

Ivy Hawm Student Behavior Policies and Procedures

At Ivy Hawm Charter School of the Arts, our goal is to work with parents and students to build a solid academic background and provide students with a framework of high standards and values that will guide them throughout life. This includes further development of behaviors that will promote respect, responsibility, organization, and self-discipline. Our faculty and staff are here to ensure that each student has the opportunity to learn and to develop to his or her fullest potential in a safe and secure environment. Should a student fail to observe a rule or policy, appropriate disciplinary action will be taken (see Section 208). We understand that circumstances and a range of severity exist for any of the levels of behaviors listed in the Code of Student Conduct and Discipline. Therefore, individual situations will be handled by the school administration based the severity, intensity, and frequency of the inappropriate behavior. Furthermore, we enable our students to self-reflect on their behaviors work with the Problem Solving Team, including a Behavioral Contract to determine if their actions are consistent with our beliefs, values, and core principles. To ensure our students understand the overall expectations in school, it is imperative that parents and/or guardians support us by having a discussion regarding acceptable practices that would foster academic and behavioral growth. We realize the important role parents play throughout their child's academic journey.

To ensure an academically productive classroom environment, no student will be allowed to behave in a manner that interferes with the opportunity of other students to learn and/or with the teacher's responsibility to teach.

School Programs / Safety Procedures:

- Full-Time Guardian: Monitors the interior and exterior of the building from 7:30am – 3:45pm
- Full-Time Campus Advisor: Helps monitor halls to help lower behavior issues
- Character Counts: A team-building elective for 4th and 5th grade where topics include kindness, social skills, respect, bullying, internet safety, responsibility, etc.
- School-Wide Drills: Aligned to VCS, Ivy Hawm participates in monthly fire drills as well as other drills to increase safety awareness
- Know the Law: Assemblies done in Middle School by local law enforcement to educate youth about internet safety
- Behavior Assemblies: Administration hold grade-level assemblies in the beginning of the year to promote positive behavior
- Parent Academies: Monthly events for families to join staff for topics that include Safety and Security
- Guidance: Ivy Hawm has a full-time Guidance Counselor on staff that runs Character Counts and meets with students regularly
- PST Process: Process done by our ESE / Behavior department to track progress or note deficits for students struggling in either academic or behavioral areas. Once process is complete, students can receive additional help
- Hope Grant: Students who fill out bullying documentation may qualify for this grant, allowing them to attend any school in the district
- Bullying and Harassment forms: these forms are available to students and / or families who want to document bullying or harassment happening at the school
- Fencing: To increase safety and security
- Educator's Handbook: Online tool to track referrals and incidents for students
- Security Cameras: 22 live-feed and in color cameras that monitor the exterior doors, hallways, cafeterias, and lobbies to increase safety
- Use of Positive Referrals: Administration, Faculty, and our Dean of Discipline focus on positive behavior of students and they earn Hawner bucks for earning these referrals

Discipline Expectations

Ivy Hawn Charter School of the Arts ensures that each child has the opportunity to learn and to develop to his or her fullest potential. Students will learn and allow others the opportunity to learn. Should a student fail to observe a rule or policy, disciplinary action will be taken.

Parent Expectations

- Show an interest in his or her student's progress through regular communication with their child and the school
- Assure that their student adheres to the school dress code
- Ensure their student's timely daily attendance and report absences promptly to the school
- Teach their child respect for authority of school personnel
- Inform the school of conditions or circumstances, which may affect their child's ability to learn
- Cooperate with and support school personnel in solving disciplinary problems

Student Expectations

- I will adhere to the Ivy Hawn Way:
 - I will do my best everyday
 - I will treat others with kindness and respect
 - I will take responsibility for my words, choices, and actions
- I will read and agree to the student Code of Conduct.
- I understand that noncompliance to these rules will result in discipline referrals and consequences.
- I understand that regular attendance is a critical part of my success.
- **I understand that excessive discipline referrals and attendance issues may affect my ability to participate in school activities (including, but not limited to: field trips in-house activities, performances, and outstanding obligations).**

To ensure an academically productive school environment, all students will behave in a manner that supports the opportunity of other students to learn and the teacher's responsibility to teach. Individual situations will be handled appropriately by the school administrators, as per the student code of conduct.

