td>
<td>Students have the responsibility to respect the rights of others and not to interfere with their learning.</td>
</tr>
<tr>
<td>Students have the right to use their personal property in a manner approved by the school.</td>
<td>Students have the responsibility to respect and adhere to the rules and regulations of the school system.</td>
</tr>
<tr>
<td>Students have the right to privacy consistent with applicable laws.</td>
<td>Students have the responsibility to report evidence of an illegal act or violation of the code.</td>
</tr>
<tr>
<td>Students have the right to be respected and accepted as individuals.</td>
<td>Students have the responsibility to exhibit respect for themselves and others by dressing appropriately and in accordance with the adopted dress code, recognizing the role that appropriate dress and respect for self and others have on an orderly learning environment.</td>
</tr>
</tbody>
</table>

### KNOWLEDGE AND OBSERVATION OF RULES AND CONDUCT

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have the right to know the rules and regulations regarding their conduct. They also have the opportunity for input in the development of these rules and regulations.</td>
<td>Students have the responsibility to follow the rules and regulations of the school center.</td>
</tr>
<tr>
<td>Students have the right to be assured of a school environment, which does not jeopardize their safety, health, or welfare.</td>
<td>Students have the responsibility to follow the rules and regulations of the school center so as not to jeopardize the safety, health, and welfare of others.</td>
</tr>
</tbody>
</table>

### RIGHT TO LEARN

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have the right to learn and pursue an education without interference.</td>
<td>Students have the responsibility to learn and pursue an education.</td>
</tr>
</tbody>
</table>
Students have the right to a school atmosphere that is conducive to appropriate learning. Students have the responsibility to be present on time, prepared and attentive in class so that they are ready to learn.

**RIGHT TO FREE SPEECH AND PUBLICATION**

**RIGHTS**
Students are entitled to freedom of expression of their speech views unless there are legal reasons to regulate their speech or publications.

**RESPONSIBILITIES**
Students have the responsibility to refrain from and/or the distribution or display of material, which could cause conduct that would interfere with discipline or cause disorder, including the display of the Confederate flag.

**RIGHT TO ASSEMBLE**

**RIGHTS**
Students have a right to assemble peacefully without disrupting regular activities.

**RESPONSIBILITIES**
Students have the responsibility to assemble according to the prescribed rules and regulations of the school.

**PARTICIPATION IN SCHOOL ACTIVITIES**

**RIGHTS**
Students have the right to participate in school programs and activities in accordance with eligibility requirements.

**RESPONSIBILITIES**
Students have the responsibility to contribute to these activities in a beneficial manner.

**MEDIA ACCESS TO SCHOOL ACTIVITIES**

The media may have access to school activities, events, and functions. Such access may result in photographs and/or other directory information being released and or published. Parents objecting to such a release must notify the school principal.

**II. Disciplinary Offenses and Responses**

**A. Definitions**

1. Alcohol - all beverages and/or edible items or substances containing alcohol in any percent by volume, including distilled spirits.

2. Alternative Education - An educational program used in lieu of suspension or expulsion. Students assigned to an alternative education program are prohibited from attending or participating in other Volusia County Schools’ events or activities, where the code of conduct is in effect. For the purpose of this policy, the term “alternative education” does not include schools of choice.

3. Ammunition - the various projectiles together with their fuses, propelling charges, and primers that are fired from guns.

4. Arson - willful and malicious damage to any structure by fire or explosion.
5. Assault - intentionally threatening by word or act to do violence to another person, combined with an apparent ability to commit violence, which creates a well-founded fear in the person that violence is imminent.

6. Battery - physically striking another person against that person's will causing bodily harm to another person.

7. Bomb threats - intentionally making a false report to any person, including school personnel, concerning the planting or placing of any bomb, dynamite or other arson causing device.

8. Bullying - shall have that meaning provided in School Board Policy 525 and shall include cyberbullying and cyberstalking. A copy of School Board Policy 525 may be viewed at: https://www.boarddocs.com/fla/vcsfl/Board.nsf/files/AGSM4P597252/$file/Policy%20525-%20Adopted%20December%202013%2C%202016.PDF

9. Burglary - breaking and entering a building or vehicle with the intent to commit a crime.

10. Case management - The collaborative process that assesses, plans, implements, coordinates, and monitors services required to meet the student's educational and service needs.

11. Cheating/Academic dishonesty - to influence by deceit, trick, or fraud, to violate rules for personal gain or the gain of others. To obtain by deceit a grade or reward to which one is not entitled. To plagiarize.

12. Civil citation program – a process established in section 985.12, Florida Statutes for providing an alternative to custody by the Department of Juvenile Justice to children who commit nonserious delinquent acts. This process requires an admittance of guilt, must be agreed to by the student and his/her family, is only available to first time offenders and involves an assessment of consequences that may include community service, case management, counseling and other intervention services. Eligibility for the civil citation program is made by law enforcement in conjunction with the Department of Juvenile Justice. The District promotes the appropriate use of civil citation. If consulted by law enforcement, school personnel may recommend consideration of the program, but do not determine eligibility under state law.

13. Cyberstalk - to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person(s), causing substantial emotional distress to that person(s) and serving no legitimate purpose.

14. Disorderly conduct - any act which substantially disrupts the orderly conduct of a school function, or substantially disrupts the learning environment or poses a threat to the health, safety, and/or welfare of others.

15. Disruption - behavior which is willful and overt initiated on the part of the student and which requires the attention of school personnel to deal with the incident. This would include promoting or inciting other students to fight.

16. District Student Placement Committee - the committee, whose membership is designated by the superintendent, with the responsibility for determining whether a student should be
recommended for expulsion or for other placement.

17. Drug paraphernalia - all equipment, products, and materials of any kind which are used, intended for use, or designated for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of Chapter 893, Florida Statutes. The term includes, but is not limited to, items listed in Section 893.145 of Florida Statutes, and items which may be determined to be drug paraphernalia under the criteria set out in Section 893.146 of Florida Statutes.

18. Drugs - all substances defined as controlled substances under Chapter 893, Florida Statutes, including marijuana, hallucinogens, inhalants; any substance represented as a controlled substance by any person intending to deliver or sell said substance to another, whether or not the substance is a controlled substance.

19. Drugs and Alcohol:
   a. Possession - to have unlawful custody or control over any substance defined as a drug or alcohol under this code; prescription medication is exempt from the definition of possession if the student in possession of the medication has a valid prescription for that medication and has followed the prescribed procedures for administration of medication.
   b. Distribution - the delivery of a drug or alcohol to another by one who is responsible for the introduction of the drug or alcohol upon school board property or at a school sponsored event. Where quantities of the drug or alcohol are extremely small, or where there is some question as to whether the substance was willingly distributed, or where there were a few individuals passing the same item or substance, the classification of distribution versus possession may be determined by the charging document filed in juvenile and/or criminal court.
   c. Sale - the delivery of a drug or alcohol to another in return for money or other consideration.
   d. Use - introduction of alcohol or a drug into the body. Use means the person is caught in the act of using, admits using or is discovered to have used during an investigation.

20. Electronic tampering/Electronic device misuse - the use of a computer, fax machine, telephone, cell phone, smart phone, camera, or other electronic device to take any of the following actions or any similar action is unauthorized and prohibited: violating the acceptable use policy, unauthorized hacking into or accessing or breaking into restricted accounts, networks, or private accounts; modifying or destroying files without permission; illegally copying software; and entering, accessing, viewing, distributing, or printing inappropriate/unauthorized files, images, videos, programs, pornographic sites, or sites advocating hate, violence, and/or illegal activity. This includes, but is not limited to, “sexting.” The use of an electronic device to distribute pictures or video obtained without consent or to distribute pictures or videos freely given, but without consent to forward.

21. Explosive device - a prepared chemical or powder device designed to explode or burn, not unaltered commercial fireworks.
22. Expulsion - the discontinuation of educational services provided by Volusia County Schools for a period prescribed by the school board. Students under expulsion are prohibited from attending or participating in Volusia County Schools’ events or activities, where the code of conduct is in effect.

23. Extortion/threats - threatening another with the intent to obtain money or other property or to compel that person to do an act or refrain from doing an act against his/her will.

24. False alarms - intentionally initiating any false alarm, including contacting 911.

25. False document - to make, possess, or sign a counterfeit or forged school related document such as a pass or an excuse.

26. False report - Knowingly filing a false report. Willfully giving or conveying to any law enforcement officer or school official false information or reports concerning the alleged commission of any crime under the laws of the state, or ethical violation of school board policy, knowing that such information is false, in that no crime or ethical violation has been committed.

27. Fighting - mutual participation in a fight involving physical violence where there is any degree of injury or where physical restraint is necessary. Does not include verbal confrontations, tussles or other minor confrontations.

28. Firearm - any weapon 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 or firearm silencer; any destructive device; or any machine gun. 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 can cause bodily harm or property damage. Includes firearms of any kind (operable or inoperable, loaded or unloaded), including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun.

29. Fireworks - explosives or combustibles used to produce light, smoke, odor, or noise.

30. Forgery - to make a document with the intent to defraud.

31. Gambling - to bet money or other stakes on an outcome or a game, contest, or event.

32. Harassment - any threatening, insulting, or dehumanizing gesture, use of data, or electronic communication, or written, verbal or physical conduct directed against a student or school employee that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits and/or has the effect of substantially disrupting the orderly operation of a school. (See also School Board Policy 509 – Prohibition of Harassment.)

33. Hazing - any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation, admission into affiliation with or the perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a district school. Hazing includes, but is not limited to, pressuring, forcing, or coercing the student into violating state or federal law, consuming any food, liquor, drug, or other substance, or any brutality of a physical nature, such as whipping,
beating, branding or exposure to the elements. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Soliciting another to commit an act or being actively involved in the planning of an act of hazing is also considered an offense. Disciplinary action for hazing may not be based solely on an anonymous report.

34. Hitting/Striking - Purposely making forceful contact with another against his/her will which does not result in an injury, and which does not constitute battery; biting, spitting, or throwing bodily fluids (not covered under battery.)

35. Hitting/Striking with injury - purposely making forceful contact with another against his/her will resulting in an injury and which would constitute battery, but where the injured party elects not to pursue criminal charges.

36. Horseplay - rowdy, rough play that interferes with proper order.

37. Inappropriate touching - any contact or touching of a sexual nature which is inappropriate for an educational setting or event.

38. Indecent exposure - exposing or exhibiting sexual organs in any public setting.

39. Insobrdination - behavior, acts, or words which are disobedient. Failure to respect the authority of the school or its faculty.

40. Laser lights - any device, which projects a concentrated beam of light in one or more discrete wavelengths.

41. Look alike guns - any replica firearm or toy gun or object which looks like an actual firearm, or toy gun or object which is purposely displayed or represented as a firearm.

42. Malicious threats of violence - threats that do not constitute assault. Words or acts that are not coupled with an apparent ability to do so or which do not create a well-founded fear that such violence is imminent. This would also include social media, text messaging, handwritten notes, verbal communication, etc. used to incite fear on the school campus. This does not require, but may include, law enforcement involvement.

43. Motor vehicle theft - theft or attempted theft of a motor vehicle.

44. Non-prescription medication - use, distribution, or sale of any over-the-counter medication(s).

45. Off-campus felony - any student who is reported to have been formally charged (petition filed) by the state attorney with a felony offense may be suspended and expelled from school attendance in accordance with the district’s procedure. This section also applies to any student reported by the court who has been found to have committed a delinquent act, which, if committed by an adult, would be a felony.

46. Off-campus instruction - for the purpose of this policy, an alternative educational program that may be used for students who are being considered for expulsion. Off-campus instruction is offered to students whose suspension is extended beyond 10 days. Students assigned to the off-campus instruction program are prohibited from entering any school during the period of suspension without express permission of the principal/designee or attending or participating
in other Volusia County Schools’ events or activities.

47. Pornographic materials and communications - vulgar or obscene materials or communications, oral or written. This includes notes and phone calls and other communications such as Internet communications, as well as the possession of lewd or obscene drawings, pictures, or magazines. Magazines, which depict nude models, are included in this category.

48. Possession - to have custody or control over an item or items. This includes, but is not limited to, having an item on your person, or in your personal belongings. This includes lockers and vehicles.

49. Principal to a criminal act - aiding, abetting, counseling, hiring, or otherwise procuring a criminal offense, where such offense is committed or is attempted to be committed.

50. Problem Solving Team - intervention driven/progress monitoring teams at each school site which assists students, families, and teachers in seeking positive solutions for all students. A critical component of problem-solving teams is the collaboration of all stakeholders within the school community (i.e., school administrators, teachers, school psychologists, school counselors, school social workers, speech/language clinicians, reading specialists, parents, and other relevant personnel including community agencies when necessary).

51. Profane, obscene, or vulgar language - any expression in any language, either verbal, written, or by gesture which is disruptive and/or offends individuals or groups and violates the norms of the school and community.

52. Propellants - a gas or liquid, which is expelled from a canister or container designed for personal protection.

53. Riot - a violent disturbance by three or more students with a common purpose.

54. Robbery - taking money or other property from the person or custody of another by the use of force or threat.

55. Scuffling - wrestling, grappling, hitting, or tussling on the part of two or more students in which there is no degree of injury.

56. Secret societies - the organization of, establishment of, promotion of, membership in, or pledge of membership in any secret fraternity, sorority, or group (including a gang) wholly or partly composed of student(s) enrolled in the public schools and which perpetuates itself wholly or partly by taking in additional members based on the decision of its membership rather than on the right of any student who is qualified by the rules of the school to be a member. Displaying or wearing any secret society organization logo in any way disruptive of the educational program is prohibited.

57. Sexual battery - any sexual act or attempt directed against another person, forcibly and/or against the person's will where the victim is incapable of giving consent because of his or her youth or because of temporary or permanent mental incapacity. This category includes rape, indecent liberties, child molestation, and sodomy. This category requires law enforcement involvement and the filing of criminal charges.

58. Sexual harassment - as defined in School Board Policy 509, including any of the following...
actions or activities: unwanted, verbal, or physical sexual behavior which is offensive and objectionable to the recipient causes discomfort or humiliation and interferes with school performance. Examples include, but are not limited to, touching breasts or buttocks, verbal comments, touching oneself in front of others, and/or spreading sexual rumors.

59. Suspension - a temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities except as authorized by the principal or the principal’s designee, for a period not to exceed ten (10) school days and remanding of the student to the custody of the student’s parent with specific homework assignments for the student to complete. Students under suspension are prohibited from entering any school during the period of suspension without the express permission of the principal/designee or attending or participating in Volusia County Schools’ events or activities.

60. Synthetic/Counterfeit drugs - any substance that is represented to be, represented to contain, mimics, or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, intoxicant, or controlled substance of any kind under the law of Florida or federal law. This includes, but is not limited to, any substance that produces the same effect as or is represented to produce the same effect as a controlled substance or any analogue of a controlled substance including, but not limited to “Bath Salts” or “K-2”, also known as “Spice” or “legal weed.”

61. Telecommunication devices - any device that is capable of transmitting voice, text, video or pictures from one person to another.

62. Theft - the unlawful taking of the property of another without threat of violence or bodily harm.

63. Time-out - A behavior modification technique where a student is removed from classroom activities for a period of time.

64. Tobacco citation – a non-criminal civil citation issued by law enforcement for underage possession of tobacco or tobacco products that may result in an assignment to a cessation or educational program and/or fine, etc.

65. Tobacco products - all items, which in total or in part, include tobacco or a by-product of tobacco, or any other smoking product and any smokeless or spitless tobacco, including but not limited to, cigarettes, cigars, chewing tobacco, snuff, and pipe tobacco or electronic cigarette/vaping device in any form.

66. Toxic plants - any plant, tree, or shrub, that when ingested causes a mind or mood-altering state, or which is poisonous to the body.

67. Trespassing - willfully entering or remaining on any school board property, building or vehicle without permission or authority. This includes returning to any school board property while under suspension or expulsion.

68. Vandalism - willfully injuring or damaging by any means any real or personal property belonging to another.

69. Vehicle violation - Any violation of campus rules involving a motor vehicle.

70. Walkie-talkies - a battery powered portable sending and receiving radio or instrument.
71. Weapons (other) - possession, use or intention of use of any instrument or object to inflict harm on another person, or to intimidate any person. Included but not limited to in this category are items not being used for a curricular purpose such as all types of knives, chains (any not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length of metal not being used for the purpose it was normally intended), hunting equipment including bows and/or arrows, hunting grade sling shots, razor blades or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments, nunchakus, brass knuckles, Chinese stars, Billy clubs, tear gas gun, electrical weapons, or device (stun gun), BB or pellet gun, explosives, or propellants over 2 oz. Possession of any long blade or switch blade knife is included here. A common pocket-knife will not be considered to be a weapon unless used as one. Weapons and other items of contraband are also prohibited from being in vehicles while on school board property or while at school sponsored events. Pursuant to F.S. 790.115(2)(a)(3), the district specifically waives the exception regarding weapons possession in vehicles provided in 790.25(5).

B. Classification of Violations

Violations of this code are grouped into four levels: Minor, Intermediate, Major I, and Major II. Each level has appropriate discipline responses, which are listed under each category. For the purpose of record retention, “Major” will be considered an offense listed under Level IV - Major Offenses. For the purpose of section 1006.13, Florida Statutes (Policy of Zero Tolerance for Crime and Victimization), the first two levels, Minor and Intermediate, shall be considered petty acts of misconduct, and offenses listed under Level IV – Major Offenses II, shall be considered to be acts that pose a serious threat to school safety. The categorization of offenses listed under Level III – Major I Offenses shall be determined by the principal based upon the severity of the offense. These responses are the only disciplinary actions that principals or their designees may use. Paddling, corporal punishment or other punitive physical contact are not permitted responses to a disciplinary offense.

C. General Expectations

1. In any situation where a violation of this code is alleged, the principal or designee will hear the student's explanation and investigate the matter fully before determining if a violation has occurred. If a violation has occurred, the principal or designee will determine the level of that violation.

2. Each classroom teacher is expected to deal with any student's general classroom conduct. The teacher may take the following actions: in-class disciplinary action, contact the student's parent/guardian, and/or schedule conferences with the student's parent/guardian and other staff including the problem-solving team. The student should be referred to the principal or designee only after the actions taken by the teacher are ineffective or the disruption is severe. Teachers have the authority to remove students from the classroom in accordance with the Florida Statute and district procedures.

3. Students making verbal or written threats of violence toward themselves or others or who engage in behavior that is a physical threat to themselves or others receive appropriate intervention in accordance with district procedures. Disciplinary action will be taken as is appropriate according to this policy. The degree of each threat is assessed as directed by Volusia County Schools’ Safety and Security Manual and discussed with the student’s parent/guardian.

4. Failure to bring materials and equipment to class, refusal to do homework, or refusal to work in class are
not grounds for discipline referral unless classroom disruption results from these acts. The teacher should notify the parent/guardian when a student exhibits poor work habits.

5. Staff members are required to report any offense to administration that might be considered a criminal act under Florida law. Law enforcement will be contacted by administration to determine whether the incident meets criterion for a charging affidavit or civil citation. In addition, all school board employees who have first-hand knowledge of a level III or IV code of conduct violation by a student shall immediately report the violation to a school administrator.

