



**Orange County
Public Schools**

**Discipline Procedures
Guide
2022-2023**



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Disciplinary Guidelines



Disciplinary Consequences

This section of the guide identifies offenses for which a student may be disciplined and sets forth disciplinary consequences, which are appropriate for the offense. Each offense is defined in this action of the guide and is accompanied by a listing of appropriate disciplinary consequences. In the section immediately following the disciplinary response, a brief explanation of appropriate disciplinary consequences is provided along with a description of major procedures, which are followed to ensure procedural due process is afforded when a more severe discipline action is considered or given.

Disciplinary offenses and the responses to them are divided into four levels. Disciplinary consequences to offenses become progressively more severe as one moves upward in the levels of misconduct.

In choosing an appropriate disciplinary response for Level I, II or III offenses, school personnel may select from the disciplinary consequences appropriate to the level of the offense. In certain circumstances, a combination of disciplinary consequences may be appropriate. For example, for Level I offenses it's important to contact the parents of the student while also giving a verbal reprimand and a referral to SAFE. For a Level II offense, a student might receive a behavior contract accompanied by parental contact and counseling and directions.

Level IV offenses require up to a ten (10) day suspension and a recommendation for expulsion/removal. The School Board may expel a student for up to 180 days.

Students with an IEP/504 may be subject to a removal depending on the disciplinary offense of the Code of Student Conduct. A student with an IEP/504 plan may be removed from a school up to 10 school days within a school year without providing services identified in the Individual Educational Plan (IEP)/504 Plan. A manifestation determination is not needed for the first six through eight school days of removal, however, a manifestation determination meeting is required for all Level IV offenses.

**Parents should always be
contacted when a referral is
issued.**

Definitions

To assist in understanding disciplinary terms used in the Code of Student Conduct, this section provides specific definitions of major terms utilized in the disciplinary consequences to misconduct. (The response codes on the following pages are listed in the referral form).

1. **Alternative Class Assignment:** A student may be placed in an alternative class as a result of misconduct; P.A.S.S. is not an alternative class assignment. ESE/504 students must receive services during this alternative class assignment period of time. All ESE/504 services must be documented
2. **Behavior Contract/Plan:** A written contract or plan may be developed between the student and a teacher, principal, and/or other school personnel. Parental involvement is highly recommended.
3. **Confiscation of Unauthorized Materials/Contraband:** A student who brings materials and/or items which are prohibited or which are considered contraband may have the item or items confiscated. Custody of confiscated items by an OCPS employee will be the responsibility of the school.
4. **Consultation with Law Enforcement:** OCPS employees are required to consult with the SRO when a crime has occurred or when there is a threat to school safety. If the SRO is not available, contact a law enforcement agency. If a crime is deemed an eligible misdemeanor, the school principal or designee may recommend that the student be allowed to participate in a civil citation or similar pre-arrest diversion program as an alternative to arrest or full expulsion. The SRO will have the final determination of issuing a civil citation or pre-arrest diversion program and does not exempt the student from receiving other forms of discipline consequences from the school. This recommendation cannot be made for certain offenses such as felonies, threats to the school, and possession/use of a firearm or weapon.
5. **Contract:** A written agreement between students to avoid physical or verbal conflict to ensure the safety and the welfare of the school environment. Parental involvement is highly recommended. Including but not limited to the following: No Contact Contracts, Bullying/Harassment Contracts.
6. **Counseling and Direction:** A student involved in misconduct may be given counseling and direction in a conference with the staff or administration. The misconduct is discussed and future expectations outlined.
7. **Detention:** A student can be detained before, during, or after school hours for misconduct with approval of the principal/designee. Written notice shall be given to the parents or legal guardian 24 hours prior to the detention. Prior arrangements shall be made by the principal/designee to ensure that the student has transportation home after such detention.
8. **Early Re-entry Plan for Expelled Students:** An expelled student (fully excluded) may have the ability to apply for early re-entry as per the Code of Student Conduct. A student who receives an early re-entry back to Orange County Public Schools will attend an alternative placement site.

9. **In Loco Parentis:** Latin for “in place of the parent”. While a student is in the physical custody of the school.
10. **Mechanical Restraint:** The use of any device or equipment to restrict a student’s freedom of movement. The term does not include devices implemented by trained medical or related services professionals and are used for the specific and approved purposes for which such devices were designed such as:
- Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
 - Vehicle safety restraints when used as intended during the transport of student in a moving vehicle;
 - Restraints for immobilization; or
 - Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
11. **Parent/Guardian Conference/Contact:** In case of student misconduct, a conference or phone call between school personnel and the parent or guardian shall be held to discuss student behavior. Parent/Guardian contact is mandatory for all disciplinary consequences. During this conference/contact, future plans, alternative educational opportunities, or behavior contracts may be determined.
12. **Physical Restraint:** A personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head and hands freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out to walk to a safe location.
13. **Positive Alternative to Student Suspension (P.A.S.S.):** A student may be temporarily removed from a class or classes and assigned to the P.A.S.S. program on the school campus. ESE/504 must be provided services while in P.A.S.S. These services must be documented and provided by an ESE teacher if a student has an IEP.
14. **Referral to Intervention Personnel/Guidance Counselor/SAFE Coordinator:** A student may be referred to counseling/intervention programs, as needed, for actions such as threats, anger management, decision making, academic performance, classroom conduct, possible gang behavior, for friends/family issues and/or other behaviors.
15. **Restorative Practices:** OCPS has implemented Restorative Practices to address the unique needs of students who have committed behavior offenses in violation of the Code. Incidents that may qualify for participation in Restorative Practices include, but are not limited to, disrespect, insubordination, and altercations. A trained school staff member (administrator, teacher, or counselor) facilitates Restorative Practices conflict resolution circles with the person harmed and the person causing harm. Restorative Practices promote inclusiveness, relationship building, and problem-solving. Some restorative methods include using affective statements, restorative questions, community building circles, and conflict resolution circles.

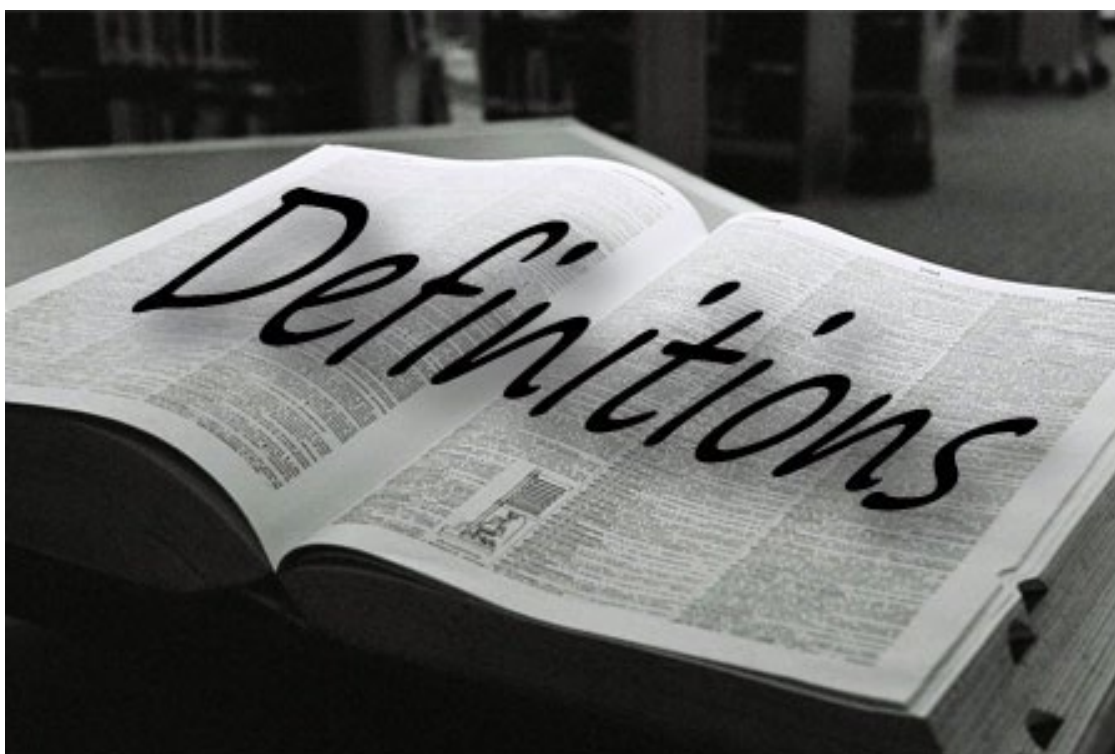
Restorative Practices also aim to build a school culture that focuses on developing and maintaining relationships among educators and students. Through Restorative Practice, all voices are heard as problems are addressed and solved. Restorative Practices teach the social-emotional and conflict-resolution skills necessary to reduce conflict.

Successful completion of Restorative Practices can serve as an acceptable consequence in lieu of a suspension or other appropriate disciplinary response.

- **Return of Property:** A student that has taken school property or the property of others will be held responsible if the property is not returned in the same condition. The student may be subject to more severe disciplinary consequences if the item is not returned.
- **Seclusion:** Orange County Public Schools prohibits the use of seclusion practices.
- **Special Work Assignment:** The assignment of a reasonable, developmentally appropriate task to be completed by a student is permissible, with appropriate supervision. Such a work assignment will not include repetitive curriculum work. Students may be required to serve on work details at the school for misconduct with parent permission. Each work detail shall not endanger the health or safety of a student.
- **Supervision Plan:** A supervision plan is required for allegations of bullying/harassment whether the incident is substantiated or unsubstantiated. It is required for the (alleged) victim and (alleged) offender. A supervision plan is required for all students remaining at a school with a threat or alleged threat. Please refer to the “Student Supervision Plan – Harm to Others” in the OCPS Threat Procedures Guide. A supervision plan may be considered for other disciplinary offenses that have a victim.
- **Safety Plan:** OCPS School Mental Health Safety Plan is a comprehensive support plan that should be completed for all students that present with threat to self, suicide or self-harm incidents. A plan should be completed by the mental health designee or a trained member of the threat assessment team. A plan provides students with an opportunity to advocate for their needs and problem solve behaviors, triggers and possible interventions.
- **Suspension: (Out of School)** Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on OCPS school grounds and all other school-sponsored activities, except as authorized by the principal or the principal’s designee, for a period of one to ten school days and remanding of the student to the custody of the student’s parent/guardian. The school is required to provide specific academic assignments for the student to complete.
 - ***Schools cannot assign a student to A2S sites as a discipline consequence. This is a parent/guardian’s choice for a student to attend A2S.***
 - ***No student who is required by law to attend school, provided he/she does not arrive at school and then leave campus, shall be suspended for unexcused tardiness, lateness, absences or truancy to school. In addition, no student shall be suspended for the following: dress code violations, Level I offenses or Level II offenses.***
 - ***The staffing and/or 504 coordinators must be notified of all students that have a(n)***

IEP/504 Plan and are suspended from school.

- **Suspension from Bus Riding Privileges:** A student may be suspended from bus riding privileges for misconduct on the school bus for up to ten (10) school days. The responsibility for transportation to and from school for the duration of the suspension now becomes the responsibility of the student's parents or legal guardian. Not recommended for elementary students. **The staffing and/or 504 coordinator must be notified of all students that have a(n) IEP/504 Plan and are suspended from the bus.**
22. **Verbal Reprimand:** Any member of the school system may verbally correct a student for misconduct at school, on school sponsored transportation, or at a scheduled school function.
23. **Withdrawal of Privileges:** The temporary removal of privileges which do not impact the education, health and safety of students.



Discipline Offenses (In Alphabetical Order)

A (Alcohol, Arson)

Alcohol - Level IV A	
Definition	The possession, use, distribution, transmission, sale, purchase, solicitation, or being under the influence of alcoholic beverages.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student assessed and determined under the influence. • Student possessing, using, or selling alcohol.
Non- Examples	<ul style="list-style-type: none"> • Student suspected of using alcohol without evidence. • Student smelled of alcohol who after investigation, was found to be diabetic.
Supporting Guidelines	<ul style="list-style-type: none"> • 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. • Sharing is defined as giving alcohol to another individual for mutual consumption. • Distribution of alcohol is defined as delivery of alcohol to another person without the intent of communal or collective consumption. It is an act involving no profit; the person is giving away alcohol. • Solicitation is the act of attempting to purchase or sell said substance. • Transmission is the act of being the <u>middleman</u> or delivery person for a transaction or an act of distribution. • Sale is defined as a person making a profit or gain from a transaction. This is not limited to monetary gains. The gains can be in the form of clothing, electronics, etc. A transaction is made with a buyer and a seller. • A picture should be taken of the container/contents. • Schools <u>will not</u> test for alcohol use. • School Administration shall first complete a Reasonable Suspicion Checklist if applicable. <ul style="list-style-type: none"> ○ Behavioral evidence alone should not be used as the basis for reporting alcohol use. • The Checklist for Searching Students form should be completed, and the Contraband Checklist if applicable. • A trained law enforcement officer, registered nurse or E.R. trained administrator(s) (two is recommended) shall conduct an assessment of students who exhibit signs of possible intoxication using the Substance Use Checklist.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)



Arson - Level IV B	
Definition	The willful and/or malicious burning of or attempt to burn board property, contents in or on the property, school transportation, or personal property of others.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student deliberately setting a trash can on fire. • Student intentionally sets toilet paper on fire.
Non- Examples	<ul style="list-style-type: none"> • Student in chemistry class, knocks down a Bunsen burner and starts a fire. • Student sets another student's hair on fire. (refer to Level IV T – Other)
Supporting Guidelines	<ul style="list-style-type: none"> • A student must intentionally start a fire. All fires must be reported to authorities so they can be investigated for intent. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)



B (Battery, Extortion/Blackmail, Bullying, Burglary)

Battery - Level IV D																			
Definition	An actual or intentional touching or striking of a student, OCPS employee, contracted personnel, or volunteer against his/her will, causing more serious injury.																		
Examples (may include, but is not limited to)	<ul style="list-style-type: none">• Student engaging in a mutual physical altercation with another and continuing to hit/beat that person even after that person stops fighting, or is no longer able to fight back resulting in serious injury.• Student hitting another with a heavy object resulting in serious injury.• Student uses an item to injure another person. (Level IV D – Battery - Only if serious bodily injury. If less serious injury – refer to Level IV Y – Physical Attack)																		
Non-Examples	<ul style="list-style-type: none">• Student delivers a single, non-injuring strike to the arm of another.• Student striking back when hit by an aggressor and becoming engaged in a fight with the aggressor (refer to Fighting code as a possible SESIR code).																		
Supporting Guidelines	<ul style="list-style-type: none">• Great bodily harm involves permanent disfigurement; permanent disability; uses a deadly weapon; or where the attacker knew or should have known the victim was pregnant.• This offense includes the actual USE of a weapon, firearm, or other dangerous objects as defined under Level IV H and K. <i>*Please ensure the weapon related indicator is marked on the referral.</i> <table><tr><td>Behavior</td><td>Possession Only</td><td>If Used</td><td>Attempted Use</td><td>Threat only</td></tr><tr><td>Level 4 code</td><td>4H,4K</td><td>4D, 4Y</td><td>4C,</td><td>4C</td></tr><tr><td>SESIR code</td><td>4H: WPO 4K: Non-SESIR</td><td>4D BAT+Weapon Related 4Y PHA+Weapon Related</td><td>TRE+Weapon Related</td><td>TRE+Weapon Related</td></tr></table> <ul style="list-style-type: none">• <u>The harm must be documented through medical evaluation.</u>• <u>The attack must be serious enough to report to law enforcement.</u>• This section does not include injury that is a result of fighting if the students are mutual combatants.• Must be reported to the school threat assessment team (STAT).				Behavior	Possession Only	If Used	Attempted Use	Threat only	Level 4 code	4H,4K	4D, 4Y	4C,	4C	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
Behavior	Possession Only	If Used	Attempted Use	Threat only															
Level 4 code	4H,4K	4D, 4Y	4C,	4C															
SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related															
Recommended Consequences	<div>Grades K-12</div> <ul style="list-style-type: none">• 10 day suspension• Discipline Team Meeting (DTM)																		



Extortion / Blackmail - Level III E		
Definition	The willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, or items of material worth.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Threatening to accuse another of a minor offense or crime in order to obtain lunch money. Student threatens to harm another for money, information or services. Student tells another student "If you don't give me your lunch money I will beat you up". Student threatens to expose pictures if they break-up with them. 	
Non-Examples	<ul style="list-style-type: none"> Student snatches another student's cell phone from their hand. (refer to Theft) Student posts pictures of another student. 	
Supporting Guidelines	<ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Must be reported to the school threat assessment team (STAT). 	
Recommended Consequences	<p>K-2nd Grade</p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice (if available) and 1 day of P.A.S.S. 2nd Offense – 2 days of P.A.S.S. 3rd Offense – 1 day of O.S.S. 	<p>3rd – 12th Grade</p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice (if available) and 1-3 days of P.A.S.S. 2nd Offense – 1-3 days of O.S.S. 3rd Offense – 3-5 days of O.S.S. (H.S. only- contact your AA if more than 3 days)
Robbery - Level IV M		
Definition	The taking, participation in taking, or attempting to take anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence and/or by putting the victim in fear.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student or other snatching a gold chain off someone's neck. Forceful taking of objects such as purses, phones, clothing etc. Student engaging in carjacking. 	
Non-Examples	<ul style="list-style-type: none"> Student taking money from an unattended purse (refer to Theft) Student posts pictures of another student after a break up (refer to Harassment). 	
Supporting Guidelines	<ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Must be reported to the school threat assessment team (STAT). 	
Recommended Consequences	<p><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM) 	


Bullying - Level II L	
Definition	A bullying offense includes repeatedly being cruel to other students, OCPS employees, volunteers, or contracted personnel, on or off Board property, school transportation, and/or at school activity, if it adversely impacts the educational environment at school for students or staff.
Examples (may include, but is not limited to)	Repeated: <ul style="list-style-type: none"> • Distribution or sharing of hurtful written text. • Posting of a picture or video (not sexual in nature) others can view. • Teasing, or name calling, and/or minor physical contact. • Purposeful exclusion with the intent of intimidation.
Non- Examples	<ul style="list-style-type: none"> • Student calls another student “stupid” one time. (refer to Level II B - Disrespect) • Student laughs at another student’s haircut or “lazy eye” one time.
Supporting Guidelines	<ul style="list-style-type: none"> • Bullying/Harassment investigation form must be completed and a Bullying Supervision Plan created for the victim and offender. • Refer to the OCPS Bullying Prevention Resources website. • If any of these incidents are repeated or if any combination of these incidents occur, this offense may be coded a Level III P.
Recommended Consequences	<p style="text-align: center;"><u>Grades K – 12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction and Verbal Reprimand • No Contact Contract • Safety/Supervision Plan • SAFE Referral • Interventions from the OCPS Bullying Prevention Resources website.
Bullying - Level III P	
Definition	The offense must include repeatedly inflicting physical hurt or psychological distress on one or more OCPS students, employees, volunteers, or contracted personnel that is severe or pervasive enough to create an intimidating, hostile, or offensive environment, or unreasonably interfere with the individual’s school performance or participation, on or off Board property, school transportation, and/or school activity, if it adversely impacts the educational environment at school for students or staff.
Examples (may include, but is not limited to)	Repeated: <ul style="list-style-type: none"> • Bullying continues after issuing a Level II L Bullying referral. • Physical contact with no injury. • Distribution or sharing of written text (cruel), picture or video to multiple recipients. • Posting picture or video to social media for public view (not sexual in nature).
Non- Examples	<ul style="list-style-type: none"> • Student pushes another student one time out of frustration. • Student sends a text to one person making fun of another student’s lazy eye.

Supporting Guidelines	<ul style="list-style-type: none"> • Less bodily injury requires immediate first aid or subsequent medical attention. • Bullying/Harassment investigation form must be completed and a Bullying Supervision Plan created for the victim and offender. • Refer to the OCPS Bullying Prevention Resources website. • If any of these incidents are repeated or if any combination of these incidents occur, this offense may be coded a Level IV V - Bullying. 	
Recommended Consequences	<p>K – 2nd Grade</p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1 day of P.A.S.S. • 2nd Offense – 2 days of P.A.S.S. • 3rd Offense – 1 day of O.S.S. 	<p>3rd – 12th Grade</p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction and Verbal Reprimand • No Contact Contract • Safety/Supervision Plan • SAFE Referral • 1st Offense- 1-3 days of P.A.S.S • Subsequent Offenses – 1-3 days of O.S.S.
Bullying - Level IV V		
Definition	Repeatedly inflicting physical hurt or psychological distress on one or more students, OCPS employees, volunteers, or contracted personnel, that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation on or off Board property, school transportation, and/or school activity, if it adversely impacts the educational environment at school for students or staff.	
Examples (may include, but is not limited to)	<p>Repeated or constant:</p> <ul style="list-style-type: none"> • Name-calling with threats. • Stalking/cyber stalking. • Distribution or sharing of written texts. • Picture/video to multiple recipients. • Posting pictures or videos to social media for public view. • Physical contact with documented (can be from school nurse) bodily injury. • Progression of discipline with previous bullying/harassment can lead to a Level IV. 	
Non- Examples	<ul style="list-style-type: none"> • Student physically attacks another student in the bathroom over a bad drug deal. • Student approaches another student and threatens to beat him or her up one time for laughing at him or her in class. 	
Supporting Guidelines	<ul style="list-style-type: none"> • Must include malicious intent. • Bullying/Harassment investigation form must be completed and a Bullying Supervision Plan created for the victim and offender. • Refer to the OCPS Bullying Prevention Resources website. 	
Recommended Consequences	<p><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM) 	

Burglary - Level IV CC	
Definition	Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein or cause damage.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student breaking and entering into: <ul style="list-style-type: none"> ○ a school building during athletic events, ○ a school bus, or ○ a residential garage that is being used for a school-sponsored event. • Student willfully remaining within a building after it has been secured and committing a crime, such as vandalism or theft.
Non- Examples	<ul style="list-style-type: none"> • Student entering an <u>unlocked</u> gym, without permission, and using the basketball court. • Student or other wandering the halls, after hours, after entering through an <u>unlocked door</u>.
Supporting Guidelines	<ul style="list-style-type: none"> • This offense is more severe than trespassing. • If entry was by force, resulting in facility damage, the incident should be coded as Breaking and Entering. • If administration needs to search a student, the Checklist for Searching Students form should be completed.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

C (Cheating, Possession of Contraband Material)

Cheating - Level I A	
Definition	Willful or deliberate unauthorized use of the work of another person for academic purposes, or unauthorized use of notes or other material in the completion of an academic assignment or test. In addition to disciplinary responses, the student may receive no credit for the assignment, test, or exam at the discretion of the teacher.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Copying from another student's test or homework. • Allowing another student to copy from your test or homework. • Using materials such as textbooks, notes, or formula lists, or the use of the internet (Google, Yahoo!, Siri, Alexa, etc.) during a test without the professor's permission. • Copying information from another person.
Non- Examples	<ul style="list-style-type: none"> • Working within a group where one person works harder than another person.
Supporting Guidelines	<ul style="list-style-type: none"> • Student may receive no credit for the assignment, test, or exam at the discretion of the teacher.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand

Possession of Contraband Material - Level III J		
Definition	Possession, use, and/or distribution of materials or items, other than weapons or firearms, which are forbidden. The parent/guardian will make arrangements to pick up the object from the school, if applicable. At no time shall OCPS be responsible for theft, loss or damage to contraband items brought onto its property.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student in possession of matches or a lighter. • Student in possession of a toy gun/water gun/cap gun/nerf gun. • Student in possession of a plastic sword. • Student in possession of an edible containing CBD oil. • Student in possession of a metal or plastic blunt bladed table knife, butter knife, or small spreader, etc (not used for eating purposes). 	
Non-Examples	<ul style="list-style-type: none"> • Student in possession of vape pen and cartridges containing THC oil. (refer to Level IV – F Drugs). • Student in possession of tobacco products. (refer to Level III L - Tobacco). • Student in possession of drug paraphernalia. (refer to Level IV F – Drugs or IV T - Other) • Student in possession of a sharp knife, (not for eating purposes), refer to Level IV –H Firearms / Weapons / Destructive Devices. • Water/gel bead gun is a level 4K  	
Supporting Guidelines	<ul style="list-style-type: none"> • Student in possession of a metal blunt bladed table knife, butter knife, small spreader, etc. If used as an eating utensil, <u>no referral will be given</u>. Confiscate the item and contact the parent/guardian. • Student in possession of a metal blunt bladed table knife or butter knife. If not used as an eating utensil, proceed with Level III J. • If used in a threatening manner, refer to a Level IV offense. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist. 	
Recommended Consequences	<p>K – 2nd Grade</p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1 day of P.A.S.S. • 2nd Offense – 2 days of P.A.S.S. • 3rd Offense – 1 day of O.S.S. 	<p>3rd – 12th Grade</p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1-3 days of P.A.S.S. • 2nd Offense – 1-3 days of O.S.S. • 3rd Offense – 3-5 days of O.S.S.

D (Destruction of Property/Vandalism, Disorderly Conduct, Disrespect, District Tech Violation – Now Electronic Violation, Dress Code, Drugs/Possession/Use/Trans/Sell/Buy)

Destruction of Property/Vandalism (Under \$100) - Level II A	
Definition	The willful or malicious destruction of Board property, school transportation, or the property of others.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student damages the seat on the school bus resulting in damages under \$100. • Student punching the wall and making a hole (damage is less than \$100). • Student spraying a fire extinguisher (damage less than \$100).
Non-Examples	<ul style="list-style-type: none"> • Student causing damages of \$100 or more.
Supporting Guidelines	<ul style="list-style-type: none"> • Provide estimate of damages including labor and materials form OCPS or vendor. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable.
Recommended Consequences	<p style="text-align: center;"><u>Grades K - 12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense - 1-3 days of P.A.S.S. • 2nd Offense – 3-5 days of P.A.S.S. or referral to a Level III offense.
Destruction of Property/Vandalism (\$100 to \$999) - Level III C	
Definition	The willful or malicious destruction of Board property, school transportation, or the property of others.
Examples (may include, Abut is not limited to)	<ul style="list-style-type: none"> • Student damaging classroom furniture (damages \$100-\$999). • Student causing damage to school lockers (damages \$100-\$999). • Student spraying a fire extinguisher (damages \$100-\$999).
Non-Examples	<ul style="list-style-type: none"> • Student accidentally damaging chemistry lab equipment. • Student or other causing damages under \$100.
Supporting Guidelines	<ul style="list-style-type: none"> • Damages cannot be more than \$999 • Provide estimate of damages including labor and materials form OCPS or vendor. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable.

Recommended Consequences	K – 2nd Grade <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1 day of P.A.S.S. • 2nd Offense – 2 days of P.A.S.S. • 3rd Offense – 1 day of O.S.S. 	3rd – 12th Grade <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense - 1-3 days of O.S.S. • 2nd Offense – 3-5 days of O.S.S.
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Vandalism (\$1000 or Over) - Level IV S	
Definition	The willful or malicious destruction, damage, or defacement of public or private property including the act of defacing with graffiti, keying, or scratching a car or trashing a room resulting in damages.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student damaging a hotel room (\$1,000 or more) on a school-sponsored trip. • Student purposely flooding the classroom bathroom (damages of \$1000 or more). • Student keying a faculty member's car (damages of \$1000 or more).
Non-Examples	<ul style="list-style-type: none"> • Student accidentally damaging chemistry lab equipment. • Student or other causing damages under \$1,000.
Supporting Guidelines	<ul style="list-style-type: none"> • Provide estimate of damages including labor and materials form OCPS or vendor. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist if applicable.
Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

Disorderly Conduct – Level I C	
Definition	Conduct or behavior that interferes with or disrupts the orderly process of the teaching/learning process, school environment, a school function, or extracurricular/co-curricular activity.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student getting out of seat and dancing around the classroom. • Student does not follow simple classroom directions.
Non-Examples	<ul style="list-style-type: none"> • Student complies with direction.
Supporting Guidelines	<ul style="list-style-type: none"> • Consult with classroom teacher on use of prior interventions and parent notification. (a referral is not an intervention). • Repeated acts refer to Level II F – Insubordination/Open Defiance.
Recommended Consequences	<u>Grades K – 12</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand

Disrespect - Level I D	
Definition	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Speech or behavior that is insulting or rude. • Speech or behavior that devalues another person and/or learning environment. • Student singing an inappropriate song not directed towards any specific person.
Non-Examples	<ul style="list-style-type: none"> • Disagreeing with another person's thoughts/feelings in a polite and courteous manner.
Supporting Guidelines	<ul style="list-style-type: none"> • Consult with classroom teacher on use of prior interventions and parent notification. (A referral is not an intervention).
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand
Disrespect - Level II B	
Definition	Repeated conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Inappropriate language directed towards another that is not profane. • Using inappropriate language directed toward an OCPS employee, contracted personnel, volunteer, or authorized adult. • Student call another student "stupid" one time.
Non-Examples	<ul style="list-style-type: none"> • Disagreeing with another person's thoughts/feelings in polite and courteous manner.
Supporting Guidelines	<ul style="list-style-type: none"> • Need written documentation of prior teacher interventions. (ex. phone log, email, counseling, referral to guidance, mentor/mentee, etc.)
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • SAFE Referral • Restorative Practice
Disrespect - Level III D	
Definition	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Using language and/or gestures that are abusive and/or profane directed towards another person. • Using abusive/profane language/gesture directed at an OCPS employee, contracted personnel, volunteer, or authorized adult. • Repeated acts from Level II B.
Non-Examples	<ul style="list-style-type: none"> • Using profanity that is not directed towards anyone.

Supporting Guidelines	<ul style="list-style-type: none"> Need written documentation of prior teacher interventions. (ex. phone log, email, counseling, referral to guidance, mentor/mentee, etc.) 	
Recommended Consequences	<u>K – 2nd Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st Offense – 1 day of P.A.S.S. 2nd Offense – 2 days of P.A.S.S. 3rd Offense – 1 day of O.S.S. 	<u>Grades 3 – 12th</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st Offense – 1-3 days of P.A.S.S. 2nd Offense – 1-3 days of O.S.S. 3rd Offense – 3-5 days of O.S.S.

Electronic Device Violation - Level III Y		
Definition	<p>The continual misuse of electronic device, which are not educational in nature; the unauthorized modification of software/hardware configuration on an electronic device (i.e. factory reset of district device); unauthorized access to programs and/or files not expected or intended for student use on an electronic device or OCPS network. This section does not include images, videos, messages, etc. that can be classified as another offense (i.e. threats, images/videos containing nudity).</p>	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Bypassing firewalls to gain access to unauthorized programs and/or files not expected or intended for student use on a district issued and/or personal device. Student performs a factory reset without malicious intent. Student gains control of LanSchool. Loading/storing/creating unauthorized files, images, video, music apps, data, or programs that are not for an educational purpose. 	
Non-Examples	<ul style="list-style-type: none"> Gaining access to the OCPS mainframe with intent to create or falsify/alter records for one's own personal gain. Gaining access to unauthorized computer software/hardware with the intent to do harm to another (access to SS number, address, phone numbers and then using them to harass to threaten another person). Student gains access to another student's computer without permission. 	
Supporting Guidelines	<ul style="list-style-type: none"> School IT should analyze and provide documentation of infraction for evidentiary purposes. For student misuse of electronic device, refer to Level III Y – Electronic Device Violation. 	
Recommended Consequences	<u>K – 2nd Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st Offense – 1 day of P.A.S.S. 2nd Offense – 2 days of P.A.S.S. 3rd Offense – 1 day of O.S.S. 	<u>3rd - 12th Grade</u> <ul style="list-style-type: none"> Parent Contact Counseling and Direction Verbal Reprimand 1st Offense – 1-3 days of P.A.S.S. 2nd Offense – 1-3 days of O.S.S. 3rd Offense – 3-5 days of O.S.S.



Electronic Device Violation - Level IV AA	
Definition	Use of unauthorized access to programs and/or files not expected or intended for student use on an electronic device or OCPS network; or any use that violates Board policies, local, state, and/or federal laws and regulations. This offense may include, but not limited to, gaining access to the OCPS network with the intent to do harm or alter records, or having images, videos, messages, etc., on a district issued device that are not shared with others (i.e. images/videos containing nudity).
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Gaining access to the OCPS mainframe with intent to create or falsify/alter records for one's own personal gain. Gaining access to unauthorized computer software/hardware with the intent to do harm to another. Ex. Gaining access to SS number, address, phone numbers and then using them to harass to threaten another person. Any act that conflicts with local, state or federal laws that results in a felony charge. Student performs a factory reset with malicious intent. Student downloads pornography onto a district issued device, or student records a sexually explicit video onto a district issued device. (K-2nd grades only = contact your Area Administrator for guidance).
Non-Examples	<ul style="list-style-type: none"> Gaining access to unauthorized computer software/hardware to play games. Gaining access to unauthorized computer software/hardware and did not use them to harm another person.
Supporting Guidelines	<ul style="list-style-type: none"> The District IT department must analyze the device and provide a report to substantiate evidentiary findings. For cases involving inappropriate videos/pics see supporting guidelines under Sexual Harassment.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)



Dress Code - Level I E	
Definition	Non-conformity to established dress code.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student violates the dress code policy (first documented offense). Student is wearing socks or apparel with marijuana leaf on it. Inappropriate items/objects (book bag, lunch box) that cause a disruption to the school environment.
Non-Examples	<ul style="list-style-type: none"> Student is wearing a headdress for religious reasons, approved by the Principal. Student is wearing a Metallica T-shirt and the admin hates Metallica.
Supporting Guidelines	<ul style="list-style-type: none"> Refer to the OCPS Student Code of Conduct Dress code section on page 26.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Warning
Dress Code - Level II T	
Definition	Non-conformity to established dress code (second and subsequent offenses).

Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student violates the dress code policy two or more times.
Non-Examples	<ul style="list-style-type: none"> School uniforms, ex. Cheerleading.
Supporting Guidelines	<ul style="list-style-type: none"> Refer to the OCPS Student Code of Conduct Dress code section on page 26.
Recommended Consequences	<p style="text-align: center;"><u>Grades K – 12</u></p> <ul style="list-style-type: none"> <u>Consequence for 2nd offense</u> <ul style="list-style-type: none"> Student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days Principal meets with the student's parent/guardian. <u>Consequence for 3rd+ offenses</u> <ul style="list-style-type: none"> Student is given up to 3 days of P.A.S.S Student is ineligible to participate in any extracurricular activity (30 days or less) Principal calls the student's parent/guardian and sends a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities.

Drugs/Possession/Use - Level IV F	
Definition	The possession, solicitation, use or being under the influence of any drugs, narcotics, controlled substances, or any other substance when used for chemical intoxication, or the possession or use of any substance represented to be of said nature.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student in possession of any amount of THC oil. Student possessing or observed swallowing prescription drugs that are not prescribed for him/her. Student in possession of over-the-counter medication or prescription medication in excess of the manufacturer's prescribed amount. Student found inhaling or ingesting intoxicants, glue, solvents, or aerosols for hallucinogenic purposes. Student misrepresenting substances as illegal drugs.
Non-Examples	<ul style="list-style-type: none"> Student possessing over-the-counter medications in dosage prescribed. Student using inhalers for asthmatic condition.

Supporting Guidelines	<ul style="list-style-type: none"> 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. Possession, solicitation, use, or being under the influence of over the counter medication or prescription medication in excess of the manufacturer's prescribed limits. The Checklist for Searching Students form should be completed, and the Contraband Checklist, if applicable. Complete a Reasonable Suspicion Checklist if applicable. <ul style="list-style-type: none"> Behavioral evidence alone should not be used as the basis for reporting drug use. When possible, a trained law enforcement officer, registered nurse or E.R. trained administrator(s) (two is recommended) should conduct an assessment of students who exhibit signs of possible intoxication using the Substance Use Checklist. If the SRO refuses to test the suspected drugs, only the principals and Assistant Principals can test suspected drugs after they have completed the "Suspected Drug Test Kit Training". *All drugs need to be tested* If an SRO refuses to take possession of drugs found on a student, the respective OCPS District Police Commander must be notified. Consult with LEO for civil citation in lieu of an arrest. Paraphernalia with a positive test is a Level IV F - Drugs. If paraphernalia is untestable, without, or tests negative it should be coded as a Level IV T- Other. Possession of all illegal substances must include: color photograph, weight and/or quantity of the items. Use the drug testing/chain of custody form to document the testing of suspected drugs by the Principal or Assistant Principal.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)
Drugs/Transmission/Distribution/Selling/Buying - Level IV U	
Definition	The manufacture, cultivation, transmission, distribution, buying, or selling or intending to sell of any drug, narcotic, controlled substance, or substance represented to be a drug, narcotic, or controlled substance. This includes any form of payment for any drug or contraband substance.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student passing a marijuana cigarette or vape pen (THC) around in the school bathroom (Not for mutual use). Student giving prescription drugs prescribed for someone else to another. Student selling cocaine to another.
Non-Examples	<ul style="list-style-type: none"> Student taking medication prescribed for themselves. Student giving an over-the-counter medication to another in dosage prescribed. Student smoking a marijuana cigarette alone (refer to Level IV F - Drugs).



Supporting Guidelines	<ul style="list-style-type: none"> Distribution is an act involving no profit; the person is giving away drugs to another person without the intent of communal or collective consumption. Transmission is the act of receiving and delivering the goods with no profit (middleman). Sale is defined as a person making a profit or gain from a transaction. This is not limited to monetary gains. The gains can be in the form of clothing, electronics, etc. If the SRO refuses to test the suspected drugs, only the principals and Assistant Principals can test suspected drugs after they have completed the "Suspected Drug Test Kit Training". *All drugs need to be tested* Use the drug testing/chain of custody form to document the testing of suspected drugs by the Principal or Assistant Principal. The Checklist for Searching Students form should be completed, and the Contraband Checklist.
	<ul style="list-style-type: none"> If an SRO refuses to take possession of drugs found on a student, the respective OCPs District Police Commander must be notified. All Assistant Principals and Principals who test items suspected of containing THC must have reviewed the Canvas course for testing for THC (Student search Procedures) https://ocps.instructure.com/courses/1638977
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)



E (Electronic Device Violation, Extortion/Blackmail)

Electronic Device Violation - Level I KK	
Definition	The misuse of electronic devices, which are not educational in nature, and may include, but is not limited, to cellphones, smartphones, smart watches, MP3 players, iPods, e- readers, tablets, laptops, and other electronic devices.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student listening to music on their electronic device in class/hallway. Student playing a game on their cell phone instead of working on a class assignment.
Non- Examples	<ul style="list-style-type: none"> Student is in possession of a cell phone that is powered off and concealed in a backpack. Student's concealed cell phone rings during class and the student attempts to turn off the phone.
Supporting Guidelines	<ul style="list-style-type: none"> Become familiar with your school's confiscation policy. If device is confiscated, the parent/guardian will make arrangements to pick up the device from the school, unless law enforcement has taken possession of it for a criminal act.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand
Electronic Device Violation - Level II Q	

Definition	The repeated misuse of electronic devices, which are not educational in Nature; unauthorized access to programs or files not expected or intended for student use on an electronic device or OCPS network (i.e. gaming); sharing another person's username and password; or intentionally providing access to another person to use the student's device while the student is logged in.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Repeated Level I KK violations. • Taking unwanted pictures (no bodily exposure), audio, and video without subject's or school's permission. • Spamming-sending mass or inappropriate emails. • Student recording a fight on campus. • Student records teacher in the classroom without teacher permission.
Non-Examples	<ul style="list-style-type: none"> • Teacher allows phone use for educational purposes.
Supporting Guidelines	<ul style="list-style-type: none"> • Become familiar with your school's confiscation policy. • If device is confiscated, the parent/guardian will make arrangements to pick up the device from the school, unless law enforcement has taken possession of it for a criminal act.

Recommended Consequences	<u>K – 2 Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • 1st Offense – Verbal Reprimand • 2nd Offense – Removal of Privileges • 3rd Offense - Parent Conference 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense - Detention or 1 day of P.A.S.S.
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Electronic Device Violation - Level III Y

Definition	The continual misuse of electronic devices, which is educational in nature; the unauthorized modification of software/hardware configuration on an electronic device (i.e. factory reset of district device); unauthorized access to programs and/or files not expected or intended for student use on an electronic device or OCPS network. <i>This section does not include images, videos, messages, etc. that can be classified as another offense (i.e. threats, images/videos containing nudity).</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Repeated Level II Q violations. • Student recording a fight on campus and posting it to social media. • Student records teacher in the classroom without teacher permission, and posts it on social media. • Student is watching pornography on their personal device or cell phone, and does not show it to anyone.



Non- Examples	<ul style="list-style-type: none"> • Student complies with rules after Level II consequences. • Student with accommodations records teacher instruction as detailed in their IEP/504 plan. 	
Supporting Guidelines	<ul style="list-style-type: none"> • Become familiar with your school's confiscation policy. • If device is confiscated, the parent/guardian will make arrangements to pick up the device from the school, unless law enforcement has taken possession of it for a criminal act. • For unauthorized modifications/configurations on a school issued device refer to Level III Z – District Technology Violation. 	
Recommended Consequences	<u>K – 2 Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1 day of P.A.S.S. • 2nd Offense – 2 days of P.A.S.S. • 3rd Offense – 1 day of O.S.S. 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense - 2-3 days of P.A.S.S. • 2nd Offense - 1-2 days of O.S.S.



Electronic Device Violation - Level IV AA	
Definition	Use of unauthorized access to programs and/or files not expected or intended for student use on an electronic device or OCPS network; or any use that violates Board policies, local, state, and/or federal laws and regulations. This offense may include, but not limited to, gaining access to the OCPS network with the intent to do harm or alter records, or having images, videos, messages, etc., on a district issued device that are not shared with others (i.e. images/videos containing nudity).
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Gaining access to the OCPS mainframe with intent to create or falsify/alter records for one's own personal gain. Gaining access to unauthorized computer software/hardware with the intent to do harm to another. Ex. Gaining access to SS number, address, phone numbers and then using them to harass to threaten another person. Any act that conflicts with local, state or federal laws that results in a felony charge. Student performs a factory reset with malicious intent. Student downloads pornography onto a district issued device, or student records a sexually explicit video onto a district issued device. (K-2nd grades only = contact your Area Administrator for guidance).
Non-Examples	<ul style="list-style-type: none"> Gaining access to unauthorized computer software/hardware to play games. Gaining access to unauthorized computer software/hardware and did not use them to harm another person.
Supporting Guidelines	<ul style="list-style-type: none"> The District IT department must analyze the device and provide a report to substantiate evidentiary findings. For cases involving inappropriate videos/pics see supporting guidelines under Sexual Harassment.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)



Extortion / Blackmail - Level III E	
Definition	The willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, or items of material worth.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Threatening to accuse another of a minor offense or crime in order to obtain lunch money. Student threatens to harm another for money, information or services. Student tells another student "If you don't give me your lunch money I will beat you up". Student threatens to expose pictures if they break-up with them.
Non-Examples	<ul style="list-style-type: none"> Student snatches another student's cell phone from their hand. (refer to Theft) Student posts pictures of another student.

Supporting Guidelines	<ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Must be reported to the school threat assessment team (STAT). 	
Recommended Consequences	<p>K-2nd Grade</p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice (if available) and 1 day of P.A.S.S. 2nd Offense – 2 days of P.A.S.S. 3rd Offense – 1 day of O.S.S. 	<p>3rd – 12th Grades</p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice (if available) and 1-3 days of P.A.S.S. 2nd Offense – 1-3 days of O.S.S. 3rd Offense – 3-5 days of O.S.S.

Robbery - Level IV M

Definition	The taking, participation in taking, or attempting to take anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence and/or by putting the victim in fear.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student or other snatching a gold chain off someone's neck. Forcefully taking of objects such as purses, phones, clothing etc. Student engaging in carjacking.
Non-Examples	<ul style="list-style-type: none"> Student taking money from an unattended purse (refer to Theft) Student posts pictures of their ex after a break up, not requesting anything in return, (refer to Harassment). Students threatens to post an inappropriate picture of another student if he/she does not receive money from the. (Extortion – Level IV T Other)

Supporting Guidelines	<ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p>Grades K-12th</p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)

F (Failure to report to detention, False/Misleading Info, Fighting, Firearms/Weapons, Other Dangerous Objects, Disorderly Conduct

Failure to Report for Detention - Level I F

Definition	Failure to report for assigned discipline.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student refusing to attend assigned detention

Non-Examples	<ul style="list-style-type: none"> • Student missed detention due to illness/absence.
Supporting Guidelines	<ul style="list-style-type: none"> • Document for the initial detention being given.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • Issue another detention

False and/or Misleading Information - Level I G	
Definition	Intentionally providing false or misleading information to, or withholding valid information from an OCPS employee, contracted personnel, or volunteer, which does not cause a disruption to the school environment.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student lies about being in unauthorized area. • Student does not tell the truth about a cell phone theft. • Student gives a staff member a false name.
Non-Examples	<ul style="list-style-type: none"> • After an investigation, information was obtained that the student was given verbal permission to be in unauthorized area. • Knowingly making a false report to fortifyflorida will be a Level 4T Other.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand

Fighting - Level II C	
Definition	Minor physical contact between two or more students such as pushing, shoving, or altercation that stops upon verbal command.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student engaging in pushing and shoving who is easily separated or stopped. • Student(s) engaging in a fight, which is resolved without injury or need for physical restraint. • Students engaging in chest bumping.
Non-Examples	<ul style="list-style-type: none"> • Student engaging in "horseplay." • Student verbally confronting another student/teacher. • Student engaged in verbal confrontation.