We hope to work together to maintain an environment in which each child feels safe and secure, and in which all members of the school community are mutually respected.

Ivy Hawn's Governing Board policy is aligned to the Volusia County Schools Policy Guide and Code of Student Conduct and Discipline provided to you in this section (Policy 208)

Disciplinary Offenses and Responses

A. Definitions

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

2. Alternative Education - An educational program used in lieu of suspension or expulsion. Students assigned to an alternative education program are prohibited from attending or participating in other Volusia County Schools' events or activities, where the Code of

Conduct is in effect. For the purpose of this policy, the term "alternative education" does not include schools of choice.

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

4. Arson - willful and malicious damage to any structure by fire or explosion.

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

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

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

8. Bullying - aggressive behavior that is repeated and is intentionally harmful and occurs with no provocation. "Bullying" includes systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to teasing, calling names, social exclusion, threat, intimidation, stalking, physical violence, theft, sexual, religious or racial harassment, public humiliation and destruction of property as well as spreading rumors and influencing others to do the same. The term "bullying" includes cyber-bullying where technology and cyberspace are used for any of the above behaviors and acts. (See also School Board Policy 525 – Policy Against Bullying and Harassment.)

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

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

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

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

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

14. Disruption - behavior which is willful and overt initiated on the part of the student and which requires the attention of school personnel to deal with the incident.

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

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

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

18. Drugs and Alcohol:

a. Possession - to have unlawful custody or control over any substance defined as a drug or alcohol under this code; prescription medication is exempt from the definition of possession if the student in possession of the medication has a valid prescription for that medication and has followed the prescribed procedures for administration of medication.

b. Distribution - the delivery of a drug or alcohol to another by one who is responsible for the introduction of the drug or alcohol upon school board property or at a school sponsored event. Where quantities of the drug or alcohol are extremely small, or where there is some question as to whether the substance was willingly distributed, or where there was a number of individuals passing the same item or substance, the classification of distribution versus possession may be determined by the charging document filed in Juvenile or Criminal Court.

c. Sale - the delivery of a drug or alcohol to another in return for money or other consideration.

d. Use - introduction of alcohol or a drug into the body.

19. Electronic device misuse - the use of a computer, cell phone, smart phone, or other electronic device to take any of the following actions or any similar action is unauthorized and prohibited: violating the acceptable use policy, unauthorized hacking into or accessing or breaking into restricted accounts, networks, or private accounts; modifying, or destroying files without permission; illegally copying software; and entering, accessing, viewing, distributing, or printing inappropriate/unauthorized files, programs, pornographic sites, or sites advocating hate, violence, and/or illegal activity.

20. Explosive device - a prepared chemical or powder device designed to explode or burn, not unaltered commercial fireworks.

21. Expulsion - the discontinuation of educational services provided by Volusia County Schools for a period of time prescribed by the School Board. Students under expulsion are prohibited from attending or participating in Volusia County Schools' events or activities, where the Code of Conduct is in effect.