D. Statutory Notices

1. The illegal use, possession, or sale of controlled substances, as defined in chapter 893, by any student while the student is upon school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed. Any student who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under chapter 893 may be entitled to a waiver of the discipline or expulsion: (a) if the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him or her, or if the student voluntarily discloses his or her unlawful possession of the controlled substance prior to his or her arrest. Any information divulged which leads to arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging the information; or (b) if the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

2. The use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school or criminal penalties if the device is used in a criminal act. The superintendent shall establish rules and procedures governing the use of wireless communications devices by students while on school property or in attendance at a school function. Such rules and procedures shall be designed to promote quality instruction and the effective maintenance of student discipline.

3. The possession of a firearm or weapon, as defined in Chapter 790, Florida Statutes, while the student is on 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. Any student who is determined to have brought a firearm or weapon, as defined in chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation, or to have possessed a firearm at school, 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 to the criminal justice or juvenile justice system. The school board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the school board to modify the requirement by assigning the student to an alternative education program if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.

4. Violence against any school board personnel 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.

5. The illegal use, possession, or sale of controlled substances, as defined in chapter 893, by any student while the student is upon school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed. Any student who is
subject to discipline or expulsion for unlawful possession or use of any substance controlled under chapter 893 may be entitled to a waiver of the discipline or expulsion: (a) if the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him or her, or if the student voluntarily discloses his or her unlawful possession of the controlled substance prior to his or her arrest. Any information divulged which leads to arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging the information; or (b) if the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

6. The violation of the 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.

7. Any student who is determined to have made a threat or false report, as defined by sections 790.162 and 790.163, Florida Statutes, 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. The school board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the school board to modify the requirement by assigning the student to an alternative education program if it is determined to be in the best interest of the student and the school system.

8. A student may be disciplined or expelled for unlawful possession or use of any substance controlled under chapter 893 upon the third violation of this provision.

9. Volusia County Schools will adhere to the basic eligibility and participation requirements for athletics and activities for all public schools as authorized in section 1006.15, Florida Statutes, as well as the bylaws of the Florida High School Athletic Association. Additional requirements may be implemented by a school. If so, those requirements will be published and distributed by the coach/school prior to tryouts for the specific sport. Minimum requirements for eligibility in athletics and activities may be found in School Board Policy 313. Transfer students wishing to be considered eligible for good cause beyond the scope of Section 1006.15, Florida Statutes, may request review by the District Athletic Eligibility Review Committee whose membership is designated by the superintendent. The decision of the committee shall be final and binding.

E. Discipline Offenses and Responses

Pursuant to Section 1006.07(1), Florida Statutes, the following program of positive reinforcement shall be Used:

1. Level I - Minor Offenses

- Bus disturbance - minor disruption on school sponsored transportation
- Class or school rule violation
- Disruption - minor disruption or disturbance of a school activity, class, or campus
- Dress code violation
- False document
- Horseplay
- *Tardiness
- Any other violation which the principal may reasonably believe falls within this category which is not
listed under the other three levels.

<table>
<thead>
<tr>
<th>Level I - Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense - In-school conference with student and, contact with parent/guardian.</td>
</tr>
<tr>
<td>Subsequent Offenses – In-school conference with student, contact with parent/guardian, and one or more of the following disciplinary actions:</td>
</tr>
<tr>
<td>• Behavioral contract</td>
</tr>
<tr>
<td>• Cafeteria restriction</td>
</tr>
<tr>
<td>• Conference with student</td>
</tr>
<tr>
<td>• Community service in lieu of suspension</td>
</tr>
<tr>
<td>• Detention</td>
</tr>
<tr>
<td>• Extended detention</td>
</tr>
<tr>
<td>• In-school suspension</td>
</tr>
<tr>
<td>• Loss or suspension of privileges including extracurricular events/activities</td>
</tr>
<tr>
<td>• Mediation</td>
</tr>
<tr>
<td>• Parent/guardian conference</td>
</tr>
<tr>
<td>• Parent/guardian visitation</td>
</tr>
<tr>
<td>• Problem Solving Team</td>
</tr>
<tr>
<td>• Restitution</td>
</tr>
<tr>
<td>• Saturday school</td>
</tr>
<tr>
<td>• Student services referral (i.e., school counselor, school social worker or school psychologist)</td>
</tr>
<tr>
<td>• Suspension</td>
</tr>
<tr>
<td>• Suspension from the bus</td>
</tr>
<tr>
<td>• Time out</td>
</tr>
<tr>
<td>• Warning</td>
</tr>
<tr>
<td>• Work detail</td>
</tr>
</tbody>
</table>

Dress Code Offenses – Per SS 1006.07, any student who violates the provisions of the dress code policy that prohibits a student from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment is subject to the following:

a) For a first offense, a student shall be given a verbal warning and the parent/guardian shall be called.

b) For the second offense, the student is ineligible to participate in any extracurricular activity for a period not to exceed five (5) days and the parent/guardian shall meet with the principal/designee.

c) For a third or subsequent offense, a student shall receive an in-school suspension pursuant to s. 1003.01(5) for a period not to exceed three (3) days, the student is ineligible for any extracurricular activity for a period not to exceed 30 days, and the parent/guardian shall be called and sent a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.

For violations of the school uniform policy, please reference School Board Policy 217.

*A student may not be suspended for tardiness.
Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

2. Level II - Intermediate Offenses

- Bus disturbance - considerable disruption on school sponsored transportation
- Cheating/Academic dishonesty
- Disruption - considerable disruption or disturbance of a school activity, class, or campus
- Failure to appear for Saturday school, detention, or extended detention
- Gambling
- Introduction of a foreign substance (non-harmful) into food or drink
- Laser lights
- Matches, lighters, or other flammables
- Possession of chemical spray under .5 oz.
- Profane, obscene, or vulgar language or expression (in any language); either verbal, written, or by gesture directed at others
- Telecommunications devices - the exhibition of, either by sight or sound, or use of during normal school hours or while riding school sponsored transportation unless approved by the bus operator or supervising teacher, permitted by district procedure, or permitted by district or school instructional programs.
- Tobacco products - use, possession, or distribution of
- Unauthorized absence from class/leaving class, or leaving school grounds without permission
- Any other violation, which the principal may reasonably believe, falls within this category which is not listed under the other three levels.

Level II – Responses

In-school conference with student, contact with parent/guardian, confiscation of contraband, loss of grade, zero on assignment (for cheating), and one or more of the following disciplinary actions:

- Behavioral contract
- Cafeteria restriction
- Community service in lieu of suspension
- Concern of harm referral
- Detention
- Extended detention
- In-school suspension
- Loss of privileges: extracurricular events/activities
- Mediation
- Parent/guardian conference
- Parent/guardian visitation
- Problem Solving Team
- Restitution
- Saturday school
- Student services referral (i.e., school counselor, school social worker or school psychologist)
- Suspension
• Suspension from the bus
• Suspension of privileges
• Time out
• Tobacco Citation, or Online Tobacco Class
• Warning
• Work detail

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law where the act posed a serious threat to school/student/employee safety. In accordance with section 1006.13, Florida Statutes (Policy of Zero Tolerance for Crime and Victimization), zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including but not limited to minor fights or disturbances.

3. Level III - Major I Offenses

• Alcohol - use, possession or under the influence of
• Ammunition - possession, or distribution of
• Bullying (including cyber-bullying)
• Burglary
• Bus Disturbance - major disruption on school sponsored transportation
• Cyberstalk
• Disruption - major disruption or disturbance of a school activity, class, or campus
• Drug paraphernalia - possession, use, or distribution of
• Drugs - use, possession, or under the influence of
• Electronic tampering/Electronic device misuse
• Extortion
• False alarm
• Fighting
• Fireworks - use, possession, or distribution of
• Forgery
• Harassment
• Hazing
• Hitting/Striking
• Hitting/Striking an employee
• Hitting/Striking with injury
• Inappropriate touching
• Indecent exposure
• Insubordination or defiance of authority
• Introduction of a foreign substance (toxic or harmful) into food or drink
• Knowingly filing or participating in filing a false report
• Look Alike Guns - use or possession
• Malicious threats of violence
• Non-prescription medication - use, possession, distribution, or sale
• Paintball and air soft guns - use and/or possession of
• Pornographic materials and communications including Internet material - possession, distribution, or display
• Possession of a chemical spray between .5 and 2 oz.
• Possession of a common pocketknife
• Principal to a Level III Criminal Act
- Racial, ethnic, or religious harassment or harassment based upon a disability
- Secret society - organization, establishment, promotion, membership, participation in any secret society related activity or displaying or wearing any secret society organization or gang logo in any way disruptive of the educational program.
- Sexual harassment
- Synthetic.Counterfeit Drugs - use, possession or under the influence of
- Theft
- Toxic plants - use, possession, distribution, or sale
- Trespassing
- Vandalism under $1,000
- Walkie-talkies, possession/use
- Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels.

**Level III - Responses**

Parents/Guardians may request a conference with the principal and one or more of the following disciplinary actions:

- Assignment to an alternative education program
- Civil citation program
- Community service in lieu of suspension (Not appropriate for all Level III Offenses - consult with the District Office)
- Confiscation
- Concern of harm referral
- Expulsion recommendation from school or bus
- In-school suspension
- Problem Solving Team
- Restitution
- Saturday school
- Student services referral (i.e., school counselor, school social worker or school psychologist)
- Suspension from school or bus (suspension must be considered for the possession of a common pocketknife)
- Timeout
- Threat Assessment

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

*The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law where the act posed a serious threat to school/student/employee safety. In accordance with section 1006.13, Florida Statute (policy of Zero Tolerance for Crime and Victimization), zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including but not limited to minor fights or disturbances.*

**4. Level IV - Major II Offenses**

- Alcohol - distribution or sale, or attempted sale (including substances represented as alcohol)
- Arson
- Assault on a school board employee
- Assault on a student(s)
- Battery on a school board employee
- Battery on a student(s)
• Bomb threat
• Disorderly conduct
• Drug distribution, attempted distribution, sale, or attempted sale
• Explosives
• Firearm distribution, sale, use, or willful possession
• Homicide
• Kidnapping
• Principal to a Level IV Criminal Act
• Riot
• Robbery
• Sexual battery
• Synthetic/Counterfeit drug distribution, attempted distribution, sale, or attempted sale
• Vandalism over $1,000
• Vehicle theft
• Weapon use, threat, or possession
• Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels

Level IV - Responses

Parents/Guardians may request a conference with the principal and one or more of the following disciplinary actions:

*Expulsion must be recommended to the District Student Placement Committee for all Level IV offenses. Unless otherwise recommended by the superintendent, expulsions for firearms or disorderly conduct shall be for no less than one calendar year.*

• Administrative assignment to an alternative education program
• Expulsion (pending expulsion, students will be suspended and will lose all privileges pertaining to extracurricular events and activities).
• Concern of harm referral
• Restitution
• Student Services Referral (i.e., school counselor, school social worker or school psychologist)
• Threat Assessment

*The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law.*

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

A. Code of Student Conduct and Discipline Procedures

1. State and federal law recognizes that teachers and school administrators have a need to stand in the place of parents over children entrusted to them at school. This is a concept called *in loco parentis*. While this power is not equal to a parent’s power over a child, it permits school personnel to exercise a degree of supervision and control over students that could not be exercised over free adults.

Consistent with this concept, school personnel can search without a warrant based on reasonable suspicion and are not held to the higher standard of “probable cause” by which law enforcement is bound. Also
consistent with this concept, school personnel can question a student without providing him or her with Miranda warnings or allowing the student to call a parent or attorney.

B. Suspension Procedure

1. The principal or the principal's designee may suspend a student only in accordance with the code of student conduct and discipline. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student's parent by United States mail. Each suspension and the reasons for the suspension shall also be reported in writing within 24 hours to the Superintendent. A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined in this policy. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him or her prior to the suspension. Each student shall be given an opportunity to present his or her side of the story. All disciplinary meetings between the principal, the student and the parent or guardian shall be informal and not in the nature of an evidentiary hearing. Therefore, requiring testimony, cross-examination, or similar legal proceedings are not permitted. Should the parent disagree with the principal's decision to suspend the student, the parent shall have the right to meet with the principal and explain why he or she believes the suspension to be unwarranted and/or not appropriate for the student. At the meeting, the principal shall review the charges and supporting information with the parent. The parent shall then be given the opportunity to present any additional information he or she may have and to explain why he or she believes the suspension to be unwarranted or inappropriate. The principal shall then consider the information provided and communicate their determination to the parent. If the parent is not satisfied with the determination made by the principal, the parent may request that the superintendent/designee review the matter. The superintendent/designee shall review all information considered by the principal, and may choose, in his or her own discretion, to meet with the parent to discuss the matter further. The decision of the superintendent/designee shall be final and binding. No student shall be suspended for unexcused tardiness, lateness, absence, or truancy. The principal or the principal’s designee may suspend any student transported to or from school at public expense from the privilege of riding on a school bus for violation of district school board transportation policies, which shall include a policy regarding behavior at school bus stops, and the principal or the principal’s designee shall give notice in writing to the student’s parent and to the district school superintendent within 24 hours. It is expected that any student displaying a pattern of misbehavior be referred to the Problem-Solving Team whereby evidence-based interventions are identified and implemented and the student’s responses to those interventions are documented. School personnel shall not be held legally responsible for suspensions of student made in good faith.

2. When a student is suspended for possession, distribution, attempted distribution, sale, or attempted sale of a controlled substance, or willful possession of a firearm or a weapon, or has committed any other offense which is a crime under Florida law, parents/guardians, law enforcement officials, and the superintendent shall be notified by the principal or designee as soon as possible.

3. A principal may suspend a student from school or from riding the school bus for up to ten consecutive school days.

4. The exclusion of a student with disabilities and/or a handicapping condition for more than ten (10) consecutive school days constitutes a “significant change in placement” under 34 C.F.R. Section 104.35. The determination of whether the series of suspensions creates a pattern of exclusions that
constitutes a significant change in placement must be made on a case by case basis. In no case, however, may a series of short-term exclusions be used as a means to avoid the Supreme Court’s prohibition of suspensions of more than ten (10) days.

5. The superintendent shall have the authority to extend the suspension of a student beyond ten (10) days where such suspension period expires before the next meeting of the school board, where the school board will be considering a recommendation from the superintendent to expel the student. The superintendent may further recommend an extension of a suspension to the school board for the purpose of providing proper notice of a recommendation for expulsion, or for further study and review of the student and matter at issue. During such extended suspension, the student shall be provided educational services.

6. Suspension proceedings may be initiated against any enrolled student who is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, if that incident is shown, in an administrative hearing with notice provided to the parents of the student by the principal of the school pursuant to rules adopted by the State Board of Education and to rules developed pursuant to section 1001.54, Florida Statutes, to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Any student who is suspended as the result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time, which may exceed ten (10) days, as determined by the superintendent. The suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in an alternative education program. If the court determines that the student did commit the felony or delinquent act which would have been a felony if committed by an adult, the school board may expel the student, provided that expulsion under this subsection shall not affect the delivery of educational services to the student in any residential, nonresidential, alternative, daytime, or evening program outside of the regular school setting.

NOTE: Procedures for suspension of students enrolled in exceptional student education programs may be found in Policy 303, Special Programs and Procedures for Exceptional Students.

C. District Student Placement Committee

1. The principal shall have the authority to make referrals for expulsion for students having committed a Level III or Level IV offense under this code. All referrals for expulsion must be forwarded to the coordinator of student discipline and records who shall convene the District Student Placement Committee to consider what action should be taken. The membership of the committee shall be designated by the superintendent. Based on the facts and evidence in each case, the committee shall decide if the student should be recommended for expulsion. The committee’s recommendation shall be transmitted to the superintendent for appropriate action.

2. The committee also has the authority to place a student in an alternative setting in lieu of a recommendation for expulsion. Notice of the placement shall be provided to the parent in writing. Should the parent disagree with the committee’s determination to place the student in an alternative setting, the parent shall have the right to meet with the committee and explain why he or she believes the placement to be unwarranted and or not appropriate for the student. The parent shall have ten (10) calendar days from receipt of the notice to request to meet with the committee. At the meeting, the coordinator of student discipline and records shall review the charges and supporting information with the committee and the parent. The parent shall then be given the opportunity to present any additional information he or she may have, and to explain why he or she believes the placement to be
unwarranted or inappropriate. The committee shall then deliberate, consider the information provided, and provide the parent with a response within five (5) calendar days of the meeting. If the parent is not satisfied with the determination made by the committee, the parent may request that the superintendent/designee review the matter. The superintendent/designee shall review all information considered by the committee, and may choose, in his or her own discretion, to meet with the parent to discuss the matter further. The decision of the superintendent/designee shall be final and binding.

3. Additionally, the committee has the authority to determine the most appropriate educational placement for the following students: student completing alternative education programs, students returning from the Department of Juvenile Justice commitment programs and students entering Volusia County Schools from a specialist program or being considered for expulsion in another district or state.

D. Expulsion Procedures

1. Only the school board has the authority to expel a student or cancel an expulsion. The term of expulsion may be for no more than the remainder of the school year and one additional school year.

2. If a student is referred for possible expulsion, the parent/guardian will receive a letter explaining the reason for the referral. If the student is recommended for expulsion by the superintendent, the student’s parent/guardian may request a hearing before the school board. The hearing will be held in accordance with section 286.011. However, the student’s parent must be given notice of the provisions of section 286.011 and may elect to have the hearing held in compliance with that section. If the evidence at any hearing does not support a finding that the offense charged has occurred, the school board may find that any lesser offense provided by the evidence has occurred, if the lesser offense is also described in the recommendation for expulsion. Failure to submit a timely request for a hearing shall be deemed a waiver of the student’s right to a hearing before the school board. The meeting with the school board shall follow a meeting with the District Student Placement Committee. Failure to appear before the school board when the recommendation for expulsion is to be considered shall be deemed a waiver of the student’s right to a hearing. The student and parent/guardian have the right to legal counsel and representation at their own expense, the right to present witnesses on behalf of the student, the right to cross-examine witnesses, and the right to present a defense.

3. The school board has the authority to honor the final order of expulsion or dismissal of a student by any in-state or out-of-state public district school board or private school, or lab school, for an act which would have been grounds for expulsion according to this Code of Student Conduct and Discipline. For this action to be taken, the prior order of expulsion must have been recorded in the school district’s records and the expelled student applying for admission to the school district must have been advised of the final order of expulsion. The superintendent may recommend to the school board that the final order of expulsion be waived and the student be admitted to the school district, or that the final order of expulsion be honored and the student not be admitted to the school district. If the student is admitted by the school board, with or without the recommendation of the superintendent, the student may be placed in an appropriate educational program at the direction of the school board.

E. Last Resort Expulsion Procedures

1. A student may be expelled from school attendance if the student persists in violating the rules of Volusia County Schools. Expulsion may result from continued violation of this code or school rules. In contrast to drug expulsions and expulsions for dangerous weapons and/or violence against person or property, prior to any expulsion under this paragraph the school must first have exhausted alternative methods of attempting to modify the student’s behavior and the student must continue to refuse to conform to the
rules of the school and/or district. Alternative methods include, but are not limited to, a Problem-Solving Team referral whereby appropriate, evidence-based interventions are identified and implemented and the student’s responses to those interventions are documented.

The school need not try all those items enumerated under "Discipline Responses," but the school must attempt any corrective measures, which have a reasonable chance of modifying the student’s behavior to bring the behavior into conformity with the rules of the school and/or district.

2. Parents/guardians and students should be aware that even if the student reaches the point of last resort at the student’s regular school, placement into an alternative education or exceptional student program is possible. However, placement in any of these programs depends on the student’s meeting the criteria for admission to the program and being placed there by the District Student Placement Committee.

