

PP-SS-047

Rev. 7/11

# **Code Of Student Conduct Exceptional Student Education**

Elementary School Students



Preparing the Next Generation Today

Sumter County Schools  
2680 W. County Road 476  
Bushnell, Florida 33513  
352/793-2315



## A Letter From The Superintendent

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Dear Parents and Students:

Welcome to the 2011-12 school year in the Sumter County Schools! We are committed to providing all students the highest quality education in a safe and secure learning environment. A cornerstone of this effort is the Code of Student Conduct. This booklet includes the Code of Conduct and information about the rules that students are expected to follow, as well as the consequences for unacceptable behavior. The Code also describes the rights of students as well as the responsibilities coupled with those rights. Although the Code of Student Conduct is followed by each school, other matters such as dress code are within the jurisdiction of the school.

This Code applies to students while they are in school, while they are on school buses and at bus stops, and while they are at extracurricular or after school activities where teachers and administrators have supervisory responsibility. The Code has been reviewed and approved by the School Board.

While the Code may seem detailed, one basic rule for students is always true—success in school is usually a matter of making proper choices in critical situations. Knowing the rules and knowing the expectations of student behavior are important first steps. The assistance of parents and school staff is necessary to insure students are aware of what is expected of them.

I encourage you to read this booklet carefully and if you have any question, contact your school administrators or our district office. We will be available to address your questions or concerns.

A safe and disciplined school is one where teachers can teach and students can concentrate on learning. Thank you for your efforts as parents and students, who with school personnel, create an environment where academics flourish and students succeed. We believe this high level of achievement begins with order and respect in the school, supported through fair and consistent enforcement of school rules.

We look forward to a great year in the Sumter County Schools and thank you for your help in providing the best possible education for our young people.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Shirley". The signature is written in a cursive, flowing style.

Richard A. Shirley  
Superintendent

## **School Board**

Haydn L. Evans  
Christine Norris  
Linda J. Winchester  
Kenneth P. Jones  
Kathie L. Joiner

## **MISSION STATEMENT**

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The Sumter County School District,  
dedicated to preparing the next generation today,  
is to develop responsible, contributing citizens of our local  
and global community through a safe, challenging, and  
balanced education for all students, supported by continuing  
and enhancing partnerships with stakeholders

## **BELIEF STATEMENTS**

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- ◆ Everyone can learn.
- ◆ All students are unique with infinite value.
- ◆ The focus of education is the success of each student.
- ◆ Schooling should focus on contemporary and global issues.
- ◆ All stakeholders are accountable for educational outcome.
- ◆ All students must be treated with fairness and respect and given encouragement and recognition for achievement.
- ◆ A challenging, well-balanced curriculum with instruction delivered by highly effective educators is the foundation of a successful education.
- ◆ High standards and clear expectation help foster a culture of achievement.
- ◆ Education is a lifelong process that serves as the foundation of a free society.
- ◆ Education enhances quality of life and empowers people.
- ◆ The uniqueness of each child should be celebrated.