Supporting Guidelines	<ul style="list-style-type: none">A fight must include two or more students, but is documented under one incident number.<i>Self-defense is an action taken that is necessary to protect oneself or others from serious bodily harm. Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding oneself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (i.e. punching, slapping, kicking) a person back, or choosing not to leave after you are able to get away, may be considered as fighting.</i>	
Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none">Parental ContactCounseling and DirectionVerbal ReprimandNo Contact ContractRestorative Practice (if available)1st and Subsequent offenses – 1-3 days of P.A.S.S.	
Fighting - Level III F		
Definition	When two or more persons mutually participate in the use of force or physical violence that requires: (1) physical intervention; or (2) results in injury requiring first aid or medical attention.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none">Student retaliating by hitting a person back.Student or other engaging in a fight/combat with another and physical restraint is necessary to stop it.Student becoming engaged in a fight, which results in the need for first aid or medical attention for one or both of the participants.	
Non-Examples	<ul style="list-style-type: none">Student or other engaging in pushing and shoving who is easily separated or stopped.Student or other engaging in a fight, which is resolved without injury or need for physical restraint.Student engaged in verbal confrontation.	
Supporting Guidelines	<ul style="list-style-type: none">A fight must include two or more students, but is documented under one incident number.<i>Self-defense is an action taken that is necessary to protect oneself or others from serious bodily harm. Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding oneself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (i.e. punching, slapping, kicking) a person back, or choosing not to leave after you are able to get away, may be considered as fighting.</i>	
Recommended Consequences	<u>K-2 Grades</u> <ul style="list-style-type: none">Parental ContactCounseling and Direction	<u>3rd – 12th Grades</u> <ul style="list-style-type: none">Parental ContactCounseling and Direction



	<ul style="list-style-type: none"> • Verbal Reprimand • No Contact Contract • Restorative Practice (if available) • 1st Offense - 1-3 days of P.A.S.S. • 2nd Offense – 1-2 days of O.S.S. 	<ul style="list-style-type: none"> • Verbal Reprimand • No Contact Contract • Restorative Practice (if available) • 1st Offense - Combination of 1-3 days P.A.S.S./O.S.S. • Subsequent offenses – contact your learning community for recommendation.
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Firearms/Weapons/ Destructive Devices Possession “Weapons” - Level IV H	
Definition	The possession or control of any firearm, weapon, and/or destructive device (weapon”) (operable or inoperable, loaded or unloaded) as defined in Chapter 790, Florida Statutes. Weapons are deemed zero tolerance by Section 1006.07 and 1006.13 Florida Statutes. <i>Threatening or attempting to use a weapon is a level IV C or IV E. Using a weapon and causing injury is a level IV D or IV Y offense.</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • A firearm means 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 muffler or firearm silencer. • Any destructive device (any bomb, grenade, rocket, missile, pipe bomb, or similar, or any combination of parts to make a destructive device, which is constructed to explode); or any machine gun. • A weapon means any dirk, knife (blade length is 2.5 inches or more), metallic knuckles, slingshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon. • Student in possession of a sharp knife, 2.5 inches or more, that was not brought for eating purposes.
Non- Examples	<ul style="list-style-type: none"> • Student in possession of a knife (blade length is less than 2.5 inches) or eating utensil with no intent to harm. • Student possessing a cutting tool used in art, shop, or other class (refer to Level IV K- Other Dangerous Objects). • Student in possession of ammunition (refer to Level IV K – Other Dangerous Objects).

Supporting Guidelines	<ul style="list-style-type: none"> The attempted use of any object that can be used to inflict harm on another person. The blade of a knife must be measured next to a ruler. A photograph of the knife showing the length of the blade must be included in the packet. The blade point should start at zero. Student in possession of a metal or plastic blunt bladed table knife, butter knife, or small spreader, is a Level III J Contraband. However, if used as an eating utensil, <u>no referral will be given</u>. Confiscate the item and contact the parent/guardian. If a weapon was USED to inflict <u>serious bodily harm</u>, then code the offense as a Level IV D – Battery, if less serious harm refer to a Level IV Y – Physical attack. <table border="1"> <tr> <th>Behavior</th><th>Possession Only</th><th>If Used</th><th>Attempted Use</th><th>Threat only</th></tr> <tr> <td>Level 4 code</td><td>4H,4K</td><td>4D, 4Y</td><td>4C</td><td>4C</td></tr> <tr> <td>SESIR code</td><td>4H: WPO 4K: Non-SESIR</td><td>4D BAT+Weapon Related 4Y PHA+Weapon Related</td><td>TRE+Weapon Related</td><td>TRE+Weapon Related</td></tr> </table> <ul style="list-style-type: none"> Ensure SISER related table on referral is correctly filled out. If you are unsure, please contact your Area Administrator. The Checklist for Searching Students form should be completed, and the Contraband Checklist. Must be reported to the school threat assessment team (STAT). 				Behavior	Possession Only	If Used	Attempted Use	Threat only	Level 4 code	4H,4K	4D, 4Y	4C	4C	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
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SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related															



Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> 10 day suspension Discipline Team Meeting (DTM)
Other Dangerous Objects - Level IV K	
Definition	The possession, sale, or control of any instrument or object, other than a firearm or weapon as defined under a Level IV H offense, which could be used to inflict harm on another person or to intimidate any person. <i>Threatening or attempting to use a dangerous object is a level IV C or IV E offense. Using a dangerous object and causing injury is a level IV D or IV Y offense.</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> BB guns or pellet guns, air soft guns, water/gel bead gun, paintball guns and replicas of any gun or weapon. Common pocket knives (blade length is less than 2.5 inches), blunt bladed table knives. Items used for self-defense (i.e Kubaton) Chains, pipes, common household tools Razor blades, box cutter/utility knife, ice picks, other pointed instruments Nun chucks, Chinese stars, pepper spray, taser Ammunition, firearm clips, firearm cartridges Igniting fireworks/firecrackers
Non- Examples	<ul style="list-style-type: none"> Toy gun with an orange tip or plastic neon colored toy gun. Student found in possession of a plastic fork/spork/knife.



Supporting Guidelines	<ul style="list-style-type: none"> The blade of a knife must be measured next to a ruler. A color photograph of the knife showing the length of the blade must be included in the packet. The blade point should start at zero. The blade length must be less than 2.5 inches. Student in possession of a metal or plastic blunt bladed table knife, butter knife, or small spreader, is a Level III J Contraband. However, if used as an eating utensil, <u>no</u> referral will be given. Confiscate the item and contact the parent/guardian. If you are unsure, please contact your Area Administrator. The Checklist for Searching Students form should be completed, and the Contraband Checklist. Must be reported to the school threat assessment team (STAT). If a weapon was USED to inflict serious bodily harm, then code the offense as a Level IV D – Battery, and if less serious harm refer to a Level IV Y – Physical attack. <table border="1"> <tr> <th>Behavior</th><th>Possession Only</th><th>If Used</th><th>Attempted Use</th><th>Threat only</th></tr> <tr> <td>Level 4 code</td><td>4H,4K</td><td>4D, 4Y</td><td>4C</td><td>4C</td></tr> <tr> <td>SESIR code</td><td>4H: WPO 4K: Non-SESIR</td><td>4D BAT+Weapon Related 4Y PHA+Weapon Related</td><td>TRE+Weapon Related</td><td>TRE+Weapon Related</td></tr> </table> <ul style="list-style-type: none"> <i>If a weapon is used please ensure the weapon related indicator is marked on the referral.</i> 				Behavior	Possession Only	If Used	Attempted Use	Threat only	Level 4 code	4H,4K	4D, 4Y	4C	4C	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
Behavior	Possession Only	If Used	Attempted Use	Threat only															
Level 4 code	4H,4K	4D, 4Y	4C	4C															
SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related															
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension. Discipline Team Meeting (DTM) 																		



Firecrackers / Fireworks - Level III G		
Definition	Unauthorized possession, sale, or storage of unlit fireworks or firecrackers on Board property, school transportation, and/or at a school activity.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student in possession of sparklers, roman candles, etc. • Student selling fireworks on campus. • Student in possession of poppers (party snaps, fun snaps, bang snaps) 	
Non-Examples	<ul style="list-style-type: none"> • Student ignites a firecracker in the hallway. (refer to Level IV K - Other Dangerous Objects) • Student smashes a paper bag or milk carton creating a loud sound. 	
Supporting Guidelines	<ul style="list-style-type: none"> • If ignited, refer to Level IV K – Other Dangerous Weapons. • The Checklist for Searching Students form should be completed, and the Contraband Checklist if applicable. 	
Recommended Consequences	<u>K-2 Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • Confiscate the item(s) 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • Student in possession only- 1-3 days of P.A.S.S. • Student selling fireworks 1-3 days O.S.S.

Forgery (Non-Criminal) - Level II D	
Definition	To create or reproduce the signature or document of another for fraudulent purposes.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Forging an absentee note with parent signature only. • Student recreates a ticket for prom/school event. • Student signs a document with their parent's signature without permission.
Non-Examples	<ul style="list-style-type: none"> • Absentee note signature confirmed by parent.
Supporting Guidelines	<ul style="list-style-type: none"> • Non-criminal forgery only. For criminal forgery (refer to Level IV T - Other).
Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • First offense - 1-3 days of P.A.S.S.

G (Gambling, Gang Related, Insubordination/Gross Insubordination)

Gambling - Level II E		
Definition	Any unlawful participation in games (or activities) of chance for money and/or other things of value.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Playing craps, poker, black jack, tunk, roulette, etc., where money and other things of value are at stake. 	
Non-Examples	<ul style="list-style-type: none"> Playing cards without money or other things of value at stake. Playing go fish without money or other things of value at stake. 	
Supporting Guidelines	<ul style="list-style-type: none"> Items should be confiscated and returned to parent/guardian. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand Confiscate the item(s) 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense 1-3 days of P.A.S.S. 2nd offense 1-3 days of O.S.S.

Gang Related - Level II N	
Definition	The possession, use, or displaying of items associated with gang activity that include, but is not limited to, clothing and accessories, gang related insignias, writings, signs, or symbols that promote gang affiliation and/or involvement.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student found in possession of gang related items such as bandanas or gang bibles. Student wearing certain colors or flags representing gang affiliation.
Non- Examples	<ul style="list-style-type: none"> No documentation of gang affiliation. Not in possession of gang paraphernalia. Apparel does not warrant gang affiliation.
Supporting Guidelines	<ul style="list-style-type: none"> Documentation from a police agency acknowledging gang affiliation. Confiscated items. The Checklist for Searching Students form should be completed, and the Contraband Checklist, if applicable.
Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense - 1-3 days of P.A.S.S.

Gang Related - Level III U		
Definition	Conduct or behavior that tends to promote gang activity, provoke violence, or seriously disrupt the orderly operation of the school program, any school activity or transportation services, including but not limited to the possession, use or displaying of gang paraphernalia, jewelry, tattoos, clothing, or other insignias and writings that promote gang affiliation/involvement/the use of gang related signs or symbols or any other gang associated behavior.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Repeated level II N – Gang Related. Student participating in gang-like activity. 	
Non- Examples	<ul style="list-style-type: none"> A group of kids wearing the same red colored t-shirt for Red Ribbon Week. A student wearing rosary beads for religious purposes. A group of three or more students who call themselves “The Apple Dumpling Gang” and doing volunteer work at the school. 	
Supporting Guidelines	<ul style="list-style-type: none"> Documentation from a police agency acknowledging gang affiliation. If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – Admin detention 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense 1-3 days of O.S.S.

Insubordination/ Open Defiance - Level II F	
Definition	Verbal or non-verbal refusal to comply with school rules or directions from an OCPS employee, contracted personnel, or volunteer without causing a disruption or committing any further acts.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student refusing to move seats after being directed to by an authority figure. Student refused to clean up after themselves in the cafeteria after being instructed by and authority figure.
Non- Examples	<ul style="list-style-type: none"> Student refusing to fill out a witness statement.
Supporting Guidelines	<ul style="list-style-type: none"> This does not cause a disruption.

Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand 	<u>Grades 3-12th</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Admin Detention • Subsequent offenses- 1-3 days of P.A.S.S.
Gross Insubordination/ Open Defiance - Level III H		
Definition	Willful refusal to submit to or comply with authority, exhibiting contempt or open resistance to a direct order, challenging the authority of an OCPS employee, contracted personnel, or volunteer in the presence of others which causes a disruption.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student refuses to give up his/her cell phone, causing a classroom disruption. • Student causes a disruption when told to report to the dean's office. • Student refuses to comply with direction, causing a disruption. 	
Non-Examples	<ul style="list-style-type: none"> • Student complies but mumbles under his/her breathe (not profane or obscene language). 	
Supporting Guidelines	<ul style="list-style-type: none"> • This must cause a disruption. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Admin detention 	<u>3rd -12th Grades</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense - 1-3 days of P.A.S.S. • Subsequent offenses – 1-3 days of O.S.S.

H (Unsubstantiated Harassment, Harassment, Hazing, Homicide, Horseplay,)

Unsubstantiated Harassment - Level I P	
Definition	After a complete investigation and follow up of a reported harassment incident, the investigator determines that there is not enough evidence to substantiate that the incident meets criteria of a prohibited act under the definition of harassment as listed in the Jeffery Johnston Stand Up for All Students Act (Section 1006.147, Florida Statutes). <i>This offense is for documentation purposes only as required by the Florida Department of Education, discipline consequences are not given.</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Two students going back and forth at each other and no one is offended.
Non- Examples	<ul style="list-style-type: none"> Investigation proves the offender was making nasty comments about another student.
Supporting Guidelines	<ul style="list-style-type: none"> This is not considered a “SESIR incident”, but the FL DOE is required to track this data for the Office for Civil Rights, U.S. Department of Education and per section 1006.147, Florida Statutes. No discipline will be administered for this offense. Bullying/Harassment will no longer be documented on the referral. The incident will be documented on the Bullying/Harassment incident reporting form, including the Skyward incident #. A Bullying /Harassment Plan must be created for alleged victim and alleged offender.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand
Harassment - Level I Q	
Definition	Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits, and/or has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Teasing, name calling, gossiping, spreading or starting rumors, and/or purposefully embarrassing another person. Making fun of a student’s weight/appearance.
Non- Examples	<ul style="list-style-type: none"> Two students approach each other and one student makes an insulting gesture towards the other student. Both students are good friends no offense was taken by either student from the interaction.

Supporting Guidelines	<ul style="list-style-type: none"> • Bullying/Harassment investigation form must be completed and a Supervision Plan created for victim and offender. • Refer to the OCPS Bullying Prevention Resources website. • If unsubstantiated - Harassment will no longer be documented on the referral. The incident will be documented on the Bullying/Harassment incident reporting form, including the Skyward incident #. • If the harassment is based on sex (sexual harassment), refer the incident to your school's Title IX Coordinator.
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Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand
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Harassment - Level II O	
Definition	Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written verbal, or physical conduct that places an OCPS student or school employee in reasonable fear or harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Name calling with cussing. • Minor touching (not sexual in nature), for example a shoulder bump or a slight push. • One student approaches another student and makes an insulting gesture. The targeted student runs off in tears and is visibly upset. • Student or group of students purposefully excluding another from playing a game or lunch table.
Supporting Guidelines	<ul style="list-style-type: none"> • Must include evidence that the victim feels intentionally targeted. • Bullying/Harassment investigation form must be completed and a Safety Plan created for the victim and offender. • Refer to the OCPS Bullying Prevention Resources website. • If unsubstantiated - Harassment will no longer be documented on the referral. The incident will be documented on the Bullying/Harassment incident reporting form, including the Skyward incident #. • If the harassment is based on sex (sexual harassment), refer the incident to your school's Title IX Coordinator.



Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction and Verbal Reprimand • No Contact Contract • Safety/Supervision Plan • SAFE Referral • Interventions from the Act 4 Change website.
Harassment - Level III V	
Definition	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that place an OCPS student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Name calling with threat to harm, not kill. (refer to Threats) • Physical contact (not sexual in nature) with minor injury. • Sharing or giving texts/pictures/videos (not sexual in nature) to multiple recipients. • Student pulls another student's pants down (no exposure of private body parts).
Non- Examples	<ul style="list-style-type: none"> • Student calls another student a name and threatens to kill him/her. (refer to Threats)
Supporting Guidelines	<ul style="list-style-type: none"> • Must include evidence that the victim feels intentionally targeted and victimized. • Bullying/Harassment investigation form must be completed and a Supervision Plan created for the victim and offender. • It may be necessary for the Area Administrator to refer to General Counsel for guidance on harassment incidents where there is a jurisdictional question. • If unsubstantiated - Harassment will no longer be documented on the referral. The incident will be documented on the Bullying/Harassment incident reporting form, including the Skyward incident #. • Refer to the OCPS Bullying Prevention Resources website. • Must be reported to the school threat assessment team (STAT). • Bodily injury which requires immediate first aid or subsequent medical attention that does not meet the definition of more serious bodily injury. If injury is involved, medical documentation is required. This can be acquired through the school nurse. • If the harassment is based on sex (sexual harassment), refer the incident to your school's Title IX Coordinator.



Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • No Contact Contract • Safety/Supervision Plan • Admin detention 	<u>Grades 3-12</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • No Contact Contract • Safety/Supervision Plan • SAFE Referral • 1st offense- Combination of 1-3 days P.A.S.S./O.S.S. • Subsequent Offenses – 1-3 days of O.S.S.
Harassment - Level IV W		
Definition	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear of harm to his/her person or damage to his/her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student participating in stalking or cyberstalking. • Making another person fearful of serious injury or death. 	

Supporting Guidelines	<ul style="list-style-type: none"> • Bullying/Harassment investigation form must be completed and a Supervision Plan created for the victim and offender. • Must have evidence that the victim feels victimized and intentionally targeted. This can be non-verbal. • Must include malicious intent. • More serious bodily injury includes a substantial risk of death; or extreme physical pain. If injury is involved, medical documentation is required. • If unsubstantiated - Harassment will no longer be documented on the referral. The incident will be documented on the Bullying/Harassment incident reporting form, including the Skyward incident #. • Must be reported to the school threat assessment team (STAT). • If the harassment is based on sex (sexual harassment), refer the incident to your school's Title IX Coordinator.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)



Hazing - Level III W	
Definition	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • False imprisonment not resulting in medical attention. • Verbal or physical behavior resulting in minor injury. • Any other act that creates a substantial risk of physical injury. • Pressuring, coercing or forcing a student into: <ul style="list-style-type: none"> a. Violating state or federal law. b. Consuming any food, liquor, drug, or other substance. c. Participating in physical activity that could adversely affect the health or safety of the student for purposes of initiation or admission. • Requiring new members to refer to other members with titles (e.g. "Mr.," "Miss", while they are identified with demeaning terms. • Requiring new members to perform new duties not assigned to other members. • Expecting new members to perform personal services to other members such as carrying books, errands, cooking, etc.
Non- Examples	<ul style="list-style-type: none"> • Requiring new team members to attend additional supervised practices with the coach.
Supporting Guidelines	<ul style="list-style-type: none"> • Bodily injury which requires immediate first aid or subsequent medical attention that does not meet the definition of more serious bodily injury. If injury is involved, medical documentation is required. This can be acquired through the school nurse.
Recommended Consequences	<ul style="list-style-type: none"> • Parental Contact • Counseling and Direction and Verbal Reprimand • No Contact Contract • SAFE Referral • 1st offense – 1-3 days of O.S.S. (High Schools only- contact your AA if more than 3 days) • Subsequent offenses – contact your learning community for recommendation.
Hazing - Level IV X	
Definition	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • False imprisonment resulting in medical attention. • Beating, paddling, or other forms of assault resulting in injury that requires medical attention. • Student forced into public nudity as part of their initiation. • Forcing indecent exposure of another, or any other act that creates a substantial risk of death or serious injury. • Branding
Non- Examples	<ul style="list-style-type: none"> • Student A leaves with Student B without force/coercion. • Assigning demerits (refer to Level III W - Hazing) • Asking new members to wear embarrassing or humiliating attire (refer to Level III W - Hazing).

Supporting Guidelines	<ul style="list-style-type: none"> • More serious bodily injury includes a substantial risk of death; or extreme physical pain. If injury is involved, medical documentation is required. • Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

Homicide - Level IV DD	
Definition	The unjustified killing of one human being by another.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student committing any homicide on school campus, at school-sponsored events, or on school transportation.
Non- Examples	<ul style="list-style-type: none"> • Student or other accidentally dying. • Student or other committing suicide.
Supporting Guidelines	<ul style="list-style-type: none"> • Homicide should always be coded under the "Incident, Injury-Related" data element as (A) - More Serious Bodily Injury. • Law enforcement documentation is required. • Report to SESIR. • Homicide must occur on campus or at school sponsored activity.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • 10 day suspension • Discipline Team Meeting (DTM) • Contact your learning community immediately. • Contact your Principal Evaluator.

Horseplay - Level I R	
Definition	Any rough uncontrolled play or prank that involves two or more students.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Students chasing each other on the playground without permission and not resulting in injury. • Students involved in play wrestling/tickling/boxing. • Students involved in pushing and bumping and do not stop when directed to do so.
Non- Examples	<ul style="list-style-type: none"> • Students participating in a fight. • Students verbally teasing each other.
Supporting Guidelines	<ul style="list-style-type: none"> • Many circumstances of horseplay occur with little or no supervision is taking place.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand

Horseplay - Level II S		
Definition	Any rough uncontrolled play or prank that involves two or more students and there is risk of injury as a result of the horseplay.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Students chasing each other on the playground without permission and pushes the other student down. • Students involved in play wrestling/tickling/boxing and results in the other student becoming angry/upset and wanting to stop. • Students involved in pushing and bumping and do not stop when directed to do so. 	
Non-Examples	<ul style="list-style-type: none"> • Students engaged in a verbal altercation. • Students participating in a fight. 	
Supporting Guidelines	<ul style="list-style-type: none"> • Repeated Level I R – Horseplay offenses. • Many circumstances of horseplay occur with little or no supervision is taking place. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Administrative detention 	<u>Grades 3-12th</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Administrative detention • Subsequent offenses – 1 day of P.A.S.S.



Horseplay - Level III AA	
Definition	Any rough uncontrolled play or prank that involves two or more students and there is injury as a result of the horseplay. Any horseplay that results in serious injury where medical attention is needed may result in a Level IV offense.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Students playing tug of war with a book bag and one student lets go, causing the other to fall and get injured. Student participating in a social media challenge resulting in injury. Student participating in slap boxing, resulting in injury.
Non-Examples	<ul style="list-style-type: none"> Student participating in a mutual combatant fight, even if injury is involved (refer to Level III F - Fighting).
Supporting Guidelines	<ul style="list-style-type: none"> Many circumstances of horseplay occur with little or no supervision is taking place. If horseplay results in serious bodily injury, contact your Area Administrator for further guidance.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – 1-3 days of P.A.S.S. (all students involved) Subsequent offenses – 1-3 days of O.S.S. (all students involved)

I (Illegal Organizations, Insubordination, Intimidation/Threats)

Illegal Organizations - Level III I	
Definition	Establishing or participating in a secret society on Board property, on school transportation, and/or at a school activity.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> A group of students decide to protest against the cafeteria food without authorization.
Non-Examples	<ul style="list-style-type: none"> Students involved in SGA, GSA, National Honor Society, Beta, etc.
Recommended Consequences	<p style="text-align: center;"><u>Grades 3-12</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – 1-3 days of P.A.S.S. (all students involved) Subsequent offenses – 1-3 days of O.S.S. (all students involved)

Insubordination/ Open Defiance - Level II F		
Definition	Verbal or non-verbal refusal to comply with school rules or directions from an OCPS employee, contracted personnel, or volunteer without causing a disruption or committing any further acts.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student refusing to move seats after being directed to by an authority figure. • Student refused to clean up after themselves in the cafeteria after being instructed by an authority figure. 	
Non-Examples	<ul style="list-style-type: none"> • Student refusing to fill out a witness statement. 	
Supporting Guidelines	<ul style="list-style-type: none"> • This does not cause a disruption. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense - Administrative Detention • Subsequent offenses- 1-3 days of P.A.S.S.
Gross Insubordination/ Open Defiance - Level III H		
Definition	Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order; challenging the authority of an OCPS employee, contracted personnel, or volunteer in the presence of others which causes a disruption.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student refuses to give up his/her cell phone, causing a classroom disruption. • Student causes a disruption when told to report to the dean's office. • Student refuses to comply with direction, causing a disruption. 	
Non-Examples	<ul style="list-style-type: none"> • Student complies but mumbles under his/her breathe (not profane or obscene language). 	
Supporting Guidelines	<ul style="list-style-type: none"> • This must cause a disruption. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Admin detention 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense - 1-3 days of P.A.S.S. • Subsequent offenses – 1-3 days of O.S.S.

Intimidation / Threats - Level II G		
Definition	Any direct or indirect threat to do harm to another student, OCPS employee, contracted vendor, or OCPS volunteer's property. Or any direct or indirect harm to hit, fight, or beat up another student or a threat to another student's life if the threat to life is <u>vague, said out of anger or frustration, an expression of humor or rhetoric and can be easily resolved</u> . The content of the threat suggests the person is unlikely to carry it out. This section does not include threats made to OCPS employees, contracted vendors, or OCPS volunteers, these threats are a Level III or IV.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student jokingly says he is going to shoot/kill another student. • Student after participating in a fight tells another student/adult "I'm gonna kill you". • Student tells another he/she will beat them up. • Student says in class he is going to kill everyone because no one was listening to the teacher. • While eating lunch, Tony tried to open Miki's yogurt for her. When Tony opened the yogurt, it splattered everywhere. Miki became upset and told Tony, "I'm going to kill you". 	
Non-Examples	<ul style="list-style-type: none"> • Students involved in a conversation regarding killing others in a video game. The teacher overhears the conversation and reports to administration. • Student creates a hit list with names of other students in class (refer to Level III T – Intimidation/Threats to a Person). • Student points a finger gun at multiple students in class. The investigation showed the student did not have intent to harm. Student admitted to behavior, was apologetic, didn't mean anything by it, and was bored. 	
Supporting Guidelines	<ul style="list-style-type: none"> • The threat is inconsistent, implausible, or lacks detail or realism. • No sustained intent to harm another person. • All threats to an OCPS employee will be coded a Level III T- Intimidation/Threats to a Person or Level IV C- Intimidation/Threats to a Person. • Must be reported to the school threat assessment team (STAT). • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable. • Threat protocol must be uploaded to the SharePoint portal. 	
Recommended Consequences	<u>Grades K-5</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense - Intervention Program (given by Counselor or trained staff). 	<u>6th – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Admin detention • 2nd offense – 1-3 days of P.A.S.S. • Subsequent offenses – refer to Level III T- Intimidation/Threats
Intimidation/Threats to a Person - Level III T		
Definition	Repeated Level II threats or any direct or indirect threat to another student's life if the threat has some details and information obtained suggests that some thought was given to how the threat will be carried out, but there is no clear indication that the student has taken preparatory steps. This section also includes threats of harm or violence towards an OCPS employee, contracted vendor or OCPS volunteer without any further acts of aggression or where there is not intent to carry out the threat.	

Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student threatens to kill or beat up an OCPS employee. • Student creates/found in possession of a “hit list”. • Student wrote a note that said “die, die, die” (50+ times). He told the student this note is for you and started to read it to him. • Student tells another he/she will beat them up. This is the 2nd time the student makes a Level II threat this year. 	
Non- Examples	<ul style="list-style-type: none"> • Student throws his book bag out of anger, and accidentally hits the teacher on the foot. • While breaking up a fight, a teacher is accidentally hit by a student. • Student tells the dean, “You afraid of a boy? Why don’t you tell me your address?” 	
Supporting Guidelines	<ul style="list-style-type: none"> • The intent to hit, fight, or beat an employee without furtherance of action. • Level III requires a protective action (Restorative Practice, schedule change supervision plan, No contact Contract, SAFE/Guidance referral, referral to mental health services). • Must be reported to the school threat assessment team (STAT). • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable. • Threat protocol must be uploaded to the SharePoint portal. 	
Recommended Consequences	<p><u>Grades K-2</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • Intervention Program (given by Counselor or trained staff). 	<p><u>3rd – 12th Grade</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – 1-3 days of O.S.S. (H.S. only- contact your AA if more than 3 days) • Subsequent offenses – contact your learning community for recommendation.
Intimidation / Threats to a Person - Level IV C		
Definition	<p>Repeated Level III threats, or any direct or indirect threat to hit, fight or beat up an OCPS employee, contracted vendor, or OCPS volunteer with an aggressive act to carry out the threat. Or any direct or indirect threat which threatens the life of another student, OCPS employee, contracted vendor, or OCPS volunteer and the threat to life appears to pose an imminent or a serious danger to the safety of others. The threat is specific, detailed and plausible. Information obtained suggests steps may have been taken to carry out the threat, and/or there is a strong concern about the student’s potential to act.</p>	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Threats to kill made verbally or nonverbally by act, through social media, or by text. • Angry student stepping towards an OCPS employee with clenched fists. • Student threatens another while in possession of a weapon. • Student posts a picture of himself holding a weapon on social media while threatening another student (either verbally or in writing). 	

Non- Examples	<ul style="list-style-type: none">• Student jokingly says he is going to shoot/kill another student.• Student tells another he/she will beat them up.• Student points a finger gun at multiple students in class. The investigation showed the student did not have intent to harm. Student admitted to behavior, was apologetic, didn't mean anything by it, and was bored.															
Supporting Guidelines	<ul style="list-style-type: none">• Must be reported to the school threat assessment team (STAT). STAT must meet immediately to discuss this threat.• Email a copy of the threat protocol to your Area Administrator along with the DTM packet.• This offense includes, but is not limited to threats made verbally or nonverbally by act, through social media or by text, or threats/threatening behavior with a weapon (4H) or other dangerous object (4K), or the attempted use of a weapon (4H) or other dangerous object (4K) without injury. <table><tr><td>Behavior</td><td>Possession Only</td><td>If Used</td><td>Attempted Use</td><td>Threat only</td></tr><tr><td>Level 4 code</td><td>4H,4K</td><td>4D, 4Y</td><td>4C</td><td>4C</td></tr><tr><td>SESIR code</td><td>4H: WPO 4K: Non-SESIR</td><td>4D BAT+Weapon Related 4Y PHA+Weapon Related</td><td>TRE+Weapon Related</td><td>TRE+Weapon Related</td></tr></table> <ul style="list-style-type: none">• <i>If a weapon is used please ensure the weapon related indicator is marked on the referral.</i>• If administration needs to search a student, the Checklist for Searching Students form should be completed.• Complete the Contraband Checklist, if applicable.• Threat protocol must be uploaded to the SharePoint portal.	Behavior	Possession Only	If Used	Attempted Use	Threat only	Level 4 code	4H,4K	4D, 4Y	4C	4C	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
Behavior	Possession Only	If Used	Attempted Use	Threat only												
Level 4 code	4H,4K	4D, 4Y	4C	4C												
SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related												
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none">• 10 day suspension• Discipline Team Meeting (DTM)• Contact your learning community immediately.• Contact your Principal Evaluator.															



K (Kidnapping)

Kidnapping - Level IV EE	
Definition	Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student or other holding another person for ransom or reward, as a shield, or as a hostage. • Non-custodial caregiver, with a restraining order, picking up a student.
Non-Examples	<ul style="list-style-type: none"> • Student running away with her boyfriend after being picked up from school by him.
Supporting Guidelines	<ul style="list-style-type: none"> • Law enforcement documentation is required. • Report to SESIR. • Kidnapping must occur on campus or at school sponsored activity.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • 10 day suspension • Discipline Team Meeting (DTM) • Contact your learning community immediately. • Contact your Principal Evaluator.

L (Stealing/Larceny)

Stealing (Under \$375) - Level II J		
Definition	Taking the property of another without permission of the person.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Taking anything of value under \$375 without the knowledge of the owner. Stealing a book from a student's backpack. Student finds a cell phone (value less than \$375) and keeps it instead of giving it to a staff member. 	
Non-Examples	<ul style="list-style-type: none"> Finding a book on the floor with a student's name in it and turning it in to the office. Teacher confiscates student laptop and student is sent to PASS. Student takes a laptop from the media center (without permission) to work on assignments and then turns in the laptop. 	
Supporting Guidelines	<ul style="list-style-type: none"> The incident must be without force, threat, violence or bodily harm. Participating in theft by concealing property is considered an act of theft. The incident does not take into account discounted prices such as a reduced price by signing a contract for cell phones. If a credit/debit card or a checkbook is stolen, unless the individual from whom it is stolen can prove a loss of \$375 or less, the theft is limited to the actual value of the card (not defined as credit limit of the card). The current replacement or receipted value (receipt must be presented) of the particular item(s) must be worth \$375 or less at the time it was stolen. Documentation of such must be provided. If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. 	
Recommended Consequences	<u>Grades K-5</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – Admin detention Subsequent offenses – 1-3 days of P.A.S.S. 	<u>6th – 12th Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice and 1-3 days of P.A.S.S. Subsequent offenses – 3-5 days of P.A.S.S.
Stealing (\$375-\$749) - Level III M		
Definition	The taking of the property of another without the permission of the person.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Taking any item between \$375 and \$749 that belong to another person or school. Taking multiple items of lesser value, where the total value is between \$375 and \$749. 	
Non-Examples	<ul style="list-style-type: none"> Student stealing any item or items less than \$375 or more than \$749. 	

Supporting Guidelines	<ul style="list-style-type: none"> The incident must be without force, threat, violence or bodily harm. Participating in theft by concealing property is considered an act of theft. The incident does not take into account discounted prices such as a reduced price by signing a contract for cell phones. If a credit/debit card or a checkbook is stolen, unless the individual from whom it is stolen can prove a \$375-\$749 loss, the theft is limited to the actual value of the card (not defined as credit limit of the card). The current replacement or receipted value (receipt must be presented) of the particular item(s) must be worth \$375-\$749 at the time it was stolen. Documentation of such must be provided. If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. 	
Recommended Consequences	<u>Grades K-5</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – Administrative detention Subsequent offenses – 1-3 days of P.A.S.S. 	<u>6th – 12th Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice and 1-3 days of P.A.S.S. Subsequent offenses – 3-5 days of P.A.S.S.
Larceny / Theft (\$750 or Over) - Level IV J		
Definition	The act, participating in the act, or attempted act of taking, carrying, riding away with, or concealing of property from the possession or constructive possession of another person, including motor vehicle, without threat of violence or bodily harm.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student picks the pocket of another student. Student steals from a building, motor vehicle or vending machine. Student participates in the theft of a golf cart, motor vehicle, or anything that is self-propelled or motorized. Student embezzling public funds. 	
Non-Examples	<ul style="list-style-type: none"> Student stealing any item/items less than \$750. Student steals a credit card but no charges are made to the card. 	
Supporting Guidelines	<ul style="list-style-type: none"> The incident must be without force, threat, violence or bodily harm. Participating in theft by concealing property is considered an act of theft. The incident does not take into account discounted prices such as a reduced price by signing a contract for cell phones. If a credit/debit card or a checkbook is stolen, unless the individual from whom it is stolen can prove a \$750+ loss, the theft is limited to the actual value of the card (not defined as credit limit of the card). The current replacement or receipted value (receipt must be presented) of the particular item(s) must be worth \$750 or more at the time it was stolen. Documentation of such must be provided. If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. 	


Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)
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M (Major Disruption on Campus)

Major Disruption on Campus - Level IV I	
Definition	Major disruption of all or a significant portion of campus activities, school-sponsored events, and/or school bus transportation. Disruptive behavior that poses a serious threat to the learning environment, or the health, safety, or welfare of others. <i>This offense may include, but is not limited to, inciting a riot, initiating a false fire alarm, incidents that result in closing the cafeteria, fights involving multiple participants that disrupt the campus, and/or incidents that prevent students from proceeding to the next class.</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student making a bomb threat. (refer to Level IV E Threats as well). Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group. Student causing an incident that results in closing the cafeteria. Student inciting a riot. Student initiating a false fire alarm.
Non-Examples	<ul style="list-style-type: none"> Disruption of a single classroom. Student defying authority. Student disobeying or showing disrespect to others. Student using obscene or inappropriate language or gestures. Student not sitting in seat and/or talking loudly while school bus is moving.
Supporting Guidelines	<p><u>Multiple Participant Fight</u></p> <ul style="list-style-type: none"> A multiple participant fight in and of itself is not necessarily a major campus disruption. The fight must disrupt the campus, and or incidents that prevent students from proceeding to the next class, campus activities, school sponsored event, or school bus transportation. Documentation of the disruption must include all of the following: <ol style="list-style-type: none"> The number of participants actively involved (this does not include bystanders). The amount of time taken to quell the disruption (e.g. adjusted lunch or bell schedule). Document the instructional time lost. It endangers the health, safety, and welfare of others. The potential for injury to students or staff. The incident must prevent others from proceeding to the next class or block egress (This does not include bystanders watching or students running to the incidents). The number of staff members needed to quell the disruption and witness statements are required from all staff involved.

	<p><u>School Bus Disruption</u></p> <ul style="list-style-type: none"> Documentation of the school bus disruption may include all of the following: <ul style="list-style-type: none"> a. the disruption must cause the driver to stop the bus. b. dispatch must be called. c. assistance from law enforcement must be requested. <p>Additional Info</p> <ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable.
Recommended Consequences	<p><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)

O (Other Danger Objects, Firearms/Weapons, Other Misconduct, Other Serious Misconduct, Other)

Other Dangerous Objects - Level IV K	
Definition	The possession, sale, or control of any instrument or object, other than a firearm or weapon as defined under a Level IV H offense, which could be used to inflict harm on another person or to intimidate any person. Threatening or attempting to use a dangerous object is a level IV C or IV E offense. Using a dangerous object and causing injury is a level IV D or IV Y offense.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> BB guns or pellet guns, air soft guns, water/gel bead gun, paintball guns and replicas of any gun or weapon.  Common pocket knives (blade length is less than 2.5 inches), blunt bladed table knives. Items used for self-defense (i.e Kubaton) Chains, pipes, common household tools Razor blades, box cutter/utility knife, ice picks, other pointed instruments Nunchucks, Chinese stars, pepper spray, taser Ammunition, firearm clips, firearm cartridges Igniting fireworks/firecrackers
Non- Examples	<ul style="list-style-type: none"> Toy gun with an orange tip or plastic neon colored toy gun. Student found in possession of a plastic fork/spork/knife brought for lunch. Student uses an item to injure another person. (Level IV D – Battery - Only for serious bodily injury. If less serious injury – refer to Level IV Y – Physical Attack)

Supporting Guidelines	<ul style="list-style-type: none"> The blade of a knife must be measured next to a ruler. A photograph of the knife showing the length of the blade must be included in the packet. The blade point should start at zero. The blade length must be less than 2.5 inches. Student in possession of a metal or plastic blunt bladed table knife, butter knife, or small spreader, is a Level III J Contraband. However, if used as an eating utensil, no <u>referral will be given</u>. Confiscate the item and contact the parent/guardian. If a weapon was USED to inflict harm, then code the offense as a Level IV D – Battery, if less serious harm refer to a Level IV Y – Physical attack. 			
	Behavior	Possession Only	If Used	Attempted Use
	Level 4 code	4H,4K	4D, 4Y	4C
	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related
	<ul style="list-style-type: none"> <i>If a weapon is used please ensure the weapon related indicator is marked on the referral.</i> If you are unsure, please contact your Area Administrator. 			

	<ul style="list-style-type: none"> The Checklist for Searching Students form should be completed, and the Contraband Checklist. Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension. Discipline Team Meeting (DTM)
Firearms/Weapons/Destructive Devices Possession (“weapons”) - Level IV H	
Definition	The possession or control of any firearm, weapon, and/or destructive device (“weapons”) (operable or inoperable, loaded or unloaded) as defined in Chapter 790, Florida Statutes. Firearms/Weapons are deemed zero tolerance by Sections 1006.07 and 1006.13, Florida Statutes. <i>Threatening or attempting to use a weapon is a Level IV C or IV E offense. Using a weapon and causing injury is a Level IV D or IV Y offense.</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> A firearm means 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 muffler or firearm silencer. Any destructive device (bomb, grenade, rocket, missile, pipe bomb, or similar, or any combination of parts to make a destructive device, which is designed or constructed to explode) ; or any machine gun. A weapon means any dirk, knife (blade length is 2.5 inches or more), metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon.
Non- Examples	<ul style="list-style-type: none"> Student in possession of a knife (blade length is less than 2.5 inches) or eating utensil with no intent to harm. Student possessing a cutting tool used in art, shop, or other class (refer to Level IV K- Other Dangerous Objects). Student in possession of ammunition (refer to Level IV K – Other Dangerous Objects).

Supporting Guidelines	<ul style="list-style-type: none">The attempted use of any object that can be used to inflict harm on another person.The blade of a knife must be measured next to a ruler. A photograph of the knife showing the length of the blade must be included in the packet. The blade point should start at zero.Student in possession of a metal or plastic blunt bladed table knife, butter knife, or small spreader, is a Level III J Contraband. However, if used as an eating utensil, no <u>referral will be given</u>. Confiscate the item and contact the parent/guardian.If a weapon was USED to inflict harm, then code the offense as a Level IV D – Battery, if less serious harm refer to a Level IV Y – Physical attack.				
	Behavior	Possession Only	If Used	Attempted Use	Threat only
	Level 4 code	4H,4K	4D, 4Y	4C	4C
	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
	<ul style="list-style-type: none"><i>If a weapon is used please ensure the weapon related indicator is marked on the referral.</i>If you are unsure, please contact your Area Administrator.The Checklist for Searching Students form should be completed, and the Contraband Checklist.Must be reported to the school threat assessment team (STAT).				
Recommended Consequences	<div>Grades K-12</div> <ul style="list-style-type: none">10 day suspensionDiscipline Team Meeting (DTM)				
Other Misconduct - Level I N					
Definition	Any other act of misconduct which may interfere with the orderly operation of the classroom, the school program, a school activity, an extracurricular/ co-curricular program, or approved transportation and cannot be coded as another Level I offense.				
Examples (may include, but is not limited to)	<ul style="list-style-type: none">Student rips down bulletin board paper/posters.Student consistently leaving trash on the table/desk.				
Non- Examples	<ul style="list-style-type: none">Student using profanity in classroom.Student engaged in horseplay.Student failing to report to detention.				
Supporting Guidelines	<ul style="list-style-type: none">This is for Level I offenses that cannot be coded in any other area.				
Recommended Consequences	<div>Grades K-12</div> <ul style="list-style-type: none">Parental ContactCounseling and DirectionVerbal Reprimand				



Other Serious Misconduct - Level II M	
Definition	Any other act of misconduct that is more serious, harmful, or is a more disruptive example of any of the offenses described in Level I, which may interfere with the orderly operation of the school, school transportation, or school activity and cannot be coded as another Level II offense.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student places a thumbtack on the teacher/student chair. • Student refusing to give substitute teacher their name/information. • One student throwing food in the cafeteria. • Writing a non-threatening message on the bathroom mirror/wall.
Non- Examples	<ul style="list-style-type: none"> • Student repeatedly not following directions. • Student repeatedly out of dress code. • Student repeatedly tardy.
Supporting Guidelines	<ul style="list-style-type: none"> • This is for Level II offenses that cannot be coded in any other area.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • SAFE Referral • Administrative Detention
Other Serious Misconduct - Level III Q	
Definition	Any other act of misconduct that is more serious, harmful, or is a more disruptive example of any of the offenses described in Level II, which may interfere with the orderly operation of the school, school transportation, or school activity and cannot be coded as another Level III offense.

Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Providing false/misleading information to staff members which causes a disruption to the school. • Student pushes another towards a fire alarm and accidentally sets its off (pusher receives discipline). • Student participating in a food fight in the cafeteria. • Students participating in body piercing. • The use of language intended or reasonably calculated to insult and/or incite another person. • Activation of a fire alarm that was not the result of a willful or malicious act. • Student was found in an area (restroom, closet, etc) without permission. • Student intentionally spits/coughs/sneezes on another student/staff member (1st offense only is a Level III Q). Recommended consequence is 1-3 days of O.S.S. Subsequent offenses= refer to Level 4 T – Other) • Student sends an inappropriate photo/video to another student that was never intended to extend beyond the sender/receiver. (Sexting) <u>(Initial sender only receives a Level III Q.)</u>
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Non- Examples	<ul style="list-style-type: none"> • Students involved in a physical altercation. (refer to Fighting) • Student vaping on campus or school bus. (refer to III L Tobacco or IV F Drugs, depending on content of electronic smoking device.) • Student posting a fight on social media. (refer to Harassment) • Student making inappropriate comments to another student of a sexual nature. (refer to Sexual Harassment) • Student repeatedly not following directions. • Student repeatedly tardy. 	
Supporting Guidelines	<ul style="list-style-type: none"> • This is for Level III offenses that cannot be coded in any other area. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Admin detention 	<u>3rd – 12th Grades</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1-3 days of P.A.S.S. • 2nd Offense – 1-3 days of O.S.S. • 3rd Offense – 3-5 days of O.S.S.