F. Peer Mediation

1. Some schools in the school district operate a peer mediation program to handle minor code violations and student disputes. Interested students may be selected to participate in this program. Parents or guardians may elect not to have their children participate in such a program by providing notification to the school.

G. Waiver of Expulsion

1. The parent/guardian of an expelled student may make a request for waiver of the expulsion to the principal who may forward the request with recommendation to the superintendent or designee. In addition, evidence must be submitted with the waiver request documenting the successful completion of an identified drug/alcohol program or other counseling/treatment program related to the behavior/incident, which resulted in the expulsion. The superintendent’s recommendation for action on the waiver request shall be placed on the school board’s agenda for final action.

2. Together with or after an application for waiver of expulsion, a student or the parent/guardian of a student may apply to the superintendent, and the school board may approve the deletion or expunction of a record of expulsion as inappropriate in light of the circumstances of the expulsion or the overall discipline record of the student.

H. Expulsion Proceedings for Student with Disabilities

Parents/guardians of students with a disability shall be advised of their rights to due process/procedural Safeguards.

1. School or bus expulsion proceedings against any student who has been properly identified and classified as a student with a disability shall be in accordance with School Board Policy 303, Special Programs and Procedures for Exceptional Students.

2. If a principal refers a student with a disability for expulsion, the superintendent or designee shall convene an Individual Education Plan (IEP) review committee in accordance with applicable law. The IEP committee shall review the appropriateness of the student’s individual education plan. The committee shall meet and determine whether the misconduct is a manifestation of the student’s disability.

3. If the misconduct is a manifestation of the student’s disability, then the student may not be expelled. A change of placement may be initiated providing that all state and federal regulations have been
followed including required parent/guardian consent. Services must ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving his/her IEP goals.

1. If the misconduct is not a manifestation of the student’s disability, then the student may be expelled in accordance with the Code of Student Conduct and Discipline. However, in cases such as these, educational services must be continued in accordance with the IEP, and the IEP committee must determine the services necessary to ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving his/her IEP goals.

I. Expulsion Proceedings for Student with Handicapping Conditions

Parent/guardians of students with handicapping conditions shall be advised of their procedural safeguards.

1. If a principal refers a student with a handicapping condition for expulsion, the superintendent or designee shall convene a Section 504 committee meeting in accordance with applicable law. Under Section 504, a team of people knowledgeable about the student and his/her handicapping condition must convene and decide if the student’s misbehavior was a manifestation of the handicapping condition.

2. If the misconduct was not a manifestation of the handicapping condition, then the disciplinary action can proceed.

Legal Authority:
Sections 1001.41, 120.54, Florida Statutes

Laws Implemented:
Sections 1006.07(2), 1001.42(8), 1003.57, 1003.24, 1003.31, 1006.08, 1006.09, 1006.10, 1003.32, 1006.11, 1006.13, 1006.135, 1006.14, 893.145, 893.146, Florida Statutes; No Child Left Behind Act; Rule 6A-6.0331(7), Florida Administrative Code

History:
(Adopted -- August 13, 1985)  

(Effective Date -- July 28, 2020)
Prior to the beginning of each school year, the school board may revise the Code of Student Conduct and Discipline. The code shall be applied in a uniform manner throughout the school district. The code shall be distributed to each student and to all teachers and administrators. Additional copies will be made available to other persons upon request. Each school will, to the extent possible, obtain a written acknowledgment of receipt of the code by the student and his/her parents/guardians. The absence of a signed acknowledgment of receipt does not affect the application of the code to every student under jurisdiction of the school board.

The code covers student rights and responsibilities as well as violations of conduct, which could lead to disciplinary responses up to and including expulsion. Discipline problems not listed in the code shall be within the jurisdiction of each school under the guidance of the district discipline office. Each school is authorized to attach local school rules to the Code of Student Conduct and Discipline as long as such rules and regulations do not conflict with this code.

This Code of Student Conduct and Discipline is intended to address the responsibilities and requirements in regard to student discipline set out in the following sections of the Florida Statutes: section 1006.07 – District School Board Duties Relating to Student Discipline and School Safety; section 1006.13 – Policy of Zero Tolerance for Crime and Victimization; section 1006.08 – District School Superintendent Duties Relating to Student Discipline and School Safety; and section 1006.09 – Duties of the School Principal Relating to Student Discipline and School Safety. The purpose of this code is to make available to school personnel, students, and parents/guardians rules governing student conduct and discipline adopted by the School Board of Volusia County in order to ensure that:

1. students will understand what behavior is expected of them as well as the range of consequences for misbehavior; and
2. students will be assured of fair and consistent treatment and will understand the procedures for discipline and appeal; and
3. schools will identify students in need of additional behavioral support and provide positive intervention(s) matched to their needs; and
4. schools will inform parent/guardian if more intensive, positive behavioral interventions are required.

The code is intended to be an instructive policy based on interventions and supports for students. However, when consequences are warranted, they shall be implemented based on a system of progressive discipline. Minor infractions and first offenses have a less serious consequence than major infractions and repeat offenses. Factors such as age, grade level, social, emotional and intellectual development, disability, special education status, other contributing factors to the student’s behavior, the degree of harm caused and the student’s willingness to repair the harm shall also be considered. Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount.

The cooperation of parents/guardians/family members, school personnel, and students is essential if good discipline in the school is to be achieved. Parents/guardians are expected to contribute to good discipline by:

1. maintaining a positive attitude toward education; and
2. showing an interest in their children’s progress through regular communication with their children and the
3. assuring that their children are neat, clean, and appropriately dressed; and
4. ensuring their children's timely daily attendance; and
5. reporting and explaining promptly to the school officials any absence; and
6. teaching their children respect for authority of school personnel; and
7. informing the school immediately of any condition or circumstance, which may affect their children's ability to learn, to attend school regularly, or to participate in school activities; and
8. cooperating with school personnel in solving disciplinary problems; and
9. not allowing their children to disrupt the education of others.

APPLICATION OF THE CODE

This code applies to EVERY student who is under the jurisdiction of the School Board of Volusia County. It will be in effect on school property, at other places where teachers and school administrators have jurisdiction over students, such as extracurricular activities (athletics, dances, concerts, field trips, etc.) and applies to all student use of electronic hardware, software, and/or internet applications being used in a class, school or district activity, including where such use occurs off campus. This code also applies to students when they are being transported on school buses and at all bus stops, to students participating in the Hospital/Homebound, Off-campus Instruction Program and for any off-campus conduct as provided by law. In addition, jurisdictional control over students may be extended as per Florida Statute Sections 1006.07, 1006.09, 1006.13, 1006.147, and 1003.31 whenever the conduct of a student is deemed to have a detrimental effect on the health, safety, and welfare of any member of the school community or the learning environment of the school.

SAFETY AND SECURITY

With the increase of security awareness and protocol, Volusia County Schools has implemented the following procedures for the safety and security of students, staff and visitors to Volusia County Schools sites and sponsored events:

Backpacks – Bookbags and/or backpacks should be limited to standard dimensions. Those larger than 15” x 21” are prohibited. Duffel or large bags are prohibited from being used and may be confiscated upon entering a Volusia County School site or event. Only clear bags are allowed at after school events such as sporting events, graduations or programs in the auditorium or cafeteria. This includes school-sponsored events that take place off campus. Small handbags (clutches) and diaper bags are the exception. All bags, however, are subject to search. Any backpack, bag, carrying device or musical instrument carrying case is subject to search prior to entering the campus or off campus event as posted on all school board sites.

Earbuds- In order for students to be made aware of security announcements or other hazardous situations in a timely manner, it is expected that all students will adhere to single earbud use while on campus, at school-sponsored events and on school-sponsored transportation.

ID Badges – All middle school and high school students will be issued a school identification badge (ID) which is always required to be visibly displayed while on campus.

Safety is the responsibility of everyone. All should be active and engaged in our shared school safety and security responsibility. Students are required to report any threats to an adult and staff are required to immediately report to administration. FortifyFL is an anonymous mobile app for reporting suspicious activity which can be used by anyone to report any threats towards a person or school. All are encouraged to download and utilize FortifyFL at www.getfortifyfl.com. Remember, if you see it, do not spread it. Report it!

I. STUDENTS RIGHTS AND RESPONSIBILITIES

Students are entitled to a public education as long as they adhere to the guidelines set forth in this code. School authorities will place limitations on the rights of students when necessary to prevent disruption on the school campus, on school buses,
and at school-sponsored activities.

<table>
<thead>
<tr>
<th>ATTENDANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RIGHTS</strong></td>
</tr>
<tr>
<td>Students have the right to a prescribed number of days of meaningful learning experience.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RESPECT FOR PERSONS AND PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RIGHTS</strong></td>
</tr>
<tr>
<td>Students have the right to use school property in a manner approved by the school center.</td>
</tr>
<tr>
<td>Students have the right to use their personal property in a manner approved by the school.</td>
</tr>
<tr>
<td>Students have the right to privacy consistent with applicable laws.</td>
</tr>
<tr>
<td>Students have the right to be respected and accepted as individuals.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>KNOWLEDGE AND OBSERVATION OF RULES AND CONDUCT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RIGHTS</strong></td>
</tr>
<tr>
<td>Students have the right to know the rules and regulations regarding their conduct. They also have the opportunity for input in the development of these rules and regulations.</td>
</tr>
<tr>
<td>Students have the right to be assured of a school environment, which does not jeopardize their safety, health, or welfare.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RIGHT TO LEARN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RIGHTS</strong></td>
</tr>
<tr>
<td>Students have the right to learn and pursue an education without interference.</td>
</tr>
<tr>
<td>Students have the right to a school atmosphere that is conducive to appropriate learning.</td>
</tr>
</tbody>
</table>
### RIGHT TO FREE SPEECH AND PUBLICATION

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have the right to be appropriately involved in their education on an equal basis with their peers.</td>
<td>Students have the responsibility to contribute to a positive atmosphere.</td>
</tr>
<tr>
<td>Students are entitled to freedom of expression of their views unless there are legal reasons to regulate their speech or publications.</td>
<td>Students have the responsibility to refrain from speech and/or the distribution or display of material, which could cause conduct that would interfere with discipline or cause disorder, including the display of the Confederate flag.</td>
</tr>
</tbody>
</table>

### RIGHT TO ASSEMBLE

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have a right to assemble peacefully without disrupting regular activities.</td>
<td>Students have the responsibility to assemble according to the prescribed rules and regulations of the school.</td>
</tr>
</tbody>
</table>

### PARTICIPATION IN SCHOOL ACTIVITIES

<table>
<thead>
<tr>
<th>RIGHTS</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students have the right to participate in school programs and activities in accordance with eligibility requirements.</td>
<td>Students have the responsibility to contribute to these activities in a beneficial manner.</td>
</tr>
</tbody>
</table>

### MEDIA ACCESS TO SCHOOL ACTIVITIES

The media may have access to school activities, events, and functions. Such access may result in photographs or other directory information being released and/or published. Parents objecting to such a release must notify the school principal.

### II. Disciplinary Offenses and Responses

#### A. Definitions

1. Alcohol - all beverages and/or edible items or substances containing alcohol in any percent by volume, including distilled spirits.

2. Alternative Education - An educational program used in lieu of suspension or expulsion. Students assigned to an alternative education program are prohibited from attending or participating in other Volusia County Schools’ events or activities, where the code of conduct is in effect. For the purpose of this policy, the term “alternative education” does not include schools of choice.

3. Ammunition - the various projectiles together with their fuses, propelling charges, and primers that are fired from guns.
4. Arson - willful and malicious damage to any structure by fire or explosion.

5. Assault - intentionally threatening by word or act to do violence to another person, combined with an apparent ability to commit violence, which creates a well-founded fear in the person that violence is imminent.

6. Battery - physically striking another person against that persons will causing bodily harm to another person.

7. Bomb threats - intentionally making a false report to any person, including school personnel, concerning the planting, or placing of any bomb, dynamite or other arson causing device.

8. Bullying - shall have that meaning provided in School Board Policy 525 and shall include cyberbullying and cyberstalking. A copy of School Board Policy 525 may be viewed at:

https://www.boarddocs.com/fla/vcsfl/Board.nsf/files/AGSM4P597252/$file/Policy%20525-%20Adopted%20December%202013%20C%202016.PDF

9. Burglary - breaking and entering a building or vehicle with the intent to commit a crime.

10. Case management - The collaborative process that assesses, plans, implements, coordinates, and monitors services required to meet the student’s educational and service needs.

11. Cheating/Academic dishonesty - to influence by deceit, trick, or fraud, to violate rules for personal gain or the gain of others. To obtain by deceit a grade or reward to which one is not entitled. To plagiarize.

12. Civil citation program – a process established in section 985.12, Florida Statutes for providing an alternative to custody by the Department of Juvenile Justice to children who commit non-serious delinquent acts. This process requires an admittance of guilt, must be agreed to by the student and his/her family, is only available to first time offenders and involves an assessment of consequences that may include community service, case management, counseling and other intervention services. Eligibility for the civil citation program is made by law enforcement in conjunction with the Department of Juvenile Justice. The District promotes the appropriate use of civil citation. If consulted by law enforcement, school personnel may recommend consideration of the program, but do not determine eligibility under state law.

13. Cyberstalk - to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person(s), causing substantial emotional distress to that person(s) and serving no legitimate purpose.

14. Disorderly conduct - any act which substantially disrupts the orderly conduct of a school function, or substantially disrupts the learning environment or poses a threat to the health, safety, and/or welfare of others.

15. Disruption - behavior which is willful and overt initiated on the part of the student and which requires the attention of school personnel to deal with the incident. This would include promoting or inciting
other students to fight.

16. District Student Placement Committee - the committee, whose membership is designated by the superintendent, with the responsibility for determining whether a student should be recommended for expulsion or for another placement.

17. Drug paraphernalia - all equipment, products, and materials of any kind which are used, intended for use, or designated for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of Chapter 893, Florida Statutes. The term includes, but is not limited to, items listed in Section 893.145 of Florida Statutes, and items which may be determined to be drug paraphernalia under the criteria set out in Section 893.146 of Florida Statutes.

18. Drugs - all substances defined as controlled substances under Chapter 893, Florida Statutes, including marijuana, hallucinogens, inhalants; any substance represented as a controlled substance by any person intending to deliver or sell said substance to another, whether or not the substance is a controlled substance.

19. Drugs and Alcohol:
   a. Possession - to have unlawful custody or control over any substance defined as a drug or alcohol under this code; prescription medication is exempt from the definition of possession if the student in possession of the medication has a valid prescription for that medication and has followed the prescribed procedures for administration of medication.
   b. Distribution - the delivery of a drug or alcohol to another by one who is responsible for the introduction of the drug or alcohol upon school board property or at a school-sponsored event. Where quantities of the drug or alcohol are extremely small, or where there is some question as to whether the substance was willingly distributed, or where there was a number of individuals passing the same item or substance, the classification of distribution versus possession may be determined by the charging document filed in juvenile and/or criminal court.
   c. Sale - the delivery of a drug or alcohol to another in return for money or other consideration.
   d. Use - introduction of alcohol or a drug into the body. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.

20. Electronic tampering/Electronic device misuse - the use of a computer, fax machine, telephone, cell phone, smart phone, camera or other electronic device to take any of the following actions or any similar action is unauthorized and prohibited: violating the acceptable use policy, unauthorized hacking into or accessing or breaking into restricted accounts, networks, or private accounts; modifying or destroying files without permission; illegally copying software; and entering, accessing, viewing, distributing, or printing inappropriate/unauthorized files, images, videos, programs, pornographic sites, or sites advocating hate, violence, and/or illegal activity. This includes, but is not limited to, “sexting”. The use of an electronic device to distribute pictures or video obtained without consent or to distribute pictures or videos freely given, but without consent to forward.

21. Explosive device - a prepared chemical or powder device designed to explode or burn, not unaltered commercial fireworks.
22. **Expulsion** - the discontinuation of educational services provided by Volusia County Schools for a period of time prescribed by the school board. Students under expulsion are prohibited from attending or participating in Volusia County Schools’ events or activities, where the code of conduct is in effect.

23. **Extortion/threats** - threatening another with the intent to obtain money or other property or to compel that person to do an act or refrain from doing an act against his/her will.

24. **False alarms** - intentionally initiating any false alarm, including contacting 911.

25. **False document** - to make, possess, or sign a counterfeit or forged school related document such as a pass or an excuse.

26. **False report** - Knowingly filing a false report. Willfully giving or conveying to any law enforcement officer or school official false information or reports concerning the alleged commission of any crime under the laws of the state, or ethical violation of school board policy, knowing that such information is false, in that no crime or ethical violation has been committed.

27. **Fighting** - mutual participation in a fight involving physical violence where there is any degree of injury or where physical restraint is necessary. Does not include verbal confrontations, tussles, or other minor confrontations.

28. **Firearm** - any weapon 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 or firearm silencer; any destructive device; or any machine gun. 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. Includes firearms of any kind (operable or inoperable, loaded or unloaded), including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun.

29. **Fireworks** - explosives or combustibles used to produce light, smoke, odor, or noise.

30. **Forgery** - to make a document with the intent to defraud.

31. **Gambling** - to bet money or other stakes on an outcome or a game, contest, or event.

32. **Harassment** - any threatening, insulting, or dehumanizing gesture, use of data, or electronic communication, or written, verbal or physical conduct directed against a student or school employee that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits and/or has the effect of substantially disrupting the orderly operation of a school. (See also School Board Policy 509 – Prohibition of Harassment.)

33. **Hazing** - any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation, admission into, affiliation with or the perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a district school. Hazing includes, but is not limited to, pressuring, forcing or coercing the student into violating state or federal law, consuming any food, liquor, drug, or other substance, or any brutality of a physical nature, such as whipping, beating, branding or exposure to the elements. Hazing does not include customary athletic events or other similar
contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Soliciting another to commit an act or being actively involved in the planning of an act of hazing is also considered an offense. Disciplinary action for hazing may not be based solely on an anonymous report.

34. Hitting/Striking - Purposely making forceful contact with another against his/her will which does not result in an injury, and which does not constitute battery; biting, spitting, or throwing bodily fluids (not covered under battery.)

35. Hitting/Striking with injury - purposely making forceful contact with another against his/her will resulting in an injury and which would constitute battery, but where the injured party elects not to pursue criminal charges.

36. Horseplay - rowdy, rough play that interferes with proper order.

37. Inappropriate touching - any contact or touching of a sexual nature which is inappropriate for an educational setting or event.

38. Indecent exposure - exposing or exhibiting sexual organs in any public setting.

39. Insolubordination - behavior, acts, or words which are disobedient. Failure to respect the authority of the school or its faculty.

40. Laser lights - any device, which projects a concentrated beam of light in one or more discrete wavelengths.

41. Look alike guns - any replica firearm or toy gun or object which looks like an actual firearm, or toy gun or object which is purposely displayed or represented as a firearm.

42. Malicious threats of violence - threats that do not constitute assault. Words or acts that are not coupled with an apparent ability to do so or which do not create a well-founded fear that such violence is imminent. This would also include social media, text messaging, hand-written notes, verbal communication, etc. used in an attempt to incite fear on the school campus. This does not require, but may include, law enforcement involvement.

43. Motor vehicle theft - theft or attempted theft of a motor vehicle.

44. Non-prescription medication - use, distribution, or sale of any over-the-counter medication(s).

45. Off-campus felony - any student who is reported to have been formally charged (petition filed) by the state attorney with a felony offense may be suspended and expelled from school attendance in accordance with the district’s procedure. This section also applies to any student reported by the court who has been found to have committed a delinquent act, which, if committed by an adult, would be a felony.