1. ATTENDANCE - Students are entitled to a free public education from kindergarten through grade twelve. Students are expected to attend school regularly. Parents are responsible for ensuring that their children attend school.
2. RESPECT FOR PERSONS AND PROPERTY - Students have the right to expect courtesy, fairness and respect from the school staff and student body for themselves and their property. Students have the responsibility to exercise courtesy, fairness and respect toward staff and student body for themselves and their property.
3. RULES AND CONDUCT - Students have the right to become familiar with and be represented in the formulation of school rules and regulations that are clearly stated and readily accessible. Students have the responsibility to become familiar with and to observe school rules and regulations.
4. RIGHT TO LEARN - Students have the right to develop their educational potential under competent instructors in an atmosphere conducive to learning. Students have the responsibility to be attentive and to be diligent in effort in all school and school related assignments. Students must come to school with appropriate materials and be prepared to learn.
5. RIGHT TO FREE SPEECH AND PUBLICATION - Students are free to express opinions and ideas. Student expressions, oral or written, must be free from profanity, obscenity, slander or libel, and must avoid the advocacy of disruptive tactics and/or the violation of law or school regulations.
6. RIGHT TO ASSEMBLE - Students have a Constitutional right to assemble. Students have the responsibility to gather in a peaceful manner that safeguards health and safety and does not harm property or persons, or interfere with the activities of others.
7. RIGHT TO PRIVACY - Students have the right to privacy of person and property, as prescribed by law. Students have the responsibility to observe all laws and school rules relating to student privacy.
8. PARTICIPATION IN SCHOOL ACTIVITIES - Students have the right to attend and participate in school-sponsored functions unless prior inappropriate behavior is prohibitive. Students have the responsibility to observe all school rules and regulations in their participation in school programs and activities.
9. RIGHT TO FREE TRANSPORTATION - Students have the right to free transportation in accordance with school board rules. Students have the responsibility to abide by bus rules.

The Sumter County School Board prohibits gang activity, gang paraphernalia and gang related attire in all schools, on school property, and at all school sponsored activities.

**BULLYING AND HARASSMENT:** The Sumter County School Board will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined in Board Rule (5.321), is prohibited.

**APPROPRIATE DRESS:** The Sumter County School Board will prohibit a student while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment.

Each school will provide a written dress code for students that explains the responsibility of each student with regard to appropriate dress, respect for self and others, and the role that appropriate dress and respect for self and others has on an orderly learning environment.

Any student who violates the dress code policy described is subject to the following disciplinary actions:

- a. For a first offense, a student shall be given a verbal warning and the school principal shall call the student's parent or guardian.
- b. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal shall meet with the student's parent or guardian.

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

**TEACHER AUTHORITY TO REMOVE STUDENTS FROM THE CLASSROOM:** Pursuant to Florida Statutes, any teacher has the authority to "remove" a student from his or her classroom for repeated disruptive behavior or a violent incident. The major provisions of this statute are as follows:

- A. Teachers who invoke the provisions of this statute must document that a student's behavior repeatedly interfered with the learning process in the classroom or the student's behavior was so unruly, disruptive, or abusive that it interfered with the effective conduct of the class.
- B. Principals may not return a student to that class when the teacher removed the student without the permission of that teacher or the direction of a placement review committee. The principal must find other placements for the student as indicated by the discipline referral.
- C. Teachers removing more than 25% of their students must participate in professional development activities related to classroom behavior management skills.

**LIMITS OF SUPERVISION** Supervision by school personnel will be limited to thirty (30) minutes before and thirty (30) minutes after school or school activity.

Florida law requires the Department of Juvenile Justice to notify the school district of a student attending its schools who has been adjudicated or pled to certain felony violations and whether the offender is to be prohibited from attending the same school or riding on the same bus whenever the victim or a sibling of the victim is attending the same school or riding the same bus. Upon notice, the school district is required to carry out these provisions.

It is essential that schools be safe and orderly to provide environments that promote learning and high academic achievement. Violence in school, therefore, will not be permitted. This Code of Student Conduct requires that students found to have committed the following offenses on school property, school sponsored transportation, or during a school sponsored activity shall receive the most severe consequences provided for by school board policy.

- a. Homicide
- b. Sexual battery
- c. Armed robbery
- d. Aggravated battery
- e. Battery or aggravated battery on a teacher or other school personnel
- f. Kidnapping or abduction
- g. Arson
- h. Possession, use, or sale of any firearms
- i. Possession, use, or sale of any explosive device

**NOTICE:** Any student who is determined to have brought a firearm, as defined in 18 U.S.C.S. 921 or a firearm as defined in F.S. 790, to any school, school function or any school-sponsored transportation will be expelled with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and referred for criminal prosecution. Further, any student who is determined to have made a threat or false report, as defined by 790.162 and 790.763 F.S., respectively, involving school or school personnel's property, school transportation, or a school sponsored activity will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and referred for criminal prosecution.