Other - Level IV T	
Definition	Any other intentional or wanton act which is clearly beyond the bounds of acceptable and tolerable student conduct in the community, which cannot be coded in another Level IV offense.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student makes a false accusation that jeopardizes the professional reputation, employment, or professional certification of any OCPS employee • Student produces or knowingly uses counterfeit money. • Student possessing/selling drug paraphernalia. • Student involved in hate crimes. • Any speech on the basis of race, sex, national origin, religion, or disability that does or would be likely to cause a substantial disruption to the educational environment. • Dating violence (<u>Contact Title IX Coordinator</u>) • Human trafficking • Extortion • Video voyeurism • Felony forgery • Student in possession of child pornography (Child unknown). • Possession of images or videos that contain nudity and are not of another student, OCPS employee, contracted vendor, or volunteer. • Student threatens to post a nude picture of another student if he/she doesn't receive money from them. (Extortion)
Non- Examples	<ul style="list-style-type: none"> • Student arrested for violating probation. • Student or other arrested for committing crimes off-campus. • Students gives teacher a hug after teacher told the student no to hug her.
Supporting Guidelines	<ul style="list-style-type: none"> • Any other incident must clearly be beyond the bounds of acceptable and tolerable student conduct in order to be placed in this category. This may include any serious, harmful incident not previously classified. • See guidelines for hate crimes. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable. • In the case of dating violence, contact the District Title IX Investigator. • Before a recommendation for expulsion based on a false accusation made by a student that jeopardizes the professional reputation, employment or professional certification of a district employee can be processed: <ol style="list-style-type: none"> 1. There must first be an investigation by Employee Relations 2. No suspension will be made based on the false allegation until after the investigation is completed by Employee Relations 3. The accusation must be unfounded, not unconfirmed 4. There must be some indication that there was intent by the student to present false information 5. There must be a detailed report by the principal or designee of the measures taken while waiting for documentation to support the recommendation for expulsion 6. Call your Area Administrator if the accusation involves a substitute teacher. • Contact Title IX if applicable



Recommended
Consequences

Grades K-12


- Up to a 10 day suspension
- Discipline Team Meeting (DTM)



P (Physical Agg. on Employee, Physical Attack, Possession of Contraband, Profane Language)

Physical Aggression on a School Employee - Level III RR		
Definition	The willful use of force upon an employee, contracted vendor, or volunteer that does not result in bodily injury.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student striking an adult with no injury. • Adult struck while breaking up a fight with no injury. • Adult struck while seizing an item from a student with no injury. • Student pushes/shoves/bumps into the teacher with no injury. 	
Non-Examples	<ul style="list-style-type: none"> • Student pushes passed a teacher to fight another student and the teacher is injured as a result of the push. (refer to Physical Attack) • During a verbal altercation a student moves towards the teacher in a threatening manner, but does not make physical contact with the teacher. (refer to Threats) • Student cursing at a teacher. (refer to Level III D - Disrespect) 	
Supporting Guidelines	<ul style="list-style-type: none"> • No injury. • Conduct an investigation to ensure the teacher is following appropriate procedures (not blocking egress, taking cell phones from students, provoking students). 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Skills Intervention • Subsequent offenses- 	<u>Grades 3-12th</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense –1-3 days of O.S.S. • Subsequent offenses - 3-5 days of O.S.S.

Physical Attack - Level III A		
Definition	An actual and intentional striking of another student against his/her will, without injury.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student hits another student repeatedly without causing injury. • Throwing an object and hitting someone without injury. • Students slaps another student in the face (no injury). • Student grabs another student and chokes them (no injury). 	
Non-Examples	<ul style="list-style-type: none"> • Students participating in a fight. • Horseplay between students. 	
Supporting Guidelines	<ul style="list-style-type: none"> • This section does not include injury that is a result of fighting if students are mutual combatants. • Student on student only (not adult or employee). • A physical attack is one sided. • No Injury (if injury see Level IV Y- Physical Attack) • In certain circumstances, you should consider trigger words under Bullying/Harassment to see if incident warrants an investigation. <ul style="list-style-type: none"> a. Trigger words/phrases- Teases, calls me names, excludes me, picks on me, always bothers me, makes mean comments, spreading rumors. • Possible referral to SAFE/Guidance Counselor. 	
Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Skills Intervention • Subsequent offenses- 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense –1-3 days of O.S.S. • Subsequent offenses - 3-5 days of O.S.S.
Physical Attack - Level IV Y		
Definition	An actual and intentional striking of a student, OCPs employee, volunteer, or contracted personnel against his/her will, resulting in less serious bodily harm. Less serious bodily harm does not include a substantial risk of death, extreme physical pain, permanent disfigurement, or permanent disability. The injury must be documented. <i>This section does not include injury that is a result of fighting if the students are mutual combatants.</i>	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student lures another student in the restroom and proceeds to beat the other student with the other student not retaliating, causing injury. • Throwing an object and hitting someone hard enough to cause injury. • Multiple students hitting one student that is not retaliating. • During a physical altercation, student struck an administrator in the face after being separated and told by admin to stop fighting. Student punched dean in the face. The dean had to seek outside medical attention for his injuries. 	
Non-Examples	<ul style="list-style-type: none"> • Students participating in a fight. • Student is pushed during an attack and scrapes his elbow. • Staff member breaks up a fight and is accidentally hit in the process. 	

Supporting Guidelines	<ul style="list-style-type: none">• This section does not include injury that is a result of fighting if the students are mutual combatants.• Must have the potential for a significant injury.• Must be reported to the school threat assessment team (STAT).• Possible referral to SAFE/Guidance Counselor.• Documentation of injury is required - Including pictures when possible.• Must consult with law enforcement • <i>This offense includes the use of a weapon(4H) or dangerous object (4K) that results in less serious bodily harm. If a weapon is used please ensure the weapon related indicator is marked on the referral.</i>				
	Behavior	Possession Only	If Used	Attempted Use	Threat only
	Level 4 code	4H,4K	4D, 4Y	4C	4C
	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
Recommended Consequences	<div>Grades K-12</div> <ul style="list-style-type: none">• Up to a 10 day suspension• Discipline Team Meeting (DTM)				

Possession of Contraband Material - Level III J		
Definition	Possession, use, and/or distribution of materials or items, other than weapons or firearms, which are forbidden. The parent/guardian will make arrangements to pick up the object from the school, if applicable. At no time shall OCPS be responsible for theft, loss or damage to contraband items brought onto its property.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student in possession of a matches or a lighter. • Student in possession of a toy gun/water gun/cap gun/nerf gun. • Student in possession of a plastic sword. • Student in possession of an edible containing CBD oil. • Student in possession of a metal table knife, butter knife, or small spreader, etc. 	
Non-Examples	<ul style="list-style-type: none"> • Student in possession of vape pen and cartridges containing THC oil. (refer to Level IV – F Drugs). • Student in possession of tobacco products. (refer to Level III L - Smoke). • Student in possession of drug paraphernalia. (refer to Level IV F – Drugs or IV T - Other) • Student in possession of a sharp knife, (not for eating purposes), refer to Level IV – H Other Dangerous Weapons. 	
Supporting Guidelines	<ul style="list-style-type: none"> • Confiscate the contraband item and return only to parent/guardian. • Student in possession of a metal or plastic blunt bladed table knife, butter knife, small spreader, etc. If used as an eating utensil, <u>no referral will be given</u>, but the parent/guardian must be contacted. • Student in possession of a metal table knife or butter knife. If not used as an eating utensil, proceed with Level III J. • If used in a threatening manner, refer to a Level IV offense. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist. 	
Recommended Consequences	<u>K – 2nd Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1 day of P.A.S.S. • 2nd Offense – 2 days of P.A.S.S. • 3rd Offense – 1 day of O.S.S. 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1-3 days of P.A.S.S. • 2nd Offense – 1-3 days of O.S.S. • 3rd Offense – 3-5 days of O.S.S.

Profane, Obscene, Abusive Language / Material - Level I J	
Definition	The use of either oral or written language, or gestures, which are disrespectful or socially unacceptable and are not directed at another person. This section does not include threatening or intimidating language.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student writes profanity/abusive language on the white board. • Student curses at the entire class. • Student uses profanity as they are walking out of the door. • Student uses profane hand gesture towards another.
Non-Examples	<ul style="list-style-type: none"> • Student calling another student a pineapple head. • Student telling another student they are ugly. • Student making fun of another's appearance.
Supporting Guidelines	<ul style="list-style-type: none"> • You may need to refer to Level I D - Disrespect or Level I Q - Harassment depending on the incident details.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand

R (Repeated Misconduct, Extortion/Blackmail, Robbery/Extortion)

Repeated Misconduct of a More Serious Nature - Level IV L	
Definition	Repeated misconduct which may substantially disrupt the orderly conduct of a classroom, school, school transportation, and/or school activity. <i>Recommendations for expulsion relative to repeated misconduct must be based on documented referrals and a variety of intervention strategies.</i>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student has three or more Level III (for offenses not listed below) or Level IV referrals.
Non-Examples	<ul style="list-style-type: none"> Student has three referrals for smoking or Horseplay.
Supporting Guidelines	<ul style="list-style-type: none"> A Behavioral contract must be implemented and signed by parent before the Level IV L referral is given. The AA will review when the behavioral contract was signed and if the items on the contract were implemented with fidelity. Must document the possibility of a Level IV L on the next referral. (Contact your AA if you have questions). Must also include the following: <ul style="list-style-type: none"> Intervention log- this document describes interventions taken by the school to address behavior concerns. <u>Suspensions are not an intervention.</u> Examples may include but are not limited to – No Contact Contract, parent conference, Restorative Practice, SAFE referral, and supervision plan. Copies of all suspension letters and referrals (only the letters pertaining to the repeated misconduct). Student must have at least three Level III (or a combination) or Level IV offenses. These should be referrals for offenses other than: <ul style="list-style-type: none"> Disrespect (case by case) Electronic Device Violation Gross Insubordination (case by case) Horseplay Illegal Organization Possession of Contraband Smoking Other Serious Misconduct (case by case) Violation of Curfew
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)



Extortion / Blackmail - Level III E		
Definition	The willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, or items of material worth.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Threatening to accuse another of a minor offense or crime in order to obtain lunch money. Student threatens to harm another for money, information or services. Student tells another student "If you don't give me your lunch money I will beat you up". 	
Non-Examples	<ul style="list-style-type: none"> Student snatches another student's cell phone from their hand. (refer to Theft) Student posts pictures of another student. 	
Supporting Guidelines	<ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Must be reported to the school threat assessment team (STAT). 	
Recommended Consequences	<u>K-2nd Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice (if available) and 1 day of P.A.S.S. 2nd Offense – 2 days of P.A.S.S. 3rd Offense – 1 day of O.S.S. 	<u>3rd – 12th Grades</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice (if available) and 1-3 days of P.A.S.S. 2nd Offense – 1-3 days of O.S.S. 3rd Offense – 3-5 days of O.S.S. (H.S. only- contact your AA if more than 3 days)
Robbery - Level IV M		
Definition	The taking, participation in taking, or attempting to take anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence and/or by putting the victim in fear.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student or other snatching a gold chain off someone's neck. Forceful taking of objects such as purses, phones, clothing etc. Student engaging in carjacking. 	
Non-Examples	<ul style="list-style-type: none"> Student taking money from an unattended purse (refer to Theft) Student posts pictures of another student after a break up (refer to Harassment). Student threatens to post an inappropriate picture of another student if he/she does not receive money from them. (Extortion – Level IV T Other) 	
Supporting Guidelines	<ul style="list-style-type: none"> If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Must be reported to the school threat assessment team (STAT). 	
Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM) 	

S (Sexual Assault, Sexual Battery, Sexual Harassment, Sexual Offenses, Smoking, Stealing)

Sexual Assault - Level IV Z	
Definition	An incident that includes a threat of rape, fondling, indecent liberties, or child molestation. Both male and female students can be victims of sexual assault.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student tells another they are going to rape them and pulls them into a restroom/private area (or another furtherance of action). • Student pins another student against their will while fondling/groping them.
Non-Examples	<ul style="list-style-type: none"> • Kindergarten student threatening another with a sexual act.
Supporting Guidelines	<ul style="list-style-type: none"> • Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s). • Young children and students with exceptionalities may make threats without conscious sexual intent. Consult school district student services or psychologist for assessing acting out sexual behaviors that might be indicators of abuse, and use the findings to help determine whether to report the incident as a SESIR incident. • The principal should obtain input from school or district staff, when the principal is unable to determine if the behavior involving young children is of a sexual nature beyond developmentally appropriate age expectation, when the incident is serious enough to require further investigation, or where students in special education are involved. • <i>Law enforcement must be contacted and allowed to finish their investigation before the school begins their investigation. Without beginning an investigation, the Title IX Coordinator should offer supportive measures to the complainant. (refer to the Title IX Procedure Guide).</i> • <i><u>Title IX determination form must be included in the DTM packet and the Title IX investigation is completed.</u></i> • An A-4 Reporting form should be completed immediately. • Refer the incident to your school's Title IX Coordinator for creation and preparation of supportive measures and a safety plan. • If physical evidence is present, it needs to be part of the investigation and documented. • Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM) • Contact your learning community immediately. • Contact your Principal Evaluator.



Sexual Battery - Level IV N	
Definition	Any sexual act or attempt directed against another person, forcibly, and/or against the person's will. The category includes rape, indecent liberties, child molestation, and sodomy.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object.
Non-Examples	<ul style="list-style-type: none"> Consensual sex acts are not sexual battery (refer to Level IV P – Sexual Offenses).
Supporting Guidelines	<ul style="list-style-type: none"> <i>Law enforcement must be contacted and allowed to finish their investigation before the school begins their investigation. Without beginning an investigation, the Title IX Coordinator should offer supportive measures to the complainant. (refer to the Title IX Procedure Guide).</i> An A-4 Reporting form should be completed immediately. Advise parents of a possible Level IV for both students pending the outcome of the police investigation. Refer the incident to your school's Title IX Coordinator for creation and preparation of supportive measures and a safety plan. <u>Title IX determination form must be included in the DTM packet and the Title IX investigation is completed.</u> Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> 10 day suspension Discipline Team Meeting (DTM) Contact your learning community immediately & Principal Evaluator.



Sexual Harassment - Level II R	
Definition	Any minor slur, innuendo, gesture, or other written or verbal conduct reflecting on an individual's gender which has the purpose of creating an offensive educational environment.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Unpleasant distasteful comments, jokes, or gestures that are sexual in nature; however, this does not include acts involving physical contact. Student sends a text message about another student's breasts. Student posts a video (sexual in nature but with no exposure) on social media and tags a student to the post. Student threatens to rape another student (verbal comment only, no contact)
Non-Examples	<ul style="list-style-type: none"> Student solicits another student to participate in a sexual act/favor (refer to Level IIIS – Sexual Harassment). Student pulls down another student's pants, exposing their buttocks (refer to Level IV O – Sexual Harassment).
Supporting Guidelines	<ul style="list-style-type: none"> Sexting includes showing/sending of images or video, <u>not written text.</u> Refer the incident to your school's Title IX Coordinator.

Recommended Consequences	<u>Grades K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Skills Intervention • 2nd offense – refer to a Level III S 	<u>3rd – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – 1-3 days of P.A.S.S. • 2nd offense – refer to a Level III S
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Sexual Harassment - Level III S	
Definition	Any slur, innuendo, gestures, or other written, verbal or physical contact reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational environment.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student mooning their classmates (no exposure of genitals). • Sharing/sending/showing images or video that have no bodily exposure but are taken in a private area (e.g. bathroom/locker room). • Student slapping another student's buttocks (quick touch). • Student soliciting another to participate in a sexual act (without threat or force. Must be vulgar and occurs only one time).
Non-Examples	<ul style="list-style-type: none"> • Student pulls down another student's pants, exposing their genitals/buttocks (refer to Level IV O – Sexual Harassment). • Student sharing/showing commercially produced images/video of sexual activity (refer to Level IV O – Sexual Harassment). • Student pokes another student in the genitals (refer to Level IV O – Sexual Harassment).
Supporting Guidelines	<ul style="list-style-type: none"> • Sexting includes showing/sending of images or video, not written text. • When there is an inappropriate picture/video, follow the steps below: <ul style="list-style-type: none"> A. If the video/image is on an electronic district device - Have two staff members look at the picture/video and write a witness statement explaining what was seen on the picture/video. <ol style="list-style-type: none"> 1. Consult or report to your SRO and inform them of the inappropriate picture/ video on the device. If the SRO confiscates the device, it is theirs to return to the parent. If the SRO says they do not need to keep the picture and directs you to delete it go to B1a. <ol style="list-style-type: none"> a. Contact the school's tech support person to re-image the device. B. If video/image is on a <u>cell phone</u> - Have two staff members look at the picture/video on the phone and write a witness statement explaining what was seen. <ol style="list-style-type: none"> 1. Consult or report to your SRO and inform them of the inappropriate picture/ video on the student's cell phone. If the SRO confiscates the phone, the phone is theirs to return to the parent. If the SRO says they do not need to keep the picture and directs you to delete it go to B1a. <ol style="list-style-type: none"> a. Call parent. Tell them you have confiscated their child's cell phone due to inappropriate pictures. They must come to the school to pick up the phone. <u>We no longer tell students or parents to delete the pictures.</u> • Refer the incident to your school's Title IX Coordinator. • An A-4 Reporting form may be completed if necessary.

Recommended Consequences	<u>Grade K-2</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand 	3 rd - 12 th Grade <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 2-3 days of P.A.S.S. • Subsequent offenses – 1-3 days of O.S.S.
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Sexual Harassment - Level IV O

Definition	<p>Unwanted verbal or physical behavior with sexual connotations 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.</p> <p>Any sexual harassment of an OCPS employee, contracted vendor, or volunteer that is physical is included in this offense.</p>
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Sharing/sending/showing images or video that expose genitals or breasts. • Student <u>repeatedly</u> soliciting another to participate in a sexual act. • Student pulls down another student's pants, exposing their genitals and/or buttocks. • Student fondling or groping another student against their will. • Student shares a video of adults having sex to several other students. • Sexual harassment of an OCPS employee. • Student air drops <u>child pornography</u> to multiple students. (refer to a Level IV T -Other)
Non-Examples	<ul style="list-style-type: none"> • Student sends a text message about another student's breasts (refer to Level II R – Sexual Harassment). • Student posts a video (sexual in nature but with no exposure) on social media and tags a student to the post (refer to Level II R – Sexual Harassment). • Student sends an inappropriate photo/video to another student that was never intended to extend beyond the sender/receiver. (Sexting) Refer to Level III Q – Other Serious Misconduct. • Student slapping another student's buttocks (refer to Level III S – Sexual Harassment). • Student <u>pins</u> another student against their will while threatening to rape them. (refer to IV Z – Sexual Assault)



Supporting Guidelines	<ul style="list-style-type: none"> Sexting includes showing/sending of images or video, not written text. When there is an inappropriate picture/video, follow the steps below: <ol style="list-style-type: none"> If the video/image is on an electronic district device - Have two staff members look at the picture/video and write a witness statement explaining what was seen on the picture/video. <ol style="list-style-type: none"> Consult or report to your SRO and inform them of the inappropriate picture/ video on the device. If the SRO confiscates the device, it is theirs to return to the parent. If the SRO says they do not need to keep the picture and directs you to delete it go to A1a. <ol style="list-style-type: none"> Contact the school's tech support person to re-image the device. If video/image is on a <u>cell phone</u> - Have two staff members look at the picture/video on the phone and write a witness statement explaining what was seen. <ol style="list-style-type: none"> Consult or report to your SRO and inform them of the inappropriate picture/ video on the student's cell phone. If the SRO confiscates the phone, the phone is theirs to return to the parent. If the SRO says they do not need to keep the picture and directs you to delete it go to B1a. <ol style="list-style-type: none"> Call parent. Tell them you have confiscated their child's cell phone due to inappropriate pictures. They must come to the school to pick up the phone. <u>We no longer tell students or parents to delete the pictures.</u> Consensual sexual acts should be coded as a Level IV P- Sexual Offenses. If either student is under the age of 16 or intellectually disabled, consult with area administrator and DCF immediately. Documentation of any previous actions or interventions should be included in the discipline packet (Level II R- Sexual Harassment or Level III S- Sexual Harassment). Refer the incident to your school's Title IX Coordinator. Title IX determination form must be included in the DTM packet and the Title IX investigation if completed. An A-4 Reporting form may be completed if necessary.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)



Sexual Offenses - Level IV P	
Definition	Any willful and/or deliberate act, behavior, or conduct intended to result in sexual gratification or furthering acts lewd or lascivious in nature.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Students participating in consensual sexual acts. Student participating in sexual activity in front of a student. Student intentionally exposing genitals. (K-2 call your Area Administrator)
Non-Examples	<ul style="list-style-type: none"> Students kissing consensually. A kindergarten child relieving himself publicly. Student inadvertently touching breasts or buttocks of another. Inappropriate or suggestive gestures.

Supporting Guidelines	<ul style="list-style-type: none"> Sexual activity between students should be reported to law enforcement after incident is verified that it occurred and an A-4 Reporting form completed immediately. Witness statements must document the sexual offense. Documentation must include: <ul style="list-style-type: none"> All witness statements should be credible and descriptive. DO NOT include copies of pictures and DO NOT download any pictures, video, etc. to personal phones, computers nor to OCPS computers. Pictures or videos must be witnessed by two or more members of the administrative team with detailed descriptions. If either student is under the age of 16 or intellectually disabled, or ESE, consult with SRO/LEO immediately. Consideration should be given to developmentally age-appropriate behaviors in coding sexual offenses for students. Young children and students with exceptionalities may expose themselves without conscious sexual intent. When there is an inappropriate picture/video, follow the steps below: If the video/image is on an electronic district device - Have two staff members look at the picture/video and write a witness statement explaining what was seen on the picture/video. <ul style="list-style-type: none"> Consult or report to your SRO and inform them of the inappropriate picture/video on the device. If the SRO confiscates the device, it is theirs to return to the parent. If the SRO says they do not need to keep the picture and directs you to delete it go to A1a. <ol style="list-style-type: none"> Contact the school's tech support person to re-image the device if it is on an OCPS device. If video/image is on a <u>cell phone</u> - Have two staff members look at the picture/video on the phone and write a witness statement explaining what was seen. <ul style="list-style-type: none"> Consult or report to your SRO and inform them of the inappropriate picture/video on the student's cell phone. If the SRO confiscates the phone, the phone is theirs to return to the parent. If the SRO says they do not need to keep the picture and directs you to delete it go to A. <ol style="list-style-type: none"> Call parent. Tell them you have confiscated their child's cell phone due to inappropriate pictures. They must come to the school to pick up the phone. <u>We no longer tell students or parents to delete the pictures.</u> Refer the incident to your school's Title IX Coordinator. Title IX determination form must be included in the DTM packet and the Title IX investigation if completed.
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Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)
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Smoking/ Vaping and Other Use of Tobacco/ Nicotine Products - Level III L		
Definition	The possession or use of tobacco/vaping nicotine products, or items represented to be of said nature.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student in possession of an empty vape pen/cartridge, battery or charger. • Student in possession of an empty cigarette pack. • Student in possession of an electronic cigarette, CBD oil, Juuls, pods, vapors and hookah pens that do not contain THC or any other illegal controlled substance. • A student possessing and/or smoking cigarettes, cigars, etc. • A student using smokeless tobacco-nicotine (Chewing Tobacco). 	
Non-Examples	<ul style="list-style-type: none"> • Student in possession of a vape pen containing THC oil (refer to IV F - Drugs). • Student in possession of a lighter (Refer to Level III J – Possession of Contraband) • Student in possession of an edible containing CBD oil. (refer to Level III J- Possession of Contraband). 	
Supporting Guidelines	<ul style="list-style-type: none"> • If a student is in possession of an empty electronic smoking device containing residue, please refer to your SRO for possible testing. If test is positive for drugs (refer to Level IV F - Drugs). • Schools are responsible for ordering their own drug test kits. (See Dr. Vazquez' memo Oct 1, 2020) • If a student is in possession of a large quantity of electronic smoking devices /cartridges, refer to a Level IV FF – Tobacco/Vaping/Nicotine Selling • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable. 	
Recommended Consequences	<u>K-5 Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Skills Intervention 	<u>6th – 12th Grade</u> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Contact AA about a counseling program

Stealing (Under \$375) - Level II J		
Definition	Taking the property of another without permission of the person.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Taking anything of value under \$375 without the knowledge of the owner. • Stealing a book from a student's backpack. • Student finds a cell phone (value less than \$375) and keeps it instead of giving to a staff member. 	
Non-Examples	<ul style="list-style-type: none"> • Finding a book on the floor with a student's name in it and turning it in to the office. • Teacher confiscates student laptop and student is sent to PASS. Student takes a laptop from the media center (without permission) to work on assignments and then turns in the laptop. 	
Supporting Guidelines	<ul style="list-style-type: none"> • The incident must be without force, threat, violence or bodily harm. • Participating in theft by concealing property is considered an act of theft. • The incident does not take into account discounted prices such as a reduced price by signing a contract for cell phones. • If a credit/debit card or a checkbook is stolen, unless the individual from whom it is stolen can prove a loss of \$375 or less, the theft is limited to the actual value of the card (not defined as credit limit of the card). • The current replacement or receipted value (receipt must be presented) of the particular item(s) must be worth \$375 or less at the time it was stolen. Documentation of such must be provided. • If administration needs to search a student, the Checklist for Searching Students form should be completed. <p>Complete the Contraband Checklist, if applicable.</p>	
Recommended Consequences	<u>Grades K-5</u>	<u>6th – 12th Grade</u>
	<ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense – Admin detention • Subsequent offenses – 1-3 days of P.A.S.S. 	<ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • No Contact Contract • 1st Offense – Restorative Practice and 1-3 days of P.A.S.S. • Subsequent offenses – 3-5 days of P.A.S.S.
Stealing (\$375-\$749) - Level III M		
Definition	The taking of the property of another without the permission of the person.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Taking any item between \$375 and \$749 that belong to another person or school. • Taking multiple items of lesser value, where the total value is between \$375 and \$749. 	
Non-Examples	<ul style="list-style-type: none"> • Student stealing any item or items less than \$375 or more than \$749. 	

Supporting Guidelines	<ul style="list-style-type: none"> The incident must be without force, threat, violence or bodily harm. Participating in theft by concealing property is considered an act of theft. The incident does not take into account discounted prices such as a reduced price by signing a contract for cell phones. If a credit/debit card or a checkbook is stolen, unless the individual from whom it is stolen can prove a \$375-\$749 loss, the theft is limited to the actual value of the card (not defined as credit limit of the card). The current replacement or receipted value (receipt must be presented) of the particular item(s) must be worth \$375-\$749 at the time it was stolen. Documentation of such must be provided. If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. 	
Recommended Consequences	<u>Grades K-5</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – Administrative detention Subsequent offenses – 1-3 days of P.A.S.S. 	<u>6th – 12th Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand No Contact Contract 1st Offense – Restorative Practice and 1-3 days of P.A.S.S., Subsequent offenses – 3-5 days of P.A.S.S.
Larceny / Theft (\$750 or Over) - Level IV J		
Definition	The act, participating in the act, or attempted act of taking, carrying, riding away with, or concealing of property from the possession or constructive possession of another person, including motor vehicle, without threat of violence or bodily harm.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Pocket picking Theft from a building, motor vehicle or vending machine Theft of a golf cart, motor vehicle, or anything that is self-propelled or motorized. Student embezzling public funds. 	
Non-Examples	<ul style="list-style-type: none"> Student borrowing an item without permission. Student stealing any item/items less than \$750. Student steals a credit card but no charges are made to the card. 	
Supporting Guidelines	<ul style="list-style-type: none"> The incident must be without force, threat, violence or bodily harm. Participating in theft by concealing property is considered an act of theft. The incident does not take into account discounted prices such as a reduced price by signing a contract for cell phones. If a credit/debit card or a checkbook is stolen, unless the individual from whom it is stolen can prove a \$750+ loss, the theft is limited to the actual value of the card (not defined as credit limit of the card). The current replacement or receipted value (receipt must be presented) of the particular item(s) must be worth \$750 or more at the time it was stolen. Documentation of such must be provided. If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. 	

Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)
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T (Tardiness, Intimidation/Threats, Threats to a School, Tobacco/Vaping/Nicotine/Sell/Dist, Trespassing)

Tardiness - Level I L	
Definition	Repeated late arrival to class, not to school.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student arrives a few minutes late to class. Student arrived to school on time and was late to 1st period class.
Non-Examples	<ul style="list-style-type: none"> Student consistently arrives late to school during 1st period.
Supporting Guidelines	<ul style="list-style-type: none"> <u>Students who are tardy to school are not to receive discipline consequences.</u> Students are not considered tardy until they are signed into school. If a student arrives to school on time and is late to first period, that student may receive discipline consequences.
Recommended Consequences	<u>Grades K-12</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand

Intimidation / Threats - Level II G	
Definition	Any direct or indirect threat to do harm to another person's property. Or any direct or indirect harm to hit, fight, or beat up another student or a threat to another student's life if the threat to life is vague, said out of anger or frustration, an expression of humor or rhetoric and can be easily resolved. The content of the threat suggests the person is unlikely to carry it out. This section does not include threats made to OCPS employees; all threats to employees are a Level III or IV.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student jokingly says he is going to shoot/kill another student. Student after participating in a fight tells another student/adult "I'm gonna kill you". Student tells another he/she will beat them up. Student says in class he is going to kill everyone because no one was listening to the teacher. While eating lunch, Tony tried to open Miki's yogurt for her. When Tony opened the yogurt, it splattered everywhere. Miki became upset and told Tony, "I'm going to kill you".

Non-Examples	<ul style="list-style-type: none"> Students involved in a conversation regarding killing others in a video game. The teacher overhears the conversation and reports to administration. Student creates a hit list with names of other students in class (refer to Level III T). Student points a finger gun at multiple students in class. The investigation showed the student did not have intent to harm. Student admitted to behavior, was apologetic, didn't mean anything by it, and was bored. 	
Supporting Guidelines	<ul style="list-style-type: none"> The threat is inconsistent, implausible, or lacks detail or realism. No sustained intent to harm another person. All threats to an OCPS employee will be coded a Level III T- Intimidation/Threats to a Person or Level IV C - Intimidation/Threats to a Person. Must be reported to the school threat assessment team (STAT). If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Threat protocol must be uploaded to the Sharepoint portal. 	
Recommended Consequences	<u>Grades K-5</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st Offense - Intervention Program (given by Counselor or trained staff). 	<u>6th – 12th Grade</u> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – Admin detention 2nd offense – 1-3 days of P.A.S.S. Subsequent offenses – refer to Level III T – Intimidation/Threats
Intimidation/Threats to a Person - Level III T		
Definition	<p>Repeated Level II threats or any direct or indirect threat to another student's life if the threat has some details and information obtained suggests that some thought was given to how the threat will be carried out, but there is no clear indication that the student has taken preparatory steps. This section also includes threats of harm or violence towards an OCPS employee without any further acts of aggression or where there is no intent to carry out the threat.</p>	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Student threatens to kill or beat up an OCPS employee. Student creates/found in possession of a "hit list". Student wrote a note that said "die, die, die" (50+ times). He told the student this note is for you and started to read it to him. Student tells another he/she will beat them up. This is the 2nd time the student makes a Level II threat this year. 	
Non-Examples	<ul style="list-style-type: none"> Student throws his book bag out of anger, and accidentally hits the teacher on the foot. While breaking up a fight, a teacher is accidentally hit by a student. Student tells the dean, "You afraid of a boy? Why don't you tell me your address?" 	

Supporting Guidelines	<ul style="list-style-type: none"> The intent to hit, fight, or beat up is present (or not clear). Level III requires a protective action (Restorative Practice, schedule change, supervision plan, No Contact Contract, SAFE/Guidance referral, referral to mental health services). Must be reported to the school threat assessment team (STAT). If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable. Threat protocol must be uploaded to the SharePoint portal. 	
Recommended Consequences	<p><u>Grades K-2</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand Intervention Program (given by Counselor or trained staff). 	<p><u>3rd – 12th Grade</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – 1-3 days of O.S.S. (H.S. only- contact your AA if more than 3 days) Subsequent offenses – contact your learning community for recommendation.
Intimidation / Threats to a Person - Level IV C		
Definition	Any direct or indirect threat to hit, fight or beat up an OCPS employee with an aggressive act to carry out the threat. Or any direct or indirect threat which threatens the life of another person and the threat to life appears to pose an imminent or a serious danger to the safety of others. The threat is specific, detailed and plausible. Information obtained suggests steps may have been taken to carry out the threat, and/or there is a strong concern about the student's potential to act.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Threats made verbally or nonverbally by act, through social media, or by text. Angry student stepping towards an OCPS employee with clenched fists. Student threatens another while in possession of a weapon. Student posts a picture of himself holding a weapon on social media while threatening another student (either verbally or in writing). 	
Non-Examples	<ul style="list-style-type: none"> Student jokingly says he is going to shoot/kill another student. Student tells another he/she will beat them up. Student points a finger gun at multiple students in class. The investigation showed the student did not have intent to harm. Student admitted to behavior, was apologetic, didn't mean anything by it, and was bored. 	

Supporting Guidelines	<ul style="list-style-type: none">• Must be reported to the school threat assessment team (STAT). STAT must meet immediately to discuss this threat.• Email a copy of the threat protocol to your Area Administrator along with the DTM packet.• If administration needs to search a student, the Checklist for Searching Students form should be completed.• This offense includes, but is not limited to threats made verbally or nonverbally by act, through social media or by text, or threats/threatening behavior with a weapon (4H) or other dangerous object (4K), or the attempted use of a weapon (4H) or other dangerous <u>object</u> (4K) <u>without</u> injury. <table><tr><th>Behavior</th><th>Possession Only</th><th>If Used</th><th>Attempted Use</th><th>Threat only</th></tr><tr><td>Level 4 code</td><td>4H,4K</td><td>4D, 4Y</td><td>4C</td><td>4C</td></tr><tr><td>SESIR code</td><td>4H: WPO 4K: Non-SESIR</td><td>4D BAT+Weapon Related 4Y PHA+Weapon Related</td><td>TRE+Weapon Related</td><td>TRE+Weapon Related</td></tr></table> <ul style="list-style-type: none">• <i>If a weapon is used please ensure the weapon related indicator is marked on the referral.</i>• Complete the Contraband Checklist, if applicable.• Threat protocol must be uploaded to the Sharepoint portal.	Behavior	Possession Only	If Used	Attempted Use	Threat only	Level 4 code	4H,4K	4D, 4Y	4C	4C	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
Behavior	Possession Only	If Used	Attempted Use	Threat only												
Level 4 code	4H,4K	4D, 4Y	4C	4C												
SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related												
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none">• Up to a 10 day suspension• Discipline Team Meeting (DTM)															

IMPORTANT

IMPORTANT

Threats to a School - Level IV E	
Definition	Any direct or indirect threat that may harm the school or may disrupt the function of the school campus or school sponsored activity including, but not limited to, threats made verbally or nonverbally by act, through social media, or by text. All threats are taken seriously, regardless of intent.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student threatens to shoot up the class. • Bomb threats • Student threatens to conduct a mass shooting or an act of terrorism. • Student reposts social media threats to their school, causing a safety concern.
Non-Examples	<ul style="list-style-type: none"> • Student threatens to shoot a student/teacher in class. (refer to Intimidation/Threats) • Student posts message on social media about hating the school.
Supporting Guidelines	<ul style="list-style-type: none"> • Must be reported to the SRO. If the SRO refuses to take the report, please notate the SRO's refusal on the referral. • Must be reported to the school threat assessment team (STAT). STAT must meet immediately to discuss this threat. • Email a copy of the threat protocol to your Area Administrator along with the DTM packet. • Threat protocol must be uploaded to the SharePoint portal. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

Tobacco/Vaping/Nicotine Selling/Buying/Distribution - Level IV FF	
Definition	The distribution or sale, intention of selling, or buying of tobacco/vaping nicotine products, or items represented to be of said nature.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student is in possession of a large quantity of electronic smoking devices/cartridges. • Students selling vape pens containing nicotine (No THC). • Student giving out vape pens to his friends. (No sharing) • Student intending to sell/or distribute vape pens and there is evidence of intent to sell. • Student selling cigarettes. • Student buying tobacco/vaping nicotine products.
Non-Examples	<ul style="list-style-type: none"> • Student selling/or in possession of a vape pen containing THC. • Student in possession of an empty vape pen. (refer to Level III J – Contraband) • Student in possession of edibles. (refer to Level IV F – Drugs)

Supporting Guidelines	<ul style="list-style-type: none"> Only for tobacco/nicotine, not THC. Schools are responsible for ordering their own drug test kits. (See Dr. Vazquez' memo Oct 1, 2020) If administration needs to search a student, the Checklist for Searching Students form should be completed. Complete the Contraband Checklist, if applicable.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)

Trespassing - Level III N (TRS)		
Definition	To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> Any unauthorized person entering the campus. Any unauthorized person remaining on property after being directed to leave by an administrator or designee. Student is suspended from school and refuses to leave <u>school campus</u>. 	
Non-Examples	<ul style="list-style-type: none"> Person searching for a phone at a school facility after his/her car has broken down. Student is suspended from school and the parent/guardian refuses to pick up the student. 	
Supporting Guidelines	<ul style="list-style-type: none"> If law enforcement is involved with a trespass after school hours, the school must enter that incident into Skyward as a SESIR action. A referral must be written for students receiving a trespass notice. 	
Recommended Consequences	<p style="text-align: center;"><u>Grades K-2</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense – Admin detention 	<p style="text-align: center;"><u>3rd -12th Grades</u></p> <ul style="list-style-type: none"> Parental Contact Counseling and Direction Verbal Reprimand 1st offense - 1-3 days of P.A.S.S. Subsequent offenses – 1-3 days of O.S.S.

U (Unauthorized Absence from School, Unauthorized Assembly/Publications)

Unauthorized Absence from School / Class - Level I M	
Definition	A student arrives at school and then leaves campus, has temporary unauthorized absences from classes, or fails to attend specific classes.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student arrives to school in the morning and then skips school for the remainder of the day. • Student constantly absent from their P.E. class.
Non-Examples	<ul style="list-style-type: none"> • Student arriving late to school.
Supporting Guidelines	<ul style="list-style-type: none"> • Being tardy to school is not considered an unauthorized absence.
Recommended Consequences	<p><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand

Unauthorized Assembly, Publications, etc. - Level II K		
Definition	Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications, including misuse of electronic messages or computers which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student creates a petition without the authorization of school administration and it disrupts the school environment. • Student creates an unauthorized publication that interferes with the school environment. • Student creates a survey that disrupts the school environment. 	
Non-Examples	<ul style="list-style-type: none"> • Student involved in a demonstration and/or petition that does not interfere with the school environment, function or extracurricular/co-curricular activity. • Student passing out school club materials. 	
Supporting Guidelines	<ul style="list-style-type: none"> • Contact your Area Administrator for guidance. 	
Recommended Consequences	<p><u>Grades K-2</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand 	<p><u>3rd – 12th Grade</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st offense - 1-3 days of O.S.S. • Subsequent offenses – Contact your learning community for guidance.

V (Vandalism, Violation of Curfew, Violation of Early-Re-entry Plan)

Destruction of Property/Vandalism (Under \$100) - Level II A		
Definition	The willful or malicious destruction of Board property, school transportation, or the property of others.	
Examples (may include, but is not limited to)	<ul style="list-style-type: none">• Student damages the seat on the school bus resulting in damages under \$100.• Student punching the wall and making a hole (damage is less than \$100).• Student spraying a fire extinguisher (damage less than \$100).	
Non-Examples	<ul style="list-style-type: none">• Student causing damages of \$100 or more.	
Supporting Guidelines	<ul style="list-style-type: none">• Estimate of damages including labor and materials.• If administration needs to search a student, the Checklist for Searching Students form should be completed.• Complete the Contraband Checklist, if applicable.	
Recommended Consequences	<div>Grades K - 12</div> <ul style="list-style-type: none">• Parental Contact• Counseling and Direction• Verbal Reprimand• 1st Offense - 1-3 days of P.A.S.S.• 2nd Offense – 3-5 days of P.A.S.S. or referral to a Level III offense.	
Destruction of Property/Vandalism (\$100 to \$999) - Level III C		
Definition	The willful or malicious destruction of Board property, school transportation, or the property of others.	
Examples (may include, Abut is not limited to)	<ul style="list-style-type: none">• Student damaging classroom furniture.• Student causing damage to school lockers• Student spraying a fire extinguisher (damages \$100-\$999).	
Non-Examples	<ul style="list-style-type: none">• Student accidentally damaging chemistry lab equipment.• Student or other causing damages under \$100.	
Supporting Guidelines	<ul style="list-style-type: none">• Damages cannot be more than \$999• Estimate of damages including materials and labor.• If administration needs to search a student, the Checklist for Searching Students form should be completed.• Complete the Contraband Checklist, if applicable.	
Recommended Consequences	<div>K – 2nd Grade</div> <ul style="list-style-type: none">• Parental Contact• Counseling and Direction• Verbal Reprimand• 1st Offense – 1 day of P.A.S.S.• 2nd Offense – 2 days of P.A.S.S.• 3rd Offense – 1 day of O.S.S.	<div>3rd – 12th Grade</div> <ul style="list-style-type: none">• Parental Contact• Counseling and Direction• Verbal Reprimand• 1st Offense - 1-3 days of O.S.S.• 2nd Offense – 3-5 days of O.S.S.

Vandalism (\$1000 or Over) - Level IV S	
Definition	The willful or malicious destruction, damage, or defacement of public or private property including the act of defacing with graffiti, keying, or scratching a car or trashing a room resulting in damages.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student damaging a hotel room (\$1,000 or more) on a school-sponsored trip. • Student purposely flooding the classroom bathroom (damages of \$1000 or more). • Student keying a faculty member's car (damages of \$1000 or more).
Non-Examples	<ul style="list-style-type: none"> • Student accidentally damaging chemistry lab equipment. • Student or other causing damages under \$1,000.
Supporting Guidelines	<ul style="list-style-type: none"> • Written estimate of damages/repairs including labor and materials. • If administration needs to search a student, the Checklist for Searching Students form should be completed. • Complete the Contraband Checklist, if applicable.
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

Violation of Curfew - Level III O	
Definition	Breaking of curfew regulations during an extracurricular/co-curricular activity.
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> • Student, while on school sponsored fieldtrip, does not follow the curfew set by the school staff member.
Non-Examples	<ul style="list-style-type: none"> • Student, while on school sponsored fieldtrip, is in his/her room by curfew time.
Supporting Guidelines	<ul style="list-style-type: none"> • Notify school administrator immediately for guidance. • Notify parent/guardian of the violation. • Referral is written once you have returned to the school.
Recommended Consequences	<p style="text-align: center;"><u>Grades 6th – 12th</u></p> <ul style="list-style-type: none"> • Parental Contact • Counseling and Direction • Verbal Reprimand • 1st Offense – 1-3 days of O.S.S. and possible removal from extracurricular/co-curricular activity. • Subsequent offenses – contact your learning community.