46. Off-campus instruction - for the purpose of this policy, an alternative educational program that may be used for students who are being considered for expulsion. Off-campus instruction is offered to students whose suspension is extended beyond 10 days. Students assigned to the off- campus instruction program are prohibited from entering any school during the period of suspension without express permission of the principal/designee or attending or participating in other Volusia County Schools’ events or activities.
47. Pornographic materials and communications - vulgar or obscene materials or communications, oral or written. This includes notes and phone calls and other communications such as Internet communications, as well as the possession of lewd or obscene drawings, pictures, or magazines. Magazines, which depict nude models, are included in this category.

48. Possession - to have custody or control over an item or items. This includes, but is not limited to, having an item on your person, or in your personal belongings. This includes lockers and vehicles.

49. Principal to a criminal act - aiding, abetting, counseling, hiring, or otherwise procuring a criminal offense, where such offense is committed or is attempted to be committed.

50. Problem Solving Team - intervention driven/progress monitoring teams at each school site which assists students, families, and teachers in seeking positive solutions for all students. A critical component of problem solving teams is the collaboration of all stakeholders within the school community (i.e., school administrators, teachers, school psychologists, school counselors, school social workers, speech/language clinicians, reading specialists, parents, and other relevant personnel including community agencies when necessary).

51. Profane, obscene, or vulgar language - any expression in any language, either verbal, written, or by gesture which is disruptive and/or offends individuals or groups and violates the norms of the school and community.

52. Propellants - a gas or liquid, which is expelled from a canister or container designed for personal protection.

53. Riot - a violent disturbance by three or more students with a common purpose.

54. Robbery - taking money or other property from the person or custody of another by the use of force or threat.

55. Scuffling - wrestling, grappling, hitting, or tussling on the part of two or more students in which there is no degree of injury.

56. Secret societies - the organization of, establishment of, promotion of, membership in, or pledge of membership in any secret fraternity, sorority, or group (including a gang) wholly or partly composed of student(s) enrolled in the public schools and which perpetuates itself wholly or partly by taking in additional members on the basis of the decision of its membership rather than on the right of any student who is qualified by the rules of the school to be a member. Displaying or wearing any secret society organization logo in any way disruptive of the educational program is prohibited.

57. Sexual battery - any sexual act or attempt directed against another person, forcibly and/or against the person's will where the victim is incapable of giving consent because of his or her youth or because of temporary or permanent mental incapacity. This category includes rape, indecent liberties, child molestation, and sodomy. This category requires law enforcement involvement and the filing of criminal charges.

58. Sexual harassment - as defined in School Board Policy 509, including any of the following actions or activities: unwanted, verbal, or physical sexual behavior which is offensive and objectionable to the recipient causes discomfort or humiliation and interferes with school performance. Examples include, but are not limited to, touching breasts or buttocks, verbal comments, touching oneself in
front of others, and/or spreading sexual rumors.

59. **Suspension** - a temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities except as authorized by the principal or the principal’s designee, for a period not to exceed ten (10) school days and remanding of the student to the custody of the student’s parent with specific homework assignments for the student to complete. Students under suspension are prohibited from entering any school during the period of suspension without the express permission of the principal/designee or attending or participating in Volusia County Schools’ events or activities.

60. **Synthetic/Counterfeit drugs** - any substance that is represented to be, represented to contain, mimics, or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, intoxicant, or controlled substance of any kind under the law of Florida or federal law. This includes, but is not limited to, any substance that produces the same effect as or is represented to produce the same effect as a controlled substance or any analogue of a controlled substance including, but not limited to “Bath Salts” or “K-2”, also known as “Spice” or “legal weed.”

61. **Telecommunication devices** - any device that is capable of transmitting voice, text, video, or pictures from one person to another.

62. **Theft** - the unlawful taking of the property of another without threat of violence or bodily harm.

63. **Time-out** - A behavior modification technique where a student is removed from classroom activities for a period.

64. **Tobacco citation** – a non-criminal civil citation issued by law enforcement for underage possession of tobacco or tobacco products that may result in an assignment to a cessation or educational program and/or fine, etc.

65. **Tobacco products** - all items, which in total or in part, include tobacco or a by-product of tobacco, or any other smoking product and any smokeless or spitless tobacco, including but not limited to, cigarettes, cigars, chewing tobacco, snuff, and pipe tobacco or electronic cigarette/vaping device in any form.

66. **Toxic plants** - any plant, tree, or shrub, that when ingested causes a mind or mood-altering state, or which is poisonous to the body.

67. **Trespassing** - willfully entering or remaining on any school board property, building or vehicle without permission or authority. This includes returning to any school board property while under suspension or expulsion.

68. **Vandalism** - willfully injuring or damaging by any means any real or personal property belonging to another.

69. **Vehicle violation** - Any violation of campus rules involving a motor vehicle.

70. **Walkie-talkies** - a battery powered portable sending and receiving radio or instrument.

71. **Weapons (other)** - possession, use or intention of use of any instrument or object to inflict harm on another person, or to intimidate any person. Included but not limited to in this category are items
not being used for a curricular purpose such as all types of knives, chains (any not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length of metal not being used for the purpose it was normally intended), hunting equipment including bows and/or arrows, hunting grade sling shots, razor blades or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments, nunchakus, brass knuckles, Chinese stars, Billy clubs, tear gas gun, electrical weapons or device (stun gun), BB or pellet gun, explosives or propellants over 2 oz. Possession of any long blade or switch blade knife is included here. A common pocketknife will not be considered to be a weapon unless used as one. Weapons and other items of contraband are also prohibited from being in vehicles while on school board property or while at school sponsored events. Pursuant to F.S. 790.115(2)(a)(3), the district specifically waives the exception regarding weapons possession in vehicles provided in 790.25(5).

B. Classification of Violations

1. Violations of this code are grouped into four levels: Minor, Intermediate, Major I, and Major II. Each level has appropriate discipline responses, which are listed under each category. For the purpose of record retention, “Major” will be considered an offense listed under Level IV - Major Offenses. For the purpose of section 1006.13, Florida Statutes (Policy of Zero Tolerance for Crime and Victimization), the first two levels, Minor and Intermediate, shall be considered petty acts of misconduct, and offenses listed under Level IV – Major Offenses II, shall be considered to be acts that pose a serious threat to school safety. The categorization of offenses listed under Level III – Major I Offenses shall be determined by the principal based upon the severity of the offense. These responses are the only disciplinary actions that principals or their designees may use. Paddling, corporal punishment or other punitive physical contact are not permitted responses to a disciplinary offense.

C. General Expectations

1. In any situation where a violation of this code is alleged, the principal or designee will hear the student’s explanation and investigate the matter fully before determining if a violation has occurred. If a violation has occurred, the principal or designee will determine the level of that violation.

2. Each classroom teacher is expected to deal with any student's general classroom conduct. The teacher may take the following actions: in-class disciplinary action, contact the student’s parent/guardian, and/or schedule conferences with the student's parent/guardian and other staff including the problem-solving team. The student should be referred to the principal or designee only after the actions taken by the teacher are ineffective or the disruption is severe. Teachers have the authority to remove students from the classroom in accordance with the Florida Statute and district procedures.

3. Students making verbal or written threats of violence toward themselves or others or who engage in behavior that is a physical threat to themselves or others receive appropriate intervention in accordance with district procedures. Disciplinary action will be taken as is appropriate according to this policy. The degree of each threat is assessed as directed by Volusia County School’s Safety and Security Manual and discussed with the student’s parent/guardian.

4. Failure to bring materials and equipment to class, refusal to do homework, or refusal to work in class are not grounds for discipline referral unless classroom disruption results from these acts. The teacher should notify the parent/guardian when a student exhibits poor work habits.

5. Staff members are required to report any offense to administration that might be considered a criminal act under Florida law. Law enforcement will be contacted by administration to determine
whether the incident meets criterion for a charging affidavit or civil citation. In addition, all school board employees who have first-hand knowledge of a level III or IV code of conduct violation by a student shall immediately report the violation to a school administrator.

D. Statutory Notices

1. The illegal use, possession, or sale of controlled substances, as defined in chapter 893, by any student while the student is upon school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed. Any student who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under chapter 893 may be entitled to a waiver of the discipline or expulsion: (a) if the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him or her, or if the student voluntarily discloses his or her unlawful possession of the controlled substance prior to his or her arrest. Any information divulged which leads to arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging the information; or (b) if the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

2. The use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school or criminal penalties if the device is used in a criminal act. The superintendent shall establish rules and procedures governing the use of wireless communications devices by students while on school property or in attendance at a school function. Such rules and procedures shall be designed to promote quality instruction and the effective maintenance of student discipline.

3. The possession of a firearm or weapon, as defined in Chapter 790, Florida Statutes, while the student is on 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. Any student who is determined to have brought a firearm or weapon, as defined in chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation, or to have possessed a firearm at school, 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 to the criminal justice or juvenile justice system. The school board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the school board to modify the requirement by assigning the student to an alternative education program if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.

4. Violence against any school board personnel 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.

5. The violation of 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.

6. The violation of the 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.
7. Any student who is determined to have made a threat or false report, as defined by sections 790.162 and 790.163, Florida Statutes, 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. The school board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the school board to modify the requirement by assigning the student to an alternative education program if it is determined to be in the best interest of the student and the school system.

8. A student may be disciplined or expelled for unlawful possession or use of any substance controlled under chapter 893 upon the third violation of this provision.

9. Volusia County Schools will adhere to the basic eligibility and participation requirements for athletics and activities for all public schools as authorized in section 1006.15, Florida Statutes, as well as the bylaws of the Florida High School Athletic Association. Additional requirements may be implemented by a school. If so, those requirements will be published and distributed by the coach/school prior to tryouts for the specific sport. Minimum requirements for eligibility in athletics and activities may be found in School Board Policy 313. Transfer students wishing to be considered eligible for good cause beyond the scope of Section 1006.15, Florida Statutes, may request review by the District Athletic Eligibility Review Committee whose membership is designated by the superintendent. The decision of the committee shall be final and binding.

E. Discipline Offenses and Responses

Pursuant to Section 1006.07(1), Florida Statutes, the following program of positive reinforcement shall be used:

1. Level I - Minor Offenses
   - Bus disturbance - minor disruption on school sponsored transportation
   - Class or school rule violation
   - Disruption - minor disruption or disturbance of a school activity, class, or campus
   - Dress code violation
   - False document
   - Horseplay
   - *Tardiness
   - Vehicle Violation
   - Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels.

   Level I - Responses
   - First Offense - In-school conference with student and contact with parent/guardian.
   - Subsequent Offenses - In-school conference with student, contact with parent/guardian, and one or more of the following disciplinary actions:
     - Behavioral contract
     - Cafeteria restriction
• Conference with student
• Community service in lieu of suspension
• Detention
• Extended detention
• In-school suspension
• Loss or suspension of privileges including extracurricular events/activities
• Mediation
• Parent/guardian conference
• Parent/guardian visitation
• Problem Solving Team
• Restitution
• Saturday school
• Student services referral (i.e., school counselor, school social worker or school psychologist)
• Suspension
• Suspension from the bus
• Time out
• Warning
• Work detail

Dress Code Offenses - Per SS 1006.07, any student who violates the provisions of the dress code policy that prohibits a student from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment is subject to the following:

a) For a first offense, a student shall be given a verbal warning and the parent/guardian shall be called.
b) For the second offense, the student is ineligible to participate in any extracurricular activity for a period not to exceed five (5) days and the parent/guardian shall meet with the principal/designee.
c) For a third or subsequent offense, a student shall receive an in-school suspension pursuant to s. 1003.01(5) for a period not to exceed three (3) days, the student is ineligible for any extracurricular activity for a period not to exceed 30 days, and the parent/guardian shall be called and sent a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.

For violations of the school uniform policy, please reference School Board Policy 217.

*A student may not be suspended for tardiness.

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

2. Level II - Intermediate Offenses

• Bus disturbance - considerable disruption on school sponsored transportation
• Cheating/Academic dishonesty
• Disruption - considerable disruption or disturbance of a school activity, class, or campus
• Failure to appear for Saturday school, detention, or extended detention
• Gambling
• Introduction of a foreign substance (non-harmful) into food or drink
• Laser lights
• Matches, lighters, or other flammables
• Possession of chemical spray under .5 oz.
• Profane, obscene, or vulgar language or expression (in any language); either verbal, written, or by gesture directed at others
• Tobacco products - use, possession, or distribution of
• Unauthorized absence from class/leaving class, or leaving school grounds without permission
• Vehicle violation – traffic citation
• Any other violation, which the principal may reasonably believe, falls within this category which is not listed under the other three levels.

### Level II - Responses

In-school conference with student, contact with parent/guardian, confiscation of contraband, loss of grade, zero on assignment (for cheating), and one or more of the following disciplinary actions:

• Behavioral contract
• Cafeteria restriction
• Community service in lieu of suspension
• Concern of harm referral
• Detention
• Extended detention
• In-school suspension
• Loss of privileges: extracurricular events/activities
• Mediation
• Parent/guardian conference
• Parent/guardian visitation
• Problem Solving Team
• Restitution
• Saturday school
• Student services referral (i.e., school counselor, school social worker or school psychologist)
• Suspension
• Suspension from the bus
• Suspension of privileges
• Time out
• Tobacco citation or Online Tobacco Class
• Warning
• Work detail

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

*The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law where the act posed a serious threat to school/student/employee safety. In accordance with section 1006.13, Florida Statutes (Policy of Zero Tolerance for Crime and Victimization), zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including but not limited to minor fights or disturbances.*
3. Level III - Major I Offenses

- Alcohol - use, possession or under the influence of
- Ammunition - possession, or distribution of
- Bullying (including cyber-bullying)
- Burglary
- Bus Disturbance - major disruption on school sponsored transportation
- Cyberstalk
- Disruption - major disruption or disturbance of a school activity, class, or campus
- Drug paraphernalia - possession, use, or distribution of
- Drugs - use, possession, or under the influence of
- Electronic tampering/Electronic device misuse
- Extortion
- False alarm
- Fighting
- Fireworks - use, possession, or distribution of
- Forgery
- Harassment
- Hazing
- Hitting/Striking
- Hitting/Striking an employee
- Hitting/Striking with injury
- Inappropriate touching
- Indecent exposure
- Insubordination or defiance of authority
- Introduction of a foreign substance (toxic or harmful) into food or drink
- Knowingly filing or participating in filing a false report
- Look Alike Guns - use or possession
- Malicious threats of violence
- Non-prescription medication - use, possession, distribution, or sale
- Paintball and air soft guns - use and/or possession of
- Pornographic materials and communications including Internet material - possession, distribution, or display
- Possession of a chemical spray between .5 and 2 oz.
- Possession of a common pocketknife
- Principal to a Level III Criminal Act
- Racial, ethnic, or religious harassment or harassment based upon a disability
- Secret society - organization, establishment, promotion, membership, participation in any secret society related activity or displaying or wearing any secret society organization or gang logo in any way disruptive of the educational program.
- Sexual harassment
- Synthetic/Counterfeit Drugs - use, possession or under the influence of
- Telecommunications devices – the exhibition of, either by sight or sound, or use of during normal school hours or while riding school sponsored transportation unless approved by the bus operator or supervising teacher, permitted by district procedure, or permitted by district or school instructional programs.
- Theft
- Toxic plants - use, possession, distribution, or sale
- Trespassing
- Vandalism under $1,000
- Walkie-talkies, possession/use
• Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels.

Level III - Responses

Parents/Guardians may request a conference with the principal and one or more of the following disciplinary actions:

• Assignment to an alternative education program
• Civil citation program
• Community service in lieu of suspension (Not appropriate for all Level III Offenses - consult with the District Office)
• Confiscation
• Concern of harm referral
• Expulsion recommendation from school or bus
• In-school suspension
• Problem Solving Team
• Restitution
• Saturday school
• Student services referral (i.e., school counselor, school social worker or school psychologist)
• Suspension from school or bus (suspension must be considered for the possession of a common pocketknife)
• Suspension from driving/vehicle restriction
• Threat Assessment

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law where the act posed a serious threat to school/student/employee safety. In accordance with section 1006.13, Florida Statute (policy of Zero Tolerance for Crime and Victimization), zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including but not limited to minor fights or disturbances.

4. Level IV - Major II Offenses

• Alcohol - distribution or sale, or attempted sale (including substances represented as alcohol)
• Arson
• Assault on a school board employee
• Assault on a student(s)
• Battery on a school board employee
• Battery on a student(s)
• Bomb threat
• Disorderly conduct
• Drug distribution, attempted distribution, sale, or attempted sale
• Explosives
• Firearm distribution, sale, use, or willful possession
• Homicide
- Kidnapping
- Principal to a Level IV Criminal Act
- Riot
- Robbery
- Sexual battery
- Synthetic/Counterfeit drug distribution, attempted distribution, sale, or attempted sale
- Vandalism over $1,000
- Vehicle theft
- Weapon use, threat, or possession
- Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels

### Level IV - Responses

Parents/Guardians may request a conference with the principal and one or more of the following disciplinary actions:

*Expulsion must be recommended to the District Student Placement Committee for all Level IV offenses. Unless otherwise recommended by the superintendent, expulsions for firearms or disorderly conduct shall be for no less than one calendar year.*

- Administrative assignment to an alternative education program
- Expulsion (pending expulsion, students will be suspended and will lose all privileges pertaining to extracurricular events and activities).
- Concern of harm referral
- Restitution
- Student Services Referral (i.e., school counselor, school social worker or school psychologist)
- Threat Assessment

*The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law.*

Note: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.

### III. Code of Student Conduct and Discipline Procedures

#### A. State and federal law recognizes that teachers and school administrators have a need to stand in the place of parents over children entrusted to them at school. This is a concept called in loco parentis. While this power is not equal to a parent’s power over a child, it permits school personnel to exercise a degree of supervision and control over students that could not be exercised over free adults.

Consistent with this concept, school personnel can search without a warrant based on reasonable suspicion and are not held to the higher standard of “probable cause” by which law enforcement is bound. Also consistent with this concept, school personnel can question a student without providing him or her with Miranda warnings or allowing the student to call a parent or attorney.

#### B. Suspension Procedure

1. The principal or the principal’s designee may suspend a student only in accordance with the code of student conduct and discipline. The principal or the principal’s designee shall make a good faith
effort to immediately inform a student’s parent by telephone of a student’s suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student’s parent by United States mail. Each suspension and the reasons for the suspension shall also be reported in writing within 24 hours to the Superintendent. A good faith effort shall be made by the principal or the principal’s designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined in this policy. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him or her prior to the suspension. Each student shall be given an opportunity to present his or her side of the story. All disciplinary meetings between the principal, the student and the parent or guardian shall be informal and not in the nature of an evidentiary hearing. Therefore, requiring testimony, cross-examination, or similar legal proceedings are not permitted. Should the parent disagree with the principal’s decision to suspend the student, the parent shall have the right to meet with the principal and explain why he or she believes the suspension to be unwarranted and/or not appropriate for the student. At the meeting, the principal shall review the charges and supporting information with the parent. The parent shall then be given the opportunity to present any additional information he or she may have and to explain why he or she believes the suspension to be unwarranted or inappropriate. The principal shall then consider the information provided and communicate their determination to the parent. If the parent is not satisfied with the determination made by the principal, the parent may request that the superintendent/designee review the matter. The superintendent/designee shall review all information considered by the principal, and may choose, in his or her own discretion, to meet with the parent to discuss the matter further. The decision of the superintendent/designee shall be final and binding. No student shall be suspended for unexcused tardiness, lateness, absence, or truancy.