## **SUSPENSION AND EXPULSION PROCEDURES FOR EXCEPTIONAL STUDENTS:**

In order to ensure that the disabled student's parents/guardians are informed of the procedures related to Expulsion and Suspension of Exceptional Education Students, the ESE department will distribute copies of this policy to all parents of currently enrolled students at the beginning of the school year.

For all new students enrolling in an Exceptional Education program, a copy of the policy as well as an explanation of its content will be given to the parent/ guardian at the time of the initial Individual Educational Plan (IEP) meeting, prior to securing the official parent consent for placement.

Alternative corrective measures shall be used in lieu of suspension or expulsion, whenever possible. Examples of alternative measures may include, but are not limited to: verbal correction, counseling, time-out, parent conference, make-up time, acute time-out at home, partial school day, alternative education classroom, and after school instruction.

SUSPENSION is defined as the temporary removal of a student from his regular school program for a period not to exceed ten (10) school days. A student may be suspended from school by the principal or designee. At such time as a disabled student has been suspended according to ESE discipline policy guidelines, the administrator/designee of the exceptional student education program should be notified. The following procedures shall be implemented:

1. The administrator/designee may set an IEP meeting. The membership of the IEP committee shall be in accordance with requirements of IDEA.
2. The IEP committee shall make recommendations as follows:
  - a. conduct a functional behavioral assessment and Implement a behavioral intervention plan, OR.
  - b. if the child already has a behavioral intervention plan, the IEP committee shall review the plan and modify it, as necessary, to address the behavior.

EXPULSION is defined as the removal of the right and obligation of a student to attend public school under conditions set by the school board, and for a period of time not to exceed the remainder of the term or school year.

Sumter County School Board has the sole right to expel a student from the public school system upon the recommendation of the county superintendent of schools, for serious offenses as designated in this document under Level IV Infractions. Where a disabled student's behavior could warrant suspension of MORE than ten (10) school days (cumulative or concurrent) or a recommendation for expulsion consistent with the district's policies, the following provisions shall apply:

1. Beginning on the eleventh (11<sup>th</sup>) cumulative day in a school year that a child with a disability is removed from his/her current placement, the school district must provide those services that the school principal/assistant principal, in consultation with the child's special educational teacher, determine to be necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP. The principal and ESE teacher will determine what services and where those services will be provided. This means that for the remainder of the removal, that includes the eleventh day, and for any subsequent removals, services must be provided to the extent determined necessary, while the removal continues.
2. An IEP committee shall meet to determine whether the misconduct is a manifestation of the student's disability (20 U.S.C. 1415(k)(4)). The membership of the IEP committee shall be in accordance with requirements of IDEA.

- a. If a Functional Behavioral Assessment has not been conducted and an Intervention Plan implemented, the committee must find that the misconduct is a manifestation of the student's disability and develop a plan for conducting a Functional Behavioral Assessment and Behavioral Intervention Plan AND
  - b. If the misconduct is a manifestation of the student's disability then the student may not be expelled; however, a review of the IEP shall be conducted and other alternatives considered and an appropriate educational program be implemented as soon as possible.
  - c. If the IEP team determines that the misconduct was not a manifestation of the child's disability then the child may be suspended or expelled like a regular education student; however, the disabled student MUST continue to receive an educational program which includes all the services listed on his/her IEP. Additionally, the alternative program must enable the child to continue to participate in the general curriculum, although in another setting and include services and modifications designed to address the child's behavior so that it does not recur.
3. If a disabled student carries a weapon to school or knowingly possesses or uses illegal drugs or sells or solicits the sale of illegal drugs while at school, the disabled child may be sent to an alternative educational setting for up to 45 calendar days. If the IEP team determines that the child's behavior is a manifestation of his/her disability, the child should be returned to his/her previous educational placement as soon as possible (prior to the expiration of the 10 or 45 day period). The IEP team may wish to consider changes or modifications to the current IEP/Placement with respect to the behavior for which the child was referred for suspension/expulsion.
4. The disabled student is afforded the protections outlined in the *Summary of Procedural Safeguards*.