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

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

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

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

26. Fighting - mutual participation in a fight involving physical violence where there is any degree of injury or where physical restraint is necessary. Does not include verbal confrontations, tussles or other minor confrontations.
27. Firearm - any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm or firearm silencer; any destructive device; or any machine gun. A destructive device is any bomb, grenade, mine, rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. Includes firearms of any kind (operable or inoperable, loaded or unloaded), including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun.
28. Fireworks - explosives or combustibles used to produce light, smoke, odor, or noise.
29. Forgery - to make a document with the intent to defraud.
30. Gambling - to bet money or other stakes on an outcome or a game, contest, or event.
31. Harassment - 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 places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits and/or has the effect of substantially disrupting the orderly operation of a school. (See also School Board Policy 509 – Prohibition of Harassment.)
32. Hazing - any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution. Hazing includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes 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. 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.
33. Hitting/Striking - Purposely making forceful contact with another against his/her will which does not result in an injury, and which does not constitute battery; biting, spitting or throwing bodily fluids (not covered under battery.)
34. Horseplay - rowdy, rough play that interferes with proper order.
35. Inappropriate touching - any contact or touching of a sexual nature which is inappropriate for an educational setting or event.
36. Indecent exposure - exposing or exhibiting sexual organs in any public setting.
37. Insubordination - behavior, acts, or words which are disobedient. Failure to respect the authority of the school or its faculty.
38. Laser lights - any device, which projects a concentrated beam of light in one or more discrete wavelengths.
39. Look alike guns - any replica firearm or toy gun or object which looks like an actual firearm, or toy gun or object which is purposely displayed or represented as a firearm.

40. Malicious threats of violence - threats that do not constitute assault. Words or acts that are not coupled with an apparent ability to do so or which do not create a well-founded fear that such violence is imminent. This does not require law enforcement involvement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55. Sexual harassment - as defined in School Board Policy 509, including any of the following actions or activities: unwanted, repeated, verbal or physical sexual behavior which is offensive and objectionable to the recipient, causes discomfort or humiliation and interferes with school performance. Examples include touching breasts or buttocks, verbal comments, touching oneself in front of others, and/or spreading sexual rumors.

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

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

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

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

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

61. Tobacco products - all items, which in total or in part, include tobacco or a by-product of tobacco, including but not limited to, cigarettes, cigars, chewing tobacco, snuff, and pipe tobacco.

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

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

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

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

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

67. Weapons (other) - possession, use or intention of use of any instrument or object to inflict harm on another person, or to intimidate any person. Included but not limited to in this category are items not being used for a curricular purpose such as all types of knives, chains (any not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), hunting equipment including bows and/or arrows, hunting grade sling shots razor blades or similar instruments with sharp cutting edges, ice picks, dirks,

other pointed instruments, nunchakus, brass knuckles, Chinese stars, billy clubs, tear gas gun, electrical weapons or device (stun gun), BB or pellet gun, explosives or propellants over 2 oz. Possession of any long blade or switch blade knife is included here. A common pocket knife will not be considered to be a weapon unless used as one. Weapons and other items of contraband are also prohibited from being in vehicles while on school board property or while at school sponsored events. Pursuant to F.S. 790.115(2)(a)(3), the district specifically waives the exception regarding weapons possession in vehicles provided in 790.25(5).

B. Classification of Violations

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

C. General Expectations

1. In any situation where a violation of this Code is alleged, the principal or designee will hear the student's explanation and investigate the matter fully before determining if a violation has occurred. If a violation has occurred, the principal or designee will determine the level of that violation.
2. Each classroom teacher is expected to deal with any student's general classroom conduct. The teacher may take the following actions: in-class disciplinary action, contact the student's parent/guardian, and/or will schedule conferences with the student's parent/guardian and other staff including the Problem Solving Team. The student should be referred to the principal or designee only after the actions taken by the teacher are ineffective or the disruption is severe. Teachers have the authority to remove students from the classroom in accordance with the Florida Statute and district procedures.
3. Students making verbal or written threats of violence toward themselves or others or who engage in behavior that is a physical threat to themselves or others receive appropriate intervention in accordance with district procedures. Disciplinary action will be taken as is appropriate according to this policy. The degree of each threat is assessed as directed by Volusia County School's Safety and Security Manual and discussed with the student's parent/guardian.
4. Failure to bring materials and equipment to class, refusal to do homework, or refusal to work in class are not grounds for discipline referral unless classroom disruption results from these acts. The teacher should notify the parent/guardian when a student exhibits poor work habits.