2. When a student is suspended for possession, distribution, attempted distribution, sale, or attempted sale of a controlled substance, or willful possession of a firearm or a weapon, or has committed any other offense which is a crime under Florida law, parents/guardians, law enforcement officials, and the superintendent shall be notified by the principal or designee as soon as possible.

3. A principal may suspend a student from school or from riding the school bus for up to ten consecutive school days.

4. The exclusion of a student with disabilities and/or a handicapping condition for more than ten (10) consecutive school days constitutes a “significant change in placement” under 34 C.F.R. Section 104.35. The determination of whether the series of suspensions creates a pattern of exclusions that constitutes a significant change in placement must be made on a case by case basis. In no case, however, may a series of short-term exclusions be used as a means to avoid the Supreme Court’s prohibition of suspensions of more than ten (10) days.

5. The superintendent shall have the authority to extend the suspension of a student beyond ten (10) days where such suspension period expires before the next meeting of the school board, where the school board will be considering a recommendation from the superintendent to expel the
student. The superintendent may further recommend an extension of a suspension to the school board for the purpose of providing proper notice of a recommendation for expulsion, or for further study and review of the student and matter at issue. During such extended suspension, the student shall be provided educational services.

6. Suspension proceedings may be initiated against any enrolled student who is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, if that incident is shown, in an administrative hearing with notice provided to the parents of the student by the principal of the school pursuant to rules adopted by the State Board of Education and to rules developed pursuant to section 1001.54, Florida Statutes, to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Any student who is suspended as the result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time, which may exceed ten (10) days, as determined by the superintendent. The suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in an alternative education program. If the court determines that the student did commit the felony or delinquent act which would have been a felony if committed by an adult, the school board may expel the student, provided that expulsion under this subsection shall not affect the delivery of educational services to the student in any residential, nonresidential, alternative, daytime, or evening program outside of the regular school setting.

NOTE: Procedures for suspension of students enrolled in exceptional student education programs may be found in Policy 303, Special Programs and Procedures for Exceptional Students.

C. District Student Placement Committee

1. The principal shall have the authority to make referrals for expulsion for students having committed a Level III or Level IV offense under this code. All referrals for expulsion must be forwarded to the coordinator of student discipline and records who shall convene the District Student Placement Committee to consider what action should be taken. The membership of the committee shall be designated by the superintendent. Based on the facts and evidence in each case, the committee shall decide if the student should be recommended for expulsion. The committee’s recommendation shall be transmitted to the superintendent for appropriate action.

2. The committee also has the authority to place a student in an alternative setting in lieu of a recommendation for expulsion. Notice of the placement shall be provided to the parent in writing. Should the parent disagree with the committee’s determination to place the student in an alternative setting, the parent shall have the right to meet with the committee and explain why he or she believes the placement to be unwarranted and or not appropriate for the student. The parent shall have ten (10) calendar days from receipt of the notice to request to meet with the committee. At the meeting, the coordinator of student discipline and records shall review the charges and supporting information with the committee and the parent. The parent shall then be given the opportunity to present any additional information he or she may have, and to explain why he or she believes the placement to be unwarranted or inappropriate. The committee shall then deliberate, consider the information provided, and provide the parent with a response within five (5) calendar days of the meeting. If the parent is not satisfied with the determination made by the committee, the parent may request that the superintendent/designee review the matter. The superintendent/designee shall review all information
considered by the committee, and may choose, in his or her own discretion, to meet with the parent to
discuss the matter further. The decision of the superintendent/designee shall be final and binding.

3. Additionally, the committee has the authority to determine the most appropriate educational
placement for the following students: student completing alternative education programs, students
returning from the Department of Juvenile Justice commitment programs and students entering Volusia
County Schools from a specialist program or being considered for expulsion in another district or state.

D. Expulsion Procedures

1. Only the school board has the authority to expel a student or cancel an expulsion. The term of
expulsion may be for no more than the remainder of the school year and one additional school year.

2. If a student is referred for possible expulsion, the parent/guardian will receive a letter explaining the
reason for the referral. If the student is recommended for expulsion by the superintendent, the
student’s parent/guardian may request a hearing before the school board. The hearing will be held in
accordance with section 120.569 and 120.57(2), Florida Statutes. Expulsion hearings are exempt from
section 286.011. However, the student’s parent must be given notice of the provisions of section
286.011 and may elect to have the hearing held in compliance with that section. If the evidence at
any hearing does not support a finding that the offense charged has occurred, the school board may
find that any lesser offense provide by the evidence has occurred, if the lesser offense is also
described in the recommendation for expulsion. Failure to submit a timely request for a hearing shall
be deemed a waiver of the student’s right to a hearing before the school board. The meeting with the
school board shall follow a meeting with the District Student Placement Committee. Failure to appear
before the school board when the recommendation for expulsion is to be considered shall be
deemed a waiver of the student’s right to a hearing. The student and parent/guardian have the right
to legal counsel and representation at their own expense, the right to present witnesses on the
student's behalf, the right to cross-examine witnesses, and the right to present a defense.

3. The school board has the authority to honor the final order of expulsion or dismissal of a student by any
in-state or out-of-state public district school board or private school, or lab school, for an act which
would have been grounds for expulsion according to this Code of Student Conduct and Discipline. For
this action to be taken, the prior order of expulsion must have been recorded in the school district’s
records and the expelled student applying for admission to the school district must have been advised
of the final order of expulsion. The superintendent may recommend to the school board that the final
order of expulsion be waived and the student be admitted to the school district, or that the final order
of expulsion be honored and the student not be admitted to the school district. If the student is
admitted by the school board, with or without the recommendation of the superintendent, the student
may be placed in an appropriate educational program at the direction of the school board.

D. Last Resort Expulsion Procedures

1. A student may be expelled from school attendance if the student persists in violating the rules of the
School District of Volusia County. Expulsion may result from continued violation of this code or school
rules. In contrast to drug expulsions and expulsions for dangerous weapons and/or violence against
person or property, prior to any expulsion under this paragraph the school must first have exhausted
alternative methods of attempting to modify the student’s behavior and the student must continue
to refuse to conform to the rules of the school and/or district. Alternative methods include but are
not limited to a Problem-Solving Team referral whereby appropriate, evidence-based interventions
are identified and implemented and the student’s responses to those interventions are documented.
2. The school need not try all those items enumerated under "Discipline Responses," but the school must attempt any corrective measures, which have a reasonable chance of modifying the student’s behavior to bring the behavior into conformity with the rules of the school and/or district.

3. Parents/guardians and students should be aware that even if the student reaches the point of last resort at the student's regular school, placement into an alternative education or exceptional student program is possible. However, placement in any of these programs depends on the student's meeting the criteria for admission to the program and being placed there by the District Student Placement Committee.

F. Peer Mediation

Some of Volusia County Schools operate a peer mediation program to handle minor code violations and student disputes. Interested students may be selected to participate in this program. Parents or guardians may elect not to have their children participate in such a program by providing notification to the school.

G. Waiver of Expulsion

1. The parent/guardian of an expelled student may make a request for waiver of the expulsion to the principal who may forward the request with recommendation to the superintendent or designee. In addition, evidence must be submitted with the waiver request documenting the successful completion of an identified drug/alcohol program or other counseling/treatment program related to the behavior/incident, which resulted in the expulsion. The superintendent’s recommendation for action on the waiver request shall be placed on the school board’s agenda for final action.

2. Together with or after an application for waiver of expulsion, a student or the parent/guardian of a student may apply to the superintendent, and the school board may approve the deletion or expunction of a record of expulsion as inappropriate in light of the circumstances of the expulsion or the overall discipline record of the student.

H. Expulsion Proceedings for Student with Disabilities

Parents/guardians of students with a disability shall by advised of their rights to due process/procedural safeguards.

1. School or bus expulsion proceedings against any student who has been properly identified and classified as a student with a disability shall be in accordance with School Board Policy 303, Special Programs and Procedures for Exceptional Students.

2. If a principal refers a student with a disability for expulsion, the superintendent or designee shall convene an Individual Education Plan (IEP) review committee in accordance with applicable law. The IEP committee shall review the appropriateness of the student’s individual education plan. The committee shall meet and determine whether the misconduct is a manifestation of the student’s disability.

3. If the misconduct is a manifestation of the student’s disability, then the student may not be expelled. A change of placement may be initiated providing that all state and federal regulations have been followed including required parent/guardian consent. Services must ensure the student can continue
to appropriately progress in the general curriculum and advance toward achieving his/her IEP goals.

4. If the misconduct is not a manifestation of the student’s disability, then the student may be expelled in accordance with the Code of Student Conduct and Discipline. However, in cases such as these, educational services must be continued in accordance with the IEP, and the IEP committee must determine the services necessary to ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving his/her IEP goals.

I. Expulsion Proceedings for Student with Handicapping Conditions

Parent/guardians of students with handicapping conditions shall be advised of their procedural safeguards.

1. If a principal refers a student with a handicapping condition for expulsion, the superintendent or designee shall convene a Section 504 committee meeting in accordance with applicable law. Under Section 504, a team of people knowledgeable about the student and his/her handicapping condition must convene and decide if the student’s misbehavior was a manifestation of the handicapping condition.

2. If the misconduct was not a manifestation of the handicapping condition, then the disciplinary action can proceed.

Legal Authority:
Sections 1001.41, 120.54, Florida Statutes

Laws Implemented:
Sections 1006.07(2), 1001.42(8), 1003.57, 1003.24, 1003.31, 1006.08, 1006.09, 1006.10, 1003.32, 1006.11, 1006.13, 1006.135, 1006.14, 893.145, 893.146, Florida Statutes; No Child Left Behind Act; Rule 6A-6.0331(7), Florida Administrative Code

History:
(Adopted -- August 13, 1985)

(Effective Date – July 28, 2020)
POLICY AGAINST BULLYING AND HARASSMENT

General Statement

It is the policy of the Volusia County School District that all its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The district will not tolerate bullying and/or harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited. Issues regarding sexual harassment, and harassment based upon race, color, sex, religion, national origin, marital status, age, political beliefs, sexual orientation, gender identity or expression, or disability shall be dealt with under School Board Policy 509, Prohibition of Harassment.

Definitions for the Purpose of this Policy

Bullying, for the purpose of this policy, shall be defined as systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. The term “bullying” shall include “cyberbullying” It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual’s school performance or participation; and may involve but is not limited to:

1. Teasing
2. Social Exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, or racial harassment
9. Public or private humiliation
10. Destruction of property

Cyberbullying, for the purpose of this policy, bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
Harassment, for the purpose of this policy, shall be defined as any threatening, insulting, or dehumanizing gesture, use of data or electronic communication or written, verbal or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his 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
3. Has the effect of substantially disrupting the orderly operation of a school

Bullying and harassment, for the purpose of this policy, also encompasses:

1. Retaliation against a student, group, or school employee by another student, group, or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
   a. Incitement or coercion.
   b. Accessing or knowingly and willingly causing or providing access to data or electronic communication through a computer, computer system, or computer network, or electronic devices within the scope of the district school system. For purposes of this policy, within the scope of the district school system means, regardless of ownership, any computer, computer system, or computer network or electronic device that is physically located on school property or at a school-related or school-sponsored program or activity;
   c. Acting in a manner that has an effect substantially like the effect of bullying or harassment.

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

It is expected that the incident(s) of bullying and/or harassment must be reported to a school administrator by any knowledgeable stakeholder.

Behavior Expectations General Expectations

The Volusia County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.
The bullying or harassment of any student, group or school employee is prohibited:

a. During any school district program or activity.

b. During any school-related or school-sponsored program or activity.

c. On school sponsored transportation.

d. Through the use of data or electronic communication that is accessed through a district owned or operated computer, computer system, computer network, or other electronic device(s). The physical location or time access of a computer-related incident cannot be raised as a defense to a disciplinary action initiated under this policy. The application of this policy shall be consistent with the standards that exist under the Constitution of the United States of America; or

e. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any non-school-related activity, function, or program. Pursuant to section 1006.147, Florida Statutes, nothing in this policy shall be interpreted or relied upon, or establish an expectation that, the school district will staff or monitor any non-school-related activity, function, or program.

Students' Rights and Responsibilities

- **Respect for Persons and Property**

  Students have the right to use school property in a manner approved by the school center.
  Students have the responsibility to respect the rights of others and not to interfere with their learning.
  Students have the right to use their personal property in a manner approved by the school.
  Students have the responsibility to respect and adhere to the rules and regulations of the school system.
  Students have the right to privacy consistent with applicable laws. Students have the responsibility to report evidence of an illegal act or violation of the code.
  Students have the right to be respected and accepted as individuals. Students have the responsibility to exhibit respect for themselves and others by dressing appropriately and in accordance with the Adopted dress code, recognizing the role that appropriate dress and respect for self and others has on orderly learning environment.

- **Knowledge and Observation of Rules and Conduct**

  Students have the right to know the rules and regulations regarding their conduct. They also have the opportunity for input in the development of these rules and regulations. Students have the responsibility to follow the rules and regulations of the school center.
  Students have the right to be assured of a school environment, which does not jeopardize their safety, health, or welfare. Students have the responsibility to follow the rules and regulations of the school center so as not to jeopardize the safety, health, and welfare of others.

- **Respect for Authority**
Students shall abide by the standards of conduct established in the Policy Guide and Code of Student Conduct and Discipline set out in School Board Policy Number 208, this policy, and by rules established by the school administrators and classroom teachers, which rules shall be consistent with Policy Guide and the Code of Student Conduct and Discipline, this policy and applicable law. Students who do not conduct themselves in accordance with such policies and rules are subject to discipline in accordance with the Code of Student Conduct and Discipline.

- **Student Recognition**

  All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self-discipline, good citizenship, and academic success, as seen in the school’s recognition plan or school rules.

- **Sanctions and Due Process**

  Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the Policy Guide and Code of Student Conduct and Discipline and this Policy.

### Consequences

#### Student Consequences

The consequence for a student who commits an act of bullying and/or harassment or who is found to have wrongfully and intentionally accused another of an act of bullying or harassment shall be consistent with the responses set out in School Board Policy 208, Code of Student Conduct and Discipline, for “Level III – Major I Offenses”, which include the following:

- Assignment to an alternative education program
- Community service in lieu of suspension *Not appropriate for all Level III Offenses - consult with the District Office*
- Expulsion recommendation from school or bus
- In-school suspension
- Concern of harm to self or to others referral
- Problem Solving Team
- Restitution
- Saturday school
- Civil Citation Program
- Student Services referral
- Suspension from school or bus

*NOTE: A student’s IEP or 504 plan must be considered when determining the response to a disciplinary infraction.*
**Employee Consequences**

Consequences and appropriate interventions for a school/district employee (s) or third-party contracted employees found to have committed an act of bullying and/or harassment or to have wrongfully and intentionally accused another of an act of bullying and/or harassment will be instituted in accordance with District policies, procedures, and agreements (Policy 418, Standards of Conduct, Procedures of the Office of Professional Standards, department and school rules and procedures applicable to the employee, and the relevant collective bargaining agreement). Additionally, acts of bullying or harassment by certified educators may, as determined by the Principles of Professional Conduct of the Education Profession in Florida, result in a sanction against an educator’s state issued certificate (Rule 6B-1.006 F.A.C.).

**Visitor and Volunteer Consequences**

Consequences and appropriate interventions for a visitor, volunteer found to have committed an act of bullying and/or harassment or to have wrongfully and intentionally accused another of an act of bullying and/or harassment will be instituted in accordance with School Board Policy 418 Standards of Conduct, which provides that the individual engaging in such inappropriate behavior may be directed by the principal/designee to leave the school, other school district facility, or school activity. In addition, if determined to be appropriate by the principal, a trespass warning may be issued in accordance with state law.
Submission of Complaints

a. Any student, parent/guardian of a student, employee, visitor, volunteer or stakeholder who believes he or she (or the child/student) has been the victim of bullying and/or harassment in violation of this policy is expected to immediately report the alleged acts to an appropriate School District official designated herein. In accordance with the law, persons shall be permitted to anonymously report such allegations, but no disciplinary action may be based solely upon an anonymous report.

b. Section 1006.147 (6), Florida Statutes, states as follows: “A school employee, school volunteer, student or parent who promptly reports in good faith an act of bullying or harassment to the appropriate school official designated in the school district’s policy and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.”

c. Students who believe they have been subject to or have observed bullying and/or harassment in violation of this policy shall report the allegation to the teacher, building principal or designee (e.g. student dean). Teachers who have observed or been told of bullying and/or harassment among students shall take the appropriate corrective action and shall make the necessary referrals to the school administration as may be warranted by the situation. Employees who believe they have been subject to or have observed bullying and/or harassment in violation of this policy shall report the allegation to their supervisor or Professional Standards. Visitors or volunteers who believe they have been subject to or have observed bullying and/or harassment in violation of this policy shall report the allegation to the administrator supervising the facility or program with which the visitor or volunteer is involved. The administrator receiving the complaint shall (in consultation with the Office of Professional Standards if the allegation is against an adult, or the Assistant Superintendent if the allegation is against a student) determine whether he or she has authority over the individual against whom the allegation has been made. If the administrator does not have such authority, then he or she shall forward the allegation to the appropriate administrator. If it is determined that the investigation is outside of the jurisdiction of the district, then the administrator shall, (in consultation with the Professional Standards Department if the allegation is against an adult, or the Director of Student Assignments if the allegation is against a student) determine whether there is an appropriate jurisdiction to which the matter can be referred. Such consultation shall also include a determination of whether local law enforcement should be notified of the allegation.

Parental Notification and Referrals for Counseling

a. Where the victim or perpetrator of the bullying or harassment is a student, then the parents of the student shall receive immediate notification of the act of bullying and/or harassment via telephone, personal conference, and/or in writing. The result of any investigation conducted by a school or district administrator under this policy will be reported in writing to the parties, to the extent allowed by law. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

If the bullying or harassment incident results in the perpetrator being charged with a crime, the principal or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying or harassment incident about appropriate school options

Schools shall refer victims of bullying and/or harassment to school counselors or the problem-solving team for appropriate interventions and shall notify the parent if other actions are taken and/or planned to protect the victim. The school shall take the necessary actions to have perpetrators of bullying and/or harassment referred to
appropriate programs and/or services. The school shall also take other action reasonably calculated to end the bullying and/or harassment and to correct the discriminatory effects on the complainant or other individuals who were subject to bullying and/or harassment, if appropriate.

**NOTE:** A student’s IEP or 504 plan must be considered when determining appropriate interventions for students with disabilities.

b. Where the victim or perpetrator of the bullying or harassment is an employee, the district shall offer referrals to counseling through the district’s Employee Assistance Program. Counseling may be required for the perpetrator.

### Data Collection/Reporting and Instruction

a. The district shall coordinate with principals to ensure that the safety and discipline data that principals are required to report under section 1006.09(6), F.S., includes reported incidents of bullying and harassment. The district will utilize Florida’s School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying and harassment as incident codes as well as bullying related as a related element code.

All reports of bullying will be entered into the discipline section of the district’s Student Information System either as a bullying incident or an unsubstantiated report.