A regular education or disabled student accused of serious misconduct that, in the opinion of the principal, requires suspension or expulsion from school, shall be afforded the following due process procedure:

- STEP 1.** The student must be told by the principal, or designee, the reason(s) for consideration of suspension.
- STEP 2.** The student must be given the opportunity to present his/her side of the matter, either verbally or in writing, and must have the opportunity to present witnesses to the incident.
- STEP 3.** The student and parent must receive a written report of suspension, with a copy forwarded to the superintendent.
- STEP 4.** The student and parent have the right to a hearing with the principal, upon request of the parent, to discuss the discipline imposed. All such requests must be made within (3) three school days of the sending of the notice of suspension.
- STEP 5.** The parent may request an administrative review by a committee appointed by the superintendent, after the conference with the principal outlined in STEP 4.

National origin minority or limited English proficient students shall not be subjected to any disciplinary action because of their use of a language other than English.

**STUDENT DISCIPLINE:** Students are expected to comply with school regulations both during school hours and at school-sponsored activities. In all disciplinary actions, due process shall be observed. Reasons for disciplinary action include the following, with corresponding type of appropriate disciplinary response for that group of infractions:

LEVEL I INFRACTIONS

Acts of Misconduct  
Cheating  
Disregard for Rules  
Disruptive Behavior  
Inappropriate Dress  
Lying/Falsifying Information  
Possession or Unauthorized Use of Laser Pointer  
Refusing to Cooperate

LEVEL I RESPONSES

Contact Parents  
Warning and Counseling  
Temporary Removal from Class  
Withdrawal of Privileges  
Assignment of In-School Suspension/ Alternative Educational Setting  
Detention  
Agreement with Student  
Referral to Student Services  
IEP Meeting  
Manifestation Meeting

LEVEL II INFRACTIONS

Acts of Disrespect to Staff  
Bullying or Coercive Behavior  
False Accusation Against Staff  
Gambling  
Inappropriate Contact  
Inappropriate Language/Gesture(s)/Profanity  
Leaving Assigned Area Without Permission  
Minor Acts of Vandalism  
Name Calling, Teasing or Other Demeaning Behavior  
Technology Misuse  
Racial Harassment  
Serious Lunchroom Disruptions  
Sexual Harassment  
Stealing (under \$300)  
Threatening Language or Behavior  
Throwing Objects  
Unauthorized Possession of Medicine  
Use of or Possession of Tobacco  
Repeated Level I Infractions  
Other Acts of Misconduct or Disruption

LEVEL II RESPONSES

Parental Contact  
Behavior Agreement  
Assignment of In-School Suspension/Alternative Educational Setting  
Work Assignment  
Detention  
Referral to Student Services  
Referral to School Resource Officer  
Confiscation of Unauthorized Materials  
Return of Property, Payment or Restitution of Damages  
Temporary Removal from Class  
Out of School Suspension  
Appropriate Response from Level I  
Time Out  
Manifestation Meeting  
IEP Meeting

LEVEL III INFRACTIONS

Breaking and Entering  
Bullying or Coercive Behavior  
Extortion  
False and Malicious Accusation Against Staff  
Fighting (severe)  
Gross Disrespect to School Staff  
Gross Insubordination  
Inciting, Leading a Major Student Disorder  
Major Acts of Vandalism (over \$300, but less than \$1,000)  
Other Major Acts of Misconduct  
Possession of, Under the Influence of, or Sale of Alcohol  
Serious or Continued Threat  
Serious Racial Harassment  
Serious Sexual Harassment  
Stealing (over \$300, but less than \$1,000)  
Trespassing  
Serious Technology Misuse  
Repeated Level II Offenses

