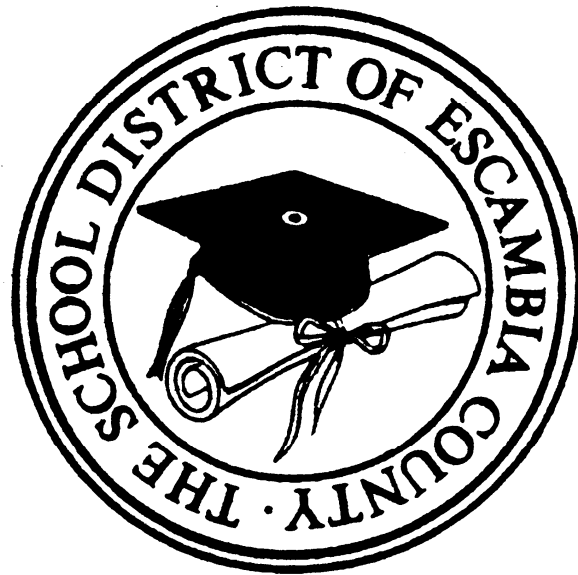


# **STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK**



*"Making a Positive Difference"*

**GRADES 6-12  
2009-2010**

**REFERENCE GUIDE FOR STUDENTS AND PARENTS**

[www.escambia.k12.fl.us](http://www.escambia.k12.fl.us)

**Property of**

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(Student Name)

---

(School)

*Malcolm Thomas*

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Principal

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Malcolm Thomas  
Superintendent of Schools  
469-6130

**The School District of Escambia County**

Students in Escambia County public schools are subject to the rules and regulations of the Escambia County School Board during the school day and regular school activities; while standing at a bus stop, being transported on school buses or at public expense to and from school or other educational facilities; during the time they are otherwise in route to and from school or are presumed by law to be attending school; at such time and places including, but not necessarily limited to, school sponsored events, field trips, athletic functions, and other activities where appropriate school personnel have jurisdiction over students. In addition, jurisdictional control over the student may be extended to the immediate vicinity of the school whenever the conduct of the student is deemed to have a detrimental effect on the health, safety, and welfare of other students and/or of the school.

**School Board Members**

Jeff Bergosh  
District 1

Gerald Boone  
District 2

Linda Moultrie  
District 3

Patricia Hightower  
District 4

William Slayton  
District 5

Phone (850) 469-6155

**2009-2010**

[www.myescambiaschools.com](http://www.myescambiaschools.com)

**ESCAMBIA COUNTY SCHOOL DISTRICT  
2009-2010 SCHOOL CALENDAR  
Board Approved 02-17-09**

Thursday, July 30, 2009	ALL 11 MONTH ADMIN/PROFESSIONAL RETURN
Thursday, July 30, 2009	ALL 11 MONTH TEACHERS RETURN
Monday, August 17, 2009	ALL 10 MONTH TEACHERS – PREPLANNING & INSERVICE
Monday, August 24, 2009	FIRST DAY OF SCHOOL - STUDENTS
Monday, September 7, 2009	<b>LABOR DAY HOLIDAY</b>
Monday, October 26, 2009	TEACHER PLAN/LEARN DAY
Wednesday, November 11, 2009	<b>VETERANS DAY HOLIDAY</b>
Wednesday, November 25, 2009	FALL BREAK
Thursday, November 26, 2009	<b>THANKSGIVING HOLIDAY</b>
Friday, November 27, 2009	<b>THANKSGIVING HOLIDAY</b>
Friday, December 18, 2009	LAST DAY OF SCHOOL BEFORE CHRISTMAS HOLIDAYS
Monday, December 21, 2009 Friday, January 1, 2010	CHRISTMAS HOLIDAYS – ALL EMPLOYEES
Monday, January 4, 2010	TEACHER PLAN/LEARN DAY
Tuesday, January 5, 2010	FIRST DAY OF SCHOOL FOR STUDENTS AFTER CHRISTMAS HOLIDAYS
Monday, January 18, 2010	<b>MARTIN LUTHER KING HOLIDAY</b>
Tuesday, January 19, 2010	TEACHER PLAN/LEARN DAY
Monday, March 29, 2010 Thursday, April 1, 2010	<b>SPRING BREAK – STUDENTS</b>
Friday, April 2, 2010	<b>GOOD FRIDAY HOLIDAY</b>
Monday, May 31, 2010	<b>MEMORIAL DAY</b>
Friday, June 4, 2010	LAST DAY OF SCHOOL FOR STUDENTS
Monday, June 7, 2010 Tuesday, June 8, 2010	10 MONTH TEACHER PLAN/LEARN DAY
Tuesday, June 8, 2010 Tuesday, June 21, 2010	LAST DAY FOR 10 MONTH TEACHERS LAST DAY FOR 11 MONTH TEACHERS
Monday, June 28, 2010	LAST DAY FOR 11 MONTH ADMIN/PROFESSIONAL EMPLOYEES

**THE SCHOOL DISTRICT OF ESCAMBIA COUNTY**

215 WEST GARDEN STREET

PENSACOLA, FL 32502-5728

PHONE (850)432-6131 FAX (850) 469-6379

<http://www.escambia.k12.fl.us>

Dear Students:

Welcome to the 2009-2010 school year. The entire Escambia County School District staff looks forward to this year being filled with positive learning experiences and personal successes for each one of you. We will make every effort to provide you the best educational opportunities available.

This handbook outlines your rights and responsibilities as a student. The underlying principle of **respect and dignity for all** is at the heart of your rights and responsibilities. I am sure you will agree that when we treat every person with respect and dignity, we all get along better.

The rules and guidelines in this handbook should assist you and your parents in understanding expectations for your behavior. Please share and discuss this handbook with your parents. If you or your parents have questions, please ask your teachers, guidance counselors, or principals for clarification. It is much better to have a clear understanding of guidelines before problems arise. I hope the information helps you to make good decisions and responsible choices so that you can have positive experiences this year.

Learning is a lifelong commitment, and each of us needs a goal to work toward. My own goal this year is to visit each school in the district at least twice during the school year.

I hope you too will take a few moments and write down at least one personal academic goal you want to achieve for yourself this year. Please feel free to share your goal with your teachers, parents, and friends.

My goal for my 2009-2010 school year:

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I wish you the most successful school year yet!

Sincerely,



Malcolm Thomas  
Superintendent

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## I. NOTICE OF NON-DISCRIMINATION

The School Board does not unlawfully discriminate on the basis of sex, age, race, creed, color, marital status, national origin, sexual orientation, or disability in the educational programs or extra curricular activities which it operates or in the employment of personnel, nor does the Board tolerate any such discrimination. Grievances alleging violation of this policy shall be made to the Office of Human Resource Services, telephone (850) 469-6102, located at 215 West Garden Street, Pensacola, Florida 32502. School Board Policy 1.17.

Written policies and procedures implementing Section 504 of the Rehabilitation Act of 1973, Subpart "D," have been developed by the District. For information regarding these policies or procedures or to copy any part of the policies, contact the Director of Exceptional Services Student Education at 469-5518 30 East Texar Drive, Pensacola, Florida 32503.

## II. PROVISION FOR MOMENT OF SILENCE

### Section 1003.45(2), Florida Statutes: School Board Policy 7.16

#### ***Moment of Silence***

In each public school classroom the administrator in charge shall, in accordance with this rule, at the opening of school each day observe a brief period of quiet reflection for not more than 60 seconds with the participation of all the students therein assembled.

1. During the moment of silence, the teacher responsible for each classroom shall take care that each student shall
  - remain silent;
  - make no distracting display; and/or
  - not interfere with or impede other students in the exercise of individual choice.
2. No person and no employee or agent of the district shall
  - coerce, advocate, or encourage in any way whatsoever prayer or any religious activity by students;
  - discourage in any way whatsoever prayer or any religious activity by a student.
3. The moment of quiet reflection authorized by paragraph one (1) of this rule is not intended to be, and shall not be conducted, as a religious service or exercise but shall be considered an opportunity for a moment of silent reflection on the anticipated activities of the day.
4. A school administrator or designee shall initiate the moment of silence for the entire school through the public address system utilized by the school.
5. As a citizen, each student is expected to show respect for the flag of the United States during the Pledge of Allegiance, those students who object to participation on the grounds of conscience shall have the right to abstain. This right to abstain shall be exercised and honored in a courteous manner.

**III. “PARENT’S RIGHT TO KNOW”**  
**SECTION 1111(h) (6) (A & B) OF THE NO CHILD LEFT BEHIND ACT**

You may request and the District will provide information regarding the professional qualifications of your child’s classroom teacher and the services provided by paraprofessionals, as well as their qualifications.

***Parental Access***

In the case of divorce or separation, both parents shall have full rights to participate in the child(ren)’s school activities, receive copies of educational records, and discuss their child(ren) with school personnel. Parents or guardians of students who have court orders that limit the other parent’s rights or prevent access to the child(ren) shall provide a certified copy of the court order to school officials.

UNLESS OTHERWISE DETERMINED BY COURT ORDER, the following rules apply to picking up the child from school (early check-out or after school pick-up):

1. If one parent has primary residential custody, that parent has sole authority to determine who may remove the student from the school campus.
2. If custody is joint or rotating, both parents have the authority to determine who may remove the child.

In the event of any questions or concerns, contact the principal.

**IV. RIGHTS AND RESPONSIBILITIES  
OF STUDENTS**

**1. RIGHT:**

Students have a right to utilize all educational opportunities available in the Escambia County School District.

***RESPONSIBILITY:***

Students have the responsibility to be prepared for class, to take part in classroom activities, and to complete assignments given by the teacher(s).

**2. RIGHT:**

Students have the right to competent teachers, as determined by the proper administrative authorities, in a learning atmosphere free from turmoil, bias, prejudice, ridicule, and/or harassment.

**RESPONSIBILITY:**

Students have the responsibility to respect the authority and directions of the teacher and to contribute toward the development of a positive climate that is conducive to wholesome learning in the school.

**3. RIGHT:**

Students have the right to expect classes to have reasonable continuity. Interruptions shall be kept to a minimum.

**RESPONSIBILITY:**

Students have the responsibility to make productive use of class time to enhance the educational process and to adjust appropriately to any necessary interruptions of regularly scheduled classes.