The district will provide bullying and/or harassment incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3, and 5 and at designated dates provided by the department.

b. The Superintendent will take the necessary steps to insure that the evidenced based bullying and harassment prevention programs conducted by the district provide instruction on identifying, preventing, and responding to bullying and/or harassment for students, parents, teachers, school administrators, counseling staff, and school volunteers. This instruction shall include awareness of behaviors that lead to bullying and/or harassment as well as information concerning preventive action.

### Authorized Bullying and Harassment Prevention Programs

The Volusia County School District provides the following list of authorized programs including, but not limited to:

- PBS/PBIS (Positive Behavior Support)/Positive Behavioral Interventions & Supports
- Monique Burr Foundation for Children, Inc.
- Second Step
- Aggressors, Victims, and Bystander (AVB)
- i-Safe
- RULER
- Character Counts
- I Can Problem Solve
- Coping Cats
Why Try
- Social Skills Improvement System
- Skills Streaming
- Responsive Classrooms
- Caring Classroom Community

The district ensures that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regard to bullying and/or harassment. This requires that efforts of everyone in the school environment – teachers, administrators, school counselors, school nurses, itinerant personnel, and non-teaching staff such as bus drivers, cafeteria workers, media specialists and custodians, parents/legal guardians and students.

**Publicizing the Policy**

At the beginning of the school year, the Superintendent or designee shall, in writing inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the district’s student safety and violence prevention policy.

Each district school shall provide notice to students and staff of this policy through appropriate references in the code of student conduct and employee handbooks, and/or through other reasonable means. The Superintendent or designee shall also make all contractors contracting with the district aware of this policy.

Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying or harassment prevention messages such as posters and signs will be displayed around each school and on the district school buses.

**DATING VIOLENCE AND ABUSE (Policy 520)**

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

I. **Definition**

Dating violence and abuse includes conduct which constitutes bullying or harassment under School Board Policy 525 – Bullying and Harassment when used by one person in a current or past dating relationship to exert power and control over another when one or both of the partners is a student.

A. Dating violence and abuse can include physical contact intended to cause harm or intimidation, such as hitting, punching, slapping, scratching, and other unwelcome physical contact.

B. Dating violence and abuse may also include sexual violence, including sexual coercion.

C. Dating violence and abuse can also include verbal or emotional mistreatment/maltreatment, including pervasive put-downs or social sabotage, such as spreading gossip or rumors.
II. Reporting Dating Violence or Abuse

School employees shall report to the Principal or designee suspected cases of dating violence and abuse. Students should report suspected cases of dating violence and abuse to the Principal or designee and may do so anonymously. Student victims should report any incidences of dating violence and abuse to the Principal or designee as soon after it occurs as possible.

III. Investigations

A. The Principal or designee will investigate. If the Principal or designee determines that inappropriate behaviors have occurred on school property, the Principal or designee will decide if disciplinary action is warranted as outlined in the Code of Student Conduct and take the necessary action.

B. Confidentiality to the extent allowed by law will be upheld regarding the submission of a complaint or a report of dating violence and/or abuse and the investigative procedures that follow.

C. If the principal believes the conduct in question could be a crime, the appropriate law enforcement agency shall be notified.

IV. Curriculum

A. The curriculum for students in both middle and high school shall include dating violence and abuse. The dating violence and abuse component shall include, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

B. The curriculum shall have an emphasis on prevention-based education.

V. Training

Training on the District’s policy prohibiting dating violence and abuse and related procedures will be provided.
Discrimination & Harassment Complaint/Inquiry Procedures

The School Board of Volusia County does not discriminate based on race, color, national origin, sex, disability, marital status, pregnancy, political beliefs, sexual orientation, or age in its educational programs, services or activities, or in its hiring or employment practices. The district also provides equal access to its facilities to the Boy Scouts and other designated youth groups, as required by the Boy Scouts of America Equal Access Act.

- Any student, program participant, employee, or applicant who believes he/she has been discriminated against in violation of Federal or State statutes or School Board Policy Number 507 (Non-Discrimination and Educational Equity) or Policy Number 509 (Prohibition of Harassment) may register a complaint or inquiry by submitting a completed Complaint/Inquiry form to the Equity and Compliance Officer. Any student/parent who has concerns or complaints pertaining to Section 504 of the Rehabilitation Act should contact ESE and Students Services as shown below.

- The Equity and Compliance Officer will review the Complaint/Inquiry form for completeness to determine what action (if any) should be taken. The Equity and Compliance Officer may require additional information through follow-up phone calls or meetings.

- Complaints involving harassment or bullying as defined in School Board Policy Number 525 (Policy Against Bullying and Harassment) will be referred to the school/program administrator or Office of Professional Standards, and/or appropriate School District official(s).

- Complaints or inquiries pertaining to employee-involved sexual harassment or other forms of misconduct will be referred to the Department of Professional Standards for further investigation.

- Any complaint or inquiry which the Equity and Compliance Officer determines to present a *prima facie case of discrimination (other than harassment) in violation of statute or policy will be referred to the General Counsel for further inquiry and/or action.

- For complaints not presenting an inference of discrimination or harassment, attempts will be made, whenever practical, to resolve the issues through other means or to refer the individuals to the most appropriate sources for assistance.

- A complainant has the right at any time during the complaint/inquiry process to seek redress through other means available.

Questions, complaints, or requests for additional information regarding discrimination or harassment may be sent to:

For Employment Concerns:
Anne Marie Wrenn, Equity & Compliance Officer
Professional Standards
200 North Clara Avenue
DeLand, Florida 32721
(386) 734-7190, ext. 20313
amwrenn@volusia.k12.fl.us

For Student/Section 504 Concerns:
Aria Haire, Assistant Director
ESE
100 Wolf Pack Run
Deltona, Florida 32725
(386) 734-7190, ext. 33246
aahaire@volusia.k12.fl.us
Prohibited Items

The following are some of the items which students are prohibited from bringing to all Volusia County Schools: Possession of these items may result in suspension, expulsion and/or criminal charges being filed:

- Alcohol (In any form or amount)
- Chains or pipes
- BB or pellet guns
- Bows and arrows
- Box cutters
- Bullets
- Chemicals
- Chinese stars
- Firearms
- Fireworks
- Flammables
- Ice picks
- Knives (Any type/size)
- Laser lights
- Brass knuckles
- Numchakus
- Matches/lighters
- Walkie-talkies
- Narcotics
- Non-prescription meds.
- Prescription medication
- Synthetic/counterfeit drugs
- Sling shots
- Drug paraphernalia
- Tobacco products
- Stun guns
- Weapons (Other)
- Toy guns
Section 1006.10 (1-7), Florida Statutes gives school bus drivers the authority to monitor and control the behavior of students any time they are being transported to and from school or school functions at public expense.

**Standards of Conduct for Riding a School Bus:**

*Student conduct, which distracts the driver, endangers the health and safety of other students, or demonstrates a willful disregard for transportation rules shall be reported to the Principal or the Principal’s Designee.*

1. Students must obey the driver, monitors, and chaperones always and follow the standards of conduct while riding the school bus.

2. Students must be at the bus stop on time (ten minutes prior to scheduled pick-up). The bus driver cannot wait for those who are tardy.

3. Students are always to stand at least five (5) feet off the roadway while waiting for the bus.

4. A student’s parents have the responsibility for the control and direction of the student at the bus stop.

5. Students must ride their assigned buses and cannot board or depart the bus at any stop other than their regular stop, unless authorized by the Principal and the Transportation Department.

6. Students are to enter and exit the bus in an orderly manner, enter the last four digits of their District Alpha ID and sit in assigned seat, and buckle seat belt.

7. No eating, drinking, or chewing gum is allowed on the bus.

8. No glass or breakable containers are allowed on the bus.

9. No reptiles, insects, animals, or marine life (dead or alive) can be transported on the bus.

10. Absolute silence is required of students at railroad crossings and/or anytime the dome lights are on.

11. Bulky or objectionable objects, including musical instruments, that cannot be held in the student’s lap is not permitted on the bus. No objects may block the aisles or emergency exits.

12. No items are to be thrown or propelled out of the bus windows. (Behavior that violates this rule/expectation may be classified as a felony. The student and the parent/guardian shall be held responsible for any damages that result from such an act.)

13. Defacing or vandalizing a school bus is forbidden. Restitution will be required for any damages sustained and legal actions maybe initiated.

14. No profanity, obscene language, offensive gestures, or offensive materials of any nature are permitted on the bus.

15. Smoking and/or use of any tobacco products or other mood-altering substances is strictly prohibited.

16. After disembarking, those students who must cross the road shall cross approximately ten (10) feet in front of the stopped bus or as directed by the bus driver.
17. Students are subject to be videotaped at any time, to monitor student behavior and to ensure the security and safety of the students.

**Note:** The consequences for a violation of rules for conduct while being transported on a school bus may include, but are not limited to, suspension of transportation to and from school and school functions at public expense, out-of-school suspension and/or recommendation for expulsion.

**Note:** Section 1003.32 (1) (i), Florida Statutes, empowers teachers and other instructional personnel to press charges against a student if a crime has been committed against a teacher or other instructional personnel on school property, on school sponsored transportation, or during school sponsored activities.

---

**STUDENT EDUCATION GRIEVANCE PROCEDURE (Policy 508)**

A. **Definitions**

1. **Grievance:** (a) An allegation that a student’s rights under school rule, school board policy, state law and/or federal law have been violated; (b) An allegation that a parent’s or guardian’s rights under school board policy, state law and/or federal law relating to the education of a child over whom he or she has responsibility has been violated.

2. **Days:** Workdays as defined under the school district’s twelve-month calendar.

3. **Grievant:** Either a student enrolled in the Volusia County School District, or the parent or guardian of a student enrolled in the Volusia County School District.

B. **Procedure**

1. **Step One** - Within twenty (20) days of the event which gave rise to the grievance, the student and/or the student’s parent or guardian shall meet with the school principal to resolve the matter informally. The grievant shall inform the principal that the meeting is for the purpose of initiating the grievance procedure. A student and/or the student’s parent or guardian may choose to first contact the equity officer regarding the grievance prior to meeting with the school principal. If such contact occurs, the twenty (20) day period set out in this step shall be extended to thirty (30) days. Within five days of the meeting, the principal shall provide the grievant with a written response to the issue raised. The principal shall include a grievance form with the response to the student and/or the student’s parent or guardian. The principal shall complete the applicable portions of the form and acknowledge the date on which the conference occurred.

2. **Step Two** - If the grievant is not satisfied with the results of his or her meeting with the principal, the grievant may advance the grievance to step two of this grievance procedures. To do so, the grievant must, within ten days after receipt of the response from the principal, file a copy of the grievance form with the area superintendent responsible for the school. The grievant shall be responsible for completing the sections of the form requiring a statement of the grievance and the facts involved, the remedy requested, and the school rule, school board policy, state law and/or federal law that is alleged to have been violated. The grievance form must be complete at the time it is filed. The area superintendent shall discuss the facts and the applicable school rule, school board policy, state law and/or federal law raised by the grievance with the grievant. The area superintendent shall contact the school principal to ascertain the principal’s position on the issues raised by the grievance. The area superintendent shall also have the authority to, while maintaining required student confidentiality, discuss the grievance with other individuals who may provide relevant information. While the grievance meeting is not a trial and the rules of civil procedure and evidence do not apply, the grievant may present witnesses and evidence at the meeting in support of his or her grievance. The area superintendent shall render a decision within fifteen (15) days of receipt of the grievance and shall notify the grievant of the decision by certified mail, return receipt requested. A copy of the decision will also be sent to the school principal. Any determination involving an alleged violation of a school rule shall be considered final and may not be further advanced.
3. **Step Three** - If the grievant is not satisfied with the area superintendent’s decision, the grievant may advance the grievance to step three of this grievance procedure, providing the grievance relates to school board policy, state law and/or federal law. To do so, the grievant must, within ten days of receipt of the area superintendent’s decision, file a written request for an informal hearing with the area superintendent. The area superintendent shall forward the request for informal hearing to the superintendent, who shall designate a hearing officer. The hearing officer shall schedule the date, time, and place for the informal hearing. The grievant, the area superintendent and the school principal shall be present. The hearing officer and superintendent may establish additional rules for the conduct of this informal hearing, provided these additional rules do not conflict with this policy. These rules must be written, published, and made available to the grievant and administration prior to any informal hearing. The grievant and the administration have the right to be represented by counsel. Should the grievant choose not to be represented by counsel, another person of their choice may accompany him or her. The parties will be called upon by the hearing officer to state their position on the issues raised by the grievance. The parties may choose to present witnesses who have personal knowledge of the facts. However, the informal hearing is not evidentiary and does not include any right to subpoena or to cross-examination, nor shall any transcript be kept. The hearing officer shall render a written decision within ten (10) days of the close of the hearing. A copy of the decision shall be sent to the grievant by certified mail, return receipt requested. A copy of the decision shall also be forwarded to the school principal, the area superintendent, the equity officer, and the superintendent. The hearing officer’s decision shall be considered final action. However, the superintendent shall have the authority to amend the decision when, in his or her sole discretion, the superintendent believes such amendment is appropriate under school board policy, state law and/or federal law. The superintendent shall have the discretion to establish the process for such amendment.

**PUPIL INFORMATION POLICIES**

**STUDENT APPEARANCE, DRESS AND UNIFORM CODE**

I. **GENERAL STATEMENT**

Responsibility for the dress and appearance of students enrolled in the School District of Volusia County primarily rests with parents and the students. Some student apparel, however, may not be appropriate to wear to school even though that same apparel may be appropriate to wear in other settings. To assist parents and students in making appropriate fashion and grooming decisions for school, the School Board has established the following minimal guidelines for the appearance and dress of students.

The standards of appearance for students shall ensure that the students are clean, neat, and properly dressed. They shall observe modes of dress and standards of personal grooming which are appropriate for the academic environment.

It is the responsibility of the principal to see that the dress appearance of any student shall not be extreme, to the point of creating a disturbance, or be hazardous to the student and/or others, or school property, whether or not the specific case is covered by the information below. The principal or principal’s designee has the final authority for interpreting whether a student’s apparel/appearance conforms to the dress code. If a student enters the district after the start of the school year, the student will have a grace period of five(5) school days before being required to fully comply with this dress code.

The Board finds that school uniforms promote the safety and welfare of students and employees. The Board further finds that uniforms promote an environment that enhances learning and safety; encourages the expression of student individuality through personality and achievements rather than outward or material appearance; and creates a sense of school pride and community.
II. GENERAL DRESS CODE REQUIREMENTS

The following dress code applies to students who are exempt from the school uniform requirement set forth in this policy and to all students while attending school-sponsored activities after the regular school day.

A. Unacceptable attire. A student may not wear clothing (including bandanas), jewelry (including body piercing jewelry), buttons, haircuts, tattoos, or other attire or marking which are offensive, suggestive, disruptive, or indecent, such as:

1. clothing associated with gangs.
2. clothing encouraging or promoting the use of tobacco, drugs, alcohol, or violence.
3. clothing associated with the discrimination based on age, color, handicap, national origin, marital status, race, religion, or sex.
4. clothing exposing the torso or upper thighs, such as see-through garments, mini-skirts or mini-dresses, halters, backless shirts or dresses, tube tops or tank tops without over-blouses or shirts, spaghetti strap garments without over-blouses, bare midriff outfits, or shirts or blouses tied at the midriff.
5. clothing not properly fastened or with tears.
6. clothing or outer garments traditionally designed as undergarments, such as boxer shorts, underwear, tights, hosiery, and sleepwear.
7. clothing or footwear that is construed by the principal, or designee, as hazardous or dangerous to the health or safety of the student or others or which might reasonably lead the principal or designee to forecast substantial disruption of, or material interference with school activities.

B. General Dress Code Policy Requirements

1. Appropriate sizes - Garments must be of a length and fit that are suitable to the build and stature of the student.
2. Upper garments – Upper garments must be long enough to clearly overlap the beltline or stay tucked in during normal movements during the day.
3. Lower garments – Lower garments with visible belt loops shall be worn with a belt that is properly fastened. Exceptions will be allowed for students in grades K – 5 and in individual cases based upon the discretion of the principal or designee. The waistband of pants, shorts or skirts must be worn and secured between the hips and the waist. Undergarments and the buttocks must remain entirely covered even while seated. Jumpers, skirts, and shorts must be at least mid-thigh or below in length.
4. Head - No hats, caps, visors, hoods, bandanas, sunglasses, or other head gear may be worn inside an enclosed school building except with administrative permission (i.e. medical necessity, religious, school related events)
5. Shoes/Footwear - All students shall wear shoes/footwear. Students must wear shoes that are safe and appropriate for the learning environment. Students must wear athletic shoes in all physical education classes.

6. Outerwear – Coats, jackets, sweaters, and other appropriate outer garments when necessary due to weather conditions. When outer garments with hood are worn, the hoods must be removed from the head while in school buildings. The outer garments must be of the appropriate size and shall not be overly baggy or violate any provisions of the dress code.

C. Violation of dress code requirements.

Violation of paragraph II shall be deemed a Level I dress code violation as provided in policy 208.

### III. SCHOOL UNIFORM REQUIREMENTS.

Beginning in the 2016-2017 school year, there is hereby established a school uniform requirement that applies to all student enrolled in grades K-12 during the regular school day. These uniform requirements shall be supplemental to those specified in paragraph I.

#### A. Basic Standardized Clothing

1. The basic uniform clothing for students in grades K-12 shall consist of a long or short-sleeved: 1) white collared, knit polo-style shirt or 2) white collared oxford style button down shirt; and navy blue, black or khaki (tan) pair of long pants, shorts, capris, skirt, skort or jumper. Blue or black denim long pants are also acceptable. A small logo is acceptable.

2. In addition to the basic uniform, a principal may designate up to two additional school colors for the collared shirt. Colored trim, stripes or decorations will not be allowed. A small logo is acceptable.

3. Pants, shorts, capris, skirts, skorts, and jumpers must be a solid color with no stripes, decorations, or embroidery. A small logo is acceptable.

4. Shoes/footwear – Elementary and middle school shoes/footwear shall be closed toe and heel, to protect the entire foot. In addition to closed toe shoes, high school students may wear sandals provided they do not interfere with the safety and welfare of the student.

#### B. Alternatives.

1. A principal may designate up to one (1) day per week to suspend paragraph III for school events or other activities. In addition, a principal may designate up to four (4) weeks each school year to suspend paragraph III for school events or other activities.

2. Student enrolled in a career academy or Reserve Officers’ Training Corps (ROTC) program may wear the approved uniform of that program. If that academy or program does not have an approved uniform, the requirements of paragraph III of this policy shall apply.

#### C. Exceptions
A principal, or designee, may approve an exception to the uniform dress code shall be permitted when:

1. A student wears a button, armband, or other accouterment to exercise right of free speech guaranteed by the United States and Florida Constitutions, unless the button, armband or other accouterment signifies or is related to gangs, gang membership or gang activity, or would otherwise violate this policy.

2. A student wears a costume or special clothing necessary to a school play or other school-sponsored activity as permitted by the principal.

The wearing of clothing in compliance with the uniform dress code violates a sincerely held religious belief of the student. The parent and/or guardian of the student shall submit the request in writing and set forth the religious issue and exemption request.

3. A parent/guardian request for a reasonable accommodation to address a student’s disability or medical necessity.

D. Financial Considerations/Assistance.

1. The provision of clothing to comply with this policy rests solely with the parent and/or guardian of each student. Nothing in this policy shall be interpreted as obligating the board, or any school, to subsidize or pay for said clothing.