Violation of Early Re-entry Plan - Level IV Q	
Definition	Any act or series of acts which violates or has the practical effect of violating an early re-entry plan from full exclusion/expulsion.
Supporting Guidelines	<ul style="list-style-type: none"> • Violation of early re-entry should be considered if the violation occurs after the early re-entry from a full exclusion expulsion only. • Early re-entry will result in placement at Positive Pathways Transition Center. • The student cannot enroll until the day after school board action. • Contact your Area Administrator for support.
Recommended Consequences	<p style="text-align: right;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

W (Firearms/Weapons/Destructive Devices Possession "Weapon")

Firearms/Weapons / Destructive Devices Possession "Weapon"- Level IV H				
Definition	The possession or control of any firearm, weapon, and/or destructive device ("weapons") (operable or inoperable, loaded or unloaded) as defined in Chapter 790, Florida Statutes. Firearms/Weapons are deemed zero tolerance by Sections 1006.07 and 1006.13, Florida Statutes. <i>Threatening or attempting to use a weapon is a Level IV C or IV E offense. Using a weapon and causing injury is a Level IV D or IV Y offense.</i>			
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> A firearm means any weapon which, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon. Any firearm muffler or firearm silencer. Any destructive device (Bomb, grenade, rocket, missile, pipe bomb, or similar, or any combination of parts to make a destructive device, which is designed or constructed to explode); or any machine gun. A weapon means any dirk, knife (blade length is 2.5 inches or more), metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon. Student in possession of a sharp knife, 2.5 inches or more, that was not brought for eating purposes. 			
Non- Examples	<ul style="list-style-type: none"> Student in possession of a knife (blade length is less than 2.5 inches) or eating utensil with no intent to harm. Student possessing items not covered under law or district policy such as pointed instruments, pens, or pencils. Student possessing a cutting tool used in art, shop, or other class (refer to Level IV K - Other Dangerous Objects). Student in possession of ammunition (refer to Level IV K – Other Dangerous Objects). 			
Supporting Guidelines	<ul style="list-style-type: none"> The attempted use of any object that can be used to inflict harm on another person. The blade of a knife must be measured next to a ruler. A photograph of the knife showing the length of the blade must be included in the packet. The blade point should start at zero. Student in possession of a metal blunt bladed table knife, butter knife, or small spreader, is a Level III J Contraband. However, if used as an eating utensil, <u>no referral will be given</u>. Confiscate the item and contact the parent/guardian. If a weapon was USED to inflict harm, then code the offense as a Level IV D – Battery, if less serious harm refer to a Level IV Y – Physical attack. 			
	Behavior	Possession Only	If Used	Attempted Use
	Level 4 code	4H,4K	4D, 4Y	4C
	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related



	<ul style="list-style-type: none"> If a weapon is used please ensure the weapon related indicator is marked on the referral If you are unsure, please contact your Area Administrator. The Checklist for Searching Students form should be completed, and the Contraband Checklist. Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p><u>Grades K-12</u></p> <ul style="list-style-type: none"> Up to a 10 day suspension Discipline Team Meeting (DTM)

Other Dangerous Objects - Level IV K																			
Definition	The possession, sale, or control of any instrument or object, other than a firearm or weapon as defined under a IV H offense, which could be used to inflict harm on another person or to intimidate any person. <i>Threatening or attempting to use a dangerous object is a level IV C or IV E offense. Using a dangerous object and causing injury is a level IV D or IV Y offense.</i>																		
Examples (may include, but is not limited to)	<ul style="list-style-type: none"> BB guns or pellet guns, air soft guns, water/gel bead gun, paintball guns and replicas of any gun or weapon. Common pocket knives (blade length is less than 2.5 inches), blunt bladed table knives. Items used for self-defense (i.e. Kubotan) Chains, pipes, common household tools Razor blades, box cutter/utility knife, ice picks, other pointed instruments Nun chucks, Chinese stars, pepper spray Ammunition, firearm clips, firearm cartridges Igniting fireworks/firecrackers 																		
Non- Examples	<ul style="list-style-type: none"> Toy gun with an orange tip or plastic neon colored toy gun. Student found in possession of a plastic fork/spork. Student stabs another with a pencil. (refer to Level IV D – Battery) 																		
Supporting Guidelines	<ul style="list-style-type: none"> The actual or attempted use of a dangerous object shall be coded as a Level IV H – Firearms/Weapons. A student, after investigation, found to possess a blunt bladed table knife or a plastic table knife, with no intent to harm, is not in violation of Level IV K – Other Dangerous Weapons. The blade of a knife must be measured next to a ruler. A photograph of the knife showing the length of the blade must be included in the packet. The blade point should start at zero. The blade length must be less than 2.5 inches. Student in possession of a metal blunt bladed table knife, butter knife, or small spreader, is a Level III J Contraband. However, if used as an eating utensil, <u>no referral will be given</u>. Confiscate the item and contact the parent/guardian. If a weapon was USED to inflict harm, then code the offense as a Level IV D – Battery, if less serious harm refer to a Level IV Y – Physical Attack. <table border="1"> <thead> <tr> <th>Behavior</th><th>Possession Only</th><th>If Used</th><th>Attempted Use</th><th>Threat only</th></tr> </thead> <tbody> <tr> <td>Level 4 code</td><td>4H,4K</td><td>4D, 4Y</td><td>4C</td><td>4C</td></tr> <tr> <td>SESIR code</td><td>4H: WPO 4K: Non-SESIR</td><td>4D BAT+Weapon Related 4Y PHA+Weapon Related</td><td>TRE+Weapon Related</td><td>TRE+Weapon Related</td></tr> </tbody> </table>				Behavior	Possession Only	If Used	Attempted Use	Threat only	Level 4 code	4H,4K	4D, 4Y	4C	4C	SESIR code	4H: WPO 4K: Non-SESIR	4D BAT+Weapon Related 4Y PHA+Weapon Related	TRE+Weapon Related	TRE+Weapon Related
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	<ul style="list-style-type: none"> • <i>If a weapon is used please ensure the weapon related indicator is marked on the referral.</i> • If you are unsure, please contact your Area Administrator. • The Checklist for Searching Students form should be completed, and the Contraband Checklist. • Must be reported to the school threat assessment team (STAT).
Recommended Consequences	<p style="text-align: center;"><u>Grades K-12</u></p> <ul style="list-style-type: none"> • Up to a 10 day suspension • Discipline Team Meeting (DTM)

Discipline Offense Consequences

Level I Potential Consequences

- Parent/guardian contact mandatory
- Counseling and direction
- Verbal reprimand
- Restorative Practice
- Special work assignment
- Withdrawal of privileges
- Return of property
- Detention
- Referral to intervention program
- Confiscation of unauthorized materials/objects/contraband
- Assigned Seat
- Supervision Plan
- SAFE/Guidance Referral
- Schedule Change
- No Contact Contract
- Referral to mental health services
- Warning of referral to Level II

Level II Potential Consequences

- Parent/guardian contact mandatory
- Counseling and direction
- Behavior plan/contract
- Restorative Practice
- P.A.S.S. (1-10 days)
- Special work assignment
- Detention
- SAFE/Guidance referral
- Confiscation of unauthorized materials
- Return of property
- Suspension from bus (1-10 days)
- Referral to intervention program
- Alternative Classroom
- Supervision plan
- Schedule change
- No Contact Contract
- Temporary removal or participation in extracurricular/co-curricular programs or activities
- Referral to mental health services
- Warning of referral to Level III

Level III Potential Consequences

- Parent/guardian contact mandatory
- Counseling and direction
- Behavior plan/contract
- Restorative Practice
- P.A.S.S. (1-10 days)
- Suspension from bus (1-10 days)
- Suspension from school (1-10 days)
- Detention
- Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities
- Return of property
- Referral to intervention program
- Confiscation of unauthorized materials, objects, or contraband
- Schedule change
- Supervision plan
- No Contact Contract
- SAFE/Guidance referral
- Referral to mental health services
- Warning of referral to Level IV
- Alternative Class

Level IV Potential Consequences

School Consequences

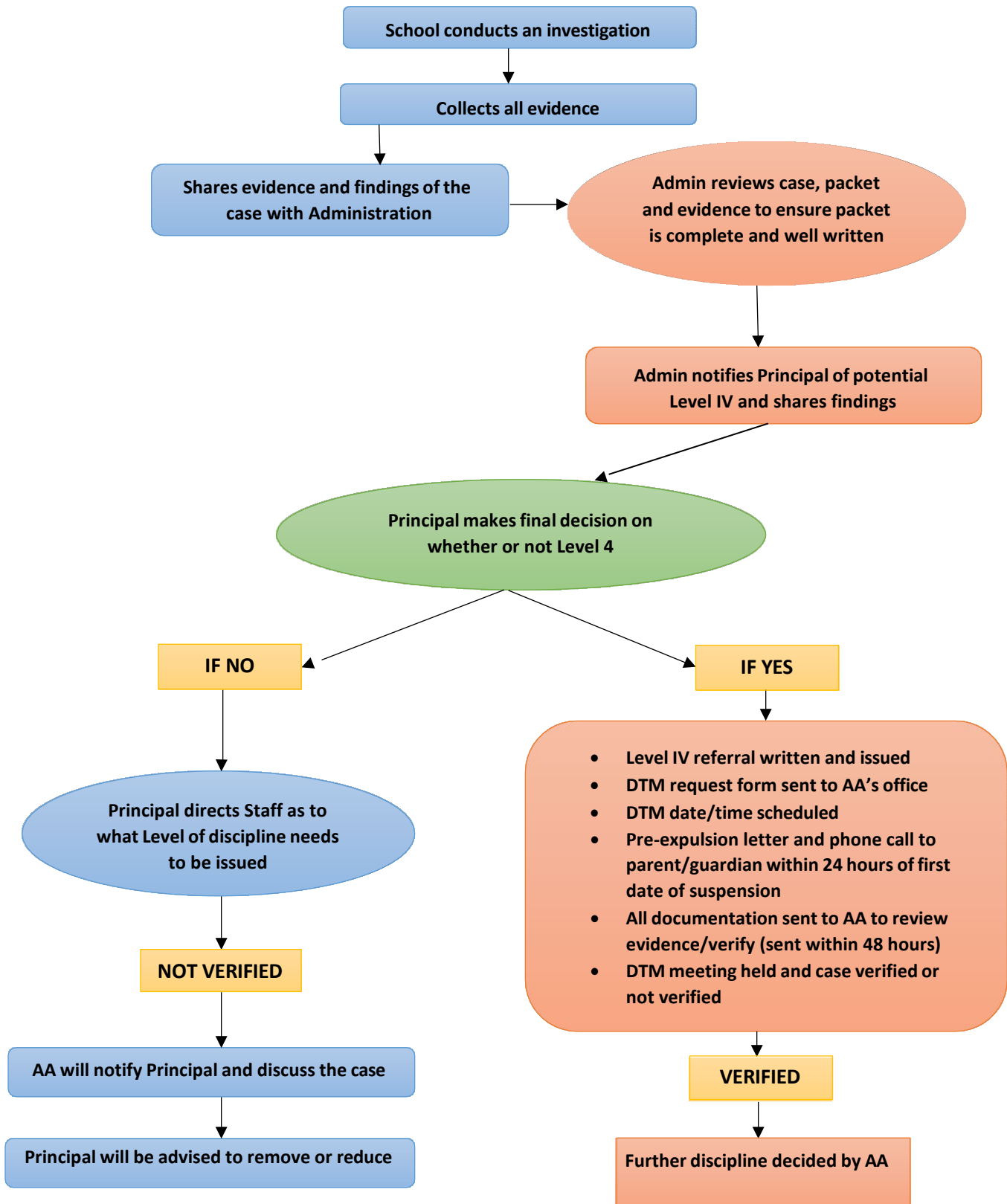
- Parent/guardian contact mandatory
- Counseling and direction
- Up to a 10-day suspension with a recommendation for expulsion
- SAFE/Guidance referral
- Schedule change
- Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities, e.g., to include, but not limited to, senior graduation
- Refer to the District for a Discipline Team Meeting

- Restorative Practice
- Schedule change
- No Contact Contract
- Supervision Plan

District Consequences

- Expulsion from the school district
- Assignment to an alternative School
- Referral to an intervention program
- Bus expulsion
- Referral to mental health services

Level IV Process Flowchart



Disciplinary Procedures for Discipline Team Meetings

The developmental age of the student should be considered when determining the severity of the offense for an elementary student. However, The Department of Education, through SESIR, sets the reporting guidelines. Schools should use the Code of Student Conduct and the 2022-2023 OCPS Discipline Procedures Guide for additional guidelines when determining if an offense should be coded as a Level IV.

Once a principal/designee determines an offense will be coded a Level IV, he/she will follow the process to submit a Level IV and schedule a Discipline Team Meeting (DTM) with the discipline office. **All paper work involving the investigation (including background report, statements, photos, videos, checklists and forms) must be sent to the discipline office prior to receiving a date for the DTM.**

The following steps take place at the DTM:

1. Once you have received the DTM date from the discipline office, the school ensures all stakeholders have been invited to the DTM (see Discipline Team Checklist).
2. Meet with the parent/guardian(s), student (if in attendance) and stakeholders to conduct the DTM. School provides the parent/guardian with redacted witness statements at the meeting, or prior if requested.

The area administrator will do the following:

- a. Conduct introductions.
- b. Verify information (student name, student number, address, birth date, grade level, phone number, parent/guardian(s) name on the DTM form. Make corrections on the DTM form if needed.
- c. Explain to parent/guardian(s) the DTM process.
- d. Explain to parent/guardian(s) that they will have an opportunity to ask questions, express concerns and/or make comments related to the Level discussed after all discipline concerns have been addressed.
- e. Read the Detailed Information Concerning Offense – Summary Part IIB on the Student Background Report.
- f. Ask the student if there is anything else they would like to share.
- g. Give the parent/guardian(s) an opportunity to read their child's witness statement or read the witness statement aloud then address any questions, concerns or comments related to the Level IV. If the parent/guardian(s) has concerns not related to the Level IV, they can be addressed after the DTM.
- h. Unless the parent/guardian(s) presents evidence that the student did not commit the Level IV offense, inform the parent that the Level IV was verified because the school provided sufficient evidence that the offense met the guidelines based on the definition in the OCPS Code of Student Conduct.
- i. Advise the parent/guardian(s) that if they believe their child's procedural rights have been violated or if they have additional evidence that their child did not commit the offense listed above, they may request an administrative hearing. Ask the parent/guardian(s) if they would like an Administrative Hearing.
- j. Explain the District Behavior Contract to the parent. Give the parent/guardian(s) an opportunity to review, ask questions, and sign the DTM form. If the parent/guardian

chooses not to sign the DTM form, indicate on the DTM form by writing "Parent/Guardian elected not to sign" on the parent/guardian and student signature line. If a supervision plan is necessary, share with the parent.

- k. If the parent/guardian(s) would like an Administrative Hearing, contact the discipline office immediately to schedule a date and time, and give the parent/guardian(s) the Administrative Hearing Request form to fill out and sign. The hearing date and time will be written at the bottom of the DTM form.
- l. If the Level IV offense resulted in a Full Exclusion from all OCPS schools the parent is entitled to a 120 hearing. Explain the 120 hearing process and tell the parent someone from our Legal department will contact the parent with a date and time. Verify phone number, again.
- m. Conclude the discipline portion of the meeting.
- n. Discuss any academic concerns.
- o. The parent/guardian(s) receives a copy of each form regardless if signed/initialed. The school keeps a copy and the originals goes to the area administrator.

3. Not every Level IV will result in a removal.

- 4. If the student has a 504 Plan or an IEP, a manifestation determination meeting will be conducted after concluding the discipline portion of the meeting.

Disciplinary Offenses Involving Multiple Schools

Listed below are the procedures for dealing with students accused of serious misconduct that, in the opinion of the principal/designee and the area administrator, should result in a suspension from school or the school bus or a recommendation for expulsion/removal. **When offending students are enrolled in more than one school, the principal/designee of each school will provide due process and consistency in the discipline consequences.** Therefore, the following steps must be followed:

1. **Once the students and schools have been identified, the principal/designee from the incident school will contact the principal/designee of each school where offending students are enrolled.** Each school with offenders will contact their area administrator. The area administrators will collaborate accordingly.
2. The affected schools should investigate, and share evidence that will support and determine if a discipline consequence is warranted. Documentation should include:
 - a) Police reports (if applicable)
 - b) Witness statements
 - c) Pictures of the incident (if applicable)
 - d) Estimate of damage including labor and materials (vandalism, burglary, theft, if applicable).
 - e) Any other documentation gathered
3. All involved principals/designees, should decide on an appropriate and consistent discipline level and consequence, and should apply the consequence through the referral process to all students involved.
4. When all schools cannot agree on an appropriate consequence, the Area Administrator will be asked to assist in making the recommendation for disciplinary consequences.
5. Although consistency of consequences is the aim, each principal/designee should consider unique factors that may impact the disciplinary response such as age of the student, cognitive and emotional levels and other unique factors that may be present.
6. If the incident occurred Out-Of-District or involves an Out-Of-District student, contact your Area Administrator (AA) for direction.

Title IX Procedures

1. An investigation must commence when the school has actual knowledge of sexual harassment occurring in an OCPS education program or activity. Education activity or program includes location, events, or circumstances over which OCPS has exercised substantial control over both the respondent and the context in which the sexual harassment occurred. A report may be made by any person with knowledge of sexual harassment incidents occurring.
2. The school-based Title IX Coordinator must promptly notify the complainant of available supportive measures and explain the process for filing a formal complaint. If there is an immediate threat of physical health or safety to others the student shall be removed from the school under the emergency removal provisions in Title IX and/or Board Policy JB.
3. The complainant or parent/guardian of the complainant must file a formal written complaint with the school alleging sexual harassment against a respondent and requesting an investigation of the allegations within ten (10) school days of the alleged misconduct occurring. The school-based Title IX Coordinator may also file the formal written complaint on behalf of the complainant if a written complaint is not received from the complainant or parent/guardian. At the time of filing the complaint, the complainant must be participating in or attempting to participate in the educational program or activity of the school where he/she is filing the complaint in order for the school to investigate under Title IX and Board Policy JB; however, this provision does not prohibit the school from continuing with a discipline investigation.
4. If a formal complaint is filed, the school must immediately determine if: (1) the allegations meet the definition of sexual harassment under Title IX and/or Board Policy JB; (2) the conduct occurred in an OCPS education program or activity; and (3) the allegation is against a person in the United States. If the allegations meet the above criteria the school shall continue with the following procedures as detailed herein and provided in Board Policy JB. If the allegations do not meet the above criteria the school shall dismiss the formal complaint and conduct a discipline investigation as detailed in the Code. The complainant must be notified of the dismissal.

The complainant may request an appeal from the decision of the school to dismiss the formal complaint as outlined under Title IX and Board Policy JB, The request for an appeal should be provided to the principal within two (2) days of notice of the dismissal. Failure to request an appeal within two (2) days shall be deemed a waiver of the appeal.

5. If the complaint is not dismissed, then the school must provide the respondent and complainant and his/her parent/guardian written notice of the allegations against the respondent upon the receipt of the sexual harassment complaint. The respondent and complainant may elect to have an advisor of their choice to assist them throughout the Title IX process. The advisor may be an attorney, but is not required to be.
6. The respondent shall be afforded the opportunity to prepare a response regarding the complaint and provide that response during the initial interview. The respondent shall have no less than two (2) school days from the date of the written notice to prepare a response and conduct the initial interview; the time to provide the response and conduct the initial interview shall not exceed five (5) school days. This time may be modified for good cause as outlined in Title IX and/or Board Policy JB.

7. The Title IX Coordinator/investigator must conduct a Title IX investigation into the allegations of the sexual harassment. Both the respondent and complainant will be given an equal opportunity to: present witnesses; present evidence; and inspect and review all evidence related to the investigation once the investigation is complete. The investigation must be completed and evidence provided to the respondent and complainant within five (5) school days.
8. After the evidence is provided, the respondent and complainant will be given ten (10) days to review and submit a written response to the evidence for the Title IX Coordinator/investigator to consider before the Title IX Coordinator/investigator completes his/her investigative report. If a response is not received within ten (10) days, the Title IX Coordinator/investigator will deem the non-response as a waiver and continue with his/her investigative report.
9. After reviewing the evidence and responses, the Title IX Coordinator/investigator shall create an investigative report summarizing his/her findings. The investigative report will be provided to the respondent and complainant for review. Both the respondent and complainant will have no more than two (2) school days to provide written relevant questions to the Title IX Coordinator/investigator to be asked of any party or witness. The party or witness has no more than two (2) school days to respond to the questions. The respondent and complainant will have no more than two (2) school days to provide no more than five (5) written relevant follow-up questions. The party or witness has no more than two (2) school days to respond to the follow-up questions. The respondent and complainant will have ten (10) days from receipt of the investigative report to provide a written response to the investigative report.
10. The investigative report and written responses will be provided to the Principal/decision-maker. If a response is not received within ten (10) days, the Principal/decision-maker will deem the non-response as a waiver and continue with his/her determination of responsibility.
11. The Principal/decision-maker shall issue a written determination regarding the responsibility of the respondent to the respondent and complainant within three (3) school days. The Principal/decision-maker shall apply the preponderance of the evidence standard when making his/her determination. The school-based Title IX Coordinator will be responsible for implementation of all remedies stated in the written determination. The determination of responsibility will become final after two (2) school days if an appeal of the determination is not requested.
12. If either the respondent or complainant do not agree with the Principal's/decision-maker's determination, either party may appeal the decision in writing to the Principal/decision-maker. A request for an appeal must be made within two (2) school days of issuance of the determination of responsibility. An appeal will be granted if: (1) procedural issued affected the outcome; (2) there is new evidence that becomes available that could affect the outcome; or (3) there was a conflict of interest or bias by the Title IX Coordinator/investigator, or Principal/decision-maker against the respondent or complainant. The respondent and complainant shall have three (3) school days to submit a written statement challenging or supporting the determination of responsibility issued by the Principal/decision-maker. If a statement is not received within three (3) school days, the appeals decision-maker will deem the non-response as a waiver and continue with his/her decision regarding the appeal. The appeals decision-maker will review the statements, if available, the investigative report, and the determination of responsibility before submitting his/her written decision to the respondent and complainant. The decision of the appeals decision-maker will become final upon issuance.

For further information, contact your Title IX District Coordinator.

District Discipline Documents



Student Participation in the Choking Game

Within the Jurisdiction of the Orange County Public School System

Several incidents of the Choking Game have occurred at OCPS middle schools and students have been injured. The following guidelines should be used if a student willingly participates in the Choking Game.

- For the first reported incident of the game, a District Level School Response Team Meeting should be requested by the school administrator or designee to educate the student and parent(s) to the dangers of the game and to make any other appropriate recommendations for intervention. A separate meeting should be held for each involved student. A video at www.gaspinfo.com on the dangers of the game should be viewed by the parent(s) prior to the beginning of the meeting. The student may be charged with a Level III Q – Other Serious Misconduct and should be directed not to participate in the game. Suspension from school is not recommended as the disciplinary consequence for a first offense.
- If the same student participates in the Choking Game a second time, in addition to carrying out the recommendations from the District School Response Team Meeting, the student may be charged with a Level III H - Gross Insubordination and/or a Level III Q – Other Serious Misconduct or may be charged with a Level IV T – Other, depending on the unique nature of the case. Documentation of previous interventions should be presented at this time.
- Any further repeats of this behavior by the same student will result in a recommendation for expulsion (Level IV T – Other) for participating in an act that significantly harms or poses a realistic threat of serious harm to the student or others.
- The consequences listed above do not apply when a student chokes another student without that student's permission. These incidences of violence will be dealt with using available disciplinary consequences outlined in the *Code of Student Conduct*.

Information was given to schools at the beginning of the 2008-2009 school year from the District SAFE Office with directions on how principals should educate and alert other school based administrators, faculty and staff members, parents and students to the dangers of the game. Schools will be asked to disseminate this information in a timely manner to all designated individuals.

If there are questions or concerns, please contact your school level Safe Coordinator or your area administrator.

A 'Game'
Injuring and Killing
Teens & Preteens



WHAT ARE THE RESULTS OF PLAYING THE CHOKING GAME?

When oxygen and/or blood is deprived from the brain, immediately CELLS DIE. Any of these could happen the FIRST time.

- Bruises/concussions
- Short term memory loss
- Seizures
- Brain Death (permanent vegetative state)
- Brain Damage
- Retinal hemorrhaging
- Stroke
- UNEXPECTED DEATH

WHAT ARE THE WARNING SIGNS?

Injury and death have occurred without any of these warning signs being present.

- Inexplicable bruising or red marks around the neck
- Ligatures (bed sheets, belts, tee-shirts, ties, ropes) tied in strange knots and/or found in unusual places
- Frequent severe headaches
- Wear marks on furniture (bunk beds, closet rods) from previous incidences
- Disorientation and/or grogginess after being alone
- Unusual need for privacy (locked bedroom doors)
- Bloodshot eyes, pinpoint bruising around the eyes
- Changes in attitude (aggressive behavior)

WHAT IS THE BEST PREVENTION?

Most children have no clue how dangerous this activity is. Most parents have no clue that kids are doing this until someone in their lives dies or is damaged by it. Medical examiners and police continue to classify these deaths as suicide by hanging when there is no evidence that the child intended to take his life.

Essential is to talk to the children about the dangers - keeping in mind they feel it's 'just passing out' because it's not doing drugs or illegal. Tell them that EVERY time they are risking DEATH -either their brain cells or themselves.

person under or over the heart. The fact that hyperventilation causes rapid cerebral hypoxia is paradoxical because the body should be well stocked with oxygen after overbreathing.

The symptoms of alkalosis are: neuromuscular irritability, muscular spasms, tingling and numbness of the extremities and around the mouth, and a dizziness, or giddiness, often interpreted as a sense of euphoria. *This brief euphoria is what practitioners of the fainting game seek.*

In some traditional versions the bear hug is replaced by pressure on the neck, in which case blackout is a hybrid of strangulation and self-induced hypocapnia.

Other mechanisms. Unconsciousness may be induced by other methods: Pressure over the carotid sinus above the heart may induce a syncope (fainting) without any other action at all but this is difficult to reproduce and is not the basis of the game. For those people susceptible to carotid sinus syncope, and most people would be unaware until it occurs, this can be an exceedingly dangerous game.

In both *strangulation* and *self-induced hypocapnia* blackouts the victim may experience dreaming or hallucinations, though fleetingly, and regains consciousness with involuntary movement of their hands or feet much to the amusement of the onlookers. Full recovery is usually made within seconds but these activities cause many deaths and invalidities every year, particularly when played alone or with a ligature. Permanent brain damage may not be immediately apparent.

What are the results of 'playing' the 'choking game'?

When oxygen and/or blood is deprived from the brain, immediately **CELLS DIE**. Any of these could happen the FIRST time.

- Bruises/concussions
(from falling after passing out)
- Short term memory loss
- Seizures
- Brain Death (permanent vegetative state)
- Brain Damage
- Retinal hemorrhaging
- Stroke
- UNEXPECTED DEATH

Are there warning signs to look for?

Injury and death have occurred without any of these warning signs being present.

- Inexplicable bruising or red marks around the neck
- Ligatures (bed sheets, belts, tee-shirts, ties, ropes) tied in strange knots and/or found in unusual places
- Frequent severe headaches

- Wear marks on furniture (bunk beds, closet rods) from previous incidences
- Disorientation and/or grogginess after being alone
- Unusual need for privacy (locked bedroom doors)
- Bloodshot eyes, pinpoint bruising around the eyes
- Changes in attitude (aggressive behavior)

What is the best prevention?

Most children have no clue how dangerous this activity is. Most parents have no clue that kids are doing this until someone in their lives dies or are damaged by it. Medical examiners and police continue to classify these deaths as suicide by hanging when there is no evidence that the child intended to take his life.

Essential is to talk to the children about the dangers - keeping in mind they feel it's 'just passing out' because it's not doing drugs or illegal. Tell them that EVERY time they are risking DEATH -either their brain cells or themselves.

If a child is actively participating in the Choking Game:

- Increase supervision- be aware of your child's activities and whereabouts
- Remove any paraphernalia that could be used as a ligature.
- Alert school personnel (principal, nurse, counselor, school police, teachers, etc.) If one student is involved, there probably are others involved.
- Alert the parents of your children's friends.
- Consult with a physician to explore and address any health needs that have resulted due to participation in this activity.
- If an older teen is involved, younger children in the same family may be at risk for participating in this activity.



Administrative Procedures for Student Removal- QEA

If change in placement is noted for ESE and LEP student, the Placement Review Committee must be composed such that it may serve as an IEP Committee and/or LEP Committee. A teacher may appeal the decision of the Placement Review Committee to their Area Superintendent.

PLACEMENT REVIEW COMMITTEE - *FL. Statute 1003.32(6)*

- Established during preplanning
- Membership must include at least the following *(five members recommended)*
 - Two teachers, one selected by the school's faculty and one selected by the teacher who has removed the student
 - One member from the school's staff who is selected by the principal
 - Administration
 - The teacher who withheld consent to readmitting the student may not serve on the committee
(The teacher and the placement review committee must render decisions within five days after the removal of the student from the classroom.)

RECORD KEEPING

- Principals are required to maintain documentation on the following:
 - Number of removal referrals
 - Number of removal referrals denied
 - Number and types of placement (include return to class) made by Placement Review Committee

PRINCIPAL MAINTAINS LOG OF REMOVAL REQUEST

Quarterly Reporting

School	Teacher	Date of Removal	Date of Committee Meeting	Case Disposition	Teacher Accepted Committee Recommendation

Teacher

Class Total

No. of Students Referred

Percentage of Class

Special Note

Any teacher who removes 25% of his/her total class enrollment shall be required to complete professional development to improve classroom management skills.

Supervision Plan

The purpose of the student supervision plan is to establish and maintain consistent measures for school personnel, student and parents to follow when a student displays unsafe behavior **AND** is considered at risk for future unsafe behavior. An individual student safety plan addresses specific behavior that is dangerous to others.

Student Name: _____ School Name: _____
 ESE/504: ☐ Yes ☐ No BIP Reviewed: ☐ Yes ☐ No

Description of Specific Unsafe Behavior(s): *Why student requires a Plan*
The School Will:

- Make certain pertinent staff/personnel are familiar with and follow this Plan
- Monitor effectiveness and appropriateness of this Plan
- Revisit this Plan as needed and review at times of transition
- Communicate and work with student/parent(s) to resolve student issues to ensure his/her safety and safety of others
- Implement the student Behavior Intervention Plan as documented in the IEP, if applicable
- **Additional Provisions (*specific to the school and student*):**
 1. _____
 2. _____
 3. _____

The Student Will:

- Follow school and district policy as stated in the Code of Student Conduct
- Follow this Plan to ensure his/her own safety and the safety of others
- Communicate with school personnel and parent(s) when student has concerns
- Stay on campus at all times during school hours unless supervised
- Follow the steps listed in the student's Behavior Intervention Plan as documented in the IEP, if applicable
- **Additional Provisions (*specific to the school and student*):**
 1. _____
 2. _____
 3. _____

The Parent/Guardian Will:

- Encourage the student to follow the Code of Student Conduct
- Encourage the student to follow this Plan to ensure the student's safety and safety of others
- Encourage the student to share concerns with trusted adults in his/her school family/team
- Communicate and work with the school to resolve student issues to ensure the student's safety and safety of others
- Initiate review of this Plan as needed and communicate with the school the need to review at times of transition
- **Additional Provisions (*specific to the school and student*):**
 1. _____
 2. _____
 3. _____

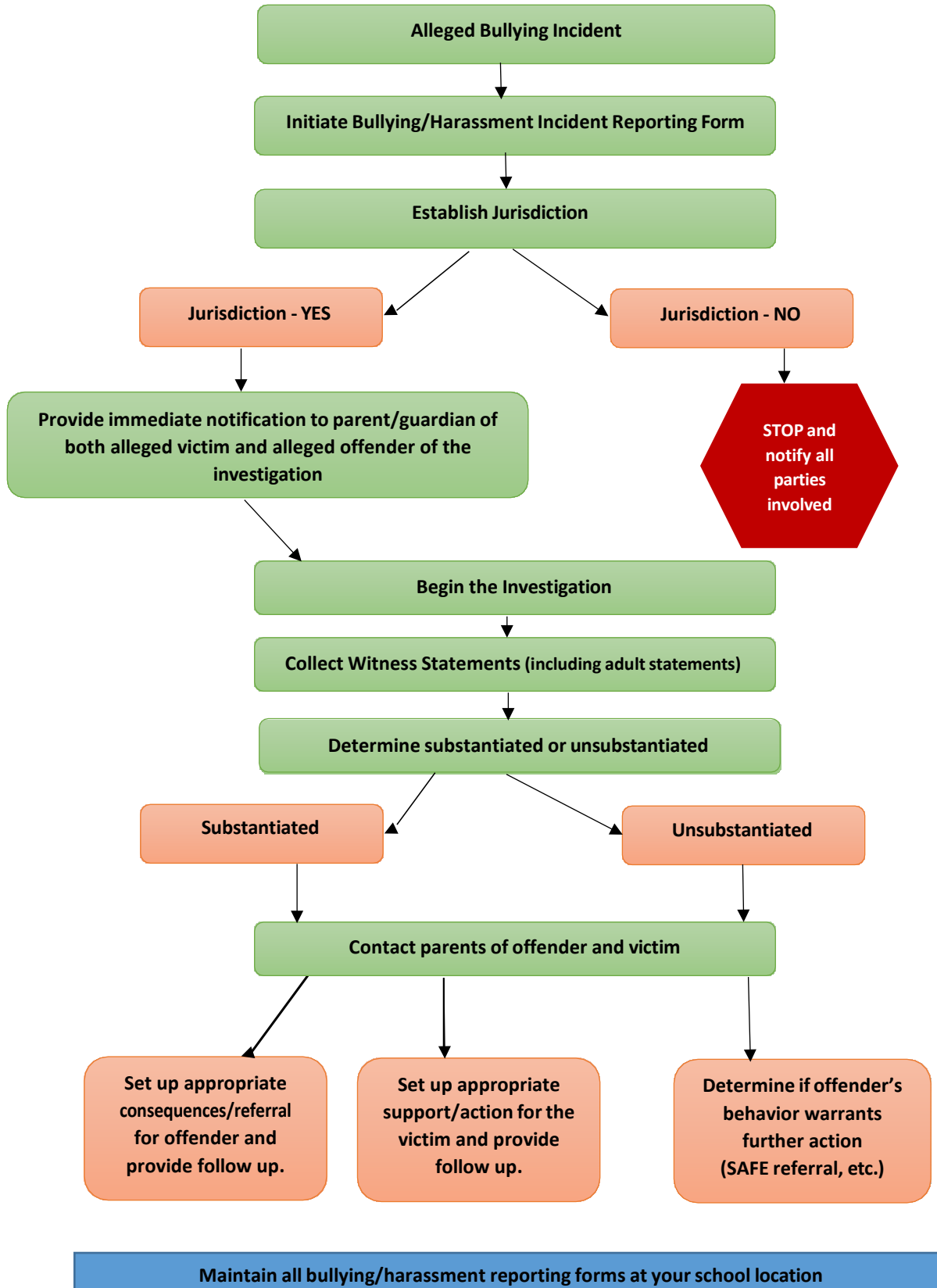
Participants Involved in Creating Student Supervision Plan:

Print Student Name:	Student Signature:	Date:
Parent/Guardian Name (Print):	Parent/Guardian Signature:	Date:
AP/Dean Name (Print):	AP/Dean Signature:	Date:
Principal Name (Print):	Principal Signature:	Date:

Bullying/ Harassment



Bullying and Harassment Flowchart





OCPS Bullying/Harassment Incident Reporting Form

☐ Unsubstantiated 1O Bullying ☐ Unsubstantiated 1P Harassment Skyward Incident #: _____ Date: _____

	Race	Sex	Religion	Disability	Sexual Orientation	Harassment
Yes						
No						

Incident Recorded By: _____

Position: _____ School: _____

Date: _____ Time: _____

Person Making Allegation ☐ Student ☐ Parent/Guardian ☐ Staff ☐ Other: _____

Name: _____

Phone (If not a student) _____

Student#: _____

Incident Information

Incident Location: _____

Date: _____ Time: _____

Incident Description: _____

Jurisdiction – If you answer yes to any of the following questions, you have jurisdiction.

- Incident take place on school grounds during the school day or 30 minutes before or after school? ☐ Yes ☐ No
- Did the incident take place on a school bus or other mode of transportation provided by OCPS? ☐ Yes ☐ No
- Did the incident take place at a school sponsored activity or event (including digital learning)? ☐ Yes ☐ No
- Did the student bully/harass another student/employee through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of OCPS? ☐ Yes ☐ No
- Did the student bully another student through the use of an electronic device (not owned, leased, or used by OCPS) outside of school **AND** the bullying/harassment substantially interferes with or limits the victim's ability to participate or benefit from school services/activities, **OR** substantially disrupts the educational process or orderly operation of the school? ☐ Yes ☐ No

Based on the incident information provided and the questions listed above, OCPS ☐ does ☐ does not have jurisdiction at this time.

Administrator Signature

Date

Name of Parent /Guardian Notified

Date/Time of Notification

Title IX Coordinator Contacted: ☐ Yes ☐ No

Contact Date: _____

Title IX Investigation initiated: ☐ Yes ☐ No

Date initiated: _____

*If Bullying/Harassment is sexual in nature or involves dating violence, domestic violence and stalking and no Title IX investigation is initiated please have the Title IX Coordinator sign below.

Title IX Coordinator Signature

Date

*If a Title IX investigation has been initiated, please follow all Title IX regulations pursuant to School Board Policy JB Equal Educational Opportunities.

*If Title IX investigation has not been initiated and jurisdiction has been established, please continue with the form below.

If jurisdiction has been established and it is not a Title IX investigation, please complete the following:

Person(s) Involved:

Accused Name: _____ Student #: _____

Nature of Involvement: _____

Name: _____ Student #: _____

Nature of Involvement: _____

Name: _____ Student #: _____

Nature of Involvement: _____

Name: _____ Student #: _____

Nature of Involvement: _____

Name: _____ Student #: _____

Incident type Check all that Apply

<input type="checkbox"/> Cyber bullying	<input type="checkbox"/> Social Isolation/Exclusion
<input type="checkbox"/> Name calling or unwanted teasing	<input type="checkbox"/> Taking another's property
<input type="checkbox"/> Name calling, mean comments about religion, gender or race	<input type="checkbox"/> Threats/Intimidation
<input type="checkbox"/> Name calling, mean comments, or gestures with a sexual meaning	<input type="checkbox"/> Sexual Harassment/Sexual Discrimination (Contact Title IX)
<input type="checkbox"/> Physical Violence	<input type="checkbox"/> Dating Violence (Contact Title IX)
<input type="checkbox"/> Rumor spreading	<input type="checkbox"/> Domestic Violence (Contact Title IX)
<input type="checkbox"/> Stalking (Contact Title IX)	<input type="checkbox"/> Other: _____

Investigator 1: _____ Position: _____

Investigator 2: _____ Position: _____

Parent/Guardian of **Victim** contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Parent/Guardian of **Offender** contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Parent/Guardian of **Offender** contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Bullying/Harassment indicated: ☐ Yes ☐ No Skyward Incident #: _____ Date: _____

	Race	Sex	Religion	Disability	Sexual Orientation	Harassment
Yes						
No						

If no: ☐ Unsubstantiated 1O Bullying ☐ Unsubstantiated 1P Harassment

Rationale/Evidence: _____

If bullying is indicated, the discipline referral process should be initiated using guidelines documented in the Code of Student Conduct and the Discipline Procedures Guide.

Action Taken (**Check all that apply**):

Action Date Responsible Contact

- | | | |
|---|-------|-------|
| <input type="checkbox"/> Referred victim/offender to SAFE Coordinator | _____ | _____ |
| <input type="checkbox"/> Referred victim/offender to Guidance Counselor | _____ | _____ |
| <input type="checkbox"/> Referred victim/offender to SAFE Team | _____ | _____ |
| <input type="checkbox"/> Referred victim/offender to Child Study Team | _____ | _____ |
| <input type="checkbox"/> Initiated Safety Plan for victim and offender | _____ | _____ |
| <input type="checkbox"/> Contacted law enforcement | _____ | _____ |
| <input type="checkbox"/> Notified teachers of students' behavior(s) | _____ | _____ |
| <input type="checkbox"/> Other consequences for offender(s) | _____ | _____ |

(Not documented on Discipline Referral Form)

Post-Investigation Contact:

Parent/Guardian of Victim contacted on _____ Method of Contact: _____

Name: _____ Relationship to Victim: _____

Follow up : _____

Please attach all discipline referral forms, witness statements, suspension letters, (if appropriate), and all other discipline information related to the bullying/harassment investigation.

Please ensure school Mental Health Designee is properly notified of the situation in its entirety.

Bullying/Harassment Supervision Plan

A Supervision Plan is for the student who was bullied/harassed. This student should never be forced to meet with the offender.

Developing the Supervision Plan:

- It is recommended that adults who are involved in the student's school day/ after school care are part of the Safety Plan meeting or are given the opportunity to provide input.
- Include student if possible or meet with the student ahead of time to give them the opportunity to provide input.
- Include parents or allow them the opportunity to provide input in development and monitoring of the Safety Plan.
- Identify where the bullying is occurring (hot spots). Implement strategies that will reduce opportunities for student to be bullied, including increasing adult supervision if appropriate.
- Have the student identify a staff member that they feel comfortable with and have that person become the point person for the student. This person will take responsibility for monitoring and follow-up with the student. Follow-up can prevent the bullying or harassment from resurfacing.

Follow-up:

- Assign an adult to monitor the plan and the student.
- Advise parents to make contact with any outside providers that student is involved with such as after school care, clubs, sports, etc.
- If student rides the bus, designate staff member to be liaison with bus driver.
- If student walks home, identify safe peers that can walk with student and ask parent to supervise. School may make contact with crossing guard if appropriate.

Suggested Strategies:

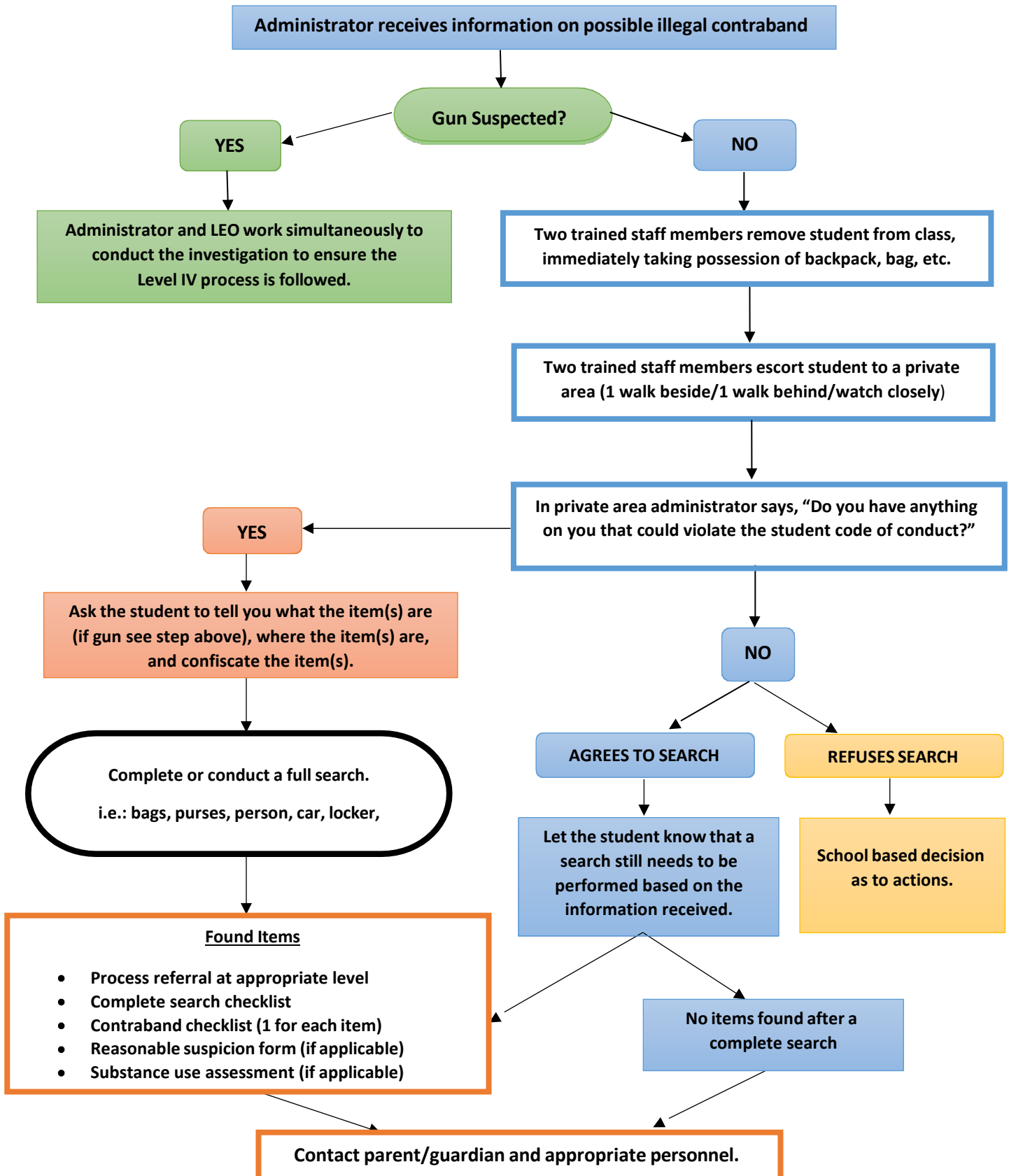
- Provide peer buddies at school
- Class change, seat change, lunch time change
- Adult to monitor hot spots
- Change student route to avoid hot spots, although make it clear that it is not the bullied/harassed student's responsibility to stop what is happening.
- Have the student who bullied sign a "No Bullying" contract if appropriate. Review it periodically.
- Other strategies as appropriate for the student and the bullying/harassment situation.

Strategy	Date Implemented	Location (optional)	Adult(s) Responsible
<p>Meet with the student who was bullied. Do not make this student meet with the students who bullied.</p> <ul style="list-style-type: none"> Assure the student who was bullied that the student who bullied will have consequences. Identify where bullying has occurred. Find out what the student needs to feel safe. Instruct the student who was bullied to report to any adult if the bullying continues. Teach the student who was bullied a skill to use when in conflict with another student (Walk away, change the subject, make a joke, etc.) Make it clear that adults are there to help stop the bullying. Find out if the student who was bullied needs further support. 			
Create a supervision plan.			
Increase adult supervision in area where bullying has occurred.			
Add other strategies in these spaces.			

Searches



Student Search Flowchart



Procedures for Search, Seizure, and The Use of Metal Detectors

Reasonable Suspicion

School officials are authorized to search individual students and their personal effects (including but not limited to backpacks, book bags, purses, vehicles parked on property owned or leased by the Orange County Public School System) when a school official has a reasonable suspicion that such search will reveal evidence that the student to be searched is violated or has violated a district/school rule or regulation, or law.

"Reasonable suspicion" may be based on direct observations of the student by school officials (such as seeing a gun shaped bulge in clothing, hearing the sound of an electronic communication device, or smelling the aroma of marijuana) or on information provided to them by others (including, but not limited to school student and staff) indicating that the student has contraband in his or her possession. However, neither a mere hunch nor a generalized suspicion is sufficient basis for searching a student. The school official must be able to articulate an objective basis for his or her "reasonable suspicion" before conducting a search of an individual student.

The following are examples of relevant factors in determining whether a *reasonable suspicion* exists to initiate a student search. Sometimes, one factor by itself is sufficient to create a *reasonable suspicion* (e.g., a teacher glimpses a weapon in a backpack); other times, multiple factors must be present (e.g., a school official approaches an area where students frequently smoke cigarettes and a student appears nervous, discards an object and attempts to flee).

Factors Generally Sufficient by Themselves (Information taken from School Search Manual, State of Florida, Office of Attorney General Ashley Moody)

- A crime is observed in progress.
- A weapon or portion of weapon is observed on as student.
- A student has told others that he or she has a weapon on campus.
- A student has been seen in possession of illegal items.
- A student had been seen in possession of stolen items.
- A student is found with incriminating items.
- The smell of burning tobacco or marijuana is detected.
- A student appears to be under the influence of alcohol or drugs.
- A student admits to committing a crime or school rule violation.
- A student fits a detailed or unusual description of suspect of recently reported crime or school rule violation.
- Students provide specific incriminating evidence against another student.
- An emergency situation exists where a school official can provide immediate assistance to avoid serious injury if a student search is conducted.