**4. RIGHT:**

Students have the right within their level of maturity to provide input into formulating school rules and in selecting curriculum and courses.

**RESPONSIBILITY:**

Students have the responsibility to involve themselves in the student government committee process and the school advisory committee and to enrich the classes in which they are enrolled through participation in planning, implementation, and evaluation within the confines of course objectives.

**5. RIGHT:**

Students have the right to take part in school or extracurricular activities and to seek office in an organization, provided their academic and disciplinary records are satisfactory and they are qualified on the basis of the activity or the organization's criteria.

**RESPONSIBILITY:**

Students have the responsibility to follow guidelines set up for participation and to conduct election campaigns in a positive, mature manner.

**NOTE:** Sponsors and students are to refer to the Florida Election Code, Chapters 97 – 106, inclusive, Florida Statutes (2008)

**6. RIGHT:**

Students have a right to expect that activities, programs, clubs, and organizations provide opportunities to meet a variety of student interests.

**RESPONSIBILITY:**

Students have a responsibility to inform the school leadership of their interests.

**7. RIGHT:**

Students have the right to join any school-sponsored club or organization if they qualify, except when the total number of members exceeds that of the organization's constitution already on file with the school principal.

**RESPONSIBILITY:**

Students have the responsibility not to discriminate against or harass other students on any basis including, but not limited to, racial/ethnic origins, gender, sexual orientation, religion, or disability.

Clubs, organizations, and activities must be open to all students. If a student qualifies, he/she has a right to join. Members shall not be selected by secret ballot.

Membership in a club or organization should not interfere with a student's instructional program.

A charter and constitution stating membership qualifications and rules of conduct must be written by both students and teachers, be approved by the administration, and be kept on file so that all students, parents, and school personnel may read them. The constitution of a club shall determine its number of members.

All club meetings must be held on the school grounds except for special meetings or events which are approved by the administration.

The faculty sponsor of a club or organization is responsible for securing appropriate chaperones for all meetings of clubs and organization. Volunteers must comply with all applicable Board policies regarding selection and screening. See Board Policy 2.12.

All money collected by clubs or organizations must be handled through the school in accordance with School Board policies. All school activities sponsored by national organizations, i.e., Anchor Club, Key Club, National Honor Society, etc., must follow the national organization rules.

**8. RIGHT:**

Students have the right to gather in groups for conversation in areas authorized for that purpose when not assigned to a class or organized activity. Each school will designate areas to be used for that purpose.

**RESPONSIBILITY:**

Students have the responsibility when assembled to conduct themselves in an orderly manner.

**NOTE:** If a disturbance should occur, the regular schedule may be altered, and students may be required to go to a classroom or other location immediately.

**9. RIGHT:**

Students have the right to submit material to school-sponsored publications that meet acceptable journalistic standards.

**RESPONSIBILITY:**

Students have the responsibility to comply with accepted democratic values and to respect the individual's rights either in print or in pictures.

**10. RIGHT:**

Students have the right to the privacy of a locker, where provided, for their personal property except under the following conditions:

A student's locker, book bag, personal property, vehicle, or other storage area may be opened for inspection by the principal or the principal's designee when there is reasonable suspicion that he/she possesses an illegal substance or a prohibited object. If drugs or weapons prohibited by law are found, the proper law enforcement official will be contacted. Under **reasonable** circumstances, the student will be present. Section 1006.09, Florida Statutes

**RESPONSIBILITY:**

Students must pay the appropriate lock rental fee, keep the locker reasonably clean, avoid storage of prohibited items, and follow appropriate school procedures concerning lockers.

Vandalism of school property or another person's property will not be tolerated. Compensation for damage to school property is the student's and parent's/guardian's responsibility as specified in 985.437 and 985.455, Florida Statutes (2008).

**11. RIGHT:**

Students have the right to carry a cell phone during the school day under the following conditions:

The cell phone must be off while the student is being transported on a school bus and from the opening bell to the dismissal bell of the school day. The principal or designee may confiscate a student's cell phone and search its contents including phone usage, texting, pictures, audio, video, and history when there is a reasonable suspicion that the student violated the district's acceptable use guidelines. Students must provide passwords necessary to access cell phone memory. See Section VIII of this publication for additional information.

**RESPONSIBILITY**

**Students have the responsibility to obey the District's acceptable use guidelines.**

**12. RIGHT:**

Students may expect school facilities to be clean and in reasonable order.

**RESPONSIBILITY:**

Students shall show respect for personal and public property. Students will be expected to help keep their school campus free of all litter. Compensation for damages to school property is the student's and parent's/guardian's responsibility as specified in Section 741.24 and 1006.42 Florida Statutes 2008.

**13. RIGHT:**

Students may expect to attend school in a safe environment conducive to their intellectual, social, emotional, and physical development.

**RESPONSIBILITY:**

Students that witness or have knowledge of criminal or other unlawful acts shall report such acts to school personnel, the appropriate law enforcement agency, or the District administration. (CRIME STOPPERS, 433-STOP information is listed on Page 19.)

**V. ATTENDANCE (Sections 1003.24, 1003.26, 1003.27, Florida Statutes)**

Compulsory school attendance age now applies to students between six (6) and eighteen (18) years of age unless the parent files a notice with the school of the student's intent to terminate school enrollment. This notice of intent applies to students between the ages of sixteen (16) and eighteen (18) only. All students are expected to attend school each day except for reasons indicated under Excusable Absence.

***Excusable absence includes***

- that which is caused by the illness of student, serious illness, death in the family, or quarantine.
- that which has the sanction of both parents and school. This agreement should be made prior to the absence. **An absence related to vacation will not be excused.**
- that which the principal deems excusable because of unusual circumstances.
- that which recognizes absence for a religious holiday. (Prior notice of absence is required.)

Each absence must be explained. Parents or guardians are responsible for providing notification within three (3) days of the student's return to school or the absence will result in being recorded as "unexcused absence." Notification should include the student's name, the date the student was absent, the reason for the absence, and parent's or legal guardian's name. Schools may request the parent or guardian contact the school by telephone within three days or provide the written notice upon the student's return to school.

Absences related to illness or injury of the student shall be excused upon receiving notification by the parents or guardian for absences of no more than five (5) consecutive days or a total of ten (10) days in a period of ninety (90) calendar days.

Students who check in or out of school for a medical appointment should provide documentation from the medical professional upon return to the school for the absence to be excused.

Absences related to illness or injury of the student that exceed five (5) consecutive days or a total of ten (10) days in a period on ninety (90) calendar days shall require a physician's statement. The physician's statement should indicate the student is under his/her care and the dates (or period of time) that it is medically necessary for the student to be absent. Absences related to illness or injury that exceed the number of days described above and lack a physician's statement as required shall be recorded as "unexcused absences." Any student who accumulates five (5) unexcused absences in a thirty (30) calendar day period or ten (10) days in a period of ninety (90) calendar days will be referred to an attendance child study team. The student's parent/guardian shall be notified and a parent/guardian meeting will be scheduled to identify potential remedies. S. 1003.26 Florida Statutes (2008). This policy applies to absences from individual class periods, as well as to absences from the entire school day.

Students with excused absences will be allowed to make up all missed work. All missed work must be requested by the student/parent/guardian upon the student's return to school with an excused absence. All work assigned during a student's excused absence may be submitted without penalty upon the student's return at a time agreed to by the teacher and student but no less than the number of consecutive days absent. 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. S. 1006.09 Florida Statutes (2008)

Students will receive a zero on all graded classwork/tests during unexcused absences and suspensions.

To be counted present in a **class**, the student must be in attendance at least half the **class period**. Students in attendance for any part of the school day are counted present for the day but counted **absent** for any **classes** missed.

Upon request, students will be provided information regarding daily classwork within 24 hours of being suspended so the student may remain current with class assignments. Each school shall determine how the assignments are given to the student/parent. Only **homework** that is graded for all students will be graded for suspended students. Homework not graded for other students will not be graded for suspended students. **Suspended students who do not complete "graded" homework assignments in a reasonable amount of time subject to administrative review will receive zeroes for those assignments. With the exception of homework graded for all students, suspended students will receive zeroes for all work missed while suspended.**

State law requires the name of any minor with fifteen (15) unexcused absences during a period of ninety (90) calendar days reported to the district school board and the Department of Highway Safety and Motor Vehicles. Students reported to the Department of Highway Safety and Motor Vehicles shall have their license suspended or withheld upon making application for a license unless the department is provided with (a) proof of compliance or (b) a hardship waiver. Request for proof of compliance or a hardship waiver should be made to the school social worker within fifteen (15) days from the date of receipt of the notice of intent to suspend the license.

Should the request for a hardship waiver be denied by the principal or the principal's designee, the student, parent or guardian may request to appeal that decision to the School Board. Requests to appeal the school's decision regarding a hardship waiver shall be made in writing and submitted to the Office of School Social Workers, 30 East Texar Drive, Pensacola, Florida, 32503.

### ***Guidelines for Class Work Missed by Student Attending Gifted Enrichment Centers***

Gifted students' attendance one day each week at a Gifted Center is considered part of their regular school day. Gifted students

- are expected to maintain normal progress and master the same concepts and skills taught in all general education classes.
- may not be counted absent while attending a gifted center.
- must be permitted to make up any tests that are missed during gifted program attendance with no penalty because of program participation.
- may not be required to complete routine work assignments and must be provided any required makeup work by the teacher.
- must be given adequate time for makeup work.

Center Contact Numbers:  
PATS Center, (494-5640 x 260)  
Lipscomb Center (494-5760)  
West Side Gifted Center (492-0531)

### ***Awarding Credits***

A student who misses more than five (5) days during a semester, must demonstrate mastery in one of the following methods to be eligible to earn credit:

- 1) earn a passing grade on the semester exam that when averaged with the two grading periods is 60 percent or higher for the course; or
- 2) earn a course average of 70 percent or higher.

A student who has not been in attendance for the required number of days and does not demonstrate mastery by one of the two methods listed above will have a maximum of a 59 recorded in academic history for that course. 1003.428 (4), 1003.436 Florida Statutes

### ***Religious Holiday***

Students shall receive an excused absence for an absence related to the observance of a religious holiday per Section 1002.20 Florida Statutes (2008). The observance of the holiday shall be consistent with the tenets of the student's religion. Parents/guardians shall provide written notice of the observance prior to the absence. A note shall not be required upon the student's return to school. Students shall not receive any adverse effect for an absence related to the observance of a religious holiday and shall be allowed to make up any work missed as the result of the absence.