2. Each principal and/or school advisory council (SAC) may develop procedures to inform students and parents of assistance and/or donation opportunities from third parties because of a financial hardship associated with compliance with this policy.

E. Violation of school uniform requirements.

1. Violation of paragraph III shall be deemed a Level I offense under policy 208. For a first offense, a student shall be given a verbal warning without a referral and the parent/guardian shall be contacted. For a second offense, a referral shall be issued and a Level I response, other than in-school suspension, shall be issued. For a third offense, in-school suspension, or other Level I response, may be issued. A violation of the school uniform requirements of paragraph III shall not result in out-of-school suspension. This progressive disciplinary process
STUDENT ATTENDANCE POLICY

Preamble

Under Florida's compulsory school attendance law, each parent of a child within the compulsory attendance age is responsible for such child's school attendance. All children who have attained the age of six years, on, or before February 1st of the school year are required to attend school regularly during the entire school term. A student who attains the age of 16 years is not subject to compulsory school attendance if the student files a formal declaration of intent to terminate school enrollment and must be signed by the student and parent or legal guardian. Compulsory school requirements shall apply until the student turns eighteen, graduates or until the parent or legal guardian signs the declaration of intent to terminate school enrollment.

"Attendance" means being present at school or away from school on a school day and engaged in an educational activity which constitutes a part of the school-approved instructional program for the student. The parent has the responsibility to report any non-attendance and explain the cause of any school absence of a child. The superintendent has the responsibility to enforce the compulsory school attendance laws and has an obligation to notify the parent when no valid reason is found for a child's non-enrollment over a period.

The sole purpose of this policy is to set forth procedures as such are required under Florida's compulsory school attendance laws and the enforcement thereof.

The superintendent shall develop and distribute procedures that meet the school district's obligation regarding attendance under this policy, state statute and state rules and regulations, including the enforcement of school attendance requirements. The procedures must provide that schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or absence for which the reason is unknown, to prevent the development of patterns of non-attendance.

I. Excused Absence

A. Illness or other legitimate causes will be excused with the permission of the parent/guardian and the school principal, up to 15 days within the school year. After 15 days of absence, excused or unexcused, a student must have a doctor's verification for subsequent absences due to illness. In addition, the school shall also have the discretion to require that subsequent absences or tardiness be accompanied by a statement explaining the reason for such absences and tardiness. The legitimacy of a cause for being absent shall be determined by the building principal or designee based on the following criteria: (a) whether the reason for absence is equivalent in importance to the student's need to be in attendance; (b) the needs of the student and the student's family; (c) the number of absences accumulated by the student; and (d) other justifiable rationale.

B. Schools must be notified of excused absences by either personal communication or written explanation from the parent/guardian in accordance with procedures established by the school. If the parent/guardian fails to provide notification, the absence will be recorded as unexcused.

C. For students with chronic illnesses that may require more than the allowed 15 days of absences, the parent must provide a letter from the student's doctor stating that the student suffers with a chronic illness that will likely require more than 15 days of absences each year. This letter must be provided to
the school each year that the condition continues. The parent may then call in illnesses beyond the 15
days without providing additional medical documentation.

D. Medical and dental appointments should be made after school hours. When this is not possible, students
may be excused to fill these appointments. An excuse from the doctor or parent/guardian is required.

E. Religious holidays or religious instruction: Students may be excused from school for observance of
established religious holidays or for religious instruction in accordance with School Board Policy 207.
Where a student is absent for the observance of an established holiday or for religious instruction and the
school has been so notified in accordance with the terms of this policy, such absence shall not disqualify
the student from qualifying for an attendance recognition given by the school.

II. Unexcused Absence

A. The fact that the student's parent/guardian knew of the absence does not, in and of itself, require that
the absence be recorded as an excused absence by school personnel.

B. Absence without notification of school officials by the parent/guardian is considered an unexcused
absence.

C. Out-of-school suspensions are considered unexcused absences.

III. Tardiness/Late/Early Checkouts

A. A student shall be considered tardy when he or she arrives to school after the beginning of the official
school day or is not in the assigned class at the official beginning of a class period. A parent/guardian
shall notify the school as to the reason of the tardiness or early checkout.

B. Early checkouts occur when a parent/guardian removes a student from class prior to the official end of
the day.

C. Tardies and/or early checkouts will be excused with the permission of the parent/guardian and the
school principal. The legitimacy of a cause for being tardy or checked out early shall be determined by
the building principal or designee based on the following criteria: (a) whether the reason for absence is
equivalent in importance to the student's need to be in attendance; (b) the needs of the student and the
student's family; (c) the number of absences accumulated by the student; and (d) other justifiable
rationale.

D. Schools shall have the discretion to establish attendance guidelines providing that an excessive number
of tardiness may impact a student's conduct or effort grade.

E. In cases of truancy and habitual truancy that are referred to the Problem-Solving Team, tardiness/early
checkouts will be recognized and calculated in the truancy instances. For truancy purposes in the
Problem-Solving Team (PST) documentation that may be used for court action, five unexcused tardies
and/or five unexcused checkouts will equal one unexcused absence.
IV. Procedures for Addressing Absences

A. Upon each unexcused absence, or absence for which the reason is unknown, the school principal or their designee should contact the parent to determine the reason for the absence.

B. If a student has had at least five unexcused absences within a calendar month or 10 unexcused absences within a 90-calendar day period, excluding out-of-school suspensions, school personnel should evaluate the attendance to determine if a pattern of non-attendance is developing. Unless there is clear evidence that the absences are not a pattern of non-attendance, the principal or designee shall refer the case to the school’s Problem-Solving Team. Teachers can consult with school social workers about attendance concerns at any point throughout the problem-solving process. The Problem-Solving Team chair, school representative, and school social worker will review the attendance reports to determine which students/cases are serious enough to forward to PST. Data determines whether the problem should be addressed through the PST or through a PST meeting designated for attendance concerns only. If the Problem-Solving Team determines that a pattern of non-attendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies. If the initial meeting does not resolve the problem, the Problem-Solving Team shall implement the following:

(a) frequent attempts at communication between the teacher and the family; (b) evaluation for alternative education programs; or an (c) attendance contract

C. A referral may be made to the school social worker if interventions implemented by the Problem-Solving Team are not successful in resolving the truancy problem.

D. When a student has accumulated 15 unexcused absences, excluding out-of-school suspensions, within a 90-calendar day period they have met the state’s legal definition of habitual truancy. After appropriate interventions by the Problem-Solving Team have been implemented, a referral may be forwarded to the agencies identified in F.S. 1003.27, if the truancy issue is not resolved.

E. When a student reaches the age of 16, in order not to be subject to compulsory school attendance, the student must file a formal declaration with the school district acknowledging his or her intent to terminate enrollment in the school district. The declaration must acknowledge that terminating school enrollment is likely to reduce the student’s earning potential and must be signed by both the student and the parent/legal guardian. The guidance counselor or other school personnel must conduct an exit interview with the student to determine the reasons for their decision to terminate school enrollment and actions that could be taken to keep the student in school. The student must be informed of opportunities to continue their education in a different environment, including adult education and GED test preparation. Additionally, the student must complete a survey intended to provide data on the student’s reason for terminating enrollment and the actions taken by the schools to keep students enrolled in school.

F. If the family notifies the school of their plans to leave for an extended amount of time, schools should encourage them to enroll their child in the school district where they are temporarily residing. If they agree, the student should be withdrawn with the appropriate code.
If it is learned that a family has left, but the parent/guardian has neglected to notify the school, the school should follow-up as with any attendance situation when a student is not attending. Attempt phone contact send a letter, and if no response is received within a reasonable amount of time, follow-up with the school social work referral in attempts to obtain information on the status of the student.

If a student is not attending school even after proper procedures have been exhausted, schools should contact School Social Services for consultation. A student may not be withdrawn by the school until all avenues have been exhausted. Due to the fact that the district does not conduct the adult high school education program and therefore does not have access to confidential student information for students who are enrolled in that program, such students shall be coded as having been withdrawn from the district to enroll in the adult high school educational program. Such coding shall only be changed upon notice from the student or the student’s parents.

G. A student who attains the age of 18 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age.

H. When a student’s accumulated unexcused tardies/unexcused checkouts, and/or unexcused absences (or a combination of both) reach 5 unexcused absences within a calendar month, the student’s attendance history shall be reviewed to see if a pattern of non-attendance is occurring. The school can send the parent a 5-day letter as documentation to communicate this information. A student with fewer accumulated unexcused tardies/checkouts may be considered for further intervention if patterns of non-attendance are developing.

V. Habitual Truancy

Habitual truancy is defined as 15 unexcused absences within a 90-calendar day period. When a student is habitually truant, the principal must ensure that the following actions required by procedures developed by the superintendent in accordance with statutory requirements have been followed, in order to determine the cause and attempt the remediation of the student’s truancy. Parents who disagree with the remediation recommended shall have the right to meet with the Student Placement Committee to discuss the matter. If the parent is not satisfied with the action recommended by the Student Placement Committee, then the parent shall have the right to request a hearing before the school board.

VI. Parental Notification of Grades K-12 Student Absences

Parents/guardians are responsible for their child(ren)’s safe arrival either at school or onto the assigned bus. When a student is absent from school due to illness or other reasons, the parent/guardian is responsible for notifying the school, preferably the morning of the absence. If the school has not been notified about a student’s absence, school staff will attempt to notify the parent by telephone.
VII. Grades 9-12

Schools providing services to students in grades 9-12 shall have the discretion, on a school-wide basis only, to implement a requirement that where a student is absent more than nine days in a semester and does not have an overall grade of “C” or higher in a course, including make-up work, such student shall not be awarded credit in that course until the student demonstrates proficiency (70% or higher). If the determination is made to exercise this discretion, the school shall establish the method for demonstrating proficiency, e.g., attaining a grade of 70 or higher on the end of semester exam.

VIII. Make-up Work

For an excused absence, a reasonable time will be allowed for the student to complete make-up work requirements for credit as set forth in individual school policy. Make-up work for unexcused absences shall be governed by the terms established in each individual school’s policy, which may include the assessment of a letter grade penalty. However, students who are suspended shall be provided with specific homework assignments to be completed.

IX. Educational Trips

School sponsored trips are part of the educational program and are not to be considered as unexcused absences. Written permission by the parent is required to participate.

X. Leaving School Grounds

No student may be permitted to leave school grounds prior to dismissal except by combined approval of parent(s) or legal guardian and the principal or designee. Exceptions to the requirement of approval by the parent/guardian shall be where a high school allows for an open lunch, and communicates that fact to the parents, or where the student is leaving campus to participate in an academic program with the approval of the parent/guardian. No student may leave the school grounds during the school hours without following duly authorized procedures.

XI. Driving Privileges

Students who, due to failure to comply with attendance requirements may lose their driving privileges, may seek a hardship waiver for a personal or family hardship to retain driving privileges for employment or medical care. The student may request a hardship waiver from the building principal. If the request is denied, the student may appeal the denial to the Student Placement Committee. If the appeal is denied, the student may then pursue the matter through a hearing before the school board.

XII. Military Dependents

Florida Statutes Section 1000.36, Article V(E), Interstate Compact on Educational Opportunity for Military Children, states that a student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the Compact, and has been called to duty for, or is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the school superintendent. The additional excused absences are to allow the student to visit with his or her parent or legal guardian for the reasons specified.
Section 1003.05, Florida Statutes, provides additional information regarding the smooth transition to school districts for military dependents and gives first preference to special academic programs, including magnet programs.

XIII. Virtual Instruction

The district’s full-time virtual instruction program is required by state law to report attendance for every student enrolled. The nature of a virtual course allows students the flexibility of working in their course at any time from any place; therefore, attendance is based on weekly monitoring of student progress and pacing in each course. Students enrolled in Virtual Off-Campus-Instruction are required to login to every course, every day of the school week. This means attendance must be taken for full-time virtual students and these students have the same guidelines related to truancy as students in brick-and-mortar schools.

STUDENT ABSENCES FOR RELIGIOUS INSTRUCTION AND OBSERVANCES OF RELIGIOUS HOLIDAYS (Policy 207)

A student may be excused from school to attend off-campus religious instruction or to observe a religious holiday provided that such absence neither impedes the student’s educational progress nor impairs school board compliance with other school board policy, state board rules or state or federal law.

The school board shall not be liable for the health, safety, and welfare of a student while on release time during the school day for religious instruction or holidays. The student’s parent or legal guardian shall execute an appropriate form which indemnifies and holds harmless the school board from all liability for conduct which occurs on property over which the school board has no control or supervision as a condition precedent to approval of the requested release time for religious instruction. The student’s parent or legal guardian shall be responsible for transporting the student to and from the religious institution where the religious instruction or holiday observance is held.

Requests for, and review of such requests and the criteria for approval for release time during the school day shall be made in accordance with the procedures attached hereto and incorporated herein by reference. Students and parents shall be notified annually of this policy and of the rules and procedures relative thereto.
School personnel shall be authorized to assist students in the administration of prescription medication or to administer prescription medication to students while on school property or off campus on official school business when failure to take such medication during the school day could jeopardize the student's health.

Only the principal or his designee shall administer prescription medication to the student or assist the student in the administration of such medication. Administration of prescription medication by school personnel shall be done only by those persons who have been trained to do so by the Volusia County Health Department or Volusia County School Board designated licensed student health services personnel and only pursuant to authorization by the student's parent or guardian and in accord with procedures established by the superintendent.

Prescription medication shall not be allowed on school property or off campus at school sponsored activities unless the provisions of this policy and the procedures established by the superintendent have been followed.

**PROCEDURE FOR ADMINISTRATION OF PRESCRIPTION MEDICATION**

1. At the request of a student’s parent or guardian and doctor, administration of prescription medication may be done by a principal or his/her designee. The principal and the designated staff member shall have appropriate training and certification by the Volusia County Health Department or Volusia County School Board designated licensed student health services personnel prior to the administration of any medication.

2. A district form, “Authorization for School Personnel to Administer Prescription/Non-Prescription Medication to Students,” must be completed by the student’s parent or guardian and doctor prior to the administration of prescription medication. A separate authorization form shall be completed by the student’s parent/guardian for each prescription medication that must be taken during the school day.

3. Each prescription medication to be administered by school personnel shall be delivered to and/or retrieved from the designated school staff member by the student’s parent, guardian, or other adult designee. An adult designee must have written authorization from the child’s parent or guardian.

4. A parent or guardian may allow his/her child to self-administer prescription medicine in school or away from school on a school-sponsored activity provided that the parent/guardian shall have on file in the office of the principal a completed “Authorization for Student Administered Prescription Medication.” A separate authorization form shall be completed by the student’s parent/guardian for each prescription medication that must be taken during the school day. The school system will not be responsible for administration of such medication.

5. The above mentioned “Authorizations” must be reviewed at three-month intervals by the school health nurse.

6. Each prescription medication to be administered (or self-administered) in school or off-campus at a school-sponsored activity must be prescribed by a duly licensed medical practitioner authorized by the laws of this state to prescribe such medications. It must be brought to school in the original container labeled by the pharmacy or prescribing physician with the following information:
a. Name of student  
b. Name of prescribing physician  
c. Name of medicine  
d. Instructions as to dosage (amount, time, and method)  
e. Indication of special storage, if needed  
f. Pharmacy’s name, address, phone number, if applicable  

7. Each school will keep a current record of all medications administered to students by completing for each student the district form, “Student Medication Administration Record.”  

8. All medication to be administered by school personnel must be stored in its original container under lock and key in a secure location with the following exception: Emergency injectable medications, such as Epi-Pen, Glucagon, etc., must be accessible immediately in case of an emergency. It is permissible to keep such medications in a secure location, but in an unlocked cabinet during the school day. If they are stored in that manner, there should be a sign on the outside of the medication cabinet indicating the location of emergency medications, and they should be locked in a secure cabinet after school hours.  

9. If prior arrangements have been made with the principal or his designee, a parent or guardian may go to the school to administer prescribed or non-prescribed (over the counter) medications to the child. The parent or guardian shall complete the “Daily Record of Medication Administered.”  

10. Authorization for the administration of prescription medication, either by school personnel or by the student, shall expire concurrently with the prescription.  

**ADMINISTRATION OF NON-PRESCRIPTION DRUGS**  

Non-prescription medications, to include any pill, capsule, or liquid which is included in the Code of Federal Regulations labeling requirements for over-the-counter drugs, as well as any herbal medicines, dietary supplements and substances designated as energy pills or energy enhancers shall be treated as non-prescription medication for the purpose of student discipline. Non-prescription medications which are represented as controlled substances, shall be treated as controlled substances for the purpose of student discipline.  

Administration of non-prescription medications is not permitted without the “Authorization to Administer Prescription Medication to Students by School Personnel” completed by the student’s parent or guardian.
PROCEDURE FOR ADMINISTRATION OF NON-PRESCRIPTION MEDICATION

1. At the request of a student’s parent or guardian and doctor, administration of non-prescription medication may be done by a principal or his/her designee. The principal and the designated staff member shall have appropriate training and certification by the Volusia County Health Department prior to the administration of any medication.

2. A district form, “Authorization to Administer Prescription/Non-Prescription Medication to Students by School Personnel,” must be completed by the student’s parent or guardian and doctor prior to the administration of prescription medication. A separate authorization form shall be completed by the student’s parent/guardian for each prescription medication that must be taken during the school day.

3. Each non-prescription medication to be administrated by school personnel shall be delivered to and/or retrieved from the designated school staff member by the student’s parent, guardian, or other adult designee. An adult designee must have written authorization from the child’s parent or guardian, excluding sunscreen. Students may possess and use a topical sunscreen product while on school property or at a school sponsored event or activity without a physician order or prescription.

4. A parent or guardian may allow his/her child to self-administer non-prescription medicine in school or away from school on a school-sponsored activity provided that the parent/guardian shall have on file in the office of the principal a completed “Authorization for Student Administered Medication.” A separate authorization form shall be completed by the student’s parent/guardian for each prescription medication that must be taken during the school day. The school system will not be responsible for administration of such medication.

5. The above mentioned “Authorizations” must be reviewed at three-month intervals by the school health nurse.

6. Each school will keep a current record of all medications administered to students by completing for each student the district form, “Student Medication Administration Record.”

7. All medication to be administered by school personnel must be stored in its original container under lock and key in a secure location with the following exception: Emergency injectable medications, such as Epi-Pen, Glucagon, etc., must be accessible immediately in case of an emergency. It is permissible to keep such medications in a secure location, but in an unlocked cabinet during the school day. If they are stored in that manner, there should be a sign on the outside of the medication cabinet indicating the location of emergency medications, and they should be locked in a secure cabinet after school hours.
1. If prior arrangements have been made with the principal or his designee, a parent or guardian may go to the school to administer prescribed or non-prescribed (over-the-counter) medications to the child. The parent or guardian shall complete the “Daily Record of Medication Administered.”

B. ADMINISTRATION OF EMERGENCY INJECTABLE PRESCRIPTION MEDICATION (Policy 212)

A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer epinephrine by auto-injector while at school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities if the school has been provided with parental and physician authorization.

The school district shall be responsible for annual in-service medication training, successful child-specific training, as well as first aid and cardiopulmonary resuscitation (CPR) provisions consistent with implementation of Florida Statute 1002.20.

The school district, county health department, and the employees and volunteers of these agencies shall be indemnified by the parent of the student authorized to carry an epinephrine auto-injector for any and all liability with respect to the student’s use of an epinephrine auto-injector.