Factors Generally Not Sufficient by Themselves

- A student flees from the vicinity of recent crime or school rule violation.
- A student flees upon the approach of a school official.
- Imprecise information about a crime or school rule violation has been provided to school officials.
- A student threatens others with words or behavior without an indication that the student possesses a weapon (*a reasonable indication that a student possesses a weapon always provides reasonable suspicion justifying a search*).
- A student has a history of previous similar criminal or school rule violations.
- A report has been made of a stolen item, including a description and value of the item and place which it was stolen.
- A student was seen leaving an area where crimes or school rule violations are often committed.
- A student became unduly nervous or excited when approached by a school official.
- A student made a suspicious movement. (Note: To provide the basis for a search, a witness must be able to describe the exact conduct and why it was suspicious.)

Searches for Firearms – Reasonable Suspicion

Every school should have in place a plan for dealing with students who possess firearms on school property, school buses and at school events. Every school administrator, teacher and staff member should be familiar with the plan. Every incident involving a firearm, or even an allegation that a student has a firearm, should be handled by a law enforcement officer.

If a school resource officer is available, that officer should be the first person contacted when a student or other person on school property is reported to have a firearm. Otherwise, a local law enforcement agency, as designated in the Orange County Public School Emergency Procedures Manual – Notification of Law Enforcement, should be contacted immediately. Law enforcement officers are specially trained to search and disarm persons bearing firearms at minimal risk to themselves and others.

Where a firearm is suspected on school property, any law enforcement officer, not just the school resource officer, may conduct a student search based on *reasonable suspicion*.

Searches of Student and Personal Belongings

General Procedures

Student searches shall be done only by principals or designees who have completed district level Search Procedures Training. More than one person on each school campus shall be trained. Search teams, as applicable, should be designated.

The search of a student's person shall be conducted in the presence of a trained adult witness and shall be conducted by a trained adult of the same gender as the student. Personal belongings (such as purse, backpack, tote, etc.) do not have to meet the criteria for the same gender. The extent of the search by

the school official must be reasonably related to the objectives of the search, and the search may not be excessively intrusive in light of the age and sex of the student and the nature of the offense.

Strip searches are strictly prohibited; School employees shall NOT conduct body searches of student, or remove or arrange student's clothing to look at underwear, breasts, buttocks or genitalia. With the student's permission, searches of student shall be limited to the student's pockets, any items in the students' possession such as purses or backpacks and/or a pat down. *(Florida law: the term "strip search" means having a person remove or arrange some or all of his or her clothing so as to permit a visual or manual inspection of the genitals; buttocks; anus; breasts, in the case of a female; or undergarments of such person. Hence, a strip search in Florida does not even require the removal of the subjects clothing.)*

A student should never be searched in front of another student.

If a student refuses permission to be searched, the school official should contact law enforcement and/or the parents(s) before proceeding. Students who refuse to fully cooperate with search procedures may be subjected to disciplinary action.

Legal Guidelines For Student Searches At Public Schools

(Information was taken from School Search Manual, State of Florida, Office of Attorney General, Ashley Moody)

What is a "search"?

The following are examples of searches:

- **Examining private items or places** that are not in the open and exposed to public.
- **Physically examining or patting down a student's clothing**, including the student's pockets.
- **Opening and inspecting personal possessions** such as purses, backpacks, bags, books, notes, calendars, appointment books, and closed containers.
- **Handling or feeling any closed opaque item** to determine its contents when they cannot be inferred by the item's shape or other publicly exposed physical properties.
- **Using extraordinary means** to enhance viewing or hearing into *closed or locked areas*, containers or possessions (e.g., using a fiber optic cable and viewer to peer inside a closed locker).

What is *not* a "search?"

The following are *not* searches:

- Observing an object in plain view where it is exposed to the public.
- Examining an object after a student denies ownership of the object.
- Examining an object abandoned by a student
- Detecting anything openly exposed to the senses of sight, smell or hearing, as long as school officials are located in place where they have a right to be and they do not use extraordinary means to gain a vantage point (e.g., a male teacher seeing and smelling marijuana smoke in the boys restroom)
- **Using extraordinary means** to enhance sensory perceptions in *open areas* (e.g., using flashlights, binoculars, dogs, thermal imaging, etc., are not searches).

Individual Student Searches

Whenever a search is to take place, the student should be escorted to the search location. Stops along the way (restrooms, lockers) should be avoided.

If there is reason to suspect that a student has drugs, weapons, or other illegal contraband on his or her person, the search necessitated by such suspicion may include the emptying of pockets and the removal of coats, jackets, shoes or a pat down (By a trained adult of the same gender).

If the school officials conducting the search determine that there is still reason to suspects drugs or weapons, the school officials should contact law enforcement and/or the parents(s) and should not proceed further with the search.

Pat down searches must be conducted only by a trained school official of the same gender as the student being searched in the presence of another trained school official acting as a trained witness, except in extraordinarily urgent circumstances.

Remember that the scope of the search must be reasonably related to the circumstances that justified the search.

Remember that if the student refuses permission to be searched, the school official should contact law enforcement and/or the parents(s) before proceeding. Regardless of the outcome of the official assessment, the parent/guardian must be contacted.

Please use the [Checklist for Searching Students](#).

Searches of Lockers

A school principal or a school employee designated by the principal, if she or he has reasonable suspicion that a prohibited or illegally possessed substance or object is contained within a student's locker or other storage area, may search the locker or storage area. The district school board shall require and each school principal shall cause to be posted in each public K-12 school board shall readily see by students, a notice stating that a student's locker or storage area is subject to search, upon reasonable suspicion, for prohibited or illegally possessed substances or objects. This subsection does not prohibit the use of metal detectors or specially trained animals in the course of search for illegally possessed substances or objects. FS 1006.09 (9).

For the convenience of its students, the district "may" provide lockers, which are to be used for the storage of books, clothing, school materials and other personal property. Although assigned to students, student lockers remain in the property of the district. Students have exclusive use of their lockers and are "expected" to keep them locked.

Use of the lockers to store or conceal any prohibited items shall result in disciplinary action, including potential expulsion, in accordance with the Code of Student Conduct.

School authorities reserve the right to have school officials search and inspect a students' locker without obtaining consent of the student, if there exists a reasonable suspicion that the locker contains prohibited items.

A locker may also be searched with odors, smoke, fire and/or other threats to student health, welfare or safety emanate from the locker.

Closed containers or other objects with lockers are also subject to opening and inspection of their contents.

Student lockers are also subject to periodic, random, unannounced "inspections" or "sweeps" by trained detection K-9's sniffing the exterior surface of lockers for prohibited items which may be stored within the lockers. If a trained detention K-9 "alerts" to the presence of prohibited items within a locker, reasonable suspicion shall exist for school officials, without a student's consent, to open and search the locker and any closed container(s) or object(s) within the locker.

If the principal or administrative designee inspects and searches a student's locker as authorized by this policy, the locker shall be opened in the presence of another adult witness.

Except where factors of health, safety or welfare of the campus dictates otherwise, reasonable efforts, shall be made to contact the student to inform the student of the grounds for the inspection and search, and to give the student the opportunity to be present.

Inspections and searches should be conducted in a manner that minimizes the degree of intrusiveness.

Site administrators should not damage personal possessions.

(All K-9 Searches must have prior approval by the district office.)

Electronic Scanning Procedures

The purpose of electronic scanning is to deter the bringing of weapons and/or contraband to school or school functions which might cause harm or injury to students or school employees.

Students who refuse to submit to electronic scanning may be subjected to disciplinary actions.

When a teacher or administrator has reasonable suspicion to believe that a particular individual or group are in possession of a weapon or other contraband, that person or group will be notified in a confidential manner that they will be subjected to electronic scanning procedures. Student assigned to special/alternative schools may be subject to random or daily electronic scanning procedures.

It is extremely important that sufficient staff be involved during any of the scanning methods to prevent the possibility of any selected person or group disposing of weapons or contraband. Proper supervision will also prevent persons from leaving the location in which the electronic scanning search is being conducted.

When a weapon or firearm is suspected, the school resource officer should be present at the time of the scanning process in the event that a weapon or other contraband is found. Participation of law enforcement officials will be limited to seizing evidence and handling arrests or other criminal situations that might occur.

All students being scanned shall be required to present all personal effects in their possession; e.g., outer garments (coats, sweaters, etc.), purse, book bag, or other similar articles, to a search team member.

These items will be electronically scanned with the hand-held metal detector. If any of the above items activate the metal detector, they will be visually inspected for weapons or other contraband.

Prior to conducting the electronic scan, the principal or administrative designee, will ask the student or other person to remove any metal objects from their person.

If the metal detector activates during the electronic scanning process, the student will be asked to remove the object activating the detector and the scanning process will be repeated.

If the student cannot or refuses to remove the item activating the metal detector, he/she will again be asked to remove or identify the object. If the object cannot be removed and cannot be visually confirmed, it may be necessary to initiate search procedures as explained in the section of this document titled "Search of Student and Personal Belongings." Pat downs may become necessary when the cause of the repeated activation of the metal detector cannot be satisfactorily determined through the questioning or the removal of all metallic items from the student's clothing.

Students and employees on school board property, who refuse to fully cooperate with the electronic scanning and search process, may be subject to disciplinary action.

Physical Search Procedures Related To Electronic Scanning Procedures

The school resource officer should be present at the time of the search in the event that a weapon or other contraband is found. Participation of law enforcement officials will be limited to seizing evidence and handling arrest or other criminal situations that might occur.

Members of the school's search team should at all times be respectful of and sensitive to the right of privacy and other concerns of the person who is being searched.

The search location should not expose the person being searched to the view of the general student population.

The searching of any person shall be conducted only by a member of the search team who is the same gender.

The search must be conducted in the presence of and under the supervision of the principal or administrative designee.

Items that are removed will be given to a search team member. These items will be visually inspected and accounted for in the presences of the person being searched.

Searches of Student Vehicles

Each work location that issues parking permits should have a policy that explains that parking on campus is a privilege and not a right.

Vehicles owned or operated by students that are parked on school property are subject to search by the principal or administrative designee without consent of a student, when there exists a reasonable suspicion that evidence of a violation of district/school rules or violation of law would be found in the vehicle.

Use of vehicles to store or conceal any prohibited items may result in disciplinary action, including potential expulsion.

Student vehicles are also subject to periodic, random unannounced "inspections" or "sweeps" by trained detection K-9 "alerts" to the presence of prohibited items within a vehicle, reasonable suspicion shall exist for the district, without a warrant, to open and search the vehicle and any closed container(s) or object(s) within the vehicle.

If the principal or administrative designee inspects and searches a student's vehicle as authorized by this policy, the vehicle shall be opened in the presence of an adult witness.

Except where factors of health, safety or welfare of the campus dictates otherwise, reasonable efforts shall be made to inform the student of the grounds for the inspection and search, and to give the student the opportunity to be present.

The inspections should be conducted in a manner that minimizes the degree of intrusiveness. Site administrators shall limit their search to items which are prohibited on school property. Site administrators should not damage personal possessions.

Any illegal object in plain sight can justify the search.

(All K-9 Searches must have prior approval by the district office.)

Searches Using A Trained Detection K-9

A "K-9 sniff" of a person or object is not search for constitutional purposes. A trained detection K-9 may be walked around school lockers, school grounds or vehicles in a school parking lot without violating any student's constitutional rights – provided that student themselves are not being detained (without reasonable suspicion).

An alert by a trained detection K-9 that drugs or other contraband are present in a particular location provides school officials and law enforcement officers alike with probable cause to conduct a search of the person or place to which the dog alerted. As a general rule, a school official or any law enforcement officer may conduct a reasonable search of a student or a student's property, including a motor vehicle, on school grounds based upon an alert by a trained detection K-9 without first obtaining a search warrant.

Contraband Items Seized By Schools

An individual should be designated in each school to be in charge of contraband found or seized from an OCPS student. "Contraband" referred to in this document, consists of all substances or materials prohibited by school board policy or state or federal law, including but not limited to drugs, firearms, knives or other weapons, incendiary devices or other instruments or objects that could be used to inflict harm on others.

Pat Down Procedure

The following procedures should be used when a pat down is done:

- The student should be removed to a private area.
- The person conducting the pat down search must be the same gender as the student.
- The pat down must always be done with a trained adult witness present.
- Explain why you are meeting with him/her.
- The student must be offered the opportunity to surrender contraband

item(s). Ask the student

"Do you have anything that you should not have at school?"

If the answer is "no", then proceed with...

"I need to search you. Are you okay with that?"

- The searcher should direct the student to remove outer clothing (ex. Coats, jackets, shoes).
(DO NOT ask the student to remove his/her socks!)
- All removed outer clothing should be checked for contraband.
- The student should be directed to empty pockets and turn them inside out:

Tell the student

"Would you please empty your pockets and turn them inside out?"

If the student is wearing elastic band trousers or multiple pairs of trousers, ask the student to run his/her fingers around the waist band. Do not ask or allow the student to remove any additional layers of clothing. Reminder – (Florida law: the term "strip search" means having a person remove or arrange some or all of his/her clothing so as to permit a visual or manual inspection of the genitals; buttocks; anus; breasts, in the case of a female; or undergarments of such person. Hence, a strip search in Florida does not even require the removal of the subjects clothing."

- The pat down must be conducted with the back of the hand.

Tell the student

*"I am going to pat your down with the back of my hand."
(Unturned pockets, waistline, ankles)*

- If the student refuses to be searched, contact law enforcement and/ or parents.
- Disciplinary action could result for students refusing to fully comply with the pat down or search procedures.

Statutes & School Board Policies



Reference Guide to Florida Statutes

The following table contains hyperlinks to the Official Internet Site of the Florida Legislature. The statutes in BOLD lettering are the Statutes that are most commonly used.

Citation	Title
985.04 (4b)	Juvenile Justice – Records and Information
1002.20	K–12 Student and Parent Rights
1002.20 (3)	K–12 Student and Parent Rights – Health Issues
1002.22	Student Records and Reports
1002.31	Public School Parental Choice
1002.33	Charter Schools
1002.37	Virtual High School
1002.38	Opportunity Scholarships
1002.41	Home Education
1003.21	School Attendance
1003.22	School-entry Health Exams, Immunization
1003.23	Attendance Records and Reports
1003.24	Parent Responsibility – Attendance
1003.25	Maintenance/Transfer Records
1003.26	Enforcement of School Attendance
1003.27	Court Procedures – Penalties
1003.28	Truancy – Remedial Activities
1003.29	Notice to Schools – Court Action
1003.31	Students Subject to Control of Schools
1003.32	Authority of Teachers
1003.33	Report Cards – End of Year Status
1003.4282	Requirements for a standard high school diploma
1003.435	High School Equivalency Diploma

1003.49	Graduation – Promotion Requirements
1003.51	Other Public Educational Services
1003.53	Drop-Out Prevention/Academic Intervention
1003.54	Teenage Parent Programs
1006.061	Child Abuse, Abandonment, Neglect
1006.062	Administration Medication, Medical Services
1006.063	Eye Protection Devices
1006.07	Duties School Board...Discipline
1006.08	Superintendent Duties...Discipline
1006.09	Duties of School Principal...Discipline
1006.10	Bus Drivers...Discipline
1006.11	Reasonable Force
1006.12	School Resource Officer
1006.13	Zero Tolerance
1006.14	Secret Societies
1006.145	Disturbing School Functions
1006.148	Dating Violence

Questions To Establish Jurisdiction

Sections [1003.31](#), [1006.09](#), and [1006.147, Florida Statutes](#) reference jurisdiction for students who are under the control and direction of the school .

If the answer to one of the questions below is **YES**, then jurisdiction is established:

1. Did the incident take place on school grounds during the school day? ([1003.31](#))
2. Did the incident take place on school grounds 30 minutes before or after school? ([1003.31](#))
3. Did the incident take place on a school bus or other mode of transportation provided by OCPS? ([1003.31](#))
4. Did the incident take place at a school sponsored activity or event (including digital learning)? ([1003.31](#))
5. Did the incident take place on School Board property at any time if the student is found to have committed an act that is a felony if committed by an adult **OR** the student has had adjudication withheld for a delinquent act if the act is a felony if committed by an adult **OR** the student has been found guilty of a felony? ([1003.31](#))
6. Was the student charged with a felony in the community (not on school grounds) that has caused an adverse impact on the school? (You must be able to prove the adverse impact and contact your Area Administrator to begin felony suspension proceedings) ([1006.09](#))
7. Did the student bully/harass another student/employee through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of OCPS? ([1006.147](#))
8. Did the student bully/harass another student through the use of an electronic device (not owned, leased, or used by OCPS) outside of school **AND** the bullying/harassment substantially interferes with or limits the victim's ability to participate or benefit from school services/activities, **OR** substantially disrupts the education process or orderly operation of the school? ([1006.147](#))

1003.31 Students subject to control of school

(1) Subject to law and rules of the State Board of Education and of the district school board, each student enrolled in a school shall:

- (a) During the time she or he is being transported to or from school at public expense;
- (b) During the time she or he is attending school;
- (c) During the time she or he is on the school premises participating with authorization in a school-sponsored activity; and
- (d) During a reasonable time before and after the student is on the premises for attendance at school or for authorized participation in a school-sponsored activity, and only when on the premises, be under the control and direction of the principal or teacher in charge of the school, and under the immediate control and direction of the teacher or other member of the instructional staff or of the bus driver to whom such responsibility may be assigned by the principal. However, the State Board of Education or the district school board may, by rules, subject each student to the control and direction of the principal or teacher in charge of the school during the time she or he is otherwise en route to or from school or is presumed by law to be attending school. Each district school board, each district school superintendent, and each school principal shall fully support the authority of teachers, according to s. 1003.32, and school bus drivers to remove disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students from the classroom and the school bus and, when appropriate and available, place such students in an alternative educational setting.

(2) There is a rebuttable presumption that the term “reasonable time” means 30 minutes before or after the activity is scheduled or actually begins or ends, whichever period is longer. A school or district school board may, by policy or other formal action, assume a longer period of supervision. Casual or incidental contact between school district personnel and students on school property shall not result in a legal duty to supervise outside of the reasonable times set forth in this section, provided that parents shall be advised in writing twice per year or by posted signs of the school’s formal supervisory responsibility and that parents should not rely on additional supervision. The duty of supervision shall not extend to anyone other than students attending school and students authorized to participate in school-sponsored activities.

(3) Nothing shall prohibit a district school board from having the right to expel, or to take disciplinary action against, a student who is found to have committed an offense on school property at any time if:

- (a) The student is found to have committed a delinquent act which would be a felony if committed by an adult;
- (b) The student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony; or
- (c) The student has been found guilty of a felony.

However, if the student is a student with a disability, the disciplinary action must comply with the procedures set forth in State Board of Education rule.

(4) Each student enrolled in a school may be required to take the following school child’s daily conduct pledge:

- (a) I will be respectful at all times and obedient unless asked to do wrong.
- (b) I will not hurt another person with my words or my acts, because it is wrong to hurt others.
- (c) I will tell the truth, because it is wrong to tell a lie.
- (d) I will not steal, because it is wrong to take someone else’s property.

- (e) I will respect my body, and not take drugs.
- (f) I will show strength and courage, and not do something wrong, just because others are doing it.
- (g) I pledge to be nonviolent and to respect my teachers and fellow classmates.

History.—s. 126, ch. 2002-387; s. 35, ch. 2003-391.

OCPS employees are not responsible for supervising students who arrive on school grounds more than 30 minutes before school and 30 minutes before a school-sponsored activity is scheduled to begin.

OCPS employees are not responsible for supervising students remaining on school grounds more than 30 minutes after school and 30 minutes after the school sponsored activity ends.

OCPS is not responsible for supervising students not in attendance at school, or students not authorized to participate in school-sponsored activities.

Casual or incidental contact between OCPS personnel and students on school grounds shall not result in a duty to supervise students. Parents or guardians should not rely on OCPS employees to provide supervision for their child outside of the above time period.

FSS 1003.31

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

(1) In accordance with this section and within the framework of the district school board’s code of student conduct, teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior and ensuring the safety of all students in their classes and school and their opportunity to learn in an orderly and disciplined classroom:

- (a) Establish classroom rules of conduct.
- (b) Establish and implement consequences, designed to change behavior, for infractions of classroom rules.
- (c) Have disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students removed from the classroom for behavior management intervention.
- (d) Have violent, abusive, uncontrollable, or disruptive students directed for information or assistance from appropriate school or district school board personnel.
- (e) Assist in enforcing school rules on school property, during school-sponsored transportation, and during school-sponsored activities.
- (f) Request and receive information as to the disposition of any referrals to the administration for violation of classroom or school rules.
- (g) Request and receive immediate assistance in classroom management if a student becomes uncontrollable or in case of emergency.
- (h) Request and receive training and other assistance to improve skills in classroom management, violence prevention, conflict resolution, and related areas.
- (i) Press charges if there is a reason to believe that a crime has been committed on school property, during school-sponsored transportation, or during school-sponsored activities.
- (j) Use reasonable force, according to standards adopted by the State Board of Education, to protect himself or herself or others from injury.
- (k) Use corporal punishment according to school board policy and at least the following procedures, if a teacher feels that corporal punishment is necessary:
 - 1. The use of corporal punishment shall be approved in principle by the principal before it is used, but approval is not necessary for each specific instance in which it is used. The principal shall prepare guidelines for administering such punishment which identify the types of punishable offenses, the conditions under which the punishment shall be administered, and the specific personnel on the school staff authorized to administer the punishment.

2. A teacher or principal may administer corporal punishment only in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment.
 3. A teacher or principal who has administered punishment shall, upon request, provide the student's parent with a written explanation of the reason for the punishment and the name of the other adult who was present.
- (2) Teachers and other instructional personnel shall:
- (a) Set and enforce reasonable classroom rules that treat all students equitably.
 - (b) Seek professional development to improve classroom management skills when data show that they are not effective in handling minor classroom disruptions.
 - (c) Maintain an orderly and disciplined classroom with a positive and effective learning environment that maximizes learning and minimizes disruption.
 - (d) Work with parents and other school personnel to solve discipline problems in their classrooms.
- (3) A teacher may send a student to the principal's office to maintain effective discipline in the classroom and may recommend an appropriate consequence consistent with the student code of conduct under s. 1006.07. The principal shall respond by employing the teacher's recommended consequence or a more serious disciplinary action if the student's history of disruptive behavior warrants it. If the principal determines that a lesser disciplinary action is appropriate, the principal should consult with the teacher prior to taking disciplinary action.
- (4) A teacher may remove from class a student whose behavior the teacher determines interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Each district school board, each district school superintendent, and each school principal shall support the authority of teachers to remove disobedient, violent, abusive, uncontrollable, or disruptive students from the classroom.
- (5) If a teacher removes a student from class under subsection (4), the principal may place the student in another appropriate classroom, in in-school suspension, or in a dropout prevention and academic intervention program as provided by s. 1003.53; or the principal may recommend the student for out-of-school suspension or expulsion, as appropriate. The student may be prohibited from attending or participating in school-sponsored or school-related activities. The principal may not return the student to that teacher's class without the teacher's consent unless the committee established under subsection (6) determines that such placement is the best or only available alternative. The teacher and the placement review committee must render decisions within 5 days of the removal of the student from the classroom.
- (6) (a) Each school shall establish a placement review committee to determine placement of a student when a teacher withholds consent to the return of a student to the teacher's class. A

school principal must notify each teacher in that school about the availability, the procedures, and the criteria for the placement review committee as outlined in this section.

(b) The principal must report on a quarterly basis to the district school superintendent and district school board each incidence of a teacher's withholding consent for a removed student to return to the teacher's class and the disposition of the incident, and the superintendent must annually report these data to the department.

(c) The Commissioner of Education shall annually review each school district's compliance with this section, and success in achieving orderly classrooms, and shall use all appropriate enforcement actions up to and including the withholding of disbursements from the Educational Enhancement Trust Fund until full compliance is verified.

(d) Placement review committee membership must include at least the following:

1. Two teachers, one selected by the school's faculty and one selected by the teacher who has removed the student.
2. One member from the school's staff who is selected by the principal.

The teacher who withheld consent to readmitting the student may not serve on the committee. The teacher and the placement review committee must render decisions within 5 days after the removal of the student from the classroom. If the placement review committee's decision is contrary to the decision of the teacher to withhold consent to the return of the removed student to the teacher's class, the teacher may appeal the committee's decision to the district school superintendent.

(7) Any teacher who removes 25 percent of his or her total class enrollment shall be required to complete professional development to improve classroom management skills.

(8) Each teacher or other member of the staff of any school who knows or has reason to suspect that any person has committed, or has made a credible threat to commit, a crime of violence on school property shall report such knowledge or suspicion in accordance with the provisions of s. 1006.13. Each district school superintendent and each school principal shall fully support good faith reporting in accordance with the provisions of this subsection and s. 1006.13. Any person who makes a report required by this subsection in good faith shall be immune from civil or criminal liability for making thereport.

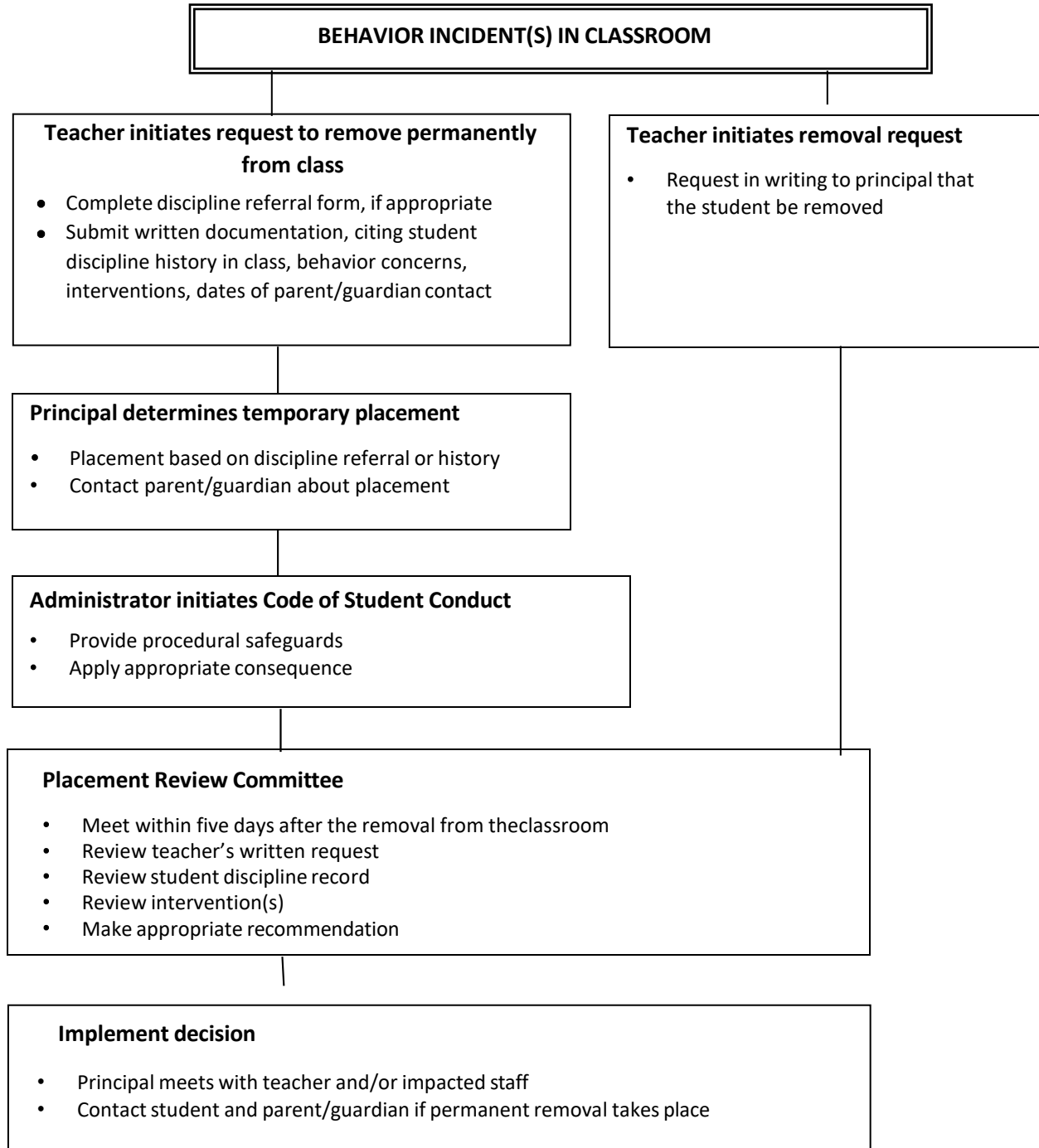
(9) When knowledgeable of the likely risk of physical violence in the schools, the district school board shall take reasonable steps to ensure that teachers, other school staff, and students are not at undue risk of violence or harm.

History.—s. 127, ch. 2002-387; s. 36, ch. 2003-391.

TEACHER AUTHORITY TO REMOVE STUDENTS FROM A CLASSROOM - QEA

Florida Statute 1003.32*

In accordance with Florida Statutes and within the framework of the OCPS Code of Student Conduct, teachers and other instructional personnel have the authority to remove students from the classroom in order to manage student behavior, ensure the safety of all students in the classroom and to provide the opportunity for students to learn in an orderly classroom. Steps to follow are listed below.



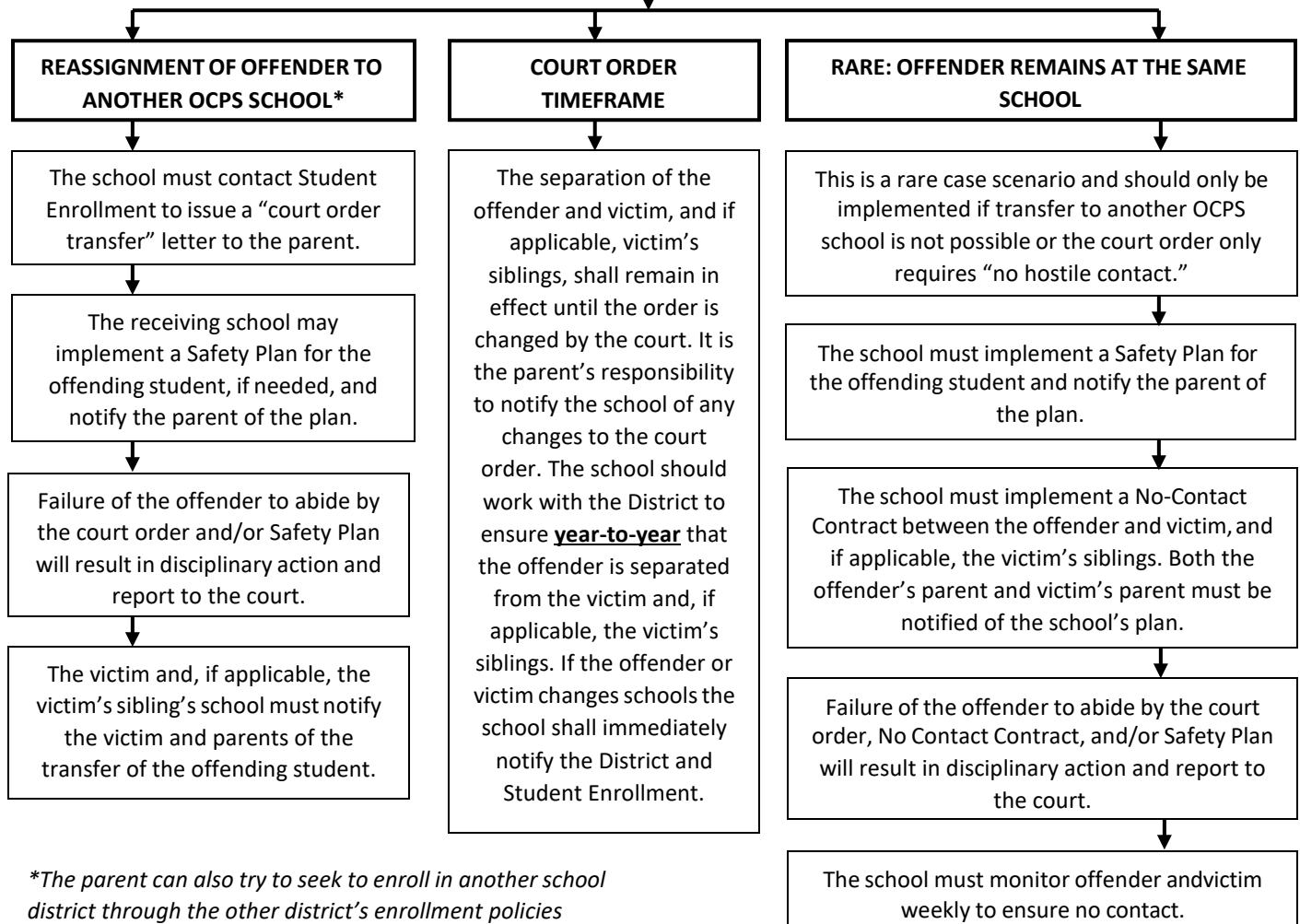
School Procedures for “NO CONTACT” Orders for Juvenile Offenders In Violation of
Section 1006.13(6), FLORIDA STATUTES

A judge issues a “no contact” order regarding felony offender and victim (which may include the victim’s siblings if they are at the same school as the offender). **Applicable felonies: homicide (Chapter 782, F.S.); assault, battery, culpable negligence (Chapter 784, F.S.); kidnapping, luring a child, false imprisonment, custody offense (Chapter 787, F.S.); sexual battery (Chapter 794, F.S.); lewdness, indecent exposure (Chapter 800, F.S.); abuse of children Chapter 827, F.S.); robbery Section 812.13, F.S.); robbery by sudden snatching (Section 812.131, F.S.); carjacking (Section 812.133, F.S.); or home invasion robbery (Section 812.135, F.S.).**

The Department of Juvenile Justice (DJJ) is responsible for notifying the District if the student is adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere to one of the above listed offenses. The DJJ must provide the names, schools, and, if applicable, school buses, of: **the offender, victim, and, if applicable, victim’s siblings.**

The District, in consult with the Office of Legal Services, will review the court order and notify the Learning Community and Principal of receipt.

The Principal will notify the parent and place the offender on a Safety Plan until placement is determined by the District.
The Principal will notify the parent of the outcome.



**The parent can also try to seek to enroll in another school district through the other district’s enrollment policies*

1006.147 Bullying and Harassment Prohibited.

- (1) This section may be cited as the “Jeffrey Johnston Stand Up for All Students Act.”
- (2) Bullying or harassment of any student or employee of a public K-12 educational institution is prohibited:
 - (a) During any education program or activity conducted by a public K-12 educational institution;
 - (b) During any school-related or school-sponsored program or activity or on a school bus of a public K-12 educational institution;
 - (c) Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of a public K-12 educational institution; or
 - (d) 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.
- (3) For purposes of this section:
 - (a) “Bullying” includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve:
 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; or
 10. Destruction of property.
 - (b) “Cyberbullying” means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one 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.

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

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of a school.

(d) “Within the scope of a public K-12 educational institution” means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.

(e) Definitions in s. [815.03](#) and the definition in s. [784.048\(1\)\(d\)](#) relating to stalking are applicable to this section.

(f) The definitions of “bullying” and “harassment” include:

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

(4) Each school district shall adopt and review at least every 3 years a policy prohibiting bullying and harassment of a student or employee of a public K-12 educational institution. Each school district’s policy shall be in substantial conformity with the Department of Education’s model policy. The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting and reviewing the policy. The school district policy must be implemented by each school principal in a manner that is ongoing throughout the school year and integrated with the school’s curriculum, bullying prevention and intervention program, discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

- (a) A statement prohibiting bullying and harassment.
- (b) A definition of bullying and a definition of harassment that include the definitions listed in this section.
- (c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.
- (d) The consequences for a student or employee of a public K-12 educational institution who

commits an act of bullying or harassment.

(e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.

(f) A procedure for receiving reports of an alleged act of bullying or harassment, including provisions that permit a person to anonymously report such an act. However, this paragraph does not permit formal disciplinary action to be based solely on an anonymous report.

(g) A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school busstop.

(h) A process to investigate whether a reported act of bullying or harassment is within the scope of the district school system and, if not, a process for referral of such an act to the appropriate jurisdiction. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

(i) A procedure for providing immediate notification to the parents of a victim of bullying or harassment and the parents of the perpetrator of an act of bullying or harassment, as well as notification to all local agencies where criminal charges may be pursued against the perpetrator.

(j) A procedure to refer victims and perpetrators of bullying or harassment for counseling.

(k) A procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline required under s. [1006.09](#)(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report must include in a separate section each alleged incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents. The Department of Education shall aggregate information contained in the reports.

(l) A list of programs authorized by the school district that provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations.

(m) A procedure for regularly reporting to a victim's parents the actions taken to protect the victim.

(n) A procedure for publicizing the policy, which must include its publication in the code of student conduct required under s. [1006.07](#)(2) and in all employee handbooks.

(5) 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 the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

(6) (a) The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section.

(b) This section does not apply to any person who uses data or computer software that is

accessed through a computer, computer system, or computer network when acting within the scope of his or her lawful employment or investigating a violation of this section in accordance with school district policy.

(7) Distribution of safe schools funds provided to a school district shall be contingent upon and payable to the school district upon the school district's compliance with all reporting procedures contained in this section.

(8) On or before January 1 of each year, the Commissioner of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of this section. The report shall include data collected pursuant to paragraph (4)(k).

(9) Nothing in this section shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

History.—s. 1, ch. 2008-123; s. 1, ch. 2013-87; s. 57, ch. 2014-39; s. 1, ch. 2016-119; ss. 96, 110, ch. 2019-167.

Revised Registration Form

Section 1006.07, Florida Statutes require students to report, at the time of initial enrollment in the school district, any previous expulsion, arrests resulting in a charge, any juvenile justice action taken against the student, and any corresponding referral to mental health services. The revised student registration form reflects these changes. You may want to ensure your Registrar asks each parent/guardian/student to report on these issues. You may also want to work with your Registrar and provide instructions as to what actions should be taken if the student responds in the affirmative to any of the questions.

Although the law requires enrolling students to divulge this information, there is no penalty for their failure to do so. You will continue to receive information regarding off campus felony arrests and adjudication of your students from the district's Department of Juvenile Justice liaison.

In addition, Section 1003.25, Florida Statutes, also require school districts to transfer student records within 3 school days upon request. The transferred records shall include: verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services. When a student transfers to OCPS from another Florida School District, the sending school should provide disciplinary records and prior threat assessments. This information is important to review for new students. You may want to work with your Registrar to establish a procedure to provide this information once it is received.

1006.148 Dating violence and abuse prohibited.

- (1) Each district school board shall adopt and implement a dating violence and abuse policy. The policy shall:
 - (a) Prohibit dating violence and abuse by any student on school property, during a school-sponsored activity, or during school-sponsored transportation.
 - (b) Provide procedures for responding to such incidents of dating violence or abuse, including accommodations for students experiencing dating violence or abuse.
 - (c) Define dating violence and abuse and provide for a teen dating violence and abuse component in the health education curriculum, according to s. [1003.42](#)(2)(n), with emphasis on prevention education.
 - (d) Be implemented in a manner that is integrated with a school district's discipline policies.
- (2) Each district school board shall provide training for teachers, staff, and school administrators to implement this section.

History.—s. 2, ch. 2010-217; s. 58, ch. 2014-39.

Florida Department of Education

Education Standards Commission

August 28, 1997

CONTACT: Judy Estemadi at (850) 245-0694

"Reasonable Force" Guidelines Approved By State Board Of Education Focus On Maintaining Safe And Orderly Learning Environment

TALLAHASSEE—The State Board of Education today approved a set of guidelines on the use of reasonable force by school personnel to maintain a safe and orderly learning environment.

The guidelines are the recommendation of the Education Standards Commission and the Education Practices Commission as the result of a 1996 law providing teachers with the authority to use reasonable force to manage student behavior. The Teacher Authority Law enhances the authority of teachers to maintain a safe and orderly learning environment by providing them with the authority of establish rules of conduct for their classrooms and have violent, abusive uncontrollable or disruptive students removed from their classroom. Commissioner Brogan, a former teacher, principal and superintendent of schools who once wrestled a gun away from a distraught student, advocated passage of the law. The law directed the Education Standards Commission and the Education Practices Commission to develop guidelines regarding use of reasonable force by teachers and other school personnel to protect themselves and others from injury and maintain an orderly learning environment.

"Teachers are not and should not be put in the position of being law enforcement officers," Commissioner Brogan said.

"Their role is to care for students and provide a safe learning environment. Teachers and students deserve the confidence of knowing that the classroom will be a haven for learning, safe from dangers and disruptions of inappropriate behavior. The law and these guidelines work together to restore that sense of confidence and provide assistance when disruptive behavior threatens the safety of students and teachers."

The recommendations are the result of the joint Education Practices/Education Standards committee; research about state and national standard for use of reasonable force; crisis management training; and public hearings throughout the state.

The guidelines define reasonable force as "appropriate professional conduct including physical force as necessary to maintain a safe and orderly learning environment." The recommendations include guidelines that would determine when the use of reasonable force is permitted, such as:

- conditions harmful to learning;
- conditions harmful to student's mental health;
- conditions harmful to student's physical health;
- conditions harmful to safety;
- and harm and/or injury to self, school personnel and others.

The recommendations reinforce the value of training that focuses on techniques to defuse potentially volatile situations and recommended that the training programs be determined at the district level, where particular needs can be determined. The guidelines, along with a videotape that provides further direction on applying the guidelines, will be provided to school districts and every school in the state to assist them in the development of appropriate training programs for teachers and other school personnel.

Commissioner Brogan is addressing training for the use of reasonable force in his staff development budget proposal for 1998-99, and is encouraging school districts to direct their staff development programs to include training on the use of reasonable force.

Hate Crime Offenses

What is a Hate Crime?

Florida Statutes

Section 775.085, Florida Statutes, defines a hate crime as the commission of a crime that is prejudiced on the basis of race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, or advanced age of the victim.

In addition, according to the same statute, it is an essential element that the investigation shows that the offender perceived, knew, or had reasonable grounds to know or perceive that the victim was within a class referenced above.

In the State of Florida, a crime has to have been committed first and if it is discovered that crime is based on a prejudice for another person, then the criminal sentence the offender may receive is reclassified or elevated (i.e. a misdemeanor is reclassified to a felony). There is not a crime that is specifically entitled, “hate crime” in Florida Statutes.

SESIR

All SESIR incidents motivated all or in part by hostility to the victim’s real or perceived race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference or mental/physical disability.

Mental or physical disability means that the victim suffers from a condition of physical or mental incapacitation due to a developmental disability, organic brain damage, or mental illness, and has one or more physical or mental limitations that restrict the victim’s ability to perform the normal activities of daily living.

In speaking with representatives from the Florida Department of Education, they agree that there must be some action in conjunction with the prejudice. SESIR information provides that motivation (intent) behind the act is the key element in determining whether an incident is hate-related.

Code of Student Conduct

Any other intentional or wanton act which is clearly beyond the bounds of acceptable and tolerable student conduct in the community, which cannot be coded in another Level IV offense. This may include, but is not limited to, hate crimes; any false accusation made by a student that jeopardizes the professional reputation, employment, or professional certification of any OCPS employee; and/or any speech on the basis of race, sex, national origin, religion, or disability that does or would be likely to cause a substantial disruption to the educational environment.

Summary

A hate crime requires a criminal action and the action must be based on prejudice for the victim. A student can be found to have committed a hate crime if he/she commits a physical criminal act that is violation of the Code of Student Conduct and that act is based on prejudice against the victim.

Examples of Hate Crime Offenses

- ❑ Student hangs a noose on school grounds and specifying his/her aim to intimidate students of another race

(Level 4T + hate crime-related)

- ☐ Student seriously battering another student because the student is of another sexual orientation (Level 4D + hate crime-related)
- ☐ Student fights a group of students on school grounds because they are speaking another language (Level 3F + hate crime-related)
- Student spray paints anti-gay slogans on the bathroom stalls (if \$1,000 in damages to remove – Level 4S + hate crime-related)

How is a hate crime different than hate speech?

Hate speech does not require a criminal action to occur, rather something is said, written, or conveyed to another person based on that person's disability, race, sex, religion, sexual orientation, or other class.

Hate speech is not a crime by itself, but it is prohibited by the Code of Student Conduct through bullying/harassment, disrespect, insubordination/open defiance, profane/obscene/abusive language/material, or can fall into an "other" category if it does not fit within the confines of a specific offense.

Examples of "Hate Speech"

- ☐ Student calls another student a derogatory name based on their race
- ☐ Student creates a song about other students based on their religion
- ☐ Student draws a swastika on their hand and shows it to other students known to be Jewish
- ☐ Student yells derogatory terms in the middle of a hallway while students are transitioning from classes
- ☐ Student dresses up as Adolf Hitler and is seen doing the Nazi salute in the hallway at school

How do I properly code hate crime and hate speech?

Code of Student Conduct

It is important to note that all offenses should be properly coded as outlined in the Code of Student Conduct and Discipline Procedures Guide. If a specific offense is not listed in the Code, each Level has an "other" category that could be used. A Level 4T specifically references "hate crime" and "hate speech" which can be used for egregious acts of misconduct that do not fall within another Code offense.

SESIR

SESIR incidents are the offenses on the OCPS referral that have three letters in parenthesis.

If a Code of Student Conduct offense is a SESIR incident that involves a criminal action, such as, but not limited to, battery, robbery, hazing, sexual battery, sexual assault, arson, physical attack, vandalism (\$1,000+), or fighting, the discipline should be coded under the correct Code offense with the "Related to" category of "hate crime related" selected within the SESIR/District information section on the referral and in Skyward.

If a Code of Student Conduct offense is a SESIR incident that does not involve a criminal action, such as, but not limited to, bullying or harassment, the discipline should be coded under the correct Code offense with the "Based on" category of "disability, race, sex, religion, sexual orientation, or other" selected within the SESIR/District information section on the referral and in Skyward.