### ***Truancy – See Chapter 1003, Florida Statutes (2008)***

1. Each parent/guardian is responsible for his/her child's school attendance as required by law. Whenever a child of compulsory school attendance age is absent without the permission of the person in charge of the school, the parent/guardian of the child shall report and explain the cause of such absence as soon as practical after learning of such absence.
2. If a student under the age of eighteen (18) is absent from school without valid reason, the parent shall be given written notice requiring that the child be in attendance at school within three (3) days from the date of the notice. Failure to comply with such notice may subject the parents to criminal prosecution.
3. Students who become habitual truants shall be dealt with according to the provisions of Section 1003.27 and Chapter 39, Florida Statutes.

4. During the school day, students between the ages of six (6) and eighteen (18) who are not in school or under the supervision of an adult shall be transported to school when found by law enforcement.

### ***Law Enforcement Officers and the Truant Child***

A law enforcement officer is authorized to take a child into custody when such officer has reasonable grounds to believe that the child is truant. 984.13, Florida Statutes (2008)

### ***Tardy Policy***

Each school shall develop a written tardy policy which will encourage on-time arrival to school and class. Students cannot be suspended for tardiness or truancy. 1006.09 (1), Florida Statutes

## **VI. DISCIPLINE PROCEDURES AND DUE PROCESS RIGHTS FOR STUDENTS**

### ***STUDENT SUBJECT TO CONTROL OF SCHOOL***

Each student enrolled in a public school shall, during the time he/she is being transported to or from school at public expense, during the time he/she is attending school, and during the time he/she is on the school premises or at any school sponsored event, 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. Section 1003.31, Florida Statutes.

**Students while at the bus stop are subject to the discipline procedures of the district when engaging in disruptive behavior or other violations of district policy found in the *Student Rights and Responsibilities Handbook*.**

The Superintendent or his designee has the authority to involuntarily transfer or assign a student to another zoned school of attendance when such placement is determined to further the interest of the School Board in maintaining a safe and orderly environment. A student who is repeatedly disruptive or who poses a threat to the health, safety, or welfare of others may be assigned involuntarily to an alternative school. 1006.09 Florida Statutes (2008)

***NOTE:* State Board Rule 6A-1.0404 authorizes the use of a student's juvenile justice information and criminal record in conjunction with other relevant information for the purpose of reviewing a student's educational placement and need for services and to protect the safety of other students and school personnel.**

### ***DUE PROCESS PROCEDURES***

All students will be given the right of due process, the course of legal proceedings established by the legal system of a nation or a state to protect individual rights and liberties. **Due process is a student right and not to be confused with a parental right. (Parental notification is not required prior to questioning of a student.) Certainly there is an obligation to the parents, but this obligation is**

**limited to the evidence and the charges against the student. The school will make a reasonable attempt to notify a parent/guardian at the conclusion of the due process procedure and document that such an attempt was made.**

1. Prior to any disciplinary action, the student will be informed of charges against him/her orally and in writing.
2. The student will be asked whether he/she is guilty/not guilty.
3. If the student claims innocence, the evidence against him/her will be explained.
4. The student will be allowed to present his/her side of the case.
5. All evidence will be considered by the principal or designee.
6. The penalty invoked will be in direct proportion to the severity of the infraction and the student's past disciplinary record as determined by the administrator.

**NOTE: A student is not entitled to legal counsel, to cross examine witnesses, or to call his/her own witnesses unless a suspension exceeds ten (10) days.**

### ***INTERVENTIONS/CONSEQUENCES***

One or more of the following procedures will be initiated: (All procedures may not be available at all campuses.)

1. conference between school administrator and student
2. telephone conference between school administrator and parents
3. conference at school between school administrator and parents
4. referral to school social worker
5. referral to school guidance counselor
6. referral to Child Study Team
7. referral to Out Patient Service
8. referral to Violence Prevention Program
9. referral to peer mediation
10. placement on behavior contract
11. assignment to work detail
12. assignment to detention
13. assignment to Saturday work detail, detention, or remediation
14. assignment to in-school suspension
15. temporary removal from class following proper procedures
16. referral or assignment to another school within the district or alternative educational setting (also can be utilized for a student waiting for expulsion hearing)
17. suspension from school and/or bus
18. recommendation for expulsion
19. referral for criminal procedures or non-criminal procedures
20. other

**NOTE: The nature of the offense and/or the student's past disciplinary record will be considered in disciplinary action under the progressive disciplinary policy.**

### ***DETENTION/SATURDAY PROGRAM***

Detention of students before/after school shall be kept to a minimum. Middle and high school students, Grades 6-12, shall not be detained for more than sixty minutes before the open of or after the close of the school day. Saturday disciplinary programs shall be limited to duration of four

hours or less. Transportation for detained students shall be arranged by the student or parent upon receiving notice of detention. Middle school and high school parents/guardians shall be notified a minimum of twenty-four hours in advance of detention or Saturday programs. Failure to comply with Saturday detention may result in out-of-school suspension.

### ***CORPORAL PUNISHMENT***

Corporal punishment will not be administered in the Escambia County School District.

### ***REMOVAL FROM CLASS***

A teacher has the authority to request permanent removal of a student from his or her class for repeated disruptive behavior or for a violent incident and to request that the student not be allowed to return to the classroom as provided by Section 1003.32, Florida Statutes.

### ***SUSPENSION (IN-SCHOOL)***

In-school suspension is the temporary removal of a student from the student's regular school program and placement into an alternative program under the supervision of school district personnel for a period not to exceed ten (10) school days per incident. This disciplinary alternative is not available on all campuses.

### ***SUSPENSION (OUT-OF-SCHOOL)***

Suspension is the 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 (10) ten school days per incident. 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 parents by United States mail. 1006.09, Florida Statutes (2008) A good faith effort shall be made by the principal to employ parental assistance or other alternative measures prior to suspension except in the case of emergency or disruptive conditions which require immediate suspension. No student shall be suspended for unexcused tardiness, absence, or truancy.

Upon request, students will be provided information regarding daily classwork within 24 hours of being suspended so the student may remain current with class assignments. Each school shall determine how the assignments are given to the student/parent. Only **homework** that is graded for all students will be graded for suspended students. Homework not graded for other students will not be graded for suspended students. **Suspended students who do not complete "graded" homework assignments in a reasonable amount of time subject to administrative review will receive zeroes for those assignments. With the exception of homework graded for all students, suspended students will receive zeroes for all work missed while suspended.**

#### ***Restrictions during suspension***

1. Section 810.097 Florida Statutes, (2008) provides that any person who does not have legitimate business on the campus or any other authorization, license, or invitation to enter

or remain upon school property; or who is a student currently under suspension or expulsion; and who enters or remains upon the campus or any other facility owned by any such school commits a trespass upon the grounds of a school facility and is guilty of a misdemeanor of the second degree. Therefore suspended students trespassing **on any district property/school** campus or at the premise of any school event shall be subject to immediate arrest.

2. Students who have been suspended from school shall not be allowed to participate in or attend **any extracurricular activities** except as authorized by the principal or the principal's designee. A student must be in attendance in school to be eligible to participate in any extracurricular activity; therefore, a student who is suspended may not participate in extracurricular activities the day of a suspension. A student whose suspension period ends on a Friday may not participate in extracurricular activities that evening. A student whose suspension period includes a weekend may not participate in extracurricular activities over the weekend.
3. Grades during suspension – See Attendance Section V, page 6.

### ***Extended suspension***

When district school board action on a recommendation for the expulsion of a student is pending, the district school superintendent may extend the suspension assigned by the principal beyond 10 school days if such suspension period expires before the next regular or special meeting of the district school board. Section 1006.08 (1), Florida Statutes

## **OUT-OF- DISTRICT STUDENTS**

A student attending a school out of his/her zoned district must maintain passing grades, demonstrate appropriate behavior, and maintain good attendance. Failure to do so may result in the principal requesting that the student be returned to the home school. There must be documented evidence that a parent conference has been held prior to such a request being made by the principal.

### ***EXPULSION***

***Expulsion means the removal of the right and obligation of a student to attend a public school under the conditions set by the district school board for a period of time not to exceed the remainder of the term or school year and 1 additional year of attendance. Expulsions may be imposed with or without continuing educational services. Section 1003.1(6) Florida Statutes***

In the event that a student is recommended for expulsion, the student or his/her parents/guardians may request a formal administrative hearing or they may request a hearing before the School Board. Such requests shall be submitted to the Superintendent in writing and within seven days of receipt of the Superintendent's "Notice of Recommendation for Expulsion." When district school board action on a recommendation for the expulsion of a student is pending, the district school superintendent may extend the suspension assigned by the principal beyond 10 school days if such suspension period expires before the next regular or special meeting of the district school board.

***Restrictions during expulsion:***

1. Expelled students trespassing on any district property/school campus, shall be subject to immediate arrest as authorized by the principal or his designee.
2. Expelled students shall not be allowed to participate in or attend any extracurricular activities.

***OFF CAMPUS FELONY CRIMINAL CHARGES/DRUG ABUSE/POSSESSION Section 1006.09 (2), Florida Statutes***

Suspension proceedings, pursuant to rules of the State Board of Education, may be initiated against any enrolled student who is either 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/guardians 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 above referenced statute 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 10 days, as determined by the district school superintendent. The suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in a day time or night time alternative program where appropriate.

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 district 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. Any student who is subject to discipline or expulsion for an off campus felony for unlawful possession or use of any substance controlled under Chapter 893 may be entitled to a waiver of the discipline or expulsion

1. if the student provides 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 provided which leads to arrest and conviction is not admissible in a subsequent criminal trial against the student divulging the information.
2. 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.

## VII. DISCIPLINARY ACTIONS FOR EXCEPTIONAL EDUCATION STUDENTS OR STUDENTS WITH AN ACTIVE 504 PLAN

### Students with A Disability

Escambia County School District does not discriminate on the basis of disability in admission, access to, treatment, or employment in its programs and activities. The district has the obligation to provide a free appropriate public education to student with disabilities.