LEVEL III RESPONSES

Mandatory Parent Contact  
Out of School Suspension  
Appropriate Responses from Level I or II  
Review of Placement  
Manifestation Meeting  
IEP Meeting

**Three Level III infractions in a semester or five during the school year may result in recommendation for an expulsion from the Sumter School District or placement in an alternative educational setting.**

LEVEL IV INFRACTIONS\*

Aggravated Battery  
Armed Robbery  
Arson, Attempted Arson  
Battery or Aggravated Battery on Teacher or Other School Personnel  
Bomb Threat  
Drug Sales and Distribution  
False Accusation Against Staff That Damages Reputation/Career  
Homicide, Murder, Manslaughter  
Kidnapping, Abduction  
Possession of, Under the Influence of, or Use of Controlled Substances or any substance when used for  
hallucinogenic purposes; Other Than Alcohol  
Possession, Use, or Sale of Any Explosive Device  
Possession, Use, or Sale of Firearm on Campus  
Rape, Attempted Rape, Sexual Battery  
Severe Acts of Vandalism (over \$1000.00)  
Severe or Repeated Bullying  
Stealing (over \$1,000)  
Threat to Students or Staff with a Deadly Weapon  
Severe Harassment

**\*Any of the offenses above that poses a threat to school, student or personnel safety may be reported to the proper authorities.**

LEVEL IV RESPONSES

Referral to Resource Officer or Proper Authority  
Automatic 10-day Out-of-School Suspension  
Student will be Recommended for an Expulsion Hearing  
Manifestation Meeting  
IEP Meeting

**\*SPECIAL NOTE: Use of a wireless communication device in commission of a criminal act by a student on school property or in attendance at a school function, will be classified at the appropriate infraction level.**

**Dependent upon the severity of the misuse of computers, Internet, or software, any infraction will be classified at the appropriate level.**



**BUS DISCIPLINE**  
**Elementary Schools**

Student behavior on buses must be good in order for our students to be transported safely. Drivers will be trained in assertive discipline for use in working with students who exhibit unsatisfactory behavior. Using that model, the following responses will be made by the building administrator for infractions reported by the driver.

**FIRST OFFENSE:** 1. Warning and counseling  
2. Conduct report sent home with student (more severe action will be taken in cases of endangering the safety of others, gross insubordination, or vandalism)

**SECOND OFFENSE:** 1. Conference with student  
2. Disciplinary action taken (principal's/designee's discretion)  
3. Contact with parent documented  
4. Driver arranges conference with parent and principal/designee

**THIRD OFFENSE:** 1. 1-day suspension of bus riding privileges  
2. Copy of bus conduct report mailed home  
3. Attempt to contact parent by phone

**FOURTH OFFENSE:** 1. 2-day suspension of bus riding privileges  
2. Copy of conduct report mailed home  
3. Attempt to contact parent by phone

**FIFTH OFFENSE:** 1. 3-day suspension of bus riding privileges  
2. Bus conduct report mailed home and letter from transportation supervisor mailed home  
3. Attempt to contact parent by phone

**SIXTH OFFENSE:** 1. 5-day suspension of bus riding privileges  
2. Conduct report and letter mailed home  
3. A meeting between the transportation supervisor and parent/guardian required before the student resumes riding the bus  
4. Attempt to contact parent by phone

**REPEATED OFFENSES:** 10-day suspension of bus riding privileges  
**AND/OR**

Recommendation to the School Board that bus riding privileges be suspended for the remainder of the year.

Student misconduct on the bus which constitutes a Level III or Level IV infraction of the Sumter County Code of Student Conduct may result in appropriate Level III or Level IV responses as outlined in the conduct policy.

In cases where corrective action involves suspension from the bus, parents have the responsibility to transport their children to and from school. Students who are suspended from a bus may not ride any district school bus and suspensions remain in effect if students transfer from one school to another within the district.