Non-SESIR

If a Code of Student Conduct offense is a non-SESIR incident and does not involve a criminal action, such as, but not limited to, disorderly conduct, disrespect, profane/obscene/abusive language/material, or other, the discipline

should be coded under the correct Code offense with the “Based on” category of “disability, race, sex, religion, sexual orientation, or other” selected within the SESIR/District information section on the referral and in Skyward.

Additional Guidelines

The School Board and OCPS take all offenses involving hate crimes or hate speech seriously. These acts should be handled in accordance with the Code of Student Conduct and Discipline Procedures Guide and should be reported and disciplined properly. Although students do not shed their constitutional rights (such as freedom of speech) at the schoolhouse gates (see *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969)), schools can discipline for acts or speech that disrupt the school environment or infringe upon the health, safety, or well-being of other students.

The offense must create or have the capability to create, an intimidating, hostile or offensive educational environment, or effect the health, safety, or well-being of other students/staff.

All hate crimes must be reported to law enforcement/SRO. Hate speech may be reported to law enforcement/SRO if the school believes the act may be criminal in nature.

The offender must have perceived, known, or had reasonable grounds to know or perceive that the victim was within the class delineated in the definition of hate crimes.

Consequences

Consequences should be given in accordance with the Code of Student Conduct based on the level of the offense and the Discipline Procedures Guide.

FLORIDA DEPARTMENT OF EDUCATION



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Dr. Eric J. Smith
Commissioner of Education



MEMORANDUM

Contact Information:

Dianne Mennitt

(850) 245-7851

dianne.mennitt@fldoe.org

DPS: 2010 - 94

TO: District School Superintendents

FROM: Frances Haithcock, Chancellor, K-12 Public Schools

DATE: June 15, 2010

SUBJECT: **2010 Legislation: House Bill 747**

The 2010 Florida Legislature passed House Bill (HB) 747 – Treatment of Diabetes. Governor Crist signed HB 747 into law on May 11, 2010. The legislation amends section 1002.20, Florida Statutes, to add diabetes management. The enrolled bill is available at <http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h074703er.pdf>.

Key provisions of this legislation include the following:

- Prohibits school districts from restricting the assignment of a student who has diabetes to a particular school on the basis that the student has diabetes;
- Permits students with diabetes to carry diabetic supplies on their person and attend to the management and care of their diabetes while in school, participating in school sponsored activities, or in transit to or from school if the school principal has been provided written parental and physician authorization;
- The State Board of Education (SBE), in cooperation with the Department of Health (DOH), shall adopt rules to encourage each school in which a student with diabetes is enrolled to have personnel trained in routine and emergency diabetes care;
- The SBE, in cooperation with the DOH, shall also adopt rules for the management and care of diabetes by students that shall include provisions to protect the safety of all students from the misuse or abuse of diabetic supplies or equipment;

DR. FRANCES HAITHCOCK CHANCELLOR
OF PUBLIC SCHOOLS

- A school district, county health department, public-private partner, and their employees and volunteers shall be indemnified (held harmless) by the parent of a student authorized to carry diabetic supplies or equipment for any and all liability with respect to the student's use of such supplies and equipment; and
- The legislation will be effective July 1, 2010.

We appreciate your continued efforts to ensure a safe learning environment for all students and look forward to working with you to implement this legislation. Subsequent to rule adoption, the 2003 Florida Diabetes Guidelines will be updated in conjunction with the DOH and public- private stakeholders to provide technical assistance for the care of students with diabetes in accordance with approved legislation and rule. Recommendations and resources for developing student's Individual Health Care Plans and for staff education regarding the care of students with diabetes are currently available at <http://www.doh.state.fl.us/Family/school/health/diabetes.html>. If you have questions regarding implementation of this legislation, please contact Ms. Dianne Mennitt, School Nurse Consultant, via e-mail at dianne.mennitt@fldoe.org or by telephone at (850) 245-7851.

FH:dm

cc: Exceptional Student Education
 Directors District Student Service
 Directors District School Health
 Coordinators Bambi J. Lockman
 Bettye Hyle
 Mary Jane Tappen
 Karen Wiggins, Florida Department of Health

CODE OF STUDENT CONDUCT

FILE: JIC

TITLE: Code of Student Conduct

POLICY:

- (1) The School Board of Orange County, Florida ("Board") authorizes the establishment of the Orange County Public Schools ("OCPS") Code of Student Conduct for Elementary Schools and Secondary Schools, which is hereby incorporated by reference and made a part of this policy. The Code of Student Conduct and any revisions shall be approved and adopted by the Board. The Code of Student Conduct shall meet the following criteria:
 - (a) Be developed by Board members, district administrators, appropriate grade level teachers, school personnel, school administrators, students, and parent(s) or legal guardian(s) of students;
 - (b) State grounds for disciplinary action procedures and the rights of students;
 - (c) Be distributed to all teachers, school personnel, students, and parent(s) or legal guardian(s) of students at the beginning of each school year; and
 - (d) Be filed in the Superintendent's office.
- (2) The Code of Student Conduct shall be discussed with students, school advisory committees and parent/teacher associations at the beginning of each school year and quarterly thereafter and for transferring students upon their enrollment.
- (3) Any Board decision which conflicts with provisions in the Code of Student Conduct shall prevail until the Code of Student Conduct is revised and subsequently adopted.
- (4) The Code of Student Conduct will be reviewed and adopted annually. If the Code of Student Conduct is not adopted prior to the start of a new school year, the most recent Code of Student Conduct will remain in full force and effect until such adoption by the Board occurs.

SPECIFIC AUTHORITY:

Sections 1003.31; 1006.07, Florida Statutes

TITLE: Student Detention, Searches, and Seizures

POLICY:

The principal/designee or any other instructional staff employee may temporarily detain and question a student when circumstances indicate that such student has committed,

is committing, or is about to commit a violation of Florida Statutes or Board policies, including the Code of Student Conduct.

- (1) If, at any time, reasonable suspicion arises that a student is unlawfully concealing any stolen or illegal property, an alcoholic beverage or liquor, illegal drugs, or any weapon, or any other item prohibited by the Code of Student Conduct or Board policy, a principal or instructional staff employee may temporarily detain such student without the use of physical force, and the principal/designee may search a detained student, the student's belongings, vehicle and/or locker for the purpose of disclosing the presence of items herein provided.
 - (a) Any OCPS employee who searches a student, the student's belongings, the student's vehicle and/or the student's locker, shall have completed OCPS search training prior to the search.
 - (b) In the event that it is suspected that contraband is concealed upon the person of the student, the principal/designee shall request the voluntary surrender of the contraband. If the student refuses, the principal/designee may contact the student's parents/legal guardians and/or the appropriate law-enforcement officials. If the student refuses or is belligerent or violent in refusing to be searched, the student should be detained and the appropriate law-enforcement agency should be notified and requested to take appropriate action.
 - i. Strip-searching by OCPS employees on Board property is strictly prohibited.
- (2) Items may be seized when a search of a student, the student's belongings, vehicles, and/or locker reveals stolen or illegal property or items prohibited by Florida Statutes, Board policies, and/or the Code of Student Conduct. Action taken against the student shall be pursuant to Florida Statutes and Board policies, including the Code of Student Conduct.
- (3) In any school where student lockers are provided, the principal/designee shall place a sign in a prominent location for students to read that contains the following information: "Student lockers and other student storage spaces provided by the district are property of the Orange County School Board and are subject to search by school authorities at anytime."
- (4) Nothing in this section shall prohibit OCPS employees from searching a student's OCPS student issued device at any time deemed necessary by OCPS personnel. Reasonable suspicion is not required to conduct a search of an OCPS student issued device.
- (5) The provisions herein shall also apply to all OCPS school-sponsored events.

SPECIFIC AUTHORITY:

Sections 1003.31; 1003.32; 1006.07; 1006.09, Florida

Statutes

TITLE: **Student Control and Supervision**

POLICY:

Students enrolled in a district school operated by the Board shall be subject to Florida Statutes, State Board of Education Rules, and Board policies, including the Code of Student Conduct, during the time they are attending school or a school-sponsored activity, are being transported to and from school at public expense, are on property owned or operated by the Board, or, when appropriate, any other jurisdictional area as permitted by Florida Statutes and/or State Board of Education Rules. The student shall be under the control and direction of the principal/designee, the teacher in charge of the class, any other instructional staff employee, or the bus driver, as assigned by the principal/designee.

- (1) The principal/designee shall see that students are properly supervised while at school and during any school-sponsored activity.
- (2) OCPS employees shall assume such authority for the control and supervision of students as may be assigned to them by the principal and shall maintain order in the classroom and in other places where they are in charge of students.
- (3) The Board may, by policy and regulations, subject students to the control and direction of the principal/designee during the time they are otherwise en route to or from school.
- (4) OCPS employees are not responsible for supervising students who arrive on school grounds more than thirty (30) minutes before school or thirty (30) minutes before a school-sponsored activity is scheduled to begin or students remaining on school grounds more than thirty (30) minutes after school or thirty (30) minutes after the school-sponsored activity ends. OCPS is not responsible for supervising students not in attendance at school or students not authorized to participate in school-sponsored activities.
- (5) Casual or incidental contact between OCPS employees and students on school grounds shall not result in a duty to supervise students. Parents/legal guardians should not rely on OCPS employees to provide supervision for their child outside of the above time period.

SPECIFIC AUTHORITY:

Sections 1003.31; 1003.32; 1006.07; 1006.09;
1006.10; 1006.147, Florida Statutes

TITLE: **Zero Tolerance for School-Related Violent Crime**

POLICY:

It is essential that schools be safe and orderly to provide environments that foster learning; therefore, violent crime in schools will not be tolerated. In accordance with Section 1006.13, Florida Statutes, OCPS employees shall:

- (1) Report to the School Resource Officer ("SRO") or a law enforcement agency any act that is a threat to school safety or any act that a reasonable person would believe to be a crime if the act occurs whenever or wherever students are within the jurisdiction of the Board. The reporting does not include petty acts of misconduct, unless the student commits more than one misdemeanor, then the threat assessment team shall consult with law enforcement to determine if the act should be officially reported to law enforcement;
 - (a) "Threat to school safety" is defined as any information, including posts on social media, which threatens the safety of any individual or school property which requires the school staff to consult with the SRO;
 - (b) "Petty acts of misconduct" are defined as those acts that do not pose a direct threat to the safety of students, staff, volunteers, or other persons or a threat of harm to Board property; or are not considered a crime under federal or state statutes. Such acts do not require consultation with law enforcement;
 - (c) The Board shall enter into agreements with the county sheriff's office and local police departments specifying guidelines for ensuring that acts that pose a serious threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency. The agreements shall include the role of school resource officers, if applicable, in handling reported incidents, and a procedure requiring school personnel to consult with school resource officers concerning appropriate delinquent acts and crimes.
- (2) Minimize the victimization of students, employees, visitors, or volunteers, including taking all steps necessary to protect the victim of any violent crime from any further victimization;
- (3) Provide each current OCPS student with the opportunity for a review of the disciplinary action imposed as outlined in the Code of Student Conduct; and
- (4) Establish a threat assessment team who shall consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act that would pose a threat to school safety. Threat Assessment Teams are established under Board policy JICK, entitled, "Threats."
- (5) Students found to have committed one of the following offenses shall be

expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year, and shall be referred to the criminal justice or juvenile justice system:

- (a) Bringing to, possessing, using or being in control of a firearm or weapon, as defined in Chapter 790, Florida Statutes, at school, at any school function, or on any school-sponsored transportation; or
 - (b) Making a threat or false report, as defined by Sections 790.162 and 790.163, Florida Statutes, respectively, involving school or school employee's property, school transportation, or a school-sponsored activity.
 - (c) Students may be assigned to a disciplinary program for the purpose of continuing educational services during the period of expulsion. The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request the Board to modify the requirement by assigning the student to a disciplinary program or alternative program if the request for modification is in writing and it is determined to be in the best interest of the student and the district. If a student committing any of the above offenses is a student who has a disability, the Board shall comply with applicable state and federal rules and regulations.
- (6) Any disciplinary or prosecutorial action taken against a student who violates the zero-tolerance policy must be based on the particular circumstances of the student's misconduct.
 - (7) Alternatives to expulsion for violation of this zero-tolerance policy shall be used unless there is a threat to school safety.
 - (8) Students may be referred to mental health services identified by the school district pursuant to Section 1012.584, Florida Statutes.
 - (9) School principals/designees shall notify all school employees as to their responsibilities regarding incident reporting, that acts which pose a threat to school safety and crimes are properly reported to the school principal/designee, and that the disposition of the incident is properly documented.
 - (10) Any student found to have committed any offense in Section 784.081, Florida Statutes, entitled "Assault or battery on specified officials or employees; reclassification of offenses," shall be expelled or placed in an alternative school setting or other classroom or program, as appropriate. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.
 - (11) The Board shall adopt a cooperative agreement with the Department of

Juvenile Justice which establishes guidelines for ensuring that any *no contact order* entered by a court is reported and enforced and that all of the necessary steps are taken to protect the victim of the offense.

- (12) Notwithstanding any provision of law prohibiting the disclosure of the identity of a minor, whenever a student is adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere to, a felony violation of:
- (a) Chapter 782, Florida Statutes, relating to homicide;
 - (b) Chapter 784, Florida Statutes, relating to assault, battery, and culpable negligence;
 - (c) Chapter 787, Florida Statutes, relating to kidnapping, false imprisonment, luring or enticing a child, and custody offenses;
 - (d) Chapter 794, Florida Statutes, relating to sexual battery;
 - (e) Chapter 800, Florida Statutes, relating to lewdness and indecent exposure;
 - (f) Chapter 827, Florida Statutes, relating to abuse of children;
 - (g) Section 812.13, Florida Statutes, relating to robbery;
 - (h) Section 812.131, Florida Statutes, relating to robbery by sudden snatching;
 - (i) Section 812.133, Florida Statutes, relating to carjacking; or
 - (j) Section 812.135, Florida Statutes, relating to home-invasion robbery,

and, before or at the time of such adjudication, withholding of adjudication, or plea, the offender is attending a school attended by the victim or a sibling of the victim of the offense, and the Department of Juvenile Justice has notified the Board of the adjudication or plea, and a written disposition order under Section 985.455(2), Florida Statutes, has been issued, the offender shall be permitted by the Board to attend another school within the district in which the offender resides, only if the other school is not attended by the victim or sibling of the victim of the offense. If the offender is unable to attend any other school in the district in which the offender resides, the Board shall take every reasonable precaution to keep the offender separated from the victim while on property owned or operated by the Board or on school transportation. The steps to be taken by the Board to keep the offender separated from the victim must include, but are not limited to, in-school suspension of the offender and the scheduling of classes, lunch, or other school activities of the victim and the offender so as not to coincide.

The offender, or the parents of the offender if the offender is a juvenile, shall arrange and pay for transportation associated with or required by the offender's attending another school or that would be required as a consequence of the prohibition against riding a school bus on which the victim or a sibling of the victim is riding. However, the offender or the parents of the offender may not be charged for existing modes of transportation that can be used by the offender at no additional cost to the Board.

SPECIFIC AUTHORITY:

Sections 985.455; 1003.31; 1003.32; 1006.07;
1006.09; 1006.10; 1006.13; 1012.584, Florida
Statutes

TITLE: **Disciplinary School Transfers**

POLICY:

The Board must identify persistently dangerous schools and provide students in such schools the option of attending a safe school as well as provide students who are victims of certain crimes on school grounds the option of attending another safe school.

- (1) Whenever any student has been the victim of a felony violation or a violation that would be a felony if committed by an adult, pursuant to:
 - (a) Section 782.051, Florida Statutes, relating to attempted felony murder;
 - (b) Chapter 784, Florida Statutes, relating to assault, battery, stalking, and culpable negligence;
 - (c) Chapter 787, Florida Statutes, relating to kidnapping, false imprisonment, luring or enticing a child, and custody offenses;
 - (d) Chapter 794, Florida Statutes, relating to sexual battery;
 - (e) Chapter 800, Florida Statutes, relating to lewdness and indecent exposure;
 - (f) Chapter 827, Florida Statutes, relating to abuse of children;
 - (g) Section 812.13, Florida Statutes, relating to robbery;
 - (h) Section 812.131, Florida Statutes, relating to robbery by sudden snatching; or
 - (i) Section 812.133, Florida Statutes, relating to carjacking,

and the crime was committed upon property owned or operated by the Board or on school transportation, the student upon whom the crime

was committed shall be permitted, upon written request from the student's parent/legal guardian, or the student (if such student is an emancipated minor), to transfer to another school determined by the Board, if available. In order to be considered a violent criminal offense for the purposes of transferring to another school, it is necessary that the incident be reported to the appropriate law enforcement agency and formal charges must be filed. The parent/legal guardian of the victim or the victim (if an emancipated minor) of any such felony crime may invoke the transfer option once the state attorney files felony charges against the offender. Any transportation services for such students shall be provided in accordance with Board policies.

- (2) A public school in Florida shall receive a "persistently dangerous school" designation if, for three (3) consecutive years, each of the following conditions persists:

- (a) The school has a federal "Gun-Free Schools Act violation" which means a student who is determined to have brought a firearm to a school, or to have possessed a firearm at school based on the federal Gun-Free Schools Act; "Firearm" means handgun, rifle, shotgun, or other type of firearm (Section 921 of Title 18, United States Code); and
- (b) The school has expelled one percent (1%) or more of a student body that is greater than 500 students or five (5) students if the student body is 500 students or less, whichever number is higher, for incidents of crime and violence that are homicide, battery, sexual battery, and/or weapons possession related, as reported to the Florida Department of Education in the School Environmental Safety Incident Report (SESIR) and the student discipline/referral action data collection systems.

If a school meets the expulsion criterion, then it shall conduct anonymous school-wide climate surveys of students, parents, and school personnel. The Florida Department of Education shall determine the survey instruments to be used. If the majority (51%) of the respondents perceives the school to be unsafe as evidenced by the results of the surveys administered by the school district, then the school meets this criterion.

- (3) As it relates to Code of Student Conduct matters, students may be transferred to a different school as determined by the Superintendent or designee.

SPECIFIC AUTHORITY:

The Elementary and Secondary Education Act (ESEA) Reauthorization; Provision Related to School Safety Entitled the Unsafe School Choice Option (USCO), Title IX, Part E., Subpart 2, Section 9532 of Public Law 107- 110)

Section 1001.41, Florida Statutes

TITLE: **External Electronic, Digital, or Telecommunications Devices:
Personally-Owned Devices and OCPS Student Issued Devices**

POLICY:

- (1) Definitions. For purposes of this policy, the following definitions shall apply:
 - (a) “External electronic, digital, or telecommunications device” means any device that can: access the internet, access digital media, word process, electronically send, receive or capture text, audio, or images and/or electronically transmit text, audio, or images. In order for the device to be used for supplemental learning purposes, it must be able to access the internet wirelessly through a modern browser and contain a note-taking function/application.
 - (b) “Sexting” means sending, forwarding, displaying, viewing, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on any external electronic, digital or telecommunications device during school hours or school activities on or off campus; while on school district property, or beyond the hours of school operation if the behavior adversely affects the personal safety or well-being of school- related individuals, the governance, climate or efficient operation of the school; or the education process or experience.
 - (c) “Cyberbullying” means the act of using information and communication technologies such as, but not limited to, e-mail, cell phone, pager, text messaging, instant messaging (“IM”), blogging, social media, defamatory personal web sites and defamatory personal pooling web sites to support deliberate, repeated, and hostile behavior by an individual or group that is intended to threaten or harm others or which substantially disrupts or interferes with the operation of a school or an individual’s academic performance.
 - (d) “OCPS student issued device” means any electronic, digital, or telecommunications device that is issued by OCPS to an OCPS student.
 - (e) “Personally-owned device” means any electronic, digital, or telecommunications device that is not issued or owned by OCPS, but is owned by the student and/or his/her parent/guardian.
- (2) The following shall apply to personally-owned devices while the student is on property owned or operated by the Board, at school-sponsored events, on school buses or in vehicles provided by the district, or any other jurisdictional area as permitted by Florida Statutes and/or State Board of Education Rules:
 - (a) Students shall not use any personally-owned electronic, digital, or telecommunications device including, but not limited to, tablets, laptops, pagers, and cellular/smart phones, in a manner that poses a threat to academic integrity, disrupts the learning environment, or

violates the privacy rights of others.

- i. The physical location or time of access of certain personally-owned electronic, digital, and/or telecommunication devices by a student cannot be raised as a defense in any disciplinary action initiated under this section.
 - ii. Personally-owned electronic, digital, or telecommunications devices shall not be used in any location where a reasonable expectation of privacy is expected and/or where district security cameras are also prohibited including, but not limited to, restrooms, lockers rooms, changing rooms, and/or sleeping quarters.
- (b) Students in possession of personally-owned electronic, digital, and/or telecommunications devices shall observe the following conditions:
 - i. Personally-owned electronic, digital, or telecommunications devices shall be turned on and operated for learning purposes only before, during, and after the school day. Students shall not be prohibited from using personally-owned devices for the purposes of supplementary learning. Using personally-owned devices for the purposes of supplementary learning can include, but is not limited to, accessing and using:
 - ii. Adopted instructional digital materials;
 - iii. Websites provided by the publisher of an adopted instructional material and/or other web material authorized by the instructor;
 - iv. District provided student email accounts;
 - v. District approved social media and/or online collaboration platforms;
 - vi. Wikis, blogs, and other similar tools;
 - vii. Formative assessment tools (i.e. polling); and/or
 - viii. Content production tools (i.e. digital portfolios, publishing, word processing, video editing, music production, podcasts).
- (c) The district shall not be responsible for texting and/or data usage fees incurred by personally-owned electronic, digital, or telecommunications devices for the use of supplementary learning.
- (d) Students are responsible for personally-owned devices they bring to school. The district shall not be responsible for loss, theft, or

destruction of devices brought onto school property, including the financial cost of replacing devices.

- (e) In the event that a personally-owned device is used for supplementary learning, the district shall provide assistance, when requested, by: providing charging opportunities using the student provided charger and cord, turning the device on, and accessing the home page of the web browser. The district shall not be required to troubleshoot and/or modify devices not purchased by the district.
 - (f) Personally-owned digital, electronic, and/or telecommunication devices can be used if an emergency exists that involves imminent physical danger for communication outside the purpose of supplementary learning.
- (3) The following shall apply to personally-owned devices and OCPS student issued devices while the student is on property owned or operated by the Board, at school sponsored events, on school buses or in vehicles provided by the district, or any other jurisdictional area as permitted by Florida Statutes and/or State Board of Education Rules:
- (a) Students shall not send, share, view, or possess pictures, text messages, emails, or other material depicting sexually explicit content, in electronic or any other form on any personally-owned electronic, digital, or telecommunications device.
 - (b) By bringing external personally-owned electronic, digital, or telecommunications device to school or school-sponsored events, the student and parents/legal guardians consent to the search in accordance with the limitations imposed by state and federal law. A search of the device will only occur when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of Board policy, OCPS Code of Student Conduct, or state or federal laws. The scope of the search will be limited to the violation of which the student is accused. Regardless of consent, if a violation of state or federal law is suspected, the matter will be referred to law enforcement.
 - (c) All OCPS student issued devices are subject to search at any time.
 - (d) Students who violate this policy will be subject to disciplinary action, including suspension or expulsion. The student may also lose the privilege of bringing a personally-owned device onto property owned or operated by the Board.
 - (e) An administrator or principal/designee may confiscate the OCPS student issued device or the personally-owned device, which shall only be returned to the student's parent/legal guardian. Content or images that violate criminal laws will be forwarded to law

enforcement.

- (4) Any student, employee, parent/legal guardian or third party who has knowledge or engages in conduct in violation of this policy or any student who feels he/she has been a victim of cyber bullying, sexting, menacing, retaliation, or reprisal in violation of this policy shall immediately report the concerns to school officials.
 - (a) The principal/designee shall be responsible for timely investigating a complaint made under this policy. The investigation, witness statements, and evidence shall be documented along with the outcome of the investigation.
 - (b) In the course of the investigation, the principal/designee and any investigating employees will not send, receive, or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or their personally-owned electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred. Parents/legal guardians of all students identified in the report shall be notified of the investigation and informed of their students' involvement in the incident.
- (5) Students whose behavior violates this policy will be subject to discipline up to and including expulsion. Law enforcement will also be notified when conduct may violate criminal laws.

SPECIFIC AUTHORITY:

Section 1001.41; 1003.31; 1003.32; 1006.07;
1006.147, Florida Statutes

TITLE: **Student Hazing**

POLICY:

- (1) "Hazing" is defined as any action or situation that endangers the mental or physical health or safety of a student at a school with any grades 6 through 12 for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school with any grades 6 through 12.
- (2) "Hazing" includes, but is not limited to:
 - (a) Pressuring or coercing the student into:
 - i. Violating State or Federal law;
 - ii. Consuming of any food, liquor, drug, or other substance; or

- iii. Participating in physical activity that could adversely affect the physical health or safety of the student.
 - (b) Any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements; and
 - (c) Any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.
- (3) “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.
- (4) Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.
- (5) Hazing activities of any kind are prohibited at any time on property owned or operated by the Board and off school property if the misconduct is connected to participation or membership of a club or organization of a school.
- (6) No administrator, faculty member, or other Board employee shall encourage, permit, authorize, condone, or tolerate any hazing activities.
- (7) No student shall plan, encourage, or engage in any hazing activity.
- (8) All Board employees shall be alert to possible situations, circumstances, or events that might include hazing.
- (9) If hazing or planned hazing is discovered, the students involved shall be ordered to end all hazing activities or planned activities immediately and shall be disciplined pursuant to the OCPS Code of Student Conduct.
- (10) Any student, employee, parent/guardian, or third party who has knowledge or engages in conduct in violation of this policy, or any student who feels he/she has been a victim of hazing, shall immediately report the concerns to school officials.
 - (a) The reporting of such an act may be done anonymously by:
 - i. Telling the school official the reporter wishes to remain anonymous;
 - ii. Sending an email to the school principal/district;
 - iii. Calling the school/district; or
 - iv. By using any other form of communication to inform the

school of the alleged hazing.

- (11) All hazing incidents reported to the school shall be reported immediately to the Superintendent or designee, and to appropriate the law enforcement agency. Each incident of hazing shall be reported in the school's safety and discipline report required under Section 1006.09, Florida Statutes. Any Board employee that fails to report hazing incidents, pursuant to this policy may be subject to disciplinary action up to and including termination.
- (12) Anyone who is a victim or perpetrator of hazing will be referred to the school guidance counselor.

SPECIFIC AUTHORITY:

Sections 1001.43; 1006.135, Florida Statutes

TITLE: **Trafficking**

POLICY:

- (1) Definitions. For the purpose of this policy, the following definitions shall apply.
 - (a) "Human trafficking" is defined as the transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person. In addition, the Florida Legislature has identified human trafficking as a form of modern-day slavery. Victims of human trafficking are young children, teenagers, and adults. Victims of human trafficking are subjected to force, fraud, or coercion for the purpose of sexual exploitation or forced labor.
 - (b) "Drug trafficking" is defined as knowingly selling, purchasing, manufacturing, delivering, or bringing drugs or other substances identified in Section 893.135, Florida Statutes, into the state of Florida.
 - (c) The Board prohibits any form of trafficking to occur on school grounds, on school transportation, and at any school sponsored activity.
 - (d) Anyone who is a victim of trafficking or anyone who suspects trafficking is occurring and involves OCPS students or employees, should report the allegations to the school administration for further investigation. School administration should consult with the school resource officer, or law enforcement officer if the school resource officer is not available, before beginning their investigation.
 - (e) Any reporter of trafficking of any kind may choose to remain

anonymous.

SPECIFIC AUTHORITY: Sections 787.06; 893.135, Florida Statutes

TITLE: Firearms or Weapons

POLICY:

- (1) Definitions. For the purposes of this policy, the following definitions shall apply.
 - (a) "Firearm" means 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 muffler or firearm silencer; any destructive device; or any machine gun.
 - (b) "Weapon" means any dirk, knife, metallic knuckles, slugshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon. Also included are objects that are used to intimidate or threaten another person, or objects used to harm another person.
- (2) The Board prohibits any student or visitor (except law enforcement officers as defined in Chapter 943, Florida Statutes) from bringing or using a firearm or weapon on school grounds, school transportation, and any school sponsored activity. Possession or use of a firearm or weapon shall result in disciplinary action, consultation with law enforcement, and may result in criminal penalties. This prohibition includes, but is not limited to, possessing or carrying a firearm or weapon on his/her person, in a vehicle, and/or any other container or conveyance.

SPECIFIC AUTHORITY: Sections 790.001; 790.115; 1006.13, Florida Statutes

TITLE: School Environmental Safety Incident Reporting

POLICY:

Incidents related to school safety and discipline shall be accurately reported in a timely manner to the Florida Department of Education, Office of Safe Schools through the School Environmental Safety Incident Reporting (SESIR) structure. OCPS will follow rules established for the requirements of the SESIR by the Florida Department of Education, Office of Safe Schools.

SPECIFIC AUTHORITY: Section 1006.07, Florida Statutes

Rule 6A-1.0017, Florida Administrative Code

ADOPTED: 10/12/10

REVISED: 5/10/11; 1/28/14; 6/23/15; 6/13/17; 6/12/18; 6/11/19; 7/30/19; 6/23/20; 6/8/2021

THREATS

FILE: JICK

TITLE: **Threat Assessment Teams**

POLICY:

The School Board of Orange County, Florida ("Board") finds it essential that all Orange County Public Schools ("OCPS") be safe and orderly to provide environments that foster learning; therefore, all statements, verbal, written, actions, or gestures that threaten the safety of any person or any OCPS school or facility, will be taken seriously, regardless of intent. All threats of harm to oneself or others shall be immediately reported to school administration and/or law enforcement, if applicable.

- (1) Definitions. For the purposes of this policy, the following definitions shall apply:
 - (a) "Aberrant behavior" means behavior which is atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior for an individual involves actions, statements, communications or responses that are unusual for the person or situation; actions that could lead to violence toward self or others; or are reasonably perceived as threatening or causing concern for the well-being of the person.
 - (b) "Behavioral Threat Assessment Instrument" means the standardized, statewide instrument for threats to others adopted by the Department for use by all public schools which addresses early identification, evaluation, early intervention, and student support.
 - (c) "Department" means the Florida Department of Education, Office of Safe Schools.
 - (d) "Education records" or "records" means any records or documents, including information derived from those records or documents that are directly related to a student and are maintained by an educational agency or institution, or by a party acting for the agency or institution. In most cases, this includes student health and mental health records maintained by an educational agency or institution. Law enforcement unit records, as defined by 34 C.F.R. ss. 99.3 and 99.8, are not considered education records.
 - (e) "Guardian" means the person appointed by the court to act on behalf of a minor.
 - (f) "Involuntary examination" means the taking of a person to a facility for involuntary examination if law enforcement evaluates the person and has reason to believe: (1) the person has a mental illness; (2) the person has refused voluntary examination, if the person is 18, or the parent/guardian has refused voluntary examination if the person is a minor; and (3) without care or treatment, the person is likely to suffer harm.

- (g) “Law Enforcement Officer” or “School Resource Officer” means any person who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state. This definition includes all certified supervisory and command personnel whose duties include, in whole or in part, the supervision, training, guidance, and management responsibilities of full-time law enforcement officers, part-time law enforcement officers, or auxiliary law enforcement officers but does not include support personnel employed by the employing agency. Law enforcement officers are the only designated official on Board property to conduct an assessment to determine if an involuntary examination is required.
- (h) “Mental illness” means an impairment of the mental or emotional processes that exercise conscious control of one’s actions or of the ability to perceive or understand reality, which impairment substantially interferes with the person’s ability to meet the ordinary demands of living.
- (i) “Minor” means an individual who is 17 years of age or younger and who has not had the disability of nonage removed.
- (j) “Petty acts of misconduct” means acts that do not pose a threat to the safety of students, staff, volunteers, or other persons, or Board property; or are not considered a crime under federal or state statutes.
- (k) “Substantive threats” means threats where the intent to harm is present, or not clear, and require protective action. The question is whether there is an express intent to physically injure someone beyond the immediate situation and there is at least some risk that the person will carry out the threat. If there is doubt or if the threat cannot clearly be categorized as transient, threats should be treated as substantive.
 - (i) Serious substantive threats are threats to hit, fight or beat up another person.
 - (ii) Very serious substantive threats are threats to kill, rape or cause serious injury with a weapon.
- (l) “Threat” means a communication of intent to harm oneself or someone else that may be spoken, written, gestured or expressed in some other form, such as via text messaging, email or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) or whether the intended target(s) is aware of the threat. This definition includes threats made to Board property (including, but not

limited to, school buildings and OCPS transportation).

- (m) “Threat Assessment” means a problem-solving approach to violence prevention that involves assessment and intervention with students who have threatened violence. It is a fact-based process that emphasizes identification, evaluation, intervention and follow-up in order to prevent serious threats of harm or actual acts of violence from occurring.
 - (n) “Threat Response” means the process that is implemented when a student has indicated an intent to harm themselves which may include suicidal ideation and self-injurious behavior.
 - (o) “Transient threats” means there is not a sustained intent to harm. The critical question is whether the person intends to carry out the threat, or whether the threat was made in the heat of the moment as an expression of anger, frustration or humor without intent to harm. Transient threats can be resolved with an apology, retraction or explanation by the person who made the threat.
 - (p) “Voluntary examination” means the voluntary consent and admission by a person who is 18 or older, or by the person’s parent/guardian if the person is a minor, into a facility for observation, diagnosis, or treatment for a mental illness.
- (2) Threat Assessment Teams
- (a) Establishment
 - (i) Each school within OCPS shall establish a school threat assessment team (STAT). The principal at each school is responsible for designating the proper STAT members and ensuring compliance with this policy.
 - (ii) A district threat assessment team (DTAT) shall also be established to provide guidance and oversight to the school-based threat assessment teams.
 - (b) Members. Threat assessment teams shall include persons with expertise in:
 - (i) Counseling;
 - (ii) Instruction;
 - (iii) School administration;
 - (iv) Law enforcement; and
 - (v) Any other Board employee deemed necessary by the threat assessment team that can provide valuable input, such as the mental health designee, staffing specialist, dean, etc.

- (vi) If there is not an SRO or other sworn law enforcement officer available, the school shall contact OCPS District Police in order to ensure the required law enforcement participation.
- (c) Training
 - (i) All members of the threat assessment team shall participate in a Threat Assessment training once every four years or as needed if new guidance is issued by the Department.
- (d) Procedures for Threat Assessment Teams
 - (i) Threat assessment teams shall follow the Threats Procedures Guide which is aligned with Florida Statutes, State Board of Education Rules, and the Department's model policy.
 - (ii) The threat assessment team shall meet monthly, or as often as necessary to ensure that students are appropriately assessed and referred to services. However, if there is an imminent threat to school safety, then the principal or designee shall convene an emergency threat assessment meeting to address the imminent threat.
 - a. The threat assessment team should coordinate with other multidisciplinary teams available within OCPS to ensure all available resources are provided to students in need of support.
 - (iii) Threat assessment teams shall discuss and document all types of reported threats, including threats to others and threats of self-harm.
 - (iv) Threat assessment teams shall identify members of the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
 - (v) Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, the threat assessment team shall immediately report its determination to the Superintendent or designee. Nothing in this subsection precludes school district personnel from acting immediately to address an imminent threat.
 - (vi) Upon transfer of a student to a different school, the threat assessment team shall verify that any intervention services provided to the student remain in place until the threat assessment team at the receiving school independently

determines the need for intervention services.

- (vii) Notwithstanding any other provision of law, OCPS may share records or information with other agencies that are confidential or exempt from disclosure under chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.
 - a. All verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services, psychological evaluations, including therapeutic treatment plans and therapy or progress notes, shall be transferred within three school days when a student transfers schools.
- (viii) The STAT or DTAT may recommend to the Superintendent, or designee, the assignment or re-assignment of students to schools or programs located in or out of their assigned zone for the health, safety, or welfare of the student, other students, or staff.
- (ix) All information and/or records discussed and/or disclosed during a threat assessment meeting or by a threat assessment team member, as it relates to threats, are confidential and shall not be disclosed outside of the threat assessment team, unless specifically permitted by this policy, federal or state statute, or State Board of Education Rules.

(3) Threats to Others

(a) Reporting

- (i) All threats of harm to others shall be immediately reported to school administration and the SRO.
- (ii) All very serious substantive threats shall be reported to OCPS District Police Communications Center.
- (iii) Threat assessment teams shall report quantitative data on its activities to the Department in accordance with guidance set forth by the Department. Threat assessment teams shall utilize the threat assessment database developed by the Department pursuant to Section 1001.212, Florida Statutes.

(b) Notification and Consultation

- (i) Threat assessment teams shall consult with law enforcement when a student, OCPS employee, visitor, contracted vendor, or volunteer exhibits patterns of

behavior, based on previous acts, which pose a threat to school safety. However, if a threat is imminent or the threat assessment team believes the student, OCPS employee, visitor, contracted vendor, or volunteer poses a threat to the community, the threat assessment team shall consult with law enforcement immediately.

a. Petty acts of misconduct are not required to be reported to law enforcement, unless the school has a reasonable belief that a criminal act has occurred or the student or OCPS employee continually commits petty acts of misconduct and the school believes the student or OCPS employee poses a threat to school safety.

(ii) Notwithstanding any other provision of law, OCPS shall contact the parent/guardian of the intended target of a substantive threat to alert the parent/guardian to the threat as a health, welfare, and/or safety emergency notification and as required by the behavioral threat assessment instrument developed by the Department.

(c) Threat Assessment for Students

Threat assessment teams shall utilize the behavioral threat assessment instrument developed by the Department for all threats of harm to others, pursuant to Section 1001.212, Florida Statutes. A threat assessment shall be conducted if a student makes an explicit or implicit threat to harm others.

(d) Review of Threat Assessments

(i) The District Threat Assessment Team may review school-based threat assessment team threat classifications as identified in the behavioral threat assessment instrument. The District Threat Assessment Team shall have the authority to reclassify a school-based threat assessment team threat classification and shall notify the principal or designee of the decision and reasons for the reclassification.

(e) Discipline and Consequences

(i) A threat assessment is not part of the disciplinary process. Schools shall follow the Code of Student Conduct to determine student discipline. Nothing contained in this section prohibits information learned during a threat assessment from being used in a disciplinary proceeding, where appropriate.

- (ii) Any OCPS employee found to have made a threat of harm towards others shall be referred to law enforcement and Professional Standards, and may be disciplined in accordance with Board policies, procedures, and agreements.
- (iii) Any visitor, contracted vendor, or volunteer found to have made threat of harm to others shall be referred to law enforcement and OCPS District Police. In addition, after consideration of the nature and circumstances of the act, the visitor, contracted vendor, or volunteer may be trespassed from Board property with approval of the principal or designee or location administrator.

(4) Threats of Self-Harm

- (a) The Board is committed to fostering a learning environment that promotes a culture of safety, respect, trust, and social/emotional support. The Board also recognizes the increase of suicidal rates among children and the importance of parent/guardian involvement when a child makes a threat of self-harm or exhibits self-injurious behavior. To achieve this goal, OCPS employees shall follow the Threat Procedures Guide when an OCPS student makes a threat of self-harm or exhibits self-injurious behavior. At minimum, procedures addressing the following shall be included within the Threats Procedures Guide:
 - (i) A student's dignity and privacy shall be maintained to the extent possible at all times throughout the process;
 - (ii) Supervision of a student when the student makes a threat of self-harm or exhibits self-injurious behavior;
 - (iii) Notification to the school administrator(s) and OCPS mental health designee;
 - (iv) Notification and engagement of the parent/guardian throughout the process, unless a report has been submitted to the central abuse hotline based upon knowledge or suspicion of abuse, abandonment, or neglect;
 - (v) Engagement of intervention and de-escalation strategies for the student conducted by the OCPS mental health designee;
 - (vi) Engagement of a mobile crisis unit, if needed; and
 - (vii) Engagement of law enforcement, if needed.
- (b) Reporting Threats of Self-Harm

- (i) All threats of self-harm made by students shall be immediately reported to school administration and the mental health designee, unless there is a reasonable belief that harm is imminent, then the threat shall be immediately reported to law enforcement and/or emergency services.
- (ii) All threats of self-harm made by employees, visitors, contracted vendors, or volunteers shall be immediately reported to law enforcement and/or emergency services. This section does not include OCPS K-12 students.

(c) Threat Response for Students

- (i) If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow the Threats Procedures Guide, Florida Statutes, and/or State Board of Education Rules to engage behavioral health crisis resources, which may include, but is not limited to, conducting a suicide screener by the OCPS mental health designee, and engaging mobile crisis teams and law enforcement trained in crisis intervention.
 - a. Before a principal or designee contacts law enforcement, the principal or designee shall verify that de-escalation strategies have been utilized and outreach to a mobile response team has been initiated unless the principal or designee reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.

(d) Notification to the Parent/Guardian

- (i) The principal or designee shall notify and engage the parent/guardian of a student who makes a threat of self-harm as outlined in the Threats Procedures Guide, unless such notification will cause a delay that places the student or another in imminent danger.
 - a. If a report has been submitted to the central abuse hotline based upon knowledge or suspicion of abuse, abandonment, or neglect, the principal or designee may delay notification to the parent/guardian for no more than 24 hours after the student is removed for an involuntary examination, if the principal or designee deems the delay to be in the student's best interest.
- (ii) The communication to the parent/guardian on behalf of OCPS is strictly for notification purposes and does not supersede the authority of a law enforcement officer to

conduct an assessment for an involuntary examination under Florida Statutes.

(e) Law Enforcement and/or School Resource Officer (SRO) Involvement

- (i) SROs are required by Section 1006.12, Florida Statutes, to complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.
- (ii) Law enforcement officers, including SROs, are the only officials on Board property that can conduct an involuntary examination assessment to determine whether an involuntary examination is required. In addition, law enforcement officers, including SROs, are the only officials on Board property that have the authority under Section 394.462, Florida Statutes, to transport a student and/or employee for an involuntary examination. The decision to allow the parent/guardian to transport rests solely with the law enforcement officer and/or SRO.
 - a. If a law enforcement officer or SRO deems removal of a student for an examination is necessary, the school principal or designee shall contact the parent/guardian to inform the parent/guardian of the removal, unless a report has been submitted to the central abuse hotline based upon knowledge or suspicion of abuse, abandonment, or neglect, then the principal or designee may delay notification for up to 24 hours. This notification is in addition to the notification requirements set forth in Section 394.4599, Florida Statutes.
 - b. To the extent possible, and if needed, an OCPS employee may volunteer to accompany the student to the involuntary examination facility if the student is removed from the school. The OCPS employee will be required to drive separately and is not permitted to consent for treatment for the student.

SPECIFIC AUTHORITY: Sections 394.455; 394.4599; 394.4625; 394.462; 394.463; 744.102; 943.10; 1001.212; 1002.20; 1003.25; 1006.07; 1006.13, Florida

Statutes 20 U.S.C. § 1232g; 34 CFR Part 99

ADOPTED: 8/20/2019

REVISED: 4/14/2020; 1/12/2020; 6/8/2021

Felony Suspension



985.04(4)(b) Oaths; Records; Confidential Information

Upon notification by the superintendent, school principals must immediately notify classroom teachers, the bus driver(s) and any other school personnel that may directly supervise any student charged with certain felonies or delinquent acts.

- (4) (a) Notwithstanding any other provision of this section, when a child of any age is taken into custody by a law enforcement officer for an offense that would have been a felony if committed by an adult, or a crime of violence, the law enforcement agency must notify the superintendent of schools that the child is alleged to have committed the delinquent act.
- (b) Notwithstanding paragraph (a) or any other provision of this section, when a child of any age is formally charged by a state attorney with a felony or a delinquent act that would be a felony if committed by an adult, the state attorney shall notify the superintendent of the child's school that the child has been charged with such felony or delinquent act. The information obtained by the superintendent of schools under this section must be released within 48 hours after receipt to appropriate school personnel, including the principal of the school of the child and the director of transportation. The principal must immediately notify the child's immediate classroom teachers, the child's assigned bus driver, and any other school personnel whose duties include direct supervision of the child. Upon notification, the principal is authorized to begin disciplinary actions under s. [1006.09](#)(1)-(4).
- (c) The superintendent must notify the other school personnel whose duties include direct supervision of the child of the disposition of the charges against the child.
- (d) The department shall disclose to the school superintendent the presence of any child in the care and custody or under the jurisdiction or supervision of the department who has a known history of criminal sexual behavior with other juveniles; is alleged to have committed juvenile sexual abuse as defined in s. [39.01](#); or has pled guilty or nolo contendere to, or has been found to have committed, a violation of chapter 794, chapter 796, chapter 800, s. [827.071](#), or s. [847.0133](#), regardless of adjudication. Any employee of a district school board who knowingly and willfully discloses such information to an unauthorized person commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

Release of Felony Information Fact Sheet

1. The school superintendent or designee (Beverly Canzoneri) will notify a student's school principal and the director of transportation of a juvenile's arrest for crimes of violence or a violation law which would be a felony if committed by an adult.
2. The school principal or designee shall provide information on the arrest of a juvenile to Student Services personnel; School Resource Officers; if applicable; and the student's immediate teachers.
3. The school superintendent or designee (Beverly Canzoneri) will notify a student's school principal of a juvenile found guilty of a felony and who has been adjudicated guilty or delinquent, or has had adjudication withheld.
4. Designated school officials shall share information on a juvenile offender's placement, achievements, discipline, behavioral and attendance history with parties to the local interagency agreement, as appropriate.
5. To verify the identification of a party to the local interagency agreement (Department of Children and Families, Department of Juvenile Justice, law enforcement) requesting information on a student by telephone, designated school staff should obtain the telephone number of the agency for which the caller is employed and advise the caller that a return call will be made for verification purposes. The telephone number obtained should be validated by the agency's receptionist/operator to identify the agency being called.
6. To verify the identification of a person requesting information during a school visit, a picture identification badge and an agency business card with a valid telephone number should be requested.
7. Designated district/school personnel will train staff regarding the release of information to ensure that the information being released is according to School Board Policy and the Interagency Agreement.
8. Should school staff require further clarification and /or additional information, contact your school's area administrator.