Infractions of rules as specified in the *Students Rights and Responsibilities Handbook* which might result in suspension and expulsion of a regular education student may require a major change in the IEP of a student with a disability; therefore, change of placement decisions must involve the IEP committee to ensure that any change in educational placement must not result in a complete cessation of educational services. All procedures as outlined in the *Special Programs and Procedures for Exceptional Students* regarding IEP review will be followed.

An exceptional education student may be suspended for a total of ten days annually for infractions of rules.

When a student with a disability has incurred 5 – 10 suspension days, the school will conduct a Review of Suspension. The Review of Suspension must be held as soon as possible when the student has earned the 10<sup>th</sup> suspension day, but may be done sooner.

If a student commits a serious safety offense involving weapons, illegal drugs or controlled substances, and /or serious bodily injury, or multiple offenses of a less serious nature, the principal may call for a Review of Placement. Within twenty-four (24) hours of the student's suspension, the principal/designee shall

- provide written notice to the student and his/her parent(s) or guardian(s) of the suspension;
- specify alleged charges; and
- provide the parent(s) and/or guardian(s) written notice of a Review of Placement meeting (specifying the purpose, participants, time, and place) and request the parent(s) and or guardian(s) to attend.

The district will convene the IEP committee and conduct a Manifestation Determination/Review of Placement meeting.

If it is determined that the behavior is NOT a manifestation of the student's disability, the committee will consider the most appropriate placement for the student and continue to provide services. Consideration may involve a location outside the student's school of residence. A Functional Behavior Assessment will be conducted, Positive Behavior Intervention Plan created, and IEP developed to address the appropriate needs of the student.

Should the committee determine the behavior to be a manifestation of the student's disability, and the behavior did not involve weapons, drugs or serious bodily injury, a Functional Behavior Assessment will be conducted, Positive Behavior Intervention Plan created, and an IEP developed to address the appropriate needs of the student at the school of enrollment. The LEA and parent could agree to a change of placement as an intervention. If the behavior did involve weapons, drugs, or serious bodily

injury, a Functional Behavior Assessment will be conducted, Behavior Intervention Plan created, and IEP developed to address the appropriate needs of the student at an alternative setting for a minimum of 45 days.

The parent(s) and/or guardian(s) will be given a copy of the documents generated by the Manifestation Determination/Review of Placement committee and their procedural safeguards. If they have not participated in the review, a copy will be sent to them.

### ***Students Who Are Gifted***

In the State of Florida and Escambia County School District, gifted is considered part of Exceptional Student Education (ESE); therefore, students have a right under state statutes to receive a free and appropriate public education. ESE students whose only exceptionality is gifted are bound by the same requirements as specified in the *Students Rights and Responsibilities Handbook* concerning in lieu of expulsion, involuntary transfer, suspension and expulsion as general education students. When those procedures are followed and result in a change in placement to a public alternative facility within Escambia County, the district will review the current Educational Plan to ensure that the student's gifted needs are addressed.

To guarantee a free and appropriate public education for ESE students whose only exceptionality is gifted, the following procedure should be followed.

- Before any disciplinary action for a student identified as gifted results in an in lieu of expulsion, involuntary transfer, expulsion or alternative placement to a public facility, the building principal will notify the teacher of the gifted responsible for the student's Educational Plan (EP).
- After any decision to implement a change in placement and before withdrawing a gifted child from the Escambia School District to a public facility in Escambia County, an Educational Plan Team meeting must occur. In the case of expulsion consideration, the meeting should follow a decision in an administrative hearing to place a student in a public alternative facility. The Subject Area Specialist for Gifted should be notified and invited to participate in all Educational Plan Team meetings to discuss services in an alternative placement public facility.
- The EP Committee will revise the Educational Plan to provide appropriate services based on the needs of the student or consider dismissal should the criteria be met.

### ***Suspension and/or Expulsion of a student with an Active 504 Plan***

Students who have active 504 plans and reach 10 days of suspension and/or expulsion will be given a manifestation determination review.

The Director of Exceptional Student Education has been designated as the responsible employee to coordinate grievance procedures in Section 504 of the Rehabilitation Act of 1973. Complaints alleging

violations of this act shall be made in writing to the Director of Exceptional Student Education, 30 East Texar Drive, Pensacola, Florida 32503 or by calling 469-5518.

## VIII. PROVISION TO ENSURE THE SAFETY OF STUDENTS

### **Denial of Permission for Internet/Media**

**All students have permission to access the Internet for educational purposes; to be photographed, videotaped, or interviewed by the news media regarding school-sponsored activities; and to publish school authorized work on Escambia School District Web pages. A parent or guardian may deny his/her child any or all of these permissions by proactively requesting, completing, and returning a Denial of Permission Form to the student's school. The Denial of Permission Form is available to a parent or guardian upon request at the student's school. For additional information, refer to the "acceptable use" guidelines located on the district web site.**

### ***Campus Hours***

The principal of each school will designate a time when students are to arrive on the school campus. Parents are advised that the school will not be responsible for students who are on school premises prior to that time. Immediately upon dismissal in the afternoon, students are to leave the campus. Exceptions may be allowed for those students involved in supervised extracurricular activities.

### ***Students Arriving/Leaving School During School Day***

1. Students arriving or leaving school during the school day must have permission verified by the parent/guardian and follow prescribed check-in and check-out procedures. This rule includes leaving campus in the morning prior to the opening of school.
2. Students shall not be permitted to leave school with persons whose identity has not been satisfactorily established or whose authority to transport the child from school has not been authenticated by appropriate school records.

A non-residential parent shall not remove the student from school without the knowledge and consent of the residential parent unless the school is furnished with a certified copy of the order that specifically permits the non-residential parent to remove the child from school. The primary residential parent has the sole authority to determine who may remove the student from school unless otherwise determined by court order.

### ***Student Pick-up /Drop Off Area***

The principal of each school will designate a specific area for students who are waiting for school to begin or to be picked up at the conclusion of school or after-school activities. In the event a student must call his/her parents, a specific telephone will be designated. It shall be the responsibility of the student to wait in the designated area. Any student not in the designated pick-up area after school shall be subject to disciplinary action. **Parents may not drop off a student prior to 30 minutes before the start of school or a school-sponsored activity and must pick up the student within**

**30 minutes of the dismissal of school or the close of a school-sponsored activity. It is not the school's responsibility to supervise more than 30 minutes after the school day or at the end of a school sponsored activity.**

### ***Sexual Harassment***

1. The Escambia County School Board prohibits sexual harassment of students in any form which involves employees, school volunteers, or other students. Behaviors considered to be sexual harassment include but are not limited to the following:
  - spreading sexual gossip
  - making unwanted sexual comments (whether intended to be serious or humorous)
  - pressuring for sexual activity
  - making any unwanted physical contact of a sexual nature
  - making any unwanted sexually suggestive telephone calls, emails, text messages, pictures, video, audio, or writing unwarranted suggestive letters.
  - creating a hostile, offensive, or intimidating environment based on or related to gender that has the purpose or effect of interfering with an individual's academic performance
  - requesting sexual favors.
2. Any student who believes that he or she is a victim of sexual harassment shall immediately report the individual(s) to any district employee as well as to the parent/guardian.
3. Any employee who becomes aware of an allegation of sexual harassment of a student shall immediately report that allegation to the school administration or to the deputy superintendent whether or not the staff member feels the allegation is well founded.
4. All complaints will be investigated promptly and, if substantiated, the appropriate disciplinary action will be taken. Retaliation against individuals who report or file a complaint in good faith will not be tolerated.
5. Violation of the sexual harassment policy by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or other disciplinary action and may also result in criminal prosecution and penalties.

The Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property or while enroute to or from school-sponsored activities, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control or where an employee is engaged in school business.

## **Aggressive Behavior**

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's education or his/her physical, or emotional well being. This type of behavior is a form of intimidation and harassment although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, or hazing.

Any student who believes he/she has been or is the victim of aggressive behavior should immediately report the situation to the building principal or assistant principal or the Superintendent. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chairman.

Every student is encouraged and every staff member is required to report any situation that they believe to be aggressive behavior directed toward a student. All complaints about aggressive behavior that may violate this policy shall be promptly investigated.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports about aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action.

The following definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition he/she should report it and allow the administration to determine the appropriate course of action.

**Gang Activity:** The School District of Escambia County does not allow gang activity as defined by Florida Law. See Chapter 874, Florida Statutes (2008). This includes gang-affiliated signs, symbols, and dress. For more information, see Dress Code, page 36. It is the policy of the Escambia County School District that all of its students and school employees have an educational setting that is safe, secure, and free from harassment, and bullying of any kind. The district will not tolerate unlawful harassment of any type. Conduct that constitutes bullying, as defined herein, is prohibited.

## **POLICY AGAINST BULLYING AND HARASSMENT (School Board Rule 7.18)**

### **Definition of bullying and a definition of harassment:**

Bullying means 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; any may involve but is not limited to

- a. Unwanted teasing
- b. Social exclusion
- c. Threat
- d. Intimidation
- e. Stalking
- f. Physical violence
- g. Theft
- h. Sexual, religious, or racial harassment
- i. Public humiliation
- j. Destruction of property

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:

- 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; or
- has the effect of substantially disrupting the orderly operation of a school

**Bullying and harassment also encompasses:**

- 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.
- perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with an intent to demean, dehumanize, or cause emotional or physical harm to a student or school employee by
- incitement or coercion
- accessing or knowingly and willingly 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
- acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

**Cyberstalking as defined in Section 784.048(1)(d), F.S.**

- engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication,

directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

For additional information, please refer to School Board Policy 7.18.

### ***Disturbing School Functions***

Any person not subject to the rules and regulations of the school who creates a disturbance on the property or grounds of any school, who commits any act that interrupts the orderly conduct of a school or any activity thereof, shall be guilty of a misdemeanor of the second degree, punishable as provided by law. This section shall not apply to any student in or subject to the discipline of a school.

### ***Visitors On Campus***

Visitors or other individuals with legitimate educational interests or business are welcome at Escambia district schools. To avoid class disruptions and to ensure the safety of students and school personnel, all visitors are required to check in and out through the school's main office. Each principal has the authority to bar persons from coming onto school property for violation of the rules or other disruptive behavior. Violators are subject to arrest for trespassing.