Emergency injectable prescription medication shall not be allowed on school property or off campus at school sponsored activities unless the provisions of this policy and the procedures established by the superintendent have been followed.

MEDICAL MARIJUANA

I. Name; purpose

A. This policy may be cited as “Zoe’s Policy.”

B. The exclusive purpose of this policy is to comply with the mandate of section 1006.062(8), Florida Statutes, for the adoption of a policy and a procedure to allow a student who is a qualified patient, as defined in section 381.986, Florida Statutes, to use marijuana obtained pursuant to that section. Nothing in this policy shall be interpreted to extend any privilege beyond that mandated by section 1006.062(8), Florida Statutes.

II. Definitions — The definitions set forth in section 381.986(1), Florida Statutes are hereby adopted and incorporated by reference into this policy unless otherwise provided below:

A. “Designated location” means a location identified, in his or her sole discretion, by the school principal for the administration of medical marijuana by an authorized caregiver.

B. “Low-THC cannabis” shall have that meaning prescribed by section 381.986(1)(e), Florida Statutes, which means a plant of the genus Cannabis, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt,
derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed from a medical marijuana treatment center.

C. “Marijuana” shall have that meaning prescribed by section 381.986(1)(f), Florida Statutes, which means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient. For purposes of this policy, the terms “marijuana” and “medical marijuana” may be used interchangeably.

D. “Student” means an individual enrolled in a district school excluding charter schools.

E. “Qualified student/patient” means a student who meets the definition of a qualified patient in section 381.986(1)(l), Florida Statutes.

III. Administering medical marijuana by caregiver

A. Marijuana may be administered by a caregiver to a qualified student/patient on district property during school hours in accordance with this policy and at a designated location only if the marijuana is for a qualifying medical condition to the extent authorized by section 381.986, Florida Statutes.

B. Marijuana cannot be administered to a qualifying student/patient by a caregiver while aboard a school bus or at a school-sponsored event except for low-THC cannabis as defined by section 381.986(1)(e).

C. This policy conveys no right to any student or to the student’s parents/guardians or other caregiver to demand access to any location on school or district property, a school bus or at a school-sponsored event to administer marijuana.

D. No district employee or contractor may administer, store/hold or transport marijuana in any form nor may it be stored in any district vehicle or on any district property, including school grounds and parking lots.

E. A caregiver seeking to administer marijuana to a qualified student/patient on district property must first provide the following to the school:

1. proof of valid physician certification by a qualified physician.

2. proof that the student is a qualified patient.

3. proof of valid caregiver identification card from the State of Florida which demonstrates that the person is authorized to administer the marijuana to the qualified student/patient; and

4. any other information or documentation determined necessary by the Superintendent or designee to reasonably implement the terms of this policy.

The school shall have five (5) school days to verify this documentation.
F. The parent/guardian/caregiver shall be responsible for providing the permissible form of marijuana to be administered to the qualified student and for removing the marijuana from school grounds immediately after the administration is complete. Administration of the marijuana shall be at a designated location and will not involve the participation, or supervision, by any employee. No qualifying student/patient shall have marijuana in their possession except during the administration process by his or her caregiver.

G. The caregiver assumes all potential civil and criminal responsibility and liability indirectly or directly connected to activities under this policy. Administration of marijuana to a qualified student under this policy is a personal and medical decision by the parent/legal guardian and is not endorsed by the Board or any school official.

H. Any caregiver must comply with applicable school check-in and check-out procedures.

I. Student possession, use, distribution, sale or being under the influence of marijuana inconsistent with, and not expressly authorized by, this policy is prohibited and is a violation of policy 208 and may subject the student to disciplinary consequences, including suspension and/or expulsion.

J. Access to a qualified student on school property by a caregiver may be limited or revoked if the qualified student/patient or the student’s caregiver violates this policy.

IV. Termination

After posting a notice at each district school and on the district website for a period of five school days, the Superintendent is authorized to suspend this policy for a period of up to one hundred twenty (120) days upon notification that the federal government is investigating whether, or has determined, that this policy violates federal law or jeopardizes its receipt of federal funds. The Superintendent may also recommend repeal of this policy to the Board through the rulemaking process during this period.

STUDENTS WITH COMMUNICABLE DISEASES

Under Florida Statutes, the Department of Health has supervision over matters pertaining to public health, including that of school students. Laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters including 10D-3.061, Florida Administrative Code, shall be followed. The superintendent of schools cooperates with the county health officer in accordance with the rules and regulations prescribed by the State of Florida. Additional information may be found in Volusia County Schools Policy 216.

CONSENT FOR HEALTH SERVICES

Students in Volusia County Schools will receive specified health services as provided for in the district health services plan. This will include such services as first aid, medication administration when prior arrangements have been made, and health screenings. Health screenings may include height and weight, vision screenings, head lice checks, scoliosis screenings, hearing screenings, dental screenings, and nursing assessments. A student who has failed the vision screening may be provided a vision exam and glasses, if eligible. A student will be exempt from any of these services if his or her parent or guardian requests such exception in writing. It will be understood that unless a parent or guardian requests this exemption, consent is given for these services. The term "screening" shall not be construed to authorize an invasive screening. Should there be a need for such a procedure, the consent of the student’s parent or guardian shall be obtained in writing prior to
performing the screening. Laws and rules relating to contagious or communicable diseases and sanitary matters shall not be violated.

PEDICULOSIS (HEAD LICE) CONTROL

1. Head lice are parasitic insects found on the heads of people. As many as 6-12 million people worldwide get head lice each year. Anyone who comes in close contact with someone who already has head lice, contaminated clothing, and other belongings is at risk for contacting head lice. According to the National Pediculosis Association (NPA), Head lice can be spread whenever there is direct contact of the head or hair of an infested individual. Lice can also be spread by the sharing of personal article like hats, towels, brushes, helmets, hair ties and so on. There is also a possibility that head lice can be spread via a headrest, pillow, or similar item. Head lice do not jump or fly and generally cannot survive longer than twenty-four hours off the host.” It is important to understand that, although lice can be transmitted from child to child if there is close head to head contact, head lice do not transmit disease.

2. Pediculosis Control Measures:

A. If a child has symptoms consistent with head lice (signs of persistent scalp itching), the child should be discreetly referred to clinic personnel for examination. Specific attention should be paid to the back of the head and scalp, and lice should be distinguished from dandruff, dirt of other insects that may have flown into the child’s hair. If the child has signs of infestation, their parent should be contacted.

B. Clinic personnel should review the guidance from the Centers for Disease Control with the parent ([http://www.cdc.gov/lice/head/treatment.html](http://www.cdc.gov/lice/head/treatment.html)) and refer the parent to their private medical provider.

C. Schools may keep a list of children who have been sent home for the treatment of head lice. If properly treated the child should be able to return to school within 24-72 hours or less. Children should not miss excessive days from school for head lice infection. If the child’s absence is prolonged the family will be contacted and further assistance will be offered.

3. Any information released to the media concerning school health pediculosis procedures must have the approval of the Superintendent of Schools or designees, prior to adoption or release to ensure clarity and consistency in communication.

4. Use of Insecticides for the Environmental Control of Pediculosis in Schools:

The National Pediculosis Association (N.P.A.) warns against the use of lice sprays as follows. “Using lice sprays on bedding, furniture and carpets is unwarranted, and may pose personal and environmental hazards. The recommendation for vacuuming is the safest and most effective alternative to spraying...”
HOMEWORK Policy 309

Each school shall have a homework policy which ensures that students will have regular home assignments which reinforce and enhance student learning. Each school shall include its homework policy in the student handbook.

SCHOOL CLUBS

Clubs

The school board recognizes that student organization of and participation in school clubs is a valuable part of the educational experience. Clubs which are an extension of the school curriculum or which promote critical thinking, good citizenship and leadership skills, service to the community or athletic skills may be approved by the school principal. The principal or designee of each school shall review the charter, principles, purposes, and activity program of each group seeking to organize as a club prior to such approval and acceptance.

The principal shall monitor the activities of all approved school clubs for compliance with their charter and activity program and may withdraw school sponsorship from any group which fails to abide by its charter, school board policies, school rules and state laws. The organization, establishment and promotion of secret societies are prohibited in the Florida Public Schools.

Meetings

Afternoon club meetings immediately following the end of the school day are encouraged. Night meetings should be eliminated as far as is practical.

Sponsors

A school sponsor or member of faculty MUST be present at all club activity programs and meetings whether conducted on or off campus.

Unauthorized Social Activities

Student-initiated events held on a class-wide basis during regular school hours, such as Senior Day or Senior Skip Day, are prohibited. Small groups, such as homeroom classes, clubs or activity groups may, if first approved by the school principal, hold picnics or parties on campus, either during regular school hours or after the normal school day, provided a school sponsor is in attendance.
### PROMOTION AND GRADUATION

#### I. PROMOTION EXERCISES

Informal activities and promotion exercises may be held in the elementary and middle schools to recognize student achievement.

#### II. GRADUATION EXERCISES

Formal graduation exercises shall be permitted only for twelfth grade students. The date of graduation shall be approved by the Superintendent/designee. Graduation exercises should be held as near to the last day of school as possible.

#### III. PARTICIPATION IN GRADUATION EXERCISES

Participation in graduation exercises is a privilege granted by the school. It is not a right possessed by students because of their having met the graduation requirements set out in School Board policy and the laws of the State of Florida. Students participating in high school graduation ceremonies shall have completed all credit requirements for graduation by the end of the senior academic year in which they are graduated and must comply with the standards for participation established by the building principal. The building principal shall have the authority to establish standards for participation including a dress code for the event, requirements regarding participation in graduation practice, and other reasonable requirements. Students who are not in attendance at school due to suspension, other disciplinary action or commission of an offense leading to a referral for expulsion which is still in process, may be prohibited from attending graduation ceremonies.

### CONDUCT AT GRADUATION CEREMONIES

Each student shall conduct himself in a manner appropriate to the occasion, respectful to his fellow classmates, school personnel, family, and guests in attendance. Disrespectful or disruptive behavior such as that described in the Code of Student Conduct shall be grounds for removal from graduation ceremonies.

Parents and/or guests attending graduation ceremonies are also expected to act in a manner appropriate to the occasion. Disrespectful or disruptive behavior that interferes with or detracts from the dignity of the occasion, including but not limited to, the use of noisemakers, air horns and other disruptive devices or behaviors, shall be grounds for removal from graduation ceremonies.
PUBLIC NOTICE REGARDING STUDENT RECORDS

Student Records Maintained by the Volusia County School District

The District maintains pupil educational records for instructional planning, research, guidance, and preparation of state and federal reports. District policies and procedures on educational records of pupils are in accordance with The Family Educational Rights and Privacy Act (FERPA) which affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student’s education records. They are:

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

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

(3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The School District of Volusia County may disclose appropriately designated “directory information” without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the School District of Volusia County to include this type of information from your child’s education records in certain school publications.

Examples include:

• A playbill showing your student’s role in a drama production
• The annual yearbook
• Honor roll or other recognition lists
• Graduation programs
• Sports activity sheets, such as for wrestling, showing weight and height of team members
• District and school websites, videos, and social media platforms (including Facebook and Twitter)
Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or public yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information — names, addresses and telephone listings — unless parents have advised the LEA that they do not want their student’s information disclosed without prior written consent. These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

If you do not want the School District of Volusia County to disclose directory information from your child’s education records without your prior written consent, please contact your school to obtain and sign an Opt-Out Form. [https://www.vcsedu.org/sites/default/files/department-files/Community%20Information%20Services/Opt%20Out%20Form.pdf](https://www.vcsedu.org/sites/default/files/department-files/Community%20Information%20Services/Opt%20Out%20Form.pdf)

Please note a different permission form must be signed to allow members of the news media to interview, photograph, videotape and/or sound record your student. It is separate from the release of directory information. [https://www.vcsedu.org/sites/default/files/department-files/Community%20Information%20Services/media%20release%202005-036%20Revised%2003-30-18_0.pdf](https://www.vcsedu.org/sites/default/files/department-files/Community%20Information%20Services/media%20release%202005-036%20Revised%2003-30-18_0.pdf)

The School District of Volusia County has designated the following information as directory information:

- Student’s name
- Parent/Guardian’s name
- Address
- Telephone listing
- Photograph and images
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors and awards received
- The most recent educational agency or institution attended

(4) The right to file a complaint with the US Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office US Department of Education

94
In addition to parent/eligible student rights regarding educational records, the School District has the right to take the following actions:

(1) The School District of Volusia County may disclose a student’s educational records without consent to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or students serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Personally identifiable information may be disclosed, transferred, or released without prior consent of the parent/guardian or adult student in connection with enrollment in another school, emergency situations, application for financial aid, research, a State Statute, an accrediting organization, and a lawfully issued subpoena.

(2) The destruction of student educational records, which may include exceptional student education information, is in accordance with the approved retention schedule approved by the Bureau of Archives and Records Management, State of Florida. When personally identifiable information collected, maintained, or records used to provide exceptional student educational services to a child with a disability is no longer needed, it will be destroyed ten (10) years after the student leaves the Volusia County School District. Note: Personally identifiable exceptional student education records may be needed by the child or the parents for social security benefits or other purposes. The parent/guardian or eligible student has ten (10) years after graduation, transfer or withdrawal from school to request a copy of student educational records.

PLEDGE OF ALLEGIANCE

A student has the right not to participate in reciting the pledge. Upon written request by his or her parent, the student must be excused from reciting the pledge, including standing and placing the right hand over his or her heart. When the pledge is given, unexcused students must show full respect to the flag by standing at attention and removing any headdress, except when such headdress is worn for religious purposes as provided by state law.
USE OF ELECTRONIC INFORMATION SERVICES AND SCHOOL OFFICE EQUIPMENT

I. GENERAL PROVISIONS

The board recognizes that electronic information services or resources (hereinafter referred to as “EIS”) are a means of providing employees and students with a wealth of information, as well as improving operational efficiency. EIS include but are not limited to network services such as Internet, databases, electronic mail, and any computer-accessible source of information, whether from hard drives, tapes, compact discs, floppy discs, or other electronic sources.

The school district may provide EIS to students and employees. Use of EIS and school office equipment is a privilege, not a right. All use of EIS and school office equipment must be in accordance with the terms of this policy, as well as any procedures established by the superintendent/designee under this policy. Anyone who violates the terms of this policy may be denied access to EIS and school office equipment and may be subject to disciplinary action.

The use of EIS significantly alters the information landscape for students and educators by making a broader array of resources available. In the past, instructional and library media materials could usually be screened, prior to use, in accordance with reasonable selection criteria. However, some EIS, such as the Internet, provide access to largely unrestricted environments. This communication can be interactive, enabling a wide variety of information to be shared. While this type of learning environment can be very positive, parents, students and staff must be aware that due to the fundamental lack of restriction on the Internet, there is the possibility of accessing information that has not been screened by educators and that may not be consistent with other school board policies.

Employees responsible for supervising student EIS use will provide reasonable guidance and instruction to students on such use. Such staff will consult relevant school board policies on curriculum and instructional materials for guidance in supervising such student use. The school board authorizes the superintendent/designee and staff to utilize filters when the staff has a reasonable belief that such filters will prevent access to information inappropriate under school board policy, without denying access to relevant information.

It is the expectation of the board that all employees abide by the Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida. This expectation applies to work related and personal use of EIS and school office equipment.

EIS provided by the district is the property of the district. The superintendent/designee may review files and communications and monitor system utilization without notice or permission. Users should not expect that EIS utilization, communications, or information sent, retrieved, or stored via EIS, including electronic mail and files stored on district equipment, will be private. The superintendent/designee has the authority to close accounts and review, copy or delete files or any other document or communication at any time.

EIS may be used to enhance communication and the exchange of information. However, such methods of communication do not constitute an open forum. The board retains the right to take any action believed necessary to ensure that EIS and school office equipment are used in accordance with state and federal laws and regulations, school board policy and administrative directives.
II. STUDENT USE

A. General Notice

The use of EIS can put new and exciting resources at the fingertips of both students and teachers. Due to the fundamental lack of restrictions on the Internet, parents, teachers and students should be aware that there is a possibility of accessing information that has not been screened by educators and that may not be consistent with other district policies. Individual users will be held responsible for their use of EIS. All students and their parents/guardians shall be required to sign and return an acceptable use agreement provided by the school prior to using EIS. [https://www.vcsedu.org/sites/default/files/department-files/Community%20Information%20Services/Signature%20Page%20Updated_1920.pdf](https://www.vcsedu.org/sites/default/files/department-files/Community%20Information%20Services/Signature%20Page%20Updated_1920.pdf)

B. Specific Provisions on Use of Equipment and Services All students must agree to adhere to the following requirements:

1. All student use of EIS shall be in accordance with school board policy, the code of conduct, other rules that the individual school may have that supplement school board policy, and the instructions given to the student(s) by staff.

2. The student is responsible for good behavior on the school computer system, just as he/she is while at school or any school district activity. School board policy and school rules for behavior and communications apply.

3. The student shall use EIS for educational purposes only.

4. The student will not access or attempt to access information that is not authorized for the student’s access or account.

5. Students are not permitted to use EIS for commercial purposes or product advertising, unless specifically allowed by the teacher as part of the class.

6. Students are not permitted to use EIS for political lobbying or campaigning. This prohibition does not restrict communications with public officials as part of a class activity approved by the teacher.

7. Students are not permitted to access, transmit, receive, submit, or publish any defamatory, abusive, obscene, profane, sexually oriented, threatening, harassing, offensive, or illegal material, any material related to gambling, weapons or terrorist activities, or any materials involving hate speech, or to make any attempt to do so.

8. Students will not use EIS to invade the privacy of and shall not trespass into another student's or employee’s folders, work, or files without proper authorization.

9. The student shall abide by all copyright laws and regulations.

10. The student shall not harm, modify, or destroy software or equipment, or interfere with system security or make any attempt to do so.

11. The student shall not introduce unauthorized software into the system.
12. The student shall not use EIS in any way that would disrupt the use of EIS by others.

13. The student shall not allow another individual to access EIS by using the student’s account or password, unless the student has authorization to allow such use by others. Students are ultimately responsible for all activity under their accounts.

C. Supervision

Employees responsible for supervising student use of EIS will provide reasonable guidance and instruction to students on such use. No student shall be permitted to engage in interactive communication using EIS without the expressed permission of the supervising staff member. Interactive communication on the Internet by students shall be closely supervised.

D. Sanctions for Misuse

Any violation of this policy by a student may result in loss or limitation of use of EIS, shall be grounds for discipline under the code of student conduct and/or referral to law enforcement where appropriate under the law, and may result in the student being financially liable for the cost of improper use.

E. Establishment of Home Page

1. Home pages shall only include student information to the extent that student information is allowed to be shared under school board policy.

2. Links on the home page shall be monitored to ensure that such links remain appropriate.

3. As with all other use of EIS, a home page does not constitute an open forum.
SCHOOL BOARD MEMBERS

Mrs. Ida D. Wright, Chairman

Mrs. Linda Cuthbert, Vice-Chairman

Mr. Carl Persis

Mr. Ruben Colón

Ms. Jamie M. Haynes

Dr. Ronald S. Fritz, Superintendent

VOLUSIA COUNTY SCHOOLS

FOR FURTHER INFORMATION VOLUSIA COUNTY SCHOOLS

P.O. Box 2118 DeLand, Florida 32721-2118

DeLand (386) 734-7190

New Smyrna Beach (386) 427-5223

Daytona Beach (386) 255-6475

Osteen (386) 860-3322