Procedures for a Felony Suspension

(For more detailed information refer to the [\(2020-21 Code of Student Conduct\)](#))

1. Determine that the student has been **formally charged** (not just arrested) with a felony (or has been charged with an offense in juvenile court which, if the student were an adult, would be classified as a felony) by notifying your area administrator. Send documentation of the felony charge to your area administrator.
2. The principal must decide if the student's return to school would have an adverse impact on the school. If an adverse impact exists, the principal will send a [Felony Suspension Superintendent letter](#) to the area administrator explaining the adverse impact on the school/learning environment. During this time, the student is still able to attend school until a decision is made by the District.
3. **The principal must contact the area administrator to schedule the hearing within ten (10) schools days of receiving the notice of the felony charges against the student.**
4. If a felony suspension related to the documented adverse impact is imposed, the parent/guardian must be notified in writing of the following [\(sample letter\)](#):
 - a) Recommendation for suspension until the determination of student's guilt or innocence, or dismissal of charges.
 - b) Specific charges against a student.
 - c) The date and time of a hearing with the area administrator.
 - d) Pending the hearing, the student is temporarily suspended.
5. The hearing will be conducted by the area administrator and must be attended by the principal/designee, the student, the parent/guardian, and the student's representative or counsel (if applicable). The area administrator will provide the student and parent/guardian with a decision as to whether or not the felony suspension will be made.
6. If the decision by the district is to impose the felony suspension, an area administrator will make arrangements to place the student in an alternative education setting.
7. If the parent brings any new documentation to the hearing, the area administrator will still conduct the meeting and review the new documentation provided. At that time, the student will remain home until the area administrator contacts the school and parent with a final decision.
8. A student cannot have a felony expulsion without first having a felony suspension.

Felony Suspension Parent Letter

(This is not a fillable form. Please copy and paste onto school letterhead).

Date: _____
Student: _____
Student #: _____
Grade: _____ DOB: _____
Gender: _____ Race: _____
ESE Program(s): _____

<PARENT/GUARDIAN NAME>

<ADDRESS>

<CITY, STATE, ZIP>

Dear <PARENT/GUARDIAN NAME>:

This letter is to notify you that, in accordance with Section 1006.09, Florida Statutes, your child, <NAME OF STUDENT>, has been suspended from <SCHOOL NAME> because of the felony with which your child has been charged, <REASON FOR ARREST>. This felony causes his/her presence on this campus to have an adverse impact on the orderly school environment. During this time of suspension, <NAME OF STUDENT> is not to be on this school campus or at any school-sponsored activity until further notice.

You and your child are invited to attend a Felony Suspension Review on this matter to be conducted in <LOCATION WITHIN SCHOOL> on <DATE AND TIME>. The purpose of this review is to allow you and your child to speak in his/her own defense and to present any evidence or documentation to the contrary.

If you have further questions regarding the suspension or Felony Suspension Review, please contact me at <SCHOOL PHONE #>.

Sincerely,

<PRINCIPAL'S NAME>

Principal

c: Area Superintendent
Area Administrator
ESE Program Specialist (ESE only)

Felony Suspension Superintendent Letter

(This is not a fillable form. Please copy and paste onto school letterhead).

<DATE>

(Superintendent)
445 W. Amelia St.
Orlando, FL 32801

Dear (Superintendent):

On <DATE>, I received information that one of our students, <NAME OF STUDENT>, <STUDENT #>, <DATE OF BIRTH>, has been charged with a felony for <REASON FOR ARREST>. I feel that the presence of this student on school grounds will have an adverse impact on the safety and welfare of the students, staff and school environment. <GIVE DETAILED EXPLANATION OF THE ADVERSE IMPACT>.

Therefore, in accordance with Section 1006.09, Florida Statutes, I am requesting that the procedures for a Felony Suspension be initiated because <STUDENT NAME> has attempted to return to <NAME OF SCHOOL>.

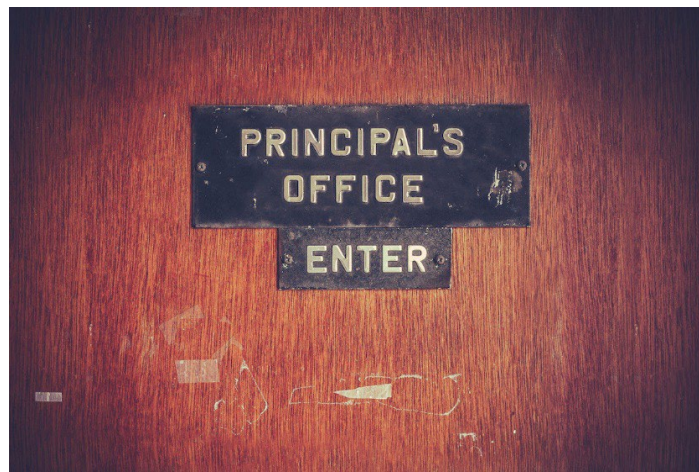
Please call if you need further information.

Sincerely,

<PRINCIPAL'S NAME>
Principal

c: Area Superintendent
 Area Administrator
 ESE Program Specialist (ESE only)

Memorandums



July 29, 2022

MEMORANDUM

TO: PRINCIPALS

FROM: Rolando Bailey
Area Superintendent, Southeast Learning Community

HAROLD BORDER
Chief of High Schools

JOSE MARTINEZ
Area Superintendent, East Learning Community

TASHANDA BROWN-CANNON
Associate Superintendent, School Transformation Office

Rahim Jones
Area Superintendent, West Learning Community

Meredith Leftakis
Area Superintendent, North Learning Community

Tashanda Brown-Cannon
Area Superintendent, Southwest Learning Community

JOHN WRIGHT
Associate Superintendent, Innovation Office

SUBJECT: Consistency Standards Code of Student Conduct

The attached document will provide you with the issues identified as those requiring consistency and standardization across the district. It has been determined that performing the identified actions will create a consistent implementation of the **procedures** and processes outlined in the Code of Student Conduct. Therefore, the identified actions are those necessary for standardization.

Several areas are designated as the responsibility of the school principal or staff. They Include:

- Reviewing the Code of Student Conduct at the beginning of the school year and subsequent quarters and for all students who enter after the first review date
- Using the Discipline Referral Form for all incidents
- Entering data on Skyward consistent with the referral form
- Entering data on Skyward for all Level I through Level IV referrals
- Providing witness statements for each Discipline Referral Form in black/blue ink
- Applying discipline consistent with available Discipline Responses found in the Code of Student Conduct
- Recommending expulsion/removal under appropriate conditions
- Using the OCPS Bullying/Harassment investigation form for all allegations involvingbullying/harassment

A Discipline Procedures Guide is published and distributed each year to guide district implementation. Changes will be reviewed during annual training sessions. Copies of the attached chart may be reproduced for appropriate staff. Clarifications or questions should be directed to your area administrator.

ORANGE COUNTY PUBLIC SCHOOLS
CODE OF STUDENT CONDUCT
CONSISTENCY STANDARDS

Consistency Issue	Action	Person Responsible
School Procedure for Reviewing the Code of Student Conduct	<p>The Code of Student Conduct (COSC) is available on the OCPS home page and must be reviewed with every student. During the first week of school, each school will establish guidelines for this review electronically and submit documentation to the Area Administrator. In addition, each school will need to establish guidelines for every student to sign and date a Code of Student Conduct Acknowledgement form (paper based copy) or the electronic version of the COSC.</p> <p>A tracking system has been established to assure this review is done quarterly for all students.</p> <p>For students transferring within OCPS during the current school year, schools will verify that the COSC was reviewed at their previous school. This will be documented using the Code of Student Conduct OCPS Transfer Acknowledgement form.</p> <p>For students transferring from out- of- county/state, schools will review the COSC and document on the Code of Student Conduct Acknowledgement form that the Code was reviewed.</p> <p>Schools will collect and keep on file the signed Code of Student Conduct Acknowledgement form containing the student's and/or parent's signatures. During each review, students must sign and date the Code of Student Conduct Acknowledgement form stating they were present for review.</p> <p>If a student refuses to sign the Acknowledgement form, two administrators must sign and document the students' refusal to sign. This can be done on the Acknowledgement form itself.</p>	<p>Principal</p> <p>Principal/Designee</p>

Consistency Issue	Action	Person Responsible
Use of the District Wide Referral Form	<p>Schools and transportation will use the OCPS Discipline Referral Form for all incidents. The forms are to be purchased through the warehouse.</p> <p>Data entered on Skyward must be consistent with the information on the OCPS Discipline Referral Form.</p> <p>Due process must be afforded to each student disciplined and must be documented on the referral. The following is required:</p> <ul style="list-style-type: none"> • Administrator signature • Student signature • Parent notification (date and time) or signature • Date and time the OCPS Discipline Referral was processed • Student initials stating the student was given an opportunity to make a statement and present witnesses 	<p>Principal/Designee</p> <p>Data entry person</p> <p>Administrator or Dean handling the incident</p>
Data Entry	School will input all Level I through Level IV offenses, including bus offenses. Appropriate codes will be used as indicated on the OCPS Discipline Referral Form. Schools will input unsubstantiated incidents into Skyward as indicated on the Bullying/Harassment Investigation form.	Data Entry Person
Honoring Another School District's Recommendation for Expulsion/Removal	<p>OCPS will honor other school districts' recommendations for expulsion/removal.</p> <p>If a student transfers to your school with a recommendation for expulsion or removal, contact your Area Administrator immediately for further guidance.</p>	Area Administrator
Witness Statements	<p>All witness statements will be completed in black/blue ink or typed using the official OCPS Witness Statement Form.</p> <ul style="list-style-type: none"> • Please note elementary schools must use the new elementary witness statement form. <p>Originals will be submitted as part of the Level IV Discipline Team Meeting (DTM) packet to the Area Administrator.</p>	Principal/Designee and Area Administrator

Consistency Issue	Action	Person Responsible
Recommendations for Expulsion/Removal for Repeated Misconduct	<p>In order for a school to recommend expulsion/removal for a student for repeated misconduct, the following conditions must exist within the current school year:</p> <ul style="list-style-type: none"> ☐ Any consideration for a Level IV must be discussed with the Area Administrator before suspending ☐ At least three Level III and /or Level IV offenses, prior to a behavior contract, where the offenses were serious disruptions to the orderly functioning of the school and/or created serious threats to the health, safety and/or property of the student or others. These should be referrals for offenses other than absences, tardiness, disrespect, gross insubordination, possession of contraband, smoking or violation of curfew. ☐ Documentation of behavioral interventions beyond disciplinary consequences. These interventions must be documented on the Level IV Repeated Misconduct Discipline Record and Interventions Form. ☐ Copies of all suspension letters, the OCPS Safety/Discipline Referral Forms and contracts must be available for review. ☐ A behavior contract that the student and parent have been informed that another serious act of misconduct may result in an expulsion/removal recommendation. 	Principal/Designee and Area Administrator
Discipline Offenses Involving Multiple Schools	Principal will follow guidelines outlined in the Discipline Procedures Guide.	Principal/Designee and Area Administrator
Lockout Procedure	<p>All elementary and secondary students will be placed on lockout if recommended for expulsion or removal.</p> <p>All elementary and secondary felony suspension/expulsion students will be placed on lockout.</p> <p>Students will remain on lockout until:</p> <ul style="list-style-type: none"> • Student returns to home school from Positive Pathways Transition Center 	<p>Area Administrator /Designee</p> <p>Area Administrator /Designee</p>

Consistency Issue	Action	Person Responsible
	<ul style="list-style-type: none"> Student returns to school after length of the Waiver of Out-of-District Expulsion and District Behavior Contract has expired Student's term of full exclusion/long term removal has expired There is a non-verification of a Level IV offense or a felony suspension/expulsion request. 	
Recommending a Student for a Felony Suspension	The principal may request a felony suspension removal for a student that is currently enrolled at their school and who has been formally charged by the district attorney with a felony for an incident that occurred off school property and there is sufficient evidence to support an adverse impact to the campus if that student remains enrolled at the current school.	Principal/Designee
Recommending a Student for Felony Expulsion	Only when the student has been adjudicated "guilty" by the court for a felony charge, can a student be recommended for felony expulsion.	Principal/Designee
Early Re-Entry	Students approved for early re-entry by school board action will generally be assigned to Positive Pathways Transition Center and should be allowed to enroll on the day following the school board meeting. Early re-entry is for students fully excluded by school board action.	Area Superintendent and Area Administrator
Homework/Classwork Assignments While on Suspension	<p>Schools will provide homework/classwork assignments while a student is on suspension.</p> <p>Schools must allow students to make up homework/classwork assignments missed while on suspension.</p> <p>When a recommendation for expulsion/removal is verified and a student is removed to an alternative placement, the student's grades may be frozen the day prior to the beginning of the suspension. Alternative arrangements may be made for make-up work/exams, as appropriate.</p>	Principal/Designee
Cell Phones	A student may possess a cell phone on school property and at school-related functions, provided that during school hours, the cell phone remains off and is concealed. Violations of this policy may result in confiscation of the cell phone and/or other disciplinary actions.	Principal/Designee

Consistency Issue	Action	Person Responsible
	<p>If confiscated, the parent/guardian will make arrangements to pick up the cell phone from the school, unless law enforcement has taken possession of the cell phone for a criminal act.</p> <p>At no time (UNLESS CONFISCATED) shall OCPS be responsible for theft, loss or damage to cell phones or other electronic devices brought onto its property.</p> <p>The school will be responsible for the security of cell phones confiscated by OCPS employees.</p> <p>Electronic communication devices are not contraband because they are not forbidden by Florida Statutes.</p>	
Confiscated Items	<p>Contraband materials are items that are forbidden by the school. It is the responsibility of the principal to communicate to students and parents the materials and items that are considered contraband.</p> <p>The parent/guardian will make arrangements to pick up the confiscated material/item for the school, if applicable.</p> <p>At no time(Unless Confiscated) shall OCPS be responsible for theft, loss or damage to contraband materials/items brought onto OCPS property.</p> <p>The school will be responsible for the security of items confiscated by OCPS employees.</p> <p>Electronic communication devices are not contraband because they are not forbidden by Florida State Statutes.</p>	Principal/Designee
End of school year discipline	Out-of-school suspension for the current school year must not extend into the upcoming year.	Principal/Designee
Lists of extracurricular clubs, organizations, athletic teams and other school activities	Include with the COSC a comprehensive list including sponsors and deadlines for participation, have written copies available upon request and include on the school-based website, updating immediately after and/all changes.	Principal/Designee

Code of Student Conduct Review Form 2022-2023

School Name:
Principal:
Date:

Mandatory Dates to Send Completed Updated Copy to Area Administrator

1st Quarter – August 16, 2022 2nd Quarter – October 14, 2022
 3rd Quarter – Jan 10, 2023 4th Quarter – March 24, 2023

When Reviewed	Planned Activity
1 st Quarter – (Within the first 5 days) Date review completed: _____ (Review to include COSC, bus expectations, Safe Harbor and Discipline videos)	
2 nd Quarter – (Within the first 5 days) Date Review Completed: _____ (Review to include COSC, bus expectations, Safe Harbor and Discipline videos)	
3 rd Quarter – (Within the first 5 days) Date Review Completed: _____ (Review to include COSC, bus expectations, Safe Harbor and Discipline videos)	
4 th Quarter – (Within the first 5 days) Date Review Completed: _____ (Review to include COSC, bus expectations, Safe Harbor and Discipline videos)	



OFFICE OF LEGAL SERVICES
GUIDANCE MEMORANDUM

No. 2018/19-04

To: All Managers

From: Diego "Woody" Rodriguez, General Counsel

CC: Dr. Barbara Jenkins, Superintendent
Executive Cabinet

Date: July 17, 2018

Subject: Acceptance of Service of Subpoenas for Appearance at Trial or Deposition

The purpose of this memorandum is to offer guidance to staff when an authorized process server or a Sheriff's Deputy arrives at their work location to serve an employee with a subpoena for the employee's testimony at a trial, hearing or deposition.

Service of a witness subpoena is addressed by Section 48.031, Florida Statutes which provides in pertinent part that: "An employer, when contacted by an individual authorized to serve process, shall allow the authorized individual to serve an employee in a private area designated by the employer. An employer who fails to comply with this paragraph commits a noncriminal violation, punishable by a fine of up to \$1,000."

The employee to whom the subpoena is directed should be discretely contacted and informed that a process server or deputy is present to serve them with a witness subpoena. The work location supervisor should then direct the process server or Sheriff's Deputy, along with the employee to whom the subpoena is directed, to a private location at the work facility (i.e., an empty conference room or an empty office) for the purpose of service of the subpoena.

If the employee to whom the subpoena is directed is not present, work location supervisors **SHALL NOT ACCEPT** service of the subpoena on behalf of the employee who is not present. Instead, the work location supervisor should advise the process server or Sheriff's Deputy that the employee is not present. The work location supervisor should also furnish the employee's OCPS (work not personal) telephone number and extension to the process server or Sheriff's Deputy so that the employee can coordinate service of the subpoena directly with the process server or Sheriff's Deputy.

If the subpoena directly relates to OCPS or the employee's job responsibilities with OCPS, please immediately send a copy of the subpoena to Legal Services via facsimile at 407-317-3348. If there are any questions regarding this process, please contact Legal Services at 407-317-3411.

Finally, to the extent any employee violates the statute above by not permitting service of a subpoena on an employee resulting in fine of any amount, the employee may be subject to disciplinary action up to and including dismissal from employment.



OFFICE OF LEGAL SERVICES
GUIDANCE MEMORANDUM

No. 2018/19-03

To: Area Superintendents

From: Diego "Woody" Rodriguez, General Counsel

CC: Dr. Barbara M. Jenkins, Superintendent
Dr. Bridget Williams, Chief of Staff

Date: July 17, 2018

Subject: Voluntary Statements

Orange County Public Schools ("OCPS") employees may, on occasion, be solicited to participate or testify on behalf of one or more parties involved in a legal proceeding. It is the recommendation of the Office of Legal Services that all OCPS employees refrain from voluntarily providing written or verbal statements or testimony in any legal matter the employee is not a party to. Any verbal or written statements or testimony should only be given pursuant to a lawfully issued subpoena and with the approval of the Office of Legal Services. Should the solicited voluntary statement come from an attorney, the school shall refer the attorney to the Office of Legal Services for further discussion.

If an OCPS employee is summoned to appear at a court proceeding as a witness (except as a character witness) in any civil or criminal action in which the employee is not a party and stemming from the individual's duties as an OCPS employee, the employee shall receive full pay according to Orange County School Board Policies. In contrast, any OCPS employee seeking to voluntarily attend a private civil matter during working hours shall first request specific approval from his or her supervisor, and such supervisor shall obtain approval through their immediate supervisor. An employee may use personal leave to attend a private civil or criminal matter.

Please note, voluntary attendance will not constitute an official act on behalf of OCPS nor shall the individual be attending as a representative of OCPS. As such, the individual would be precluded from utilizing any official OCPS documentation, including, but not limited to, student records.

This memo is a revised version of the initial memo dated August 4, 2011. This memo supersedes the August 4, 2011 version and should be referenced for future guidance.



**OFFICE OF LEGAL SERVICES
GUIDANCE MEMORANDUM**

No. 2018/19-02

To: Principals
From: Diego "Woody" Rodriguez, General Counsel
CC: Dr. Barbara M. Jenkins, Superintendent
Dr. Maria Vazquez, Deputy Superintendent
Area Superintendents
Bryan Holmes, Chief, District Police

Date: July 17, 2018

Subject: Guidelines on Visitations and Requests by Government Officials and Non Parents

The following are guidelines to follow regarding what to do when private attorneys/investigators or non-parent/non-legal custodians, government officials, guardian ad litem ("GALs"), law enforcement, or Department of Children and Families ("DCF") investigators, appear at your school to review records, interview students or take students or staff into custody.

As the principal, you are the person in charge of the school. Your staff should be advised, via a written document, that only you or your designated representative are authorized to speak or act on behalf of the school when dealing with private attorneys/investigators or non-parent/non-legal custodians, government officials, GALs, law enforcement, and DCF.

Attorneys/Investigators and Non-Parent/Non-Legal Guardians

Attorneys/investigators or non-parent/non-legal guardians are to be provided no information. They may not access records or have access to any student absent court documentation allowing such access. You may refer this group of individuals to the Office of Legal Services should they have any further questions. Please note that this section does not pertain to GAL attorneys or DCF Investigators.

Government Officials

Government officials, not including GALs, DCF or law enforcement officers, are to be referred to the Office of Legal Services. You are not authorized to provide any information, including whether the child is present at school, to such officials. This is to avoid inadvertent violations of the numerous privacy laws and to insure such officials have first coordinated their visits with the District and their presence is legally appropriate and permissible.

Guardian Ad Litem

GALs act as the legal representatives of a child in particular types of court hearings and are therefore extended certain privileges. GALs should be provided information regarding student records, but only upon the presentation of a properly executed court order establishing their authority as the GAL for that child and upon providing valid identification establishing their identity,

such as a Florida driver's license. If you are in any doubt about their authority or identity, you may refer the GAL to the Office of Legal Services for further verification.

GALs may visit and interview their court-assigned child, however, the GAL should be required to schedule a date and time in advance of visiting so as to not interfere with any mandated instructional time.

If the GAL or student requests that a school official be present for the interview then a school official may stay; the school official must keep all information discussed during the interview confidential. Before proceeding with the interview, you should clarify with the GAL if you may contact the student's parents/legal guardian prior to commencing the interview. If the GAL does not consent you can wait until the GAL concludes their business. You should then subsequently contact the parents/legal guardian upon the completion of the interview to inform them that an interview took place but not the substance or any discussions you may have been privy to during the interview. Please note, GALs cannot conduct a classroom observation of their court appointed child without approval from the Office of Legal Services.

If a GAL would like to interview staff or attend a meeting, please contact the Office of Legal Services for approval.

For further information on GALs please see the attached document titled, "Guardian Ad Litem."

Law Enforcement Officers and Department of Children and Families Investigators

When a law enforcement officer or a DCF investigator (collectively hereafter "law enforcement officials") appears at your school, you or your designee should inquire if they are there on official business. You should ask the person to show you their agency-issued identification and any applicable court documentation. Uniform officers should also be required to show you their agency issued identification. Upon review, bring the person to your office or conference room for privacy to avoid any disruptions, especially among students.

Next, when you are in private, inquire as to the purpose of the visit and ask for the law enforcement officials' office telephone number and his/her supervisor's name. Then, call the number and verify who the person is with the agency. Write down all the information you receive from the law enforcement official and their office. In addition, please request that the law enforcement official provide you with a business card. Should a business card be provided, please make sure to share the business card with the parent/legal guardian as detailed further below.

Upon verification of the officials' authority and purpose, you should comply with certain requests for information. If a request is made to interview a student you should request the interview be in your presence or in the presence of a member of your staff. If the child is to be taken into custody, please ask that the law enforcement official to coordinate their activity in such a manner as to minimize disruption or concern for those at your school. For example, it is preferable not to have persons walked out in handcuffs in front of students, parents or staff. If you have any concerns, please contact the Office of Legal Services.

If students are taken into custody or interviewed, ask the law enforcement official if you may

contact the student's parents/legal guardian to advise them of the actions taken. If you are told by the law enforcement official that the visit must remain confidential and that you should not say anything to the parents/legal guardians, then advise the law enforcement official that you will refer all questions to them and ask them to fill out the attached form. ***It is important to note that disclosure of the interview to the parents or other custodians, in direct violation of a law enforcement official's instructions may be considered tampering with or obstructing an ongoing investigation and is punishable and criminal offense.***

If the law enforcement official says you may communicate with the parents and/or legal guardians, ask the official if you may do so before the interview is conducted or before the child is taken into custody. If the law enforcement official agrees, contact the parent/legal guardian immediately. If the law enforcement official asks that you contact the parent after they conclude their business, please contact the parents/guardian after the law enforcement official has concluded their business and refer all questions by the parent/legal guardian to the law enforcement official. It is sufficient to share with the parent/legal guardian that an interview or arrest occurred, but that you are not at liberty to share any additional information regarding the nature of the investigation, unless specific authority has been given to you by the law enforcement official.

You should provide notice to the parent/legal guardian as soon as possible and provide the law enforcement official's contact information or business card if provided. If the parent has any subsequent questions, refer them to the law enforcement official. Please note, that any actions taken by the law enforcement official are not endorsed by Orange County Public Schools ("OCPS") and that the law enforcement official's actions are attributable to the official's agency only and not OCPS.

You may give a copy of this memo to any individual identified herein, including anyone who has been denied access to records or a student.

Finally, if the law enforcement official seeks copies of particular records, student information, including witness statements, discipline records or any other public records that would not otherwise be public records to members of the public, please have them contact our office directly to seek clarification on whether such records can or may be produced. In most instances, the law enforcement official will be asked to produce a subpoena or other court authority to provide them access to such records.

For additional guidance please see the School Board of Orange County policies JIH and JLF, as well as the "Quick Reference to Visits by Government Officials and Non-Parents" attached hereto.

If you have any questions regarding this memo or should any questions arise while implementing the same please do not hesitate to contact the Office of Legal Services at (407) 317-3411. Thank you in advance for your cooperation with handling these delicate issues.

This memo is a revised version of the initial memo dated September 8, 2011. This memo supersedes the September 8, 2011 version and should be referenced for future guidance.

	Action to Take	Records	Speak to Student	Speak to Staff	Contact Parent s
Law Enforcement Officer (LEO)	<ul style="list-style-type: none"> Official identification (even if in uniform) Court Order (if applicable) verified by the Office of Legal Services Bring to office/ conference room for privacy Ask about purpose of visit Call agency number and speak with supervisor - confirm identity and purpose of visit Collect business card 	Must have subpoena or court order	<p>Yes, in the presence of principal or designee if consent is given by official or student</p> <p>Follow Policy JIH</p>	Yes, if verified; OCPS Legal may need to be present	<p>ASK LEO</p> <p>YES - ask if you can contact before or after LEO has concluded business. Send home copy of business card</p> <p>NO - have LEO or DCF fill out attached form and attach business card to form for parent</p>
Department of Children and Families (DCF)	<ul style="list-style-type: none"> Official Identification Court Order (if applicable) verified by the Office of Legal Services Bring to office/conference room for privacy Ask about purpose of visit Call agency number and speak with supervisor - confirm identity and purpose of visit Collect business card 	<p>Yes, if identity and court</p> <p>order is verified</p>	<p>Yes, in the presence of principal or designee if consent is given by official or student</p> <p>Follow Policy JLF</p>	Yes, if verified; OCPS Legal may need to be present	<p><u>ASK DCF</u></p> <p>YES - ask if you can contact before or after DCF has concluded business. Send home copy of business card</p> <p>NO - have LEO or DCF fill out attached form and attach business card to form for parent</p>
Guardian ad Litem (GAL)	<ul style="list-style-type: none"> Identification Court order verified by the Office of Legal Services Bring to office/ conference room for privacy Ask about purpose of visit Collect business card <p><i>**OCPS requests that GALs make appointments in advance of coming to the school**</i></p>	Yes, if identity and court order is verified	Yes, if verified; school official may be present at the request of the student or GAL	Yes, if verified; OCPS Legal may be present if needed	Contact parent when GAL concludes business, unless GAL gives permission to contact in advance of speaking with student, and inform the m that the GAL assigned to their court case was at the school and spoke with their child. Provide GAL contact information.
Other Government Official	<ul style="list-style-type: none"> Refer to Office of Legal Services 	No	No	No	Defer to Office of Legal Services
Attorney (NOT GAL)	<ul style="list-style-type: none"> Refer to the Office of Legal Services 	No	No	No	Yes
Private Investigator	<ul style="list-style-type: none"> Refer to the Office of Legal Services 	No	No	No	Yes
Non-Parent	<ul style="list-style-type: none"> Refer to the Office of Legal Services 	No	No	No	Yes

TIPS TO REMEMBER * The principal/ designee is in control of the school and is the only representative authorized to speak or act on behalf of the school.

* If a student is to be taken into custody, coordinate in such a manner to minimize disruption or concern.

* If you ever have a question about the authenticity of a document contact the Office of Legal Services at (407) 317-3411.



Orange CountyPublicSchools

445 West Amelia Street • Orlando, FL 32801-1129 • Phone 407.317.3200 • www.ocps.net

GUARDIAN AD LITEMS

Please review the following information pertaining to a visit or request for a student's educational record by a court appointed Guardian ad Litem (GAL) of an Orange County Public Schools (OCPS) student. OCPS educational records and student privacy are governed by the Family Educational Rights and Privacy Act (FERPA), Florida Statutes, and OCPS Policies. All visitors on OCPS property are subject to OCPS Board Policies and the OCPS Code of Civility.

? What is a GAL?

- A GAL is appointed to represent the best interests of the child in court in either a dependency action or family action. A GAL in a dependency action is appointed to represent the child in any child abuse, abandonment, or neglect court proceeding under Section 39.822, Florida Statutes. A GAL in a family action shall act as next of friend of the child, investigator or evaluator, not as attorney or advocate, but shall act in the child's best interest under Section 61.403, Florida Statutes.

? What do I do if a GAL wants access to records or wants to visit the student at school?

- The GAL should contact the school a reasonable time before their visit to notify the school administrator of the information the GAL is seeking and the GAL's plan to come to the school. This will provide the school an opportunity to prepare the requested records and set up a time for interviews with the GAL so as to not disrupt the student's mandated instructional time. *(Please note: majority of GALs in Orange County are attorneys, please contact the Office of Legal Services to determine if an OCPS attorney should be present for any staff interviews or school meetings)*
- When the GAL arrives at the school they should present their court order and proper identification to the office staff and request to speak to the administrator. The GAL will be escorted to a private conference area where they can review records and/or conduct interviews.
- Pursuant to Section 39.301(18), Florida Statutes, and OCPS Board Policy JLF, a school official (e.g. teacher, administrator) who is known to the child may stay for the investigation if their presence would enhance the success of the interview or if the student requests the school official's presence.
- The administrator should contact the parents either before or after the GAL's visit to the school, depending on the direction given by the GAL.

? What if the GAL wants to conduct a classroom observation?

- Since Orange County utilizes attorneys as GALs as opposed to non-attorney volunteers, the GAL should not be permitted to conduct a classroom observation.

? What if the GAL wants information over the phone and I haven't met them in person yet?

- OCPS generally requires all GALs to go to the school in person for records or any information pertaining to the student to protect confidential student information and to ensure that the information is being given to the proper person. If the GAL cannot physically come to the school (because they live in another state, for instance), please contact the Office of Legal Services for further guidance.

? What do I look for in the court order?

- Signature of a Judge and certification by the Clerk of Court; the student's name; the GAL's name and a specific paragraph granting the GAL access to educational records

? What other rights do GALs have?

- Other than having access to records, attend meetings (if approved by the Office of Legal Services), and visiting the student, the GAL has no additional rights. The GAL cannot pick up a student, enroll/ withdraw a student, sign consent forms for a student, make educational decisions for a student, etc.

? What do I do if the GAL just shows up at the school without an appointment?

- Please contact the Office of Legal Services. In the event of an emergency, OCPS will make every attempt to expedite the GAL's access to records and/ or the student , however, please be advised that OCPS must abide by several education laws and rules which may prove paramount to the GAL's request

2018 -19



Orange CountyPublic Schools

445 West Amelia Street • Orlando, FL 32801- 1 129 • Phone 407.317.3200 • www.ocps.net

Parental Non-Notification Form For Official Investigations

This form should be used when it becomes necessary for a law enforcement officer ("LEO") or Department of Children and Families ("DCF") investigator to confer with a student while the student is subject to the control or is in the care of Orange County Public Schools ("OCPS").

Date: _____ School _____

I, _____, am a (circle one): LEO DCF Investigator

I am conducting an official investigation involving the student(s) identified below. I have directed the school administrator/designee of the above named school to not contact the student's parent(s)/guardian(s) regarding my investigation or inform them of my investigation or actions taken while the students are subject to the control or are in the care of OCPS.

Official's Signature

Date

Agency

Badge/ ID Number

Agency Phone Number

Supervisor's Name

Student(s) Involved

Staff Taking Direction from Official

Orange County Public Schools Board Policy JIH, Student Interrogations and Arrests

(2)(C) If the parent cannot be contacted, the principal or designee shall explain to the student that the student may have the right to his/her parent and/or attorney being present during the questioning. If the student wishes to speak with the law enforcement officer without a parent or attorney present the law enforcement officer may proceed. The principal or designee may remain with the student during the questioning. If the student does not wish to speak to the enforcement officer without the parent or attorney present, the officer shall not be allowed to speak with the student at that time unless the officer demands, in writing, that the student speak with the officer.

No. 2019/20-09

GUIDANCE MEMORANDUM

To: Area Superintendents
Principals/Directors of Technical Colleges
Assistant Principals/Assistant Directors of Technical Colleges
Area Administrators
Deans

From: Amy D. Envall, General Counsel

cc: Barbara M. Jenkins, Superintendent
Maria Vazquez, Deputy Superintendent
Roberto Pacheco, Chief Operations Officer
Michael Armbruster, Associate Superintendent
Bryan Holmes, Chief, District Police

Date: December 18, 2019

Subject: **School Justice Partnership Agreement and Student Discipline**

This Guidance Memorandum is being issued to reiterate and to reinforce the training that Principals and Assistant Principals received in June of 2019. Please make sure to share this with any personnel who handle or are involved with student discipline.

A. School Justice Partnership Agreement

The School Board of Orange County, Florida (SBOC) entered into a collaborative agreement with local law enforcement agencies, local courts, the State Attorney's office, the Public Defender's office, and the Department of Juvenile Justice (DJJ), entitled the *School Justice Partnership Agreement* (Agreement). The Agreement was executed as a joint commitment to end school-based arrests for minor misbehavior, improve school safety, and encourage school engagement and academic achievement. In order to ensure school safety while using non-arrest solutions to address student misconduct when possible, the Agreement delineates specific responsibilities to both school administration and the School Resource Officer (SRO), or a law enforcement officer (LEO) if the SRO is unavailable, which is outlined below.

1. *Principals/designees consulting with SRO/LEO where criminal activity has occurred.*

Principals/designees are the primary source of interventions and disciplinary consequences for student misconduct. The role of the school disciplinarian solely rests with school administration. However, should the Principal/designee believe criminal activity has occurred, the SRO/LEO **must** be consulted to determine if there is an appropriate student discipline remedy in lieu of criminal prosecution and to determine if there is any material evidence that the SRO/LEO needs to take into possession. Criminal activity may include minor acts of misconduct that could qualify as a crime under Florida Statutes. The Principal/designee should not refer non-criminal disciplinary matters to the SRO/LEO, but should keep SRO/LEO's informed of conflicts between students, conflicts between parents/legal guardians and staff members, or other activities on campus that could result in an escalation of violence or more serious violations of the law, including, but limited to, gang activity or bullying.

- a. If the Principal/designee believes that a crime has taken place on school campus, school transportation, school sponsored activity, or any other jurisdictional area for student discipline as permitted by Florida Statutes, the Principal/designee **must**:
 - Step 1: Consult the Code of Student Conduct
 - Step 2: Consult with the SRO/LEO
 - Step 3: Collaborate with the SRO/LEO
- b. **PLEASE NOTE**: In situations where a student alleges that he/she is a victim of sexual battery, molestation, or other sexual abuse by a fellow student or SBOC employee, the school administration may briefly discuss the allegation with the victim to ensure the victim is safe and then allow law enforcement to conduct their investigation. The school should **not** conduct in-depth interviews with either party involved until law enforcement has completed its investigation.

2. *SRO/LEO responsibilities when criminal activity is suspected.*

SROs/LEOs are the primary investigative party when **criminal** activity is suspected. The status and findings of the investigation, where permitted by Florida Statutes and the law enforcement agency's policy, will be communicated with school administration. A school investigation may be conducted concurrently with the criminal investigation (with exception to sexual abuse case), but shall not interfere with law enforcement activities. Per the Agreement, the SRO/LEO should:

- Step 1: Consult with the Principal/designee

- Step 2: Evaluate the situation to determine if the incident rises to the level of a felony or poses a serious threat to school safety that necessitates the filing of criminal charges or an arrest
 - Step 3: Determine whether to issue a warning, talk to parents/legal guardians, consider alternatives with the Principal/designee, issue a civil citation, file criminal charges, or make an arrest
 - Step 4: If an arrest is made, the Principal/designee must be notified
 - Step 5: All contraband must be placed in the care and custody of the SRO or LEO if there is an arrest made, or charges will be filed. School personnel shall immediately transfer all illegal items, such as firearms, knives, BB guns, contraband, or illegal substances, to the SRO or LEO
- a. **PLEASE NOTE**: Should the SRO/LEO determine that he/she will not take care or custody of the contraband, please have the SRO/LEO detail his/her decision in writing and either return the contraband to the parent/legal guardian of the student if the contraband is not illegal in nature, or contact OCPS District Police. The school can also contact Legal Services at (407) 317-3411 or the school's Area Administrator for additional guidance.
- b. The school and law enforcement should seek alternatives to arrest and make a collaborative decision as to the course of action that is best for the student. However, the SRO/LEO has the final decision as to whether a student should be arrested or referred to alternative sanctions through the DJJ.

B. School Environmental Safety Incident Reporting (SESIR) Reporting Requirements

1. The Florida Department of Education (FLDOE) has issued guidance that requires Florida school districts to report specific offenses through the School Environmental Safety Incident Reporting (SESIR) as well as SESIR incidents that are expected to include consultation with law enforcement.
2. The following **must be reported to SESIR** and are expected to **include consultation with law enforcement**: alcohol, arson, battery, breaking and entering/burglary, major campus disruptions, drugs, hazing, homicide, kidnapping, physical attacks, robbery, larceny/theft, sexual assault, sexual battery, sexual offenses, threat/intimidation, trespassing, vandalism, weapons, and other major acts of misconduct.
3. The following **must be reported to SESIR** and **may require consultation with law enforcement**: bullying, fighting, harassment, sexual harassment, and tobacco.

Should you have any additional questions pertaining to this Guidance Memorandum or the *School Justice Partnership Agreement*, please contact the Office of Legal Services at (407) 317-3411.

Date: October 1, 2020
To: All Principals
From: Student Discipline and OCPS District Police
Recipients: Assistant Principals, Deans
Subject: Drug Test Kit Orders

Drug Test Kits

Due to recent changes with Florida Statutes, some of our law enforcement partners have changed their practice of using their own drug test kits for testing THC on school campuses, as these incidents usually result in school discipline and not an arrest. To ensure OCPS maintains school environments that promote the health, safety, and welfare of students, drug test kits are available for schools to purchase for the purpose of testing suspected substances containing THC. Although schools will be purchasing the kits, the School Resource Officer (SRO) is the only official on campus that should conduct the THC test utilizing the school purchased kit; school personnel shall not conduct/perform the THC test. In the event that the SRO will not conduct the THC test, please reach out to your Area Commander within OCPS District Police for direction. Please note, the information contained herein solely applies to testing substances for THC; the SRO will continue to use law enforcement test kits for other illegal substances, such as cocaine, ecstasy, heroin, etc.

For student discipline purposes, an OCPS administrator or dean should be present when the test is being conducted; this allows OCPS staff to testify to the outcome of the test in their witness statement or at a discipline hearing, should the SRO not be available. In addition, a colored picture of the test should be taken shortly after the test is conducted and placed in the discipline folder as evidence. The substance containing the THC shall be given to the SRO.

Due to the fact that these test kits will be purchased by the schools, the test kits should remain in the school's possession to be provided to the SRO when needed.

The purchase of the kits has been vetted through procurement; the vendor below is the preferred vendor:

Vendor: Lynn Peavey (www.lynnpeavey.com)

Vendor number: 146347

Item #: 10120 marijuana DL

Cost: \$24.50/10/ kit (minimum order is \$50, which is 3 kits) (1 kit =10 pouches)

Charges: No tax; shipping and handling based on dollar amt. purchased.

Payment: Can be Credit Card or P.O. (General Funds is the account that can be used)

Helpline: 1-800-255-6499 (prompt #4)

Website Navigation Directions: www.lynnpeavey.com

1. Go to website: www.lynnpeavey.com
2. Register and set up an acct. (upper right hand corner of website) (optional)
3. On the left side of the page scroll down to "Convenience Kits", click on it
4. Click on "Drug ID Kits" (11)
5. Find "Quick Check Narcotic ID (Drug Test) Kits"
6. Type: Choose from the drop down menu, the type of kit (marijuana DL)
7. Style: Choose from the drop down menu, the style (pouch)
8. Ensure item # 10120 is located at the lower left hand corner of the page
9. Add to cart, new page will pop up
10. New page will pop up, look at the top of the page for "view cart", click on view cart
11. View cart (double check order for accuracy) i.e. example below:
 - a. Subtotal: \$73.50 (30 pouches)(3 kits)
 - b. Tax: \$ 0.00
 - c. Shipping: +\$17.50
 - d. Total: \$91.00
12. Proceed to checkout
13. Complete billing information
14. Choose payment type: Credit Card or P.O. (You may use general funds for this purchase)
15. Place order
16. Document order confirmation number

If you have issues call the helpline: 1-800-255-6499 (prompt #4)

Templates



SCHOOL BOARD OF ORANGE COUNTY
CODE OF STUDENT CONDUCT - SECONDARY STUDENTS
2022 – 2023



The Code of Student Conduct (Code) is adopted by the School Board of Orange County, Florida (Board), to notify students and parents what student expectations are for behavior while attending any Orange County Public School (OCPS). The OCPS Code applies to all activities throughout the school, while being transported to and from school at a public expense, a reasonable time before and after school, during school-sponsored activities, and any other jurisdictional area as permitted by applicable laws and regulations.

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

- I have read about [Safe Harbor](#) in the Code and understand that I must turn in the prohibited item **before** an investigation has started.
- If I am **charged** with a felony, whether on OCPS grounds or in the community, I will not be eligible to [participate in extracurricular/co-curricular activities](#).
- I may be recommended for [full exclusion](#) from all OCPS schools or placed at an alternative school for committing certain disciplinary offenses to include, but are not limited to, possession of a weapon, possession/distribution/selling drugs, sexual offenses, theft/robbery, vandalism, severe acts of bullying/harassment, hazing, and/or physical attacks.
- All [threats](#) made to a school or person will be taken seriously, regardless of intent.
- I understand that [fighting](#) is not allowed. I also understand that if I am unable to leave the area of a pending attack, I can protect myself by using self-defense. Self-defense is described as an action that is necessary to protect myself or someone else from serious bodily harm. Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding myself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (i.e. punching, slapping, kicking) a person back, or choosing not to leave after I am able to get away, me be considered as fighting.
- I understand I have the right to choose to participate in an OCPS [disciplinary investigation](#).
- [Searches](#) of students and property will be conducted if school personnel have reasonable suspicion of a violation of the law or the Code. Reasonable suspicion is not required to conduct random searches of OCPS owned property. Random searches may occur at any time and are not protected by Safe Harbor.
- I understand that [vaping/smoking](#) any substance (drugs, nicotine, etc.) is not permitted on Board property, transportation, or school activities.
- I can anonymously report any suspicious or criminal behavior I observe to FortifyFL through the FortifyFL app, on my school-issued device, or by going online at www.getfortifyfl.com. I understand that if I knowingly submit a false tip to FortifyFL using my OCPS device, the IP address of the device will be provided to law enforcement as required by law and I may face criminal penalties.



I am aware the Code is on my school-issued device for my review and can also be found at codeofconduct.ocps.net

School Name _____

Grade _____

Print Student Name _____

Student Signature _____

Date _____

Print Parent/Guardian Name _____

Parent/Guardian Signature _____

Date _____

PARENTS/GUARDIANS: THIS FORM IS REVIEWED WITH YOUR CHILD AT SCHOOL. PLEASE SIGN AND RETURN THE PARENT/GUARDIAN FORM TO YOUR CHILD'S SCHOOL. FAILURE OR REFUSAL TO SIGN THIS ACKNOWLEDGEMENT FORM WILL NOT RELIEVE A STUDENT OR THE PARENT/GUARDIAN OF THE RESPONSIBILITY FOR COMPLIANCE WITH THE CODE OR ACCOUNTABILITY FOR LOSS OR DAMAGE TO OCPS PROPERTY.

SCHOOL BOARD OF ORANGE COUNTY
CODE OF STUDENT CONDUCT - ELEMENTARY STUDENTS
2022 – 2023



The Code of Student Conduct (Code) has the rules for when you are at school, on a school field trip, at a school activity, or on a school bus. All Orange County Public School (OCPS) students must follow the rules in the Code. Some of the rules must also be followed when you are at home if you make bad choices and it hurts someone at school or makes the Principal at your school think your actions are unsafe to other students.