### ***Secret Societies Prohibited in Public Schools (Section 1006.14 Florida Statutes)***

It is unlawful for any person, group, or organization to organize or establish a fraternity, whole or in part, of students enrolled in any public school or to go on any school campus for the purpose of soliciting any students to join such an organization.

“A secret society shall be interpreted to be a fraternity, sorority or other organization, whose active membership is comprised wholly or partly of students enrolled in K-12 public schools and which perpetuates itself wholly or partly by taking in additional members from the students enrolled in public K-12 schools 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 of and take part in any class or group exercise designated and classified according to gender, subjects included in the course of study, or program of school activities fostered and promoted by the district school board and district school superintendent or by school principals.” (Section 1006.14 Florida Statutes)

### ***Law Enforcement Officer Questioning Students at School (Excluding School Resource Officer)***

If any officer wishes to question a student at school, a suitable place will be provided, but questioning will be permitted only after the officer has provided proper identification. The principal or designee may be present during the interview at the request or authorization of the student. The conference area should be so located as to create as little attention as possible to the matter.

If the officer decides to take the student from the school grounds, he/she should be permitted to do so only on the basis of a warrant of arrest, court order, or by the statement of the officer that he/she is placing the student under arrest or taking the student into custody. The officer should be asked to sign an affidavit accepting custody for the student before removing him/her from the school grounds. Affidavit forms are available in the school's front office.

The school shall make a **reasonable effort in a timely manner** to notify the parent(s)/guardian(s) when appropriate, that the student has been questioned or has been placed under arrest.

### ***Department of Children and Families Staff Interviews or Removal of Students from School***

Notification of parents regarding removal or interview of a student while on school premises by personnel of the Department of Children and Families is the responsibility of the Department of Children and Families.

If any Department of Children and Families staff person wishes to interview a student at school, a suitable place will be provided, but the interview will be permitted only after the Children and Families staff person has provided appropriate identification from the Department of Children and Families. The principal or designee will be present only if the Children and Families staff person feels it will enhance the interview and the student requests or consents to the presence of the principal/designee. The school district witness, when involved in interviews of children by Department of Children and Families, will not be involved in the investigation but will serve only as a witness to the interview. The school district witness will be bound by the confidentiality provisions governing child protective investigation interviews found in Chapter 39 Florida Statutes. If the Department of Children and Families staff person elects to remove a student from the school, he/she must sign an affidavit accepting custody for the student before removing him/her from the school.

### ***Child Abuse – Reports by Parents and Other Persons to Hotline/Law Enforcement***

Section 39.201, Florida Statutes, **requires** employees of the school district to report any and all suspected or reported cases of child abuse to the Department of Children and Families.

Parents are advised that they should report known or suspected incidents of child abuse of a student by an employee of the Escambia County School District, occurring while the student is attending school, a school function, or otherwise under the jurisdiction of the school district to the Florida Child Abuse Hotline, 1-800-ABUSE, the school principal, , and/or local law enforcement.

### ***Trespass on School Grounds***

Any person who does not have legitimate business on the campus or any other authorization, license, or invitation to enter or remain upon school property or a student currently under suspension or expulsion who enters or remains upon the campus or any other facility owned by any such school commits a trespass upon the grounds of a school facility and is guilty of a misdemeanor of the second degree, punishable as provided in [775.082](#) or [775.083](#). Section 810.097(1), Florida Statutes.

“Any person who enters or remains upon the campus or other facility of a school after the principal of such school, or his or her designee, has directed such person to leave such campus or facility or not to enter upon the campus or facility, commits a trespass upon the grounds of a school facility and is guilty of a misdemeanor of the first degree, punishable as provided in [775.082](#) or [775.083](#).” Section 810.097 (2), Florida Statutes

## ***School Resource Officer/Crime Stoppers***

Local law enforcement agencies in cooperation with the school district have provided uniformed personnel to middle and senior high schools. The focus of the School Resource Officer Program is to foster a basic understanding among students of the laws and the role of the law enforcement officer and to assist in matters of enforcement. Students are encouraged to prevent or report a crime by calling **CRIME STOPPERS, 433-STOP**.

## ***Search of Student Locker, Vehicle, or Personal Property***

As provided in Section 1006.09, Florida Statutes, student lockers, personal property, and vehicles are subject to search by the principal or the principal's designee where reasonable suspicion is present to believe a prohibited item is illegally possessed or contained therein.

Vehicles: Any vehicle while on the school campus or the grounds of a facility where a school-sponsored function is being held or used in connection with a school-sponsored activity is subject to search by the principal, the principal's designee, and/or the appropriate law enforcement agency when a reasonable suspicion exists that a prohibited or illegally possessed item is stored in the vehicle. The person in control of the vehicle will be present during the search.

Cell phones or other electronic devices:

Students have the right to carry a cell phone during the school day under the following conditions:

The principal or designee may confiscate a student's cell phone and search its contents including, but not limited to phone usage, texting, and images/videos when there is a reasonable suspicion that the student violated the District's acceptable use guidelines. Students must obey the District's acceptable use guidelines. See Section VIII of this publication for additional information.

Student Search: The search of a student may be conducted under the following circumstances:

- Reasonable suspicion is present that the student possesses a prohibited or illegally possessed item.
- The search must be conducted (with an adult witness present) in a discreet manner out of view of other students.

### **Safe Harbor:**

If a student who is in possession of an item of contraband (such as a pocket knife, drugs, etc.) voluntarily surrenders the item as soon as he/she realizes that it is in his/her possession to a responsible staff member, then the student may be eligible for mitigation, in whole or part, of the penalty for possessing the item as appropriate under the circumstances. To qualify for this provision, such surrender must occur prior to the beginning of any investigation or search that might uncover the item.

## IX. TRANSPORTATION OF STUDENTS

### ***Establishing School Bus Stops***

1. Designated bus stop – A student’s bus stop is established according to his/her residence. Any request to change the bus stop must be made to the school principal/designee to submit a “bus stop change request” which will be forwarded to the Transportation Department. If/When approved, the new stop shall become the designated bus stop for that student for the entire year.
2. Temporary change of bus stop – A student’s designated bus stop may be temporarily changed if the duration is five or more consecutive school days. A written request must be submitted to the principal two working days before the effective date of the change.
3. Emergency situations – In emergency situations, the principal may change bus stops without prior notice. This decision is at the discretion of the principal.
4. School bus basic responsibilities – By authority of the Florida State Board of Education, a student is privileged to ride a school bus provided he/she lives two miles or more from the school. The Escambia County School Board further extends bus service for middle and high school students who live two (2) miles from the school or who live in areas deemed as safety hazards due to road and traffic conditions as identified by qualified highway safety personnel. The bus driver is responsible for each student’s safety and must be obeyed.
5. School bus stops – Parents/guardians are responsible for the control and supervision of students while students are en route from home to the bus stop, while at the bus stop, and when returning from the bus stop to the home. Students are subject to the discipline procedures of the district when they misbehave at the bus stop.
6. Parents/guardians will be notified in writing of school bus route changes resulting in permanent relocation or removal of an existing bus stop. Notice will be provided from the transportation department to the schools and to the driver to distribute to the students affected by the change at least one week prior to the effective date of change.
7. Any student who persists in disorderly conduct on a school bus or at a school bus stop shall be reported to the principal or designee by the driver of the bus and may be suspended from school or from being transported to and from school at public expense. Students may be removed from the bus in excess of ten days where necessary to protect the safety of the driver and/or other students. Parent(s) or guardian(s) must be notified in writing within twenty-four hours of the suspension from the bus.
8. Violation of student transportation rules, including disruptive behavior on a school bus or at a school bus stop, is grounds for suspension of the student’s privilege to ride the bus and may be grounds for disciplinary action by the school and may also result in criminal penalties being imposed.

## ***Authority of School Bus Operator***

The principal shall delegate to the school bus driver such authority as may be necessary for the control of students being transported to and from school and school functions at public expense. Such delegation of authority shall not include the administration of corporal punishment. The driver may enlist the assistance of school officials when behavior is inappropriate. If a student(s) compromises the safety of the bus, law enforcement may be called.

## ***Bus Rules for Students***

1. Students are expected to enter and leave the bus in an orderly single file and wear seat belts on buses so equipped.
2. Students are to be absolutely silent while the bus is proceeding across any railroad crossing.
3. If it is necessary to cross the road after leaving bus, students are to cross in FRONT of the bus after receiving a clear signal from the driver that it is safe to cross.
4. Students are to report promptly to their principal or designee when instructed to so by their driver.
5. All students must be seated while the bus is in motion.
6. Musical instruments which interfere with the seating and safety of others shall be placed in the seat or held in lap of the student to whom the instrument belongs. Instruments may be transported on a space-available-basis only.
7. Talking will be permitted on the bus in the same manner as normal conversation.

## ***Student Discipline on the School Bus***

Infractions on the bus fall into two categories which may result in discipline:

### **Minor Infractions**

1. Eating, drinking, spitting or chewing gum
2. Failing to remain seated as appropriate, including failure to wear occupant restraint systems when provided
3. Extending body parts or other objects from the window
4. Annoying or bothering others, including horseplay or rough play
5. Using profanity (that doesn't rise to the level of harassing, bullying, intimidating, or threatening others)
6. Failing to follow the bus operator's instructions (e.g. boarding or exiting the bus unsafely)
7. Creating a distraction to the bus operator
8. Possessing reptiles, snakes, insects, animals, or marine life, dead or alive
9. Possessing skateboards, skates, wheeled shoes, or other wheeled vehicles
10. Engaging in behaviors that contribute to disorder, misbehavior or others, or decrease the bus operator's capacity to attend to the safe operation of the bus (Behavior must be specified when cited)

## Major Infractions

1. Possessing, using, or selling any item not allowed on campus by state law, Board policy, or school principal (Including but not necessarily limited to weapons of any kind, facsimiles of weapons, drugs, alcohol, tobacco)
2. Fighting or hurting others, including harassing, bullying, intimidating, or threatening behavior
3. Engaging in other acts that place the safety and well-being of students or others at risk (e.g. unnecessarily opening the bus emergency exit door or failing to follow the bus operator's directions in an emergency)
4. Demonstrating rebellious behavior or open defiance of the bus operator's authority
5. Stealing
6. Engaging in willful destruction or defacement of district property or the personal property of others
7. Engaging in sexual misconduct or lewd and lascivious behaviors
8. Throwing objects in or outside the bus
9. Using a cell phone on the bus unless permission is granted by the bus operator. (Cell phones are to be used only in extreme emergencies after permission is given by the proper authority.)
10. Boarding or leaving the bus at a stop other than the stop location assigned

## Exceptional Education Student Consequences for Violation of School Bus Responsibilities

### X. PROVISIONS TO ENSURE HEALTH OF STUDENTS

**Health Services: 469-5456**

#### ***Taking Medicine at School***

While in school or under the authority of school district personnel, a student may carry only 2 types of medications **when first** there is an Authorization for Administration for Prescription Form on file in the clinic with signatures of legal prescriber and parent/guardian.