D. Statutory Notices

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

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

3. The possession of a firearm or weapon, as defined in Chapter 790, Florida Statutes, while the student is on school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed. Any student who is determined to have brought a firearm or weapon, as defined in chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation, or to have possessed a firearm at school, will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year and referred to the criminal justice or juvenile justice system. The School Board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The Superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to an alternative education program if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.

4. Violence against any school board personnel by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed.

5. The violation of school board transportation policies, including disruptive behavior on a school bus or at a school bus stop, by a student is grounds for suspension of the student's privilege of riding on a school bus and may be grounds for disciplinary action by the school and may also result in criminal penalties being imposed.

6. The violation of the school board's sexual harassment policy by a student is grounds for in school suspension, out-of-school suspension, expulsion, or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed.

7. Any student who is determined to have made a threat or false report, as defined by sections 790.162 and 790.163, Florida Statutes, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year and referred for criminal prosecution. The School Board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The Superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to an alternative education program if it is determined to be in the best interest of the student and the school system.

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

E. Discipline Offenses and Responses Pursuant to Section 1006.07(1), Florida Statutes, the following program of positive reinforcement shall be used:

1. Level I - Minor Offenses

- Bus disturbance - minor disruption on school sponsored transportation
- Class or school rule violation
- Disruption - minor disruption or disturbance of a school activity, class or campus
- Dress code violation
- False document
- Horseplay
- *Tardiness

- Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels.

Level I - Responses

First Offense - In-school conference with student, and if warranted, contact with parent/guardian.

Subsequent Offenses - In-school conference with student, contact with parent/guardian, and one or more of the following disciplinary actions:

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

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

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

*A student may not be suspended for tardiness.

**For ESE students refer to Behavioral Alternatives document for additional responses.

2. Level II - Intermediate Offenses

- Bus disturbance - considerable disruption on school sponsored transportation
- Cheating/Academic dishonesty
- Disruption - considerable disruption or disturbance of a school activity, class or campus

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

Level II - Responses

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

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

**For ESE students refer to Behavioral Alternatives document for additional responses.

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

3. Level III - Major I Offenses

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

Level III - Responses

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

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

**For ESE students refer to Behavioral Alternatives document for additional responses.

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

4. Level IV - Major II Offenses

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

Level IV - Responses

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

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

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

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

Code of Student Conduct and Discipline Procedures

A. State and federal law recognizes that teachers and school administrators have a need to stand in the place of parents over children entrusted to them at school. This is a concept called *in loco parentis*. While this power is not equal to a parent's power over a child, it permits school personnel to exercise a degree of supervision and control over students that could not be exercised over free adults. Consistent with this concept, school personnel can search without a warrant based on reasonable suspicion and are not held to the higher standard of "probable cause" by which law enforcement is bound. Also consistent with this concept, school personnel can question a student without providing him or her with Miranda warnings or allowing the student to call a parent or attorney.

B. Suspension Procedure*

1. The principal or the principal's designee may suspend a student only in accordance with the code of student conduct and discipline. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student's parent by United States mail. Each suspension and the reasons for the suspension shall also be reported in writing within 24 hours to the Superintendent. A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined in this policy. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him or her prior to the suspension. Each student shall be given an opportunity to present his or her side of the story. All disciplinary meetings between the principal, the student and the parent or guardian shall be informal and not in the nature of an evidentiary hearing. Therefore, requiring testimony, cross-examination, or similar legal proceedings are not permitted. No student shall be suspended for unexcused tardiness, lateness, absence, or truancy. The principal or the principal's designee may suspend any student transported to or from school at public expense from the privilege of riding on a school bus for violation of district school board transportation policies, which shall include a policy regarding behavior at school bus stops, and the principal or the principal's designee shall give notice in writing to the student's parent and to the district school superintendent within 24 hours. School personnel shall not be held legally responsible for suspensions of student made in good faith.

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

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

ten consecutive school days.

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

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

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

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

****As a school of choice, Ivy Hawn is required to report student suspensions to its Governing Board, with the exception of Section III, B2, B6, C1, C2, and C3.***