It is good to read the Code with your parent or a trusted adult at home who can help you understand what the rules are when you are at school. Your teacher will also review the Code and rules with you during the school year, so if you have any questions, you can always ask your teacher. Here are some tips that may help you understand some of the rules in the Code:

- If you have something that is not allowed at school or do something at school that you shouldn't, you should tell your teacher or other adult at school right away. If you tell your teacher or another adult before they find out, you may not get in trouble. This is called [Safe Harbor](#).
- If you make a bad choice outside of school and are arrested by the police, you may not be able to [play sports or be part of other fun activities at your school](#).
- Weapons, such as knives and guns (even toy guns) and drugs are dangerous and may hurt someone, so they cannot be at school. If you or someone you know has a weapon or has drugs at school, tell your teacher or another adult right away. If you bring a weapon or drugs to school, you may be [removed from your school](#) and your friends for an entire school year.
- Always treat others with kindness and respect. Teasing, being mean or picking on someone is called [bullying or harassment](#) and is not allowed.
- Keep your hands to yourself at all times. Touching other students or adults could end up hurting the other person or make them feel uncomfortable.
- [Fighting](#) is not allowed, but if someone hits you or someone else, instead of hitting back, you can protect yourself from getting badly hurt by using what is called self-defense. Self-defense means getting help from an adult, holding or blocking the other student so they can't hit you or anyone else, covering your face or body from being hit, or pushing the other student so you can leave and get to a safe place. However, if you hit (such as punch, slap, or kick) the other student back, or push them away and don't try to leave, you could get in trouble for fighting.
- Use words that make others feel good. Telling other students or adults that you want to hurt them or act like you are going to hurt them is called a [threat](#). The teachers and other adults at school want to make sure everyone is safe, so even if you were joking, you may get in trouble for saying or doing certain things.
- If you or someone you know breaks a rule at school, [you may be asked questions about it](#). The person asking you questions may also ask you to write down what you saw or did. If you do not want to say anything, that is okay too, just let the person know who is asking you questions.
- If a teacher or other adult at school is concerned that you have something that is unsafe, they are allowed to [look](#) in your backpack and other belongings.
- If you see someone doing something bad, you should say something to someone. You can also report crimes to FortifyFL through the FortifyFL app, on your school-issued device, or by going online at www.getfortifyfl.com. If you report things to FortifyFL that you know are not true, you might get in serious trouble.

Did you know the Code is on your school-issued device and can also be found at codeofconduct.ocps.net?

School Name

Grade

Student Name

Date

Print Parent/Guardian Name

Parent/Guardian Signature

Date

PARENTS/GUARDIANS: THIS FORM IS REVIEWED WITH YOUR CHILD AT SCHOOL. PLEASE SIGN AND RETURN THE PARENT/GUARDIAN FORM TO YOUR CHILD'S SCHOOL. FAILURE OR REFUSAL TO SIGN THIS ACKNOWLEDGEMENT FORM WILL NOT RELIEVE A STUDENT OR THE PARENT/GUARDIAN OF THE RESPONSIBILITY FOR COMPLIANCE WITH THE CODE OR ACCOUNTABILITY FOR LOSS OR DAMAGE TO OCPS PROPERTY.

Guidelines for Observation of Student's Physical Condition

The following guidelines should be used by **school-based personnel** to determine if reasonable suspicion exists to refer a student to the SRO/law enforcement officer, registered nurse (**not a LPN or School Health Assistant**) or an E.R. trained administrator(s) for determination of the student being under the influence of drugs or alcohol:

- Staff member must contact a school administrator or designee immediately if they suspect a student may be under the influence. The staff member **must complete the Reasonable Suspicion checklist**.
- Determine if the student requires immediate medical attention, if so, call 911. Check student's medical information to determine if student has any prior medical condition(s).
- Isolate the student in a quiet and private location until the checklist is completed.
- If the student drives a vehicle, do not allow the student to leave campus prior to a determination of under the influence being made. If the student attempts to drive, contact law enforcement and the parent/guardian immediately.
- If the student attempts to leave, **do not physically restrain him/her**, but advise the student that law enforcement and the parent/guardian will be contacted.

Reasonable Suspicion Checklist

Student Name: _____ Student #: _____

Observation of Student's Physical Condition *(please check below any and all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Slurred Speech | <input type="checkbox"/> Fainting or repeated loss of consciousness |
| <input type="checkbox"/> Glassy eyes Drowsiness | <input type="checkbox"/> Marked irritability |
| <input type="checkbox"/> Inattentiveness | <input type="checkbox"/> Inappropriate laughter, crying etc. |
| <input type="checkbox"/> Confusion/disorientation | <input type="checkbox"/> Aggressiveness Slow or inappropriate reactions |
| <input type="checkbox"/> Unsteady gait or lack of balance | <input type="checkbox"/> Very large or small pupil |
| <input type="checkbox"/> Odor of alcohol on breath or person | <input type="checkbox"/> Complaints of racing or irregular heart beat |
| <input type="checkbox"/> Odor of marijuana on breath or person | <input type="checkbox"/> Inability to respond to questions or to respond correctly |
| <input type="checkbox"/> Rapid/continuous eye movement of inability to focus | <input type="checkbox"/> Runny nose or sores around nostrils along with other indicators |
| <input type="checkbox"/> Poor coordination | <input type="checkbox"/> Physical injury - Location on Body: _____ |
| <input type="checkbox"/> Tremors or bodily shaking | |

Based on the above, I have determined there is reasonable suspicion for referring the student for assessment using the **Substance Use Checklist**. An SRO or another law enforcement officer should evaluate the student for the final determination of being under the influence. If the SRO or another law enforcement officer is not available, a **registered** nurse may assist with the observation. If the SRO, another law enforcement officer or a **registered** nurse is not available, the E.R. trained administrator(s) will assist in making the final determination.

- ☐ SRO or Law Enforcement Officer
- ☐ Registered Nurse
- ☐ E.R Trained Administrator(s)

- Regardless of the outcome of the official checklist, the parent/guardian must be contacted.

Signature: _____ Title: _____ Date: _____

Signature: _____ Title: _____ Date: _____

Substance Use Checklist

School: _____

Name: _____

Date: _____

Time: _____

Student #: _____

DOB: _____

EMERGENCY ASSESSMENT

1. Vital Signs: BP _____/_____ Temperature: _____ HR: _____ (Regular/Irregular) RR: _____
2. Level of Orientation (to time, place, and person): ☐ Alert ☐ Confused ☐ Stupor
3. Coordination: ☐ Normal ☐ Impaired
4. Eyes: ☐ Normal ☐ Constricted ☐ Dilated
 - a. Reaction to light: ☐ Reactive ☐ Slowed ☐ Non-Reactive
 - b. Sclera (White of the Eye): ☐ Normal ☐ Reddened ☐ Glossy
5. Chief Complaint: _____
6. Chest Pain: ☐ Yes ☐ No
7. Other Symptoms: _____
8. Substance/ Drugs:
 - a. Name: _____
 - b. Amount: _____
 - c. Route: _____
 - d. Time: _____

If vital signs, level or orientation, and coordination are significantly impaired, call 911 and monitor ABCs.

9. Behavior: (Activity Level) ☐ Normal ☐ Hyperactive ☐ Silly ☐ Irritable ☐ Belligerent ☐ Restless ☐ Dazed ☐ Slow
10. Anxiety (Student Determined on a scale of 1-10 with 10 being the highest): _____
11. Speech: ☐ Normal ☐ Rambling ☐ Slurred
12. Thought Process: ☐ Focused ☐ Wandering ☐ Delusions ☐ Paranoia ☐ Hallucinations
13. Physical Appearance: ☐ Neat ☐ Clean ☐ Disheveled ☐ Unclean
14. Balance: ☐ Steady ☐ Unsteady
15. Odor: ☐ None ☐ Fruity ☐ Alcohol ☐ Smoke ☐ Marijuana
16. Other Physical Findings: ☐ Tremors ☐ Runny Nose ☐ Other: _____
17. What are your concerns: _____

Evaluator Signature: _____ Title: _____

Evaluator Print Name: _____ Date: _____

No Contact Contract 2022 - 2023

Student Name: _____

Student Number: _____

Reason for No Contact Contract: (Give Sufficient Details)

_____ School is committed to meeting your educational needs. As such, no student should keep teachers from teaching or another student from learning. In keeping with this thought, and in the interest of maintaining safety and civility on our campus and any extracurricular activities, this agreement is being imposed. The conditions of this contract include the following points of importance from the OCPS Code of Student Conduct:

1. Student understands that he/she is expected to display mutual respect for fellow students and not touch, antagonize, instigate, irritate, threaten, exclude, haze and/or insult any student in any manner, including social media.
2. Student will not pass negative or intimidating messages through other students on campus or post negative messages through text and/or any social media websites.
3. I will encourage my friends to not engage in any negative contact.
4. Student will immediately report all physical/verbal threats, insults, intimidation or hazing made towards him/her to an adult on campus.
5. The length of this agreement is for the duration of the school year.
6. Violation of this contract may result in suspension from school.
7. Parents will work with their child to ensure compliance of the above conditions.
8. **Refusal to sign, does not exempt you from this contract.**

I, _____ agree not to have any negative verbal or physical contact with _____ for the remainder of the school year. I also understand that further evidence of any direct violation of this contract may result in immediate suspension from school.

Student Signature _____ Date _____

Administrator Signature _____ Date _____

Parent/Guardian Signature _____ Date _____

Parent Initial Contact: Date: _____ Time: _____

Number: _____

*One contract per student *Redact, scan and send a copy home with the student * If Bullying and or Harassment indicated refer to Bullying Harassment Form.

Behavior Contract

Duration of the contract: _____

_____ School

Issued to: _____ Grade: _____ Student #: _____

Issued by: _____ Date: _____

The purpose of this contract is to inform you that you must comply with all provisions of the Orange County Public Schools Code of Student Conduct. You are being directed to comply with the following provisions of this contract:

Student responsibilities:

- ☐ 1. Fully comply with the directions/instructions of administrators, teachers, substitutes or other personnel.
- ☐ 2. Conduct yourself in a courteous or respectful manner towards my peers and all adults on campus.
- ☐ 3. Refrain from using profane, insulting, provoking, harassing, bullying, threats, intimidating behavior, and/or derogatory language and/or gestures.
- ☐ 4. Be in your assigned place of instruction at the appointed times and remain in class unless given a proper written pass from your teacher, administrator, substitute or other personnel.
- ☐ 5. Do not bring to school items that are not for academic purposes.
- ☐ 6. Come to school in appropriate dress code.
- ☐ 7. Refrain from displaying behaviors or making choices that result in a violation of the Code of Student Conduct under Level III offenses.
- ☐ 8. Any breach of this contract for the remainder of the year may result in an out of school suspension and/or recommendation for expulsion under a Level IV Repeated Misconduct.
- ☐ 9. Other: _____

Parent/Guardian Responsibilities:

- ☐ 1. Notify the attendance office by phone each day of the student's absences from school.
- ☐ 2. Participate in conferences to promote the student's educational process.
- ☐ 3. Monitor your child's grades.
- ☐ 4. Support the Orange County Public School Code of Student Conduct and Dress Code Policy.
- ☐ 5. Other: _____

Administrator Responsibilities:

- ☐ 1. The principal may limit the student's access to areas of the campus if the area causes the student to experience problems. This includes _____ for you until further notice.
- ☐ 2. Monitor the student's attendance, grades and behavior.
- ☐ 3. Acknowledge the student's efforts at making improvements in attendance, grades and behaviors.
- ☐ 4. Communicate regularly with the parent/guardian.
- ☐ 5. Review contract on a 9-week basis through student and/or parent conference.
 - Date contract reviewed: _____
 - Date contract reviewed: _____
 - Date contract reviewed: _____
- ☐ 6. Other: _____

7/29/21

The following interventions have been utilized:

- ☐ SAFE ☐ New Horizons ☐ Guidance ☐ Parent/Teacher Conference ☐ Chill ☐ Mentor
☐ Counseling Referral (SedNet) ☐ Restorative Practice
☐ Other _____
-

My signature indicates that I have read and fully understand the provisions of this contract and I will comply with its entirety.

Student Signature Date

Parent Signature Date

Principal's Signature Date

(Principal print)

Grade level Dean / Administrator Date

(Grade Level Dean/Administrator print)

Checklist for Searching Students and/or Their Belongings

(Information was taken from School Search manual, State of FL,
Office of Attorney General Ashley Moody)

Note: When firearms are suspected, refer to law enforcement for directions.

Procedures for searches of persons, belongings (book bag, purse, etc.), lockers and/or vehicle not involving firearms:

- ☐ Remove the student to a private area and closely watch the student during the removal.
- ☐ Have another trained school official present during the search.
- ☐ Offer the student an opportunity to surrender item(s).
- ☐ Have a trained school official of the same gender as the student conduct the pat down search.
- ☐ Reference [Pat Down Procedure](#) guidelines.
- ☐ Search the student and/or belongings for items connected to a crime or school rule violation.
- ☐ **Complete [Contraband Checklist](#) for each item found.**
- ☐ Maintain the chain of custody throughout the process.
 - Place each item seized in a separate, sealed envelope marked with inventory information.
 - Secure the evidence in locked storage area with restricted access.
 - Do not leave the evidence unattended before it is placed in a locked storage area.
 - Transfer the evidence to a law enforcement officer or parent(s)/guardian(s) in sealed envelopes in a timely manner.

Regardless of the outcome of the officials' assessment, the parent/guardian must be contacted.

Student Name: _____ ID #: _____

Trained Person Conducting Search: _____ Position: _____

Signature: _____ Date: _____

Trained Person Witnessing the Search: _____ Position: _____

Signature: _____ Date: _____

Contraband Checklist

Contraband referred to in this document, consists of all substances or materials prohibited by School Board policy or state or federal law, including but not limited to drug, firearms, knives or other weapons, incendiary devices or other instruments or objects that could be used to inflict harm on others. (This may also be used for communication devices.)

Administrator Name:

(Name of trained person that seized the item)

Student Name:

(Name of the person the item was seized from)

Witness Name:

(Name of the trained person that witnessed the search)

Date:

(Date of the seizure)

Time:

(Time of the seizure)

Description:

(Description of item seized)

Location: (Location of the item seized - pocket, backpack, etc.)

Item release: (All Illegal items must be turned over to school SRO /Law enforcement. All other items should be returned to the parent/guardian after the DTM).

Item(s) released to: _____

Date and time item(s) were turned over: _____

Student Signature

Date

Administrator Signature

Date

Witness Signature

Date



Hope Scholarship Parent Letter

Dear Parent/Guardian,

A report has been made to our administration that your child may have been subjected to one of the following incidents: bullying; harassment; battery; hazing; kidnapping; physical attack; robbery; sexual offense; threat/intimidation; fighting or COVID-19 harassment. An investigation into the report is currently being conducted to ensure your child's safety.

In addition to the investigation, Orange County Public Schools (OCPS) is providing you with notification that your child may qualify for the Hope Scholarship Program as outlined in Section 1002.40 of the Florida Statutes. The Hope Scholarship Program was established by the State of Florida to provide a parent of a public school student who was subjected to an incident the opportunity to enroll their child in an eligible private school with potential funding assistance or transfer their child to another public school with available capacity.

In order to apply for the Hope Scholarship Program, the Florida Department of Education and OCPS require the Hope Scholarship Notification Form to be completed by the student's current school. If you would like to apply, please click the following link and bring the form to your child's school to be completed by the Principal or Designee:

<http://www.fldoe.org/core/fileparse.php/19910/urlt/16-3.PDF>

For additional information about the private school option and how to apply, please visit www.fldoe.org or www.stepupforstudents.org.

To apply for a public school transfer within OCPS, please contact OCPS Office of Student Enrollment to make an appointment to obtain the OCPS Hope Scholarship Transfer document. This document is required to enroll your child in their new OCPS school.

Transportation is not provided by OCPS, however, you can apply for limited transportation funding through the scholarship funding program (such as Step Up for Students) if your child will be enrolling in another public school in a different county.

The Hope Scholarship Notification Form, once complete, is valid for the 2022-2023 academic school year and becomes null and void after June 30, 2023 for transfers within OCPS.

For additional information regarding the program, please visit www.fldoe.org or www.stepupforstudents.org.

Respectfully,

Principal/Designee



445 W. Amelia Street • Orlando, Florida 32801 • (407) 317-3200 • www.ocps.net

*****THIS FORM IS FOR SCHOOLS SUCH AS POSITIVE PATHWAYS, GATEWAY, ETC. WHERE A STUDENT IS PLACED BY THE DISTRICT*****

Dear Parent/Guardian,

A report has been made to our administration that your child may have been subjected to one of the following incidents: bullying; harassment; battery; hazing; kidnapping; physical attack; robbery; sexual offense; threat/intimidation; fighting; or COVID-19 harassment. An investigation into the report is currently being conducted to ensure your child's safety.

In addition to the investigation, Orange County Public Schools (OCPS) is providing you with notification that your child may qualify for the Hope Scholarship Program as outlined in Section 1002.40 of the Florida Statutes. The Hope Scholarship Program was established by the State of Florida to provide a parent of a public school student who was subjected to an incident the opportunity to enroll their child in an eligible private school with potential funding assistance or transfer their child to another public school with available capacity. Since your child is required to attend their current school by OCPS, your child does not qualify for the transfer option to another OCPS school; however, you may still be eligible to apply for assistance from the Florida Department of Education for private school assistance or may be able to enroll your child in another county.

In order to apply for the Hope Scholarship Program, the Florida Department of Education requires the Hope Scholarship Notification Form to be completed by the student's current school. If you would like to apply, please click the following link and bring the form to your child's school to be completed by the Principal or Designee:

<http://www.fldoe.org/core/fileparse.php/19910/urlt/16-3.PDF>

For additional information about the private school option and how to apply or for additional information about the program, please visit www.fldoe.org or www.stepupforstudents.org.

Respectfully,

Principal/Designee

Hope Scholarship Notification Form

Pursuant to section 1002.40, Florida Statutes, the Hope Scholarship Program provides a public school student who was subjected to a qualifying incident with the opportunity to transfer to another public school with capacity (within the school district or another school district) or request a scholarship to attend an eligible private school. Upon receipt of a report of an incident, the school principal (or designee), is required to notify the parents of the reported incident and to investigate the incident to determine if it must be reported in SESIR, as required by s. 1006.09(6), F.S. After the investigation is completed, or within 15 days after the incident was reported to the principal, whichever comes first, the school district must notify the parent of opportunity to transfer to another school under the Hope Scholarship Program.

By completing and signing this form, the principal is confirming that the parent was provided the form within the required timeframe and was notified of the educational opportunities under the Hope Scholarship Program. The school should retain a copy and provide original document to the parent.

Student Information

Student Name: _____ Date of Birth: _____

FLEID: _____ Grade Level: _____

School of Enrollment and MSID: _____ School District: _____

Incident Information

Date and Time of Incident: _____

Date Incident Reported: _____

Incident Location:

- ☐ School Grounds/On Campus
- ☐ School-Sponsored Activity/Off Campus
- ☐ School-Sponsored Transportation (Including Bus Stops)
- ☐ Other School Location (please specify): _____

Incident Type as defined in Rule 6A-1.0017 SESIR*:

- | | |
|---|---|
| <input type="checkbox"/> Aggravated Battery | <input type="checkbox"/> Sexual Assault |
| <input type="checkbox"/> Harassment | <input type="checkbox"/> Sexual Battery |
| <input type="checkbox"/> Hazing | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Bullying | <input type="checkbox"/> Sexual Offenses-Other |
| <input type="checkbox"/> Kidnapping | <input type="checkbox"/> Threat or Intimidation |
| <input type="checkbox"/> Physical Attack | <input type="checkbox"/> Fighting |
| <input type="checkbox"/> Robbery | |

*Includes substantiated and unsubstantiated incidents

Confirmation of Hope Scholarship Notification and Reporting

Principal or Designee Signature: _____ Date: _____

Email Address: _____ Phone Number: _____

Schools: Please report the number of Hope Scholarship Notification Forms provided to parents for substantiated and unsubstantiated incidents in your Student Information System.

Parents: To transfer your student to another public school please contact your school district office. For more information on how to apply for the private school option, please visit www.floridaschoolchoice.org. The maximum amount awarded to a student enrolled in a public school located outside of the district the student resides shall be \$750. Parents are required to inform the school district when the parent withdraws a student to attend a private school under this program.

SAFE Referral Form

School Name _____
 Safe Coordinator Name(s) _____
 Grades _____
 Phone Number _____
 Room Number _____

The purpose of this form is to refer students that may be at risk. SAFE will be working to provide each student referred with the appropriate assistance. Please complete the information below and return this form to the SAFE coordinator's mailbox.

Student: _____ Date: _____ Grade: _____ Race/Ethnicity: _____ Gender: _____ Referred by: _____	<i>SAFE use only:</i> Log # _____ Dates attempted to contact: 1. _____ AB NS 2. _____ AB NS 3. _____ AB NS 4. _____ AB NS 5. _____ AB NS
---	--

☐ Please check if you want to remain anonymous.

Please check the following area(s) of concern:

<p>I. Academic Performance Observed:</p> <p><input type="checkbox"/> Declining quality of work</p> <p><input type="checkbox"/> Unrealistic expectations</p> <p><input type="checkbox"/> Preoccupation with success</p> <p><input type="checkbox"/> Lack of concentration</p> <p><input type="checkbox"/> Lack of motivation</p> <p>II. Classroom Conduct:</p> <p><input type="checkbox"/> Disruptive</p> <p><input type="checkbox"/> Sleeping in class</p> <p><input type="checkbox"/> Excessive absenteeism</p> <p><input type="checkbox"/> Skipping class</p> <p><input type="checkbox"/> Defensiveness</p> <p>III. Possible Alcohol/Drug Behavior:</p> <p><input type="checkbox"/> Suspected use of tobacco, alcohol or other drugs</p> <p><input type="checkbox"/> Suspected possession of tobacco, alcohol, drugs or paraphernalia</p> <p><input type="checkbox"/> Suspected of selling or delivering tobacco, alcohol or other drugs</p> <p>Other: _____</p>	<p>IV. Friends/Family Issues:</p> <p><input type="checkbox"/> Divorce</p> <p><input type="checkbox"/> Grief/loss</p> <p><input type="checkbox"/> Recently moved to the area</p> <p><input type="checkbox"/> Serious illness – student or family member</p> <p><input type="checkbox"/> Poor peer relations</p> <p>V. Other Behavior(s) Observed::</p> <p><input type="checkbox"/> Negative attitude</p> <p><input type="checkbox"/> Change in friends/peer group</p> <p><input type="checkbox"/> Mood swings</p> <p><input type="checkbox"/> Ongoing sadness</p> <p><input type="checkbox"/> Physical contact</p> <p><input type="checkbox"/> Withdrawn (loner)</p> <p><input type="checkbox"/> Extreme weight loss/gain</p> <p><input type="checkbox"/> Difficulty in accepting mistakes</p> <p><input type="checkbox"/> Fighting</p> <p><input type="checkbox"/> Anger</p> <p><input type="checkbox"/> Occult/gang-related drawings or symbols</p> <p><input type="checkbox"/> Inappropriate responses</p> <p><input type="checkbox"/> Preoccupation with death</p> <p><input type="checkbox"/> Bullying</p>
---	--

Note any actions you have taken: _____

EMERGENCIES!!! Contact SAFE coordinator IMMEDIATELY!!!

If a student has revealed any of the following:

- * Expressed suicidal thoughts or behavior: (verbal or written)
- * Revealed child abuse (sexual, physical, and/or emotional): (verbal or written)
- * Discussed bringing weapons to school: (verbal or written)
- * Discussed hurting others: verbal or written
- * Suspicious bruises, cuts or injury



Code of Student Conduct

OCPS Transfer Acknowledgement Form

By signing below, I acknowledge that I have received notice of how to obtain/view a copy of the 2022-2023 Orange County Public Schools Code of Student Conduct.

Previous School: _____

Student Number: _____

Student Name: _____
(Print Student Name)

Student Signature: _____ Date: _____

Parent Name: _____
(Print Parent Name)

Parent Signature: _____ Date: _____

[See attached [Code of Student Conduct Acknowledgement Form](#)]

Witness Statement

Statement ____ of ____

☐ Original Statement ☐ Revised Statement

Name: _____ Incident Number: _____

Student Number: _____ Date of Incident: _____

Staff Title: _____ Time of Incident: _____

Other/Title: _____ Location of Incident: _____

☐ I choose to make a statement

☐ I choose not to make a statement

List of witnesses (use an additional form if there are more than 6 witnesses):

1.	3.	5.
2.	4.	6.

Student/Staff Signature and Date

____ I swear/affirm the above and/or attached statements are true and correct. I understand that providing false information is punishable under the OCPS Code of Student Conduct.

Administrator - Signature, Title and Date

Administrator - Print Name

Witness - Signature, Title and Date

Witness - Print Name

☐ Original Statement ☐ Revised Statement

Incident Number: _____

Date of Incident: _____

Time of Incident: _____

Location of Incident: _____

☐ I choose not to make a statement.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and is set against a dark background.

3) How do you feel about what happened?

1.	3.	5.
2.	4.	6.

Administrator - Signature, Title and Date

Date/Time Parent/Guardian Contacted:

Witness - Print Name

Student Background Report
(Complete before Discipline Team Meeting)

I. Student Information: Incident #: _____

Name: _____ School: _____

Age: _____ Date Of Birth: _____ Grade: _____

Race: _____ Gender: _____ Student #: _____

ESE: ☐ No ☐ Yes 504 ☐ No ☐ Yes

Exceptionality _____

Parent/ Guardian Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Most current Code of Student Conduct acknowledgement is included in the packet: ☐ Yes ☐ No

*****If NO, contact Area Administrator immediately.**

Code of Conduct Infraction: _____

A. Detailed Information Concerning Offense (Who, What, Where, When, Why):

B. Summary of Evidence (i.e. statements, photos, physical evidence, etc.):

II. Verification of Notification of Discipline Team Meeting:

A. Certified Letter (U.S.P.S. Mail) Date: _____ Return Receipt Received: _____

B. Parent / Guardian Name: _____

Date of Contact: _____ Time of Contact: _____

C. Written notification sent with student: _____

D. Other: _____

Memorandum Suspension Reduction

To: _____
(Area Administrator, Student Support Services, Learning Community)

From: _____
(School Administrator)

_____ School
(School Name)

Subject: Suspension Reduction

Date: _____

The following suspension for _____, _____
(Student Name) (Student #)

for _____ day(s) has been reduced to _____ day(s).
(original suspension #) (reduced #)

The suspension started on _____ and will end on _____.
(Date) (Date)



Request for Mental Health Counseling Services

Referral Date: _____ Referred by (Name/position): _____	
Student Name: _____	DOB: _____
School: _____	Grade: _____
Parent/Guardian Name: _____	Parent Phone: _____
Parent Contacted regarding referral by: _____	Date of contact: _____

- | | | |
|--|-----|----|
| 1. Has the student made threats of self-harm (threat response process initiated)? | YES | NO |
| 2. Has the student made threats to harm others (threat response process initiated)? | YES | NO |
| 3. Has the student been Baker Acted? | YES | NO |
| 4. Is the student currently receiving other counseling services (i.e. Private agencies, SEDNET)? | YES | NO |

If YES, please list agency _____

If NO, does the student have (please circle): Medicaid? Private Insurance?

- | | | |
|--|-----|----|
| 5. Does the student have an IEP or 504 plan? | YES | NO |
| 6. Has the student received MTSS supports/interventions? | YES | NO |

Reason for Referral (check all that apply):

Suicide Attempt	Threats to harm others	Anxiety
Suicide threat	Bullying (victim)	History of trauma or abuse
History of Baker Act	Bullying (aggressor)	Family issues
Self-injurious behaviors	Angry/irritable	Death/Grief
Depression/Sadness	Aggressive toward peers	Substance Abuse:
Truancy or school refusal	Aggressive toward adults	Other:

For Student Services Use:

Counselor: _____ Date received: _____
Date of contact with Referring Staff: _____ By Phone/ In Person: _____
Date of contact with Parent: _____ Parent Name: _____
Date of initial meeting with Student: _____

Miscellaneous



Orange County Public Schools District Police

Guidelines for Sexual Predators and Sexual Offenders

General Information

OCPS District Police Department strongly encourage school- based administrators to become aware of the presence of sexual predators and offenders living within close proximity of their worksite. Knowledge of the offender's address, status within the law, the type of offense committed and information about the victim will assist school staff in providing a safe and secure learning and working environment for students, staff and faculty.

School administrators can accomplish this with regular checks of the Florida Department of Law Enforcement (FDLE) web site. The FDLE database contains public record information on offenders classified as sexual predators and sexual offenders under Florida law. The information is made available to help citizens educate themselves about the presence of offenders within the community and to assist citizens in forming risk assessments based on the offender's circumstances and conviction history. On the FDLE website school administrators can also sign up to receive email alerts when a registered offender or predator moves into a particular area.

The FDLE database of sexual predators and offenders may be viewed at:

<https://offender.fdle.state.fl.us/offender/sops/home.jsf>

Definitions

A person who commits a sexually related offense as defined by Florida Statute 943.0435(1)(II) is classified as a sexual offender. The designation of sexual predator can only be made by a judge at sentencing under the guidelines found in Florida Statute 775.21. The designation as a sexual predator may be made in cases involving the use of violence, weapons, repeat offenders or multiple offenses. Although not as common, the predator designation is the more serious of the two categories and requires notification by law enforcement to residents living within proximity of the predator. The presence of a predator in the vicinity of a school site is of special concern for school staff.

Procedures

Concerned and informed community members are often the source of "tips" regarding predators and offenders living near school grounds. It is imperative that school staff verify these unconfirmed tips through the FDLE web site. Upon receiving information that a sexual predator or sexual offender is residing near a school, it is recommended that the school principal or designee take the following actions:

- Obtain the name and/or address of the individual, taking special care to obtain the correct spelling of the name.
- Access the FDLE web site at: <https://offender.fdle.state.fl.us/offender/sops/home.jsf>
- If you receive a "hit" upon entering the individual's name, select the "view flyer" option.
 - Check the "last reported address" block to verify the address and to ensure you have the correct offender.

- Check the “status” block to determine the individual’s status within the law. This block may indicate whether the individual is incarcerated, deceased, released or under supervision. If the individual is listed as “released”, he or she has served his or her sentence, including probation. If the listing indicates “supervision”, the individual is on some form of community control (probation, parole) and may have “conditions” on his or her release. There may be restrictions on being around children, even their own. If the status block indicates supervision, contact your School Resource Officer (SRO) or Learning Community District Police Commander and ask him or her to contact the individual’s parole officer to determine what “conditions” have been placed on the individual.
- Check the block indicating the “qualifying offense” and “victim”. Although there will be exceptions, these offenses often involve young children. If the victim was a child, this gives a cause for special concern.
- If you do not receive a “hit” you can notify your Learning Community District Police Commander at (407) 317-3325 for assistance in completing a more thorough search.

Response Actions

If you verify that a sexual predator or offender lives in the vicinity of the school or along a regularly traveled bicycle or walking route for school children:

- Contact your SRO or Learning Community District Police Commander. Law enforcement agencies may present age appropriate programs regarding student/child safety. Safety tips for parents are also available and may be found on the FDLE sexual predator/offender web page and on the OCPS District Police web page.
- Specific information regarding the identity, physical description and location of a sexual predator or offender should be shared in a discreet and confidential manner with all school staff including bus drivers and elementary Extended Day personnel.
- General information regarding the presence of a sexual predator or offender may be shared with parent groups supporting the school such as PTA, SAC and Additions volunteers. Although information regarding sexual predators and offenders is considered by the courts as “public record information” making it freely available to anyone, great care must be taken when sharing this information with outside groups.
- Under no circumstances shall the principal or designee circulate or publish to the school community at large, including parents and students, the name, photograph or address of any sexual predator or sexual offender except upon approval of the Superintendent or designee.

School Parent Listed as Sexual Predator or Sexual Offender

If it is verified that a parent of a school child appears on the FDLE website or through the RAPTOR Visitor Management System as a sexual predator or offender, it is recommended that the school principal or designee contact the parent and schedule a private conference. At the conference, the principal or

designee shall inform the parent sexual predator/sexual offender of restrictions regarding their access to school grounds. Please refer to the EVMS guidance that can be found on the OCPS Intranet:

https://intranet.ocps.net/departments/district_police/asset_protection/enterprise_visitor_management_system_e_v_m_s

The principal may choose to have law enforcement present during the conference. Contact your SRO or Learning Community District Police Commander (407) 317-3325.

If the parent sexual predator/sexual offender is:

- NOT under the supervision of the court system (probation or parole),
- OR it is verified that they are on supervision but are allowed access to their child,
- AND there are no restrictions levied by the court regarding proximity to school grounds, the following restrictions will apply:
 - He or she may drop off and pick up their child in the car rider lanes but may not exit their vehicle at any time.
 - He or she may not enter school grounds without having a pre-arranged appointment scheduled with the principal or designee.
 - He or she may not volunteer in any classroom or chaperone any school sponsored event.
 - Attendance at any activity at the school such as plays, festivals, sporting events, extracurricular activities or parent/teacher conference nights will be at the discretion of the principal or designee. The decision to allow such attendance will be made in consideration of the ability of the school administration to provide an appropriate level of supervision for the individual during the event.
 - Parent/teacher conferences must be scheduled in advance with the principal or designee and will be held in a well-supervised location.

If the parent sexual predator/sexual offender:

- IS under the supervision of the court system (probation or parole),
- AND it is verified with their probation/parole officer through law enforcement that they are not allowed access to their child or any children or to be within a specific distance of a school , the following restrictions will apply:
 - The mere presence of the parent on school grounds is a violation of his or her probation/parole and he or she may not enter school grounds for any reason.

Please call District Police at (407) 317-3333 if you have any questions regarding these guidelines or if you need assistance with a situation involving a sexual predator or sexual offender.

(School Year)

[SCHOOL NAME]

Student Parking Application

(edit to meet your school needs)

The following is required for each student who applies for a student parking decal ("Decal"):

- Must be a Junior or Senior registered at [school name]
- Must have a least a _____ unweighted GPA and maintain at least a _____ weighted GPA
- Must be clear all school obligations (textbooks, equipment, etc.)
- Agree to follow all regulations and rules associated with student parking and outlined in this agreement
- Pay student parking fee of \$ _____ for the 2022-23 school year

The following items must be provided when applying for a Decal:

- Valid vehicle registration
- Valid driver's license
- Current proof of insurance

Student Name _____

Auto Make _____ Model _____ Color _____ Year _____

Auto Tag _____ Driver License # _____

Student ID # _____ Grade _____

Name on Vehicle Registration _____

Insurance Company _____ Policy # _____

Schools can use this space to insert any additional requirements specific to their school that are not outlined herein.

(School Year)



Student Parking and Consent to Search
and Waiver of Liability

("Student) applies to _____ for a

(Print student name)

(School Name)

student parking decal. In making this application, the student understands, acknowledges, and agrees to the following conditions as a prerequisite to, and in consideration for, the issuance of a student parking decal which authorizes the student to drive and park on campus. Failure to comply with any School Board of Orange County, Florida (SBOC) or school policy, regulation, rule, or any condition or requirement as outlined below, may result in the immediate suspension and/or revocation of the students' decal and privileges.

1. I agree that it is a privilege, not a right, to have a decal, drive, or park on campus.. I agree that if I fail to comply with any SBOC or school policy, regulation, rule, and/or the conditions contained in this application, my decal and parking privilege may be immediately revoked.
2. I agree the decal is non-transferable and cannot be sold to, or shared with, any other student, person, or entity.
3. I agree to comply with all SBOC, school, local and state traffic regulations and laws while operating any motorized vehicle on SBOC property. I understand that by parking in any unauthorized area, reckless or dangerous driving, speeding, or any other violation or noncompliance of any provision contained herein, may result in immediate suspension or revocation of the decal and parking privilege. School administration reserves the right to impose disciplinary sanctions for flagrant and/or persistent violations of this Agreement.
4. I agree that the decal I am issued and the parking place use shall remain the property of SBOC. I agree I will not loiter or play loud or offensive music while in or about the vehicle while on school campus. I agree I will not park on any sidewalk, curb, or grassy area of the school campus or in any faculty parking area or parking space marked "Reserved." In the event that I am assigned a parking space, I agree that I will only park in the specific space on the school campus.
5. I agree that I am responsible for all contents contained within the vehicle.
6. I hereby give consent and authorize the SBOC, its employees and agents and/or any law enforcement officer of any agency located within the State of Florida, to open and search any vehicle (and its contents) that I drive or park on school campus at any time, without prior notice or additional consent and without my knowledge or presence. This consent includes the use of animals, such as dogs, trained to detect weapons and drugs.
7. I understand that if I refuse to cooperate with the search of a vehicle pursuant to this agreement, SBOC, its employees and agents may have the vehicle immediately towed or removed from the school campus at the owner's expense according to SBOC policy.
8. I agree that the SBOC and its employees and agents, and any law enforcement personnel shall not be responsible and are released from liability for any theft, loss or damage to my property or vehicle while on any SBOC property, and I agree that the SBOC and all law enforcement agencies are hereby released and held harmless from all liability, claims, or damages, connected in any way with the search of a vehicle on an SBOC property, or the removal of a vehicle as provided above.

(School Year)

By signing this form, I understand, acknowledge, and agree to the provisions set forth herein and consent to all policies concerning the restrictions, conduct of person, search of vehicles, and safe, courteous operation of the vehicle while on campus. I also understand that failure to abide by the terms of this agreement will result in disciplinary action and/or removal of the parking permit for an indefinite period of time after review by the administrator of the school.

Student Signature _____ Date _____

Printed Name _____ Student Number _____

Parent/Guardian Signature _____ Date _____

Printed Name _____

Decal Number _____

Approved By _____

(School Year)



Student Locker Application and Consent to Search and Waiver of Liability

(Print student name) ("Student") applies to _____
(School Name) for a student locker. In making this application, the student understands, acknowledges, and agrees to the following conditions as a prerequisite to, and in consideration for, the issuance of a student locker. Failure to comply with any School Board of Orange County, Florida (SBOC) or school policy, regulation, rule, or any condition or requirement as outlined below, may result in the immediate suspension and/or revocation of the students' locker privileges.

1. I agree that it is a privilege, not a right, to use a student locker on an SBOC school campus. I agree that if I fail to comply with any SBOC or school policy, and/or the conditions contained in this application, my student locker privilege may be immediately revoked.
2. I agree that my locker is non-transferable and cannot be sold to, or shared with, another student, person, or entity.
3. I agree that the student locker I am assigned shall remain the property of the SBOC.
4. I hereby waive any expectation of privacy in my student locker and its contents and agree that I am responsible for all contents contained within my student locker.
5. I hereby give consent and authorize the OCSB, its employees and agents and/or any law enforcement officer of any agency, to open and search my student locker and its contents at any time without prior notice or additional consent and without my knowledge or presence. This consent includes the use of animals, such as dogs, trained to detect weapons and drugs.
6. I agree that I will follow the Code of Student Conduct ("Code") and not conceal or place anything in my locker that could be considered a violation of the Code. I understand if I am found with an item prohibited by the Code in my student locker that I will be disciplined according to the Code and may lose the privilege of having a student locker.
7. I agree that the SBOC and its employees and agents and any law enforcement personnel shall not be responsible and are released from liability for any theft, loss or damage to my property contained within my student locker, and I agree that the SBOC and all law enforcement agencies are hereby released and held harmless from all liability, claims, or damages, connected in any way with the search of a student locker.

Student Signature _____ **Date** _____

Printed Name _____

Student Number _____

Parent/Guardian Signature _____ **Date** _____

Printed Name _____

Locker Number _____

Approved By _____ **Date** _____

Identification of Child Abuse or Neglect

For purposes of identification and referral, all staff members should look for the following signs of child abuse and neglect while interacting with students. If several indicators are present, or if they occur repeatedly, the probability of maltreatment is greater. **Remember that this list is neither exhaustive nor definitive.** Be alert for other signs, such as deteriorating academic performance. Any reasonable doubt as to the existence of abuse should be resolved in favor of reporting.

Signs of Abuse

Physical Indicators

- Unexplained scratches, bruises and welts on face, lips, mouth, neck, torso, back, arms, buttocks, thighs; in various stages of healing; reflecting shape of article used to inflict; regularly appearing after absence, weekend or vacation;
- Unexplained burns (cigar or cigarette burns, especially on soles, palms, back, or buttocks; immersion burns; burns patterned like electric burner, iron, etc.; rope burns on arms, legs, neck, or torso);
- Unexplained fractures to skull, nose, facial structure, fractures in various stages of healing; multiple or spiral fractures;
- Unexplained lacerations to mouth, lips, gums, or eyes;

Behavioral Indicators

- Wary of adult contacts;
- Apprehensive when other children cry;
- Behavioral extremes (aggressiveness or withdrawal);
- Frightened of parents or afraid to go home;
- Reporting injury, sexual abuse, or frequent spankings by parent or other caretaker;
- Role-playing abusive parents or dramatizing abusive situations;
- Parent shows signs of abusive behavior (e.g., shows loss of control, is unusually negative about child, and/or frequently mentions spanking child).

Signs of Neglect

- Consistent hunger, poor hygiene, inappropriate dress (such as no coat in cold weather);
- Lack of supervision apparent at home;
- Unattended physical problems or medical needs;
- Abandonment;
- Begging, stealing food;
- Extended stays at school (early arrival and late departure);
- Constant fatigue, listlessness, or falling asleep in class;
- Delinquency;
- Saying there is no caretaker

OCPS Management Directive A-4 Reporting Form

To be used to document known or suspected child abuse, neglect or abandonment

Known or suspected child abuse, neglect or abandonment must be reported immediately to the Department of Children & Families Central Abuse Hotline (1-80096ABUSE or 1-800-962-2873). If an OCPS employee or volunteer is involved, you must also make a report to OCPS Office of Professional Standards. **Please complete form and send to the Office of Professional Standards (see Section 3).**

SECTION 1 - INCIDENT INFORMATION

Complete this section before making a report to assist the Abuse Hotline operator.

Person Making Report _____ Incident Date _____

Last Name

First Name

MI

Phone No. _____ Date Reported _____

Child _____ Sex _____ Race _____

Last Name

First Name

MI

Child Date of Birth _____ SSN (if known) _____

Person responsible for alleged abuse: _____

Last Name

First Name

MI

Suspect's Relationship to Child _____

Is this individual an employee, volunteer or substitute with OCPS? Yes ☐ No ☐

If yes, you must complete Section 3 immediately after making your report to the Abuse Hotline.

Brief description of facts that support your suspicion that a child has been abused or neglected:

SECTION 2 - DCF ABUSE HOTLINE AND LAW ENFORCEMENT

Complete this section with the assistance of the Abuse Hotline operator to document that a report was made.

Name of DCF employee to whom report was made _____

Identification number of DCF employee _____ Did DCF accept the report for investigation? Yes ☐ No ☐

If your call was transferred to a local law enforcement agency, provide the name of the agency _____

the Incident or Event No. assigned to the report _____

and the name or Identification No. of the employee to whom the report was made _____

SECTION 3 - PROFESSIONAL STANDARDS REPORT

If the report involves suspected abuse by an OCPS employee, volunteer or substitute, complete this section, call Professional Standards at 407-317-3239 and scan this form to their attention at email ProfessionalStandards@ocps.net or fax this form to their attention at 407-317-3271.

Work location of suspected OCPS employee, volunteer or substitute _____

OCPS Employee Identification No. _____

School or Department Administrator who notified that report was made to DCF _____

Name of Professional Standards staff member to whom report was made _____

Police Investigations

1. If you believe a crime has been committed within the school's jurisdiction, you are required to consult with your SRO.
2. If the SRO decides to proceed criminally, inquire as to whether the school can proceed with their discipline investigation.

If the answer is no:

Ask the SRO if they will document their direction to you in writing. If the SRO will not provide anything in writing, have two (2) employees present to witness the conversation.

If the answer is yes: Proceed with your discipline investigation.

3. Follow up with your SRO as to when you may proceed with your investigation. If your SRO continues to say that you cannot proceed with your investigation, contact your Area Commander for assistance.
4. Once clearance is provided by your SRO to proceed with your investigation, a Title IX (only if applicable)/discipline investigation should begin IMMEDIATELY.
5. If you have any questions/concerns please contact your Area Administrator for further guidance.



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Drug Testing/Chain of Custody Form

Student Name _____ Student Number _____

I, _____, have conducted a Cannabis test on an item and/or substance suspected to contain THC. The item and/or substance tested positive for THC. My signature below indicates I have completed the OCPS Drug Testing training.

The item and/or substance was handed over to SRO/LEO, _____,
on _____ at _____ a.m./p.m.

Name and Title of person conducting the Test

Signature

Name and Title of Witness

Signature



Orange County Public Schools

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OCPS EEO Non-Discrimination Statement

The School Board of Orange County, Florida, does not discriminate in admission or access to, or treatment or employment in its programs and activities, on the basis of race, color, religion, age, sex, national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, or any other reason prohibited by law. The School Board also provides equal access to the Boy Scouts and other designated youth groups. This holds true for all students who are interested in participating in educational programs and/or extracurricular school activities. The following persons have been designated to handle inquiries regarding the nondiscrimination policies, reports of alleged violations, concerns about compliance, and/or the grievance procedure(s), etc.:

Equal Employment Opportunity (EEO) Officer & Title IX:

Keshara Cowans – Staff Attorney II
Office of Legal Services
Ronald Blocker Educational Leadership Center
445 West Amelia Street Orlando, FL 32801
(407) 317-3411

ADA Coordinator:

Jay Cardinali – ADA Compliance Officer
Office of Legal Services
Ronald Blocker Educational Leadership Center
445 West Amelia Street Orlando, FL 32801
(407) 250-6248

Section 504:

Tajuana Lee-Wenze – Director
ESE Procedures/Compliance
Ronald Blocker Educational Leadership Center
445 West Amelia Street Orlando, FL 32801
(407) 317-3279



**Orange County
Public Schools**