- 1002.20 (3)(h), Florida Statutes allows students with asthma to carry a prescribed metered dose inhaler;
- 1002.20 (3)(i), Florida Statutes allows students at risk for a life threatening allergic reaction to carry a prescribed epinephrine auto-injector for self-injection.

Additionally, the school nurse shall assess student's skills, knowledge and responsibility for self care and to document in the Individual Health Care Plan (IHCP). The parent, school nurse, or school administrator may request re-evaluation of student's competency/responsibility whenever indicated.

#### ***Administration of Medication to Students***

**Students shall not possess, dispense, deliver, or share prescription or nonprescription medication with other students. See Section XII. - Very Serious Breach of Conduct.**

All medications, both prescription and nonprescription, should be administered at home whenever possible. If it is necessary to schedule medication during the school day, School Board policy will be followed. **A parent/guardian or responsible adult must deliver/pick up medication to/from the school clinic.**

**Each prescription medication must be authorized in writing** on a school district Authorization for Prescription Medication Form, signed by both the prescriber and parent/guardian. The pharmacist should label a second bottle for the parent to provide a 30 day supply for school. Medication must be picked up within one week after it has been discontinued as well as at the end of the school year. Unclaimed medications will be destroyed.

**Over-the-counter medications to be administered at school are limited to the following:**

- Acetaminophen (e.g. Tylenol)
- Calcium Carbonate (e.g. Tums, Maalox)
- Diphenhydramine (e.g. Benadryl)
- Ibuprofen (e.g. Advil, Motrin)
- Sting Relief Pad (2% Lidocaine towelette)

**An Authorization for Administration of Non-Prescription Form must be completed by the parent/guardian.** Forms are available in the school clinic. All other over-the-counter medications require an Authorization for the Administration of Prescription Medication from the physician. **Dosage cannot exceed manufacturer's directions.**

### ***Head Lice Management Plan:***

This plan is enforced to keep students in school and free of head lice. Students will be temporarily excluded from school for parents/guardians to perform head lice treatment. When treatment is completed, students must return to the school clinic for clearance before returning to the classroom. If needed, one (1) day of absence will be excused to complete treatment

## **XI. SERIOUS BREACH OF CONDUCT**

The following offenses, **whether on campus, on a school bus, at a school bus stop, or at a school-sponsored function** are serious breaches of conduct that shall mandate strong positive disciplinary action. As required by law, criminal or delinquent acts shall be reported to the appropriate law enforcement agency. These offenses include but are not limited to the following:

1. possession or use of tobacco or tobacco products
2. possession of any items not allowed on campus (see XV. Personal Property of Students)
3. profanity
4. cheating/plagiarism (minor offense)
5. forgery (minor offense)
6. gambling (minor offense)
7. causing personal injury to another
8. stealing (minor offense)
9. open defiance (minor offense)

10. repeated misconduct in class
11. violation of school bus rules
12. loitering
13. public display of affection (including but not limited to kissing, fondling or excessive body contact)
14. violation of dress code
15. excessive tardiness to school or class\*
16. truancy or skipping class\*
17. violations of check-in/check-out procedures
18. violations of published local school regulation, school board policy, or state laws pertaining to school
19. presence in an unauthorized area before, during, or after school
20. minor violation of the guidelines in the Acceptable Use of District Information Systems document (Refer to Section XIII, Appropriate Use of Technology)
21. failure to wear I.D. badge when required
22. horseplay, pushing or shoving
23. soliciting, encouraging, hiring, aiding, or procuring another to commit an offense prohibited by school board policy
24. use of any unauthorized wireless communication device from the opening bell to the dismissal bell of the school day
25. failure to keep a cell phone or wireless communication device in a non-visible location
26. participation in secret societies
27. obstruction of an investigation by school officials or other authorities
28. unauthorized use of a free or reduced meal number
29. use, sale, or possession of any item which can produce a flame
30. sale of any item or service not authorized by the school
31. failure to report to or refusal to accept detention or work detail
32. lying to school officials
33. distributing or posting of non-school related materials (flyers, posters, newsletters, etc.) on school property without permission of the principal

\* **Students shall not be suspended for truancy, skipping, or tardiness.**

## **XII. VERY SERIOUS BREACH OF CONDUCT**

The following offenses, **whether on campus, on a school bus, at a school bus stop, or at a school sponsored function**, are very serious breaches of conduct which may result in suspensions, confiscation of prohibited articles or substances, expulsion, alternative assignment, and/or criminal charges. As required by law, criminal or delinquent acts shall be reported to the appropriate law enforcement agency. Expulsion may be imposed for such conduct which involves willful disobedience, open defiance of authority, violence, or substantial disruption of the orderly conduct of school. Violence against any school board personnel by a student is grounds for in-school suspension, out-of-school suspension, expulsion, involuntary reassignment, or other disciplinary action, and may result in criminal prosecution and penalty. These offenses include the following:

1. disrespect to any school official in any way (by word, action or gesture)
2. refusal to follow instruction given by appropriate school personnel as related to conduct
3. refusal to identify himself/herself on request of any teacher, principal, Superintendent, bus driver, school security officer, or other school personnel

4. assault, battery, threats, or other violent acts against any student, teacher, bus driver, or other School Board personnel
5. fighting, or inciting others to fight (This conduct includes behavior which would constitute encouraging others to fight, gathering around students who are fighting in such a way as to interfere with school officials addressing that situation, or other acts significantly aggravating an ongoing disturbance resulting from fighting.)
6. bullying, cyber-bullying, threatening, intimidation, or harassment
7. sexual misconduct or sexual harassment
8. harassment of school personnel – Students shall not embarrass or harass school employees during or after school hours by improper remarks (written or oral) or language in public, on the telephone, or by damage or defacement of property or any other such violations of personal property right. A student who intentionally makes false accusations against school personnel may be expelled or assigned to an alternative program.
9. repeated incidents of disruptive behavior
10. possessing, selling, holding, dispensing, receiving, transporting, consuming, or giving prescription/non-prescription substances to other students
11. violation of district policy regarding appropriate handling and use of prescription medication.
12. possessing, selling, holding, dispensing, receiving, transporting, or consuming alcoholic beverages
13. improper use of any substance by inhaling, huffing, or sniffing in violation of warnings included on Material Safety Data Sheets
14. possession of or intent to sell or distribute any substance which may have the appearance of or is purported to be an illegal/controlled substance
15. being under the influence of or impaired by prohibited substances including but not limited to the substances indicated in 10, 11, 12, 13, or 14 above, or who may use, sell, or be in possession of any paraphernalia designed for use with above listed substances. Such behaviors as drowsiness, nervousness, red eyes, dilated pupils, slurred speech, impaired equilibrium, or other symptoms may be considered indicators that a student is “under the influence or impaired” by a prohibited substance.
16. possessing or holding the following:
  - a. ice picks or other pointed instruments
  - b. nunchakus, Chinese stars, or any instruments associated with martial arts
  - c. pipe – any length of metal not being used for the purpose for which it was normally intended
  - d. chains – any chain not being used for the purpose for which it was normally intended
  - e. any instrument or object deliberately used or intended for use to inflict harm upon another person or used to intimidate any person or any facsimile of the above
  - f. knife, other than that which is described in Chapter 790 of Florida Statutes, including a “common pocket knife”

NOTE: Any tool or other sharp instrument needed for classroom assignments will be provided by the classroom teacher.
17. willful or malicious destruction of personal property or school property including but not limited to:
  - a. willful or malicious tampering with, altering, deleting, or otherwise changing any computer software files
  - b. willful or malicious tampering with, defacing, altering or reconfiguring computer hardware
18. major violation of the guidelines in the Acceptable Use of District Information Systems document, particularly

- a. unauthorized access, download, or alteration of information, systems, and software
  - b. use of technology to threaten, harass, or harm others by bullying or cyber-bullying.
  - c. intentional damage of technology.
19. stealing (major or repeated offenses)
  20. recklessness with vehicles on campus or failure to obey speed limits
  21. selling, possessing, holding, dispensing, printing, transmitting, or receiving any inappropriate, indecent, or obscene materials
  22. use of any unauthorized wireless communication device in any manner which disrupts the normal operation of a school
  23. possession, use, or sale of fireworks or other explosive devices including but not limited to ammunition, gun powder, and shot
  24. possession, use, or threatening use of a “replica” of a firearm or other weapon which may or may not propel a projectile
  25. falsely activating a fire alarm or an Automated External Defibrillator (AED).
  26. setting/starting a fire
  27. hazing as defined by Florida Statutes
  28. other behaviors deemed by the principal or designee as disrupting the orderly operation of the school
  29. possession of, printing, or using counterfeit U.S. currency
  30. soliciting, encouraging, hiring, aiding, or procuring another to commit an offense prohibited by Florida law
  31. Any breach of school rules related to criminal street gang affiliation as contemplated by Chapter 874, Florida Statutes (2008).

### ***Zero Tolerance***

Consistent with the District’s aim to provide a safe and orderly learning and work environment, the Escambia County School Board has adopted and will enforce a policy of **Zero Tolerance**. Enforcement of this policy is not intended to imply a disregard of the rights of any individual or lack of concern by the District for any student. Enforcement of this policy shall be consistent with applicable laws including the Individuals with Disabilities Education Act (IDEA). This policy will be enforced for violation of the following:

1. **Firearms:** Any student who is determined to *possess* or to have *brought* a firearm, as defined in Chapter 790, to school, to any school function, or onto school-sponsored transportation will be expelled with or without continuing education services for a period not less than one full year and will be referred for criminal prosecution.  
This rule shall include any firearm, operable or inoperable, loaded or unloaded.

*A firearm* means “any gun (including a starter gun) designed to or which may be readily converted to expel a projectile by action of an explosion.”

2. **Weapons:** Any student who is determined to possess or to have brought a weapon, as defined in Chapter 790, to school, to any school function, or onto any school-sponsored transportation will be expelled with or without continuing education service from the student’s regular school for a period of not less than one full year and referred for criminal prosecution.  
Items prohibited under Zero Tolerance include the following:

- dirks
  - metallic knuckles
  - slungshot
  - sword or sword cane
  - tear gas gun, chemical weapon, or device
  - electrical weapon
  - stun gun
  - any destructive device designated to inflict injury or destruction of life
  - knife
  - razor
  - box cutter
3. **Bomb Threat:** Any student enrolled in Grades 6-12 or in a post-secondary program found to have initiated or knowingly and willingly actively participated in the commission of a bomb threat involving a district school, school site, school bus, or a facility in which a school function is held or scheduled to be held shall be expelled for a period of not less than one full year, and such action shall result in criminal prosecution.
4. **Drugs:** The unlawful use, possession, or sale of a controlled substance as defined in Chapter 893 Florida Statutes by any student while the student is upon school property, at a school bus stop, or while in attendance at a school function shall result in the student's expulsion and may result in criminal penalties being imposed.

### **XIII. APPROPRIATE USE OF TECHNOLOGY**

The Guidelines for Acceptable Use of District Information Systems document (posted on the district web site at <http://myescambiaschools.com> under District Policies, Plans and Guidelines and information) provides guidelines for appropriate technology usage and specific examples of prohibited technology usage. The uses and behaviors listed below, as well as related behaviors not listed and prohibited uses specified in the Guidelines for Acceptable Use of District Information Systems document, shall constitute misconduct resulting in disciplinary procedures consistent with other conduct violations of equal seriousness:

- accessing inappropriate materials including any section labeled adult or restricted to individuals eighteen or older
- using the Internet for illegal, obscene, or non-educational purposes
- sending, displaying, downloading, or using obscene language or pictures
- violating copyright laws
- damaging computers, systems, or networks
- accessing unauthorized computers, systems, files, or networks
- intentionally wasting network or computing resources
- employing the network for commercial purposes
- downloading programs or content without teacher permission
- bullying, harassing, insulting, threatening, or attacking others
- using another person's password or accessing another person's documents
- using the Internet for unmoderated chat or e-mail

**WARNING:** The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a CRIME under state and/or federal law. Any person taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs will be reported to the law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution, and LIFETIME inclusion on sexual offender registries.

### ***Cell Phones and Other Electronic Devices***

#### **Personally Owned Wireless and/or Cellular Communications Devices**

Students are permitted to possess personally owned wireless and/or cellular communication devices such as cellular telephones (including personal digital assistants [PDAs] with wireless and/or cellular telephony/voice capabilities) and pagers while on school property or in attendance at school functions; however, the use of such devices from the opening bell of the school day until the final dismissal bell is prohibited. Appropriate student use of telecommunications services is also addressed in the Guidelines for Acceptable Use of District Information Systems document Part Two – Student Community Access.

Students may not use any wireless and/or cellular communication devices while on a school bus at any time, and such devices must be turned off for the duration of any bus transportation.

Students possessing personally owned wireless and/or cellular communications devices on school property must keep such devices stored in a vehicle, locker, backpack, or other non-visible secure location throughout the school day.

Violation of this policy is considered a serious breach of conduct and will result in disciplinary and/or legal action commensurate with other equally serious conduct violations contained in the *Student Rights and Responsibilities Handbook*.

Students shall be advised in the *Students Rights & Responsibilities Handbook* that the use of a wireless and/or cellular communications device in violation of this policy may result in disciplinary action by the school or in criminal penalty if the device is used in a criminal act.

Other personally owned, wireless and/or cellular equipped electronic devices subject to the restricted possession and usage described above include, but are not limited to handheld computer/phone/player hybrids, sub-laptop computers, and laptop computers. Any personally owned electronic device capable of audio and/or video recording or play back may also be subject to restricted student possession and use at the discretion of the principal.

Any unauthorized use of personally owned electronic and/or communication devices identified in the *Student Rights & Responsibilities Handbook*, **including** cell phones, shall result in the confiscation of that device.

The School Board, the District, the school, or any district employee shall not be liable for the loss, theft, or destruction of any item(s) confiscated pursuant to this rule.

## **Suspension of Rules Governing Use of Cell Phones and Other Electronic Devices**

At the discretion of the school principal the rules regarding student use of personally owned cell phones and other electronic devices mentioned above, may be suspended in part or in their entirety.

## **XIV. PERSONAL PROPERTY OF STUDENTS**

### ***Personal Property of Students***

Schools are not responsible for loss, theft, or destruction of students' personal items. Students are encouraged not to bring items of value to school.

Items not allowed on campus unless permission has been received from the principal and/or his designee include, but are not limited to, IPODS, radios, notebooks, laptops, PDA's, CD players, electronic games, DVD players, laser pointers, or two-way radios.

## **XV. EDUCATIONAL RECORD ANNUAL NOTICE TO PARENTS**

A complete copy of the Student Record Guidelines is available for use in each school or center in the district. The principal, guidance counselor, or data clerk can provide access to the Student Records Guidelines.

Each school in the Escambia County School District keeps individual records including electronic records which are part of the cumulative records of its students. Parents/guardians and students at age 18 may ask to see these records at any time. Students and their parents have certain rights in regard to these records. Each school and the District have the following information about records for parents and students to read:

- a complete set of written policies and procedures about educational records;
- a list of the kinds of student records kept by the schools and the location of each kind of record; and
- a list of the people, district staff members, or officials who are allowed to see and use the records without the written consent of parent or guardian.

Some of the kinds of information kept by schools in educational records include the following:

- health information
- family background information
- test scores
- educational and vocational plans
- honors and activities
- work experience reports
- teacher comments
- reports from student services or exceptional education staffing committees
- letters from agencies or professional persons
- driver education certificates
- a list of schools attended
- written agreements of correction or deletions as a result of meetings or hearing

## ***RIGHT TO HAVE ACCESS***

Parents and certain students may see the individual student's records by making a request to the school principal. The school will share the records with the parents of the student as soon as possible, not to exceed thirty (30) calendar days. Divorced parents have equal access to a student's records unless a court order prohibiting a parent's access is on file with the school. A school staff member will be available to explain information in the records. Parents or the student may ask for copies of information in the records. A charge of \$.15 per page for copies may be assessed. The fee shall not include the cost to retrieve the educational record nor shall a fee prevent parents from inspecting or reviewing such records. (IDEA, FERPA) Exceptional Student Education parents can access records through central files.

## ***RIGHT TO PRIVACY***

All school records on individual students are private and confidential. Persons other than the school or district staff will not be allowed to see any personally identifiable student records without the written consent of parents/guardians or students who are 18 years of age or older.

Some exceptions to this rule may include, but are not limited to, the following:

- In an emergency situation where danger to health and safety exists, some records may be shared without the parent's consent.
- Some state and federal officials have the right to see records.
- When a student enters or plans to enter any other school, records, or copies of records will be sent to that school when requested by the new principal, the parents, or certain students.
- Some information from the record, called directory information, may be shared without written consent or permission. This information includes the student's name, address, listed telephone number, date and place of birth, major field of study, participation in officially recognized school activities and sports, weight and height of members of athletic teams, dates of attendance, degrees or awards received, and the last school attended by the student. Armed forces and recruiters are included in this release of information.
- Any parent or student 18 years or older may ask in writing that directory information not be released. Any such requests must be made within thirty (30) days of receiving this notice and renewed annually.

## ***RIGHT TO WAIVE ACCESS***

Parents/guardians and students 18 years or older have the right to waive (give up) access to letters or statements of recommendation or evaluation. The parent or student may ask to be notified of the names of persons submitting letters or statements. The letter must be used only for the purpose intended. Parents or students may not be required to give up the right to access.

## ***RIGHT TO CHALLENGE AND RIGHT TO HEARING***

If at any time a parent or student believes that information in the school record is inaccurate, misleading, or inappropriate, the parent or the student may ask that the record be changed. If the school agrees, the information will be corrected or deleted. If the school disagrees with the parent, the parent and student have the right to request a hearing challenging the content of the student's record. The parent or eligible student shall have a full and fair opportunity to present evidence at the hearing. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.

## ***ADDITIONAL RIGHTS FOR EXCEPTIONAL STUDENTS***

Parents of exceptional education students are afforded additional rights as outlined in procedural safeguards.

Parents of exceptional education students may ask to have someone else see their child's record.

Parents of exceptional education students will be notified of information in the school record that is no longer needed and of their right to ask that such information be destroyed.

Parents of exceptional education students may review records kept at the Hall Center ESE Central Files. Please call (850) 469-5520 to schedule an appointment to view these records.

## ***RIGHTS OF STUDENTS***

When a student reaches age 18 or is attending a postsecondary institution (after graduating from high school), he/she will have all the rights listed above. This right includes exceptional education students unless the type of severity of handicap would prevent the student from understanding his/her rights and acting in his/her own best interest. If a student at age 18 is still a dependent student, parents may continue to share certain rights in regards to records.

Parents or students who have any questions about student records should call the principal or office of guidance services.

## ***RIGHT FOR LANGUAGE INTERPRETATION***

Parents who have a primary language other than English may request an interpretation from English to the primary or home language of pertinent portions of the *Rights and Responsibilities Handbook* including, but not limited to, Rights of Privacy. Requests for interpretation should be made to the Director of Middle School or High School Education located at the J.E. Hall Center, 30 East Texar Drive, Pensacola, Florida, 32503. The request may be made by phone at (850) 469-5495.

## ***RIGHT TO REPORT A VIOLATION***

A complaint regarding an alleged violation of the Family Educational Rights and Privacy Act may be reported to the U.S. Department of Education, Washington, D.C.

## **XVI. SECONDARY STUDENT DRESS CODE**

**Student dress is applicable during school hours.** Personal grooming is primarily the responsibility of the student and parent. Students are expected to come to school and school-sponsored activities and events clean, neat, and appropriately attired. Students whose personal attire or grooming distracts the attention of other students or teachers from school work or which may be hazardous to themselves or to others in the course of school and school-sponsored activities shall be required to make the necessary alterations. Students who fail to meet the minimum acceptable standards of cleanliness and neatness, as determined by the principal or designee shall be subject to appropriate disciplinary measures including suspension. Gang attire or insignia is not permitted at any school-sponsored activity or event.

### ***SECONDARY STUDENT DRESS CODE FOR UNIFORM AND NON-UNIFORM SCHOOLS***

#### **A. SECONDARY DRESS REQUIREMENTS:**

1. Pants and trousers shall be worn properly fastened so that the waistband is not below the top of the hip bone. Pant hems shall not extend beyond the heel of the shoe. All pants and trousers shall be worn with belts except sweat pants, etc. which are clearly manufactured and designed to be worn without a belt. Athletic wear with an elastic waist may be worn without a belt.
2. The hem or slit of skirts, shorts, or dresses shall be worn no shorter than two inches above the top of the knee. Skirts and shorts shall be properly fastened so that the waistband is not below the top of the hip bone.
3. Shirts, T-shirts, and blouses shall be of appropriate size and length to cover the waistband while sitting or standing. Long t-shirts are not permitted. The hem of a shirt shall not extend past the wearer's finger tips while standing.
4. Caps, hats, hoods, scarves, and other head coverings shall not be worn in any building, except those worn for religious or medical purposes.
5. Overalls or any bibbed garment may be worn with an appropriate shirt or blouse underneath and all straps and buttons shall be securely fastened.
6. The dress code shall not prohibit students from wearing coats, jackets, sweaters, or other appropriate outer garments when necessary due to inclement weather or temperature conditions.

#### **B. THE FOLLOWING SECONDARY CLOTHING ITEMS ARE PROHIBITED:**

1. Accessories that may be potentially dangerous and may include but are not limited to spiked arm bands, spiked necklaces, heavy chains, studded garments or accessories, or other objects;
2. Clothing or accessories associated with gangs or any garment with obscene, offensive, intimidating language or images relating to gangs or violence;

3. Clothing or accessories that reference the use of drugs, alcohol, tobacco, or violence;
4. Clothing or accessories associated with discrimination on the basis of gender, age, race, religious creed, color, sexual orientation, marital status, national origin, or disability;
5. Clothing exposing the torso or upper thighs such as see-through garments, spaghetti straps, mini-skirts, mini-dresses, halters, backless dresses or shirts, tube tops, tank tops, bare midriff outfits, etc. or shirts and/or blouses tied at the midriff;
6. Clothing that promotes sexually suggestive material;
7. Clothing not properly fastened;
8. Visible undergarments, such as boxer shorts, bras, and thongs;
9. Undergarments worn as outer garments;
10. Nightwear/loungewear/pajamas;
11. Tight fitting clothing made of spandex or spandex-like fabric, including bicycle shorts;
12. Excessively large or form-fitting clothing that is disruptive to the order and discipline of the school setting or constitutes a safety hazard to the student(s);
13. Footwear that is deemed hazardous or dangerous to the health and safety of students or others, such as bedroom slippers, or cleats. The principal may further designate the footwear that is permissible under the dress code policy;
14. Clothing that exposes private body areas including cleavage, groin, buttocks, navel, and midriff, garments that have rips, holes, or fraying beyond ordinary wear and tear as determined by the principal or principal's designee.
15. Articles of clothing, jewelry, buttons, haircuts, tattoos, markings, body piercing, or other attire that is disruptive, offensive, suggestive, or indecent or considered a safety issue.
16. Sunglasses shall not be worn inside the building.
17. Other inappropriate or disruptive items as determined by principal/principal's designee.

C. EXCEPTIONS TO THE DRESS CODE SHALL BE PERMITTED WHEN:

1. A student wears a button, armband, or other accoutrement to exercise the right of free speech guaranteed by the United States and Florida Constitutions, unless the button, armband, or other accoutrement signifies or is related to gangs, gang membership, gang activity, discrimination on the basis of gender, age, race, religious creed, color, sexual orientation, marital status, national origin, or disability, or would otherwise violate the dress code policy.

2. A student wears a costume or special clothing necessary for a school play or other school sponsored activity as permitted by the principal.
3. A student wears clothing in the intended manner of a nationally-recognized youth organization, i.e., JROTC, Boy Scouts, Girl Scouts, on regular meeting days.
4. The wearing of clothing in compliance with the dress code violates a student's sincerely held religious belief. Parents are urged to contact the principal/designee immediately regarding any religious dress requirements.

#### D. SECONDARY DISCIPLINARY CODE

1. A student's failure to adhere to the provisions of the student dress code as set forth above shall constitute a violation of student code and shall be subject to disciplinary action.

School Board Policy 7.17

### **ALTERNATIVE EDUCATION PROGRAMS**

Students enrolled in an Alternative Education Disciplinary Program shall be required to dress in accordance with the dress code policy in effect at the Alternative Education School.

### **UNIFORMS**

- A. The School Advisory Council (SAC) shall confer with the principal to determine whether there is a need/justification to consider an election to adopt the District-Wide Uniform for a period of two (2) years at both the elementary and secondary levels. The School Advisory Council's intention to discuss this subject with the school's parent population will be advertised at least seven (7) calendar days in advance. The process can be found in School Board Rule 7.19.
- B. District-Wide School Uniform Standard: The District's uniform shall consist of solid colored khaki, navy, or black trousers, skirts, shorts, or jumpers. Shirts shall be collared and will be solid white, red, or dark blue and worn tucked in. *Students in grades K-5 shall not be required to tuck in their shirts.* Pull-over sweat shirts or solid sweaters of appropriate uniform colors may be worn over uniform shirt or blouse. No denim shall be allowed at the secondary level.
- C. In addition, the school uniform and appearance shall be governed by the same provisions as in the secondary dress code A, B, C, and D.

#### D. FINANCIAL CONSIDERATIONS

1. Financial Hardships: No student shall be denied attendance at school or be otherwise penalized for failing to wear clothing that complies with the uniform policy if such failure is due to financial hardship.

2. Assistance: Each school's principal and SAC in collaboration with the School District shall develop procedures and criteria to offer assistance to students who are having difficulty complying with the District's uniform policy due to financial hardships. Each school is encouraged to develop a program with the school district to provide for donations of clothing, financial assistance or through programs that would alleviate financial hardship.
3. New Students: Students entering the Escambia County Public School System or transferring from a school without a mandatory uniform policy during the school year, shall be granted a grace period of up to thirty days to comply with the mandatory uniform policy at the new school.

## **XVII. SPECIAL PROGRAMS AND SERVICES**

### ***ASBESTOS NOTIFICATION - 439-2638***

The School District of Escambia County has available for review and inspection the asbestos managements plans for all schools and buildings under the jurisdiction of the Escambia County School Board. These plans are available for public review and inspection at each school or administrative center. Any person interested in reviewing these plans should contact the school or the Protective Services Division at (850) 439-2638.

### ***AUDIOLOGICAL EVALUATIONS – 453-7472***

A student who does not pass the hearing screening will be referred for an audiological evaluation.

### ***EXCEPTIONAL STUDENT EDUCATION – 469-5518***

Special classes and services are provided for students eligible for the following programs: mentally disabled, specific learning disabilities, physically impaired, gifted, occupational and physical therapy, visually impaired, autistic, speech, language developmentally delayed, deaf and hard of hearing, dual sensory impaired, and emotionally/behaviorally disabled.

Hospitalized/homebound services are available for students whose medical condition restricts school attendance for an extended period of time.

### ***GUIDANCE SERVICES – 469-5303***

Guidance services provide the following:

- individual and small group counseling to assist students with educational, career, personal, and social development.
- assistance to students and parents in solving problems which interfere with educational progress.
- information and referral to programs which will meet specific needs of individual students and their parents. A list of agencies providing drug and alcohol counseling and rehabilitation and re-entry programs can be found on the inside back cover of this booklet.
- student referral to district contracted agencies.
- crisis team assistance with grief and loss issues.

**HEALTH SERVICES – 469-5456**

Health Services are provided by the School District of Escambia County and Escambia County Health Department as defined by the School Health Services Plan. This plan is established in accordance with Statute 381.0056 FS. The mission of school health services is to enhance learning by promoting health and wellness for students. School Health Clinics are staffed with a Health Support Technician.

**Students/Parents Guide to FL School Immunization Requirements at a Glance  
2009-2010 School Year**

Grade	DTaP Series	Polio Series	MMR 1	MMR 2	Hepatitis B Series	Varicella 1	Varicella 2	Td/Tdap Booster
6-7	X	X	X	X	X	X	Recommend	X
8-12	X	X	X	X	X	Recommend	Recommend	X

The school nurse may be assigned to one or more schools. When needed, the Health Clinic staff can assist you in contacting your school nurse. Health information is confidential and is only shared with those who have a need to know. The School District complies with the Department of Health’s requirement by law to maintain the privacy of your protected health information. Health services may include the following:

- |                                        |                  |
|----------------------------------------|------------------|
| health appraisals & nursing assessment | emergency care   |
| referrals and follow up                | health education |
| disease & injury prevention            | home visits      |
| parent/community education             | screenings       |
| health consultations & counseling      | record review    |

Parents are encouraged to seek medical evaluation of problems identified through the screening process, e.g., an eye exam if their child does not pass the vision screening. **Parents who do not wish for their child to participate in health services and/or screenings must inform the school in writing each year.** If needed, forms are available at school.

The Health Department and School District are required by law to maintain the privacy of your health information. This Notice of Privacy Practices tells you how your protected health information may be used and how we keep your information private and confidential. This notice explains the legal duties and practices relating to your protected health information. As part of the department’s legal duties, this Notice of Privacy Practices must be given to you. The Health Department and School District are required to follow the terms of the Notice of Privacy Practices currently in effect.

The Health Department or School District may change the terms of its notice. The change, if made, will be effective for all protected health information that it maintains. New or revised notices of privacy practices will be posted on the Department of Health website at [www.myflorida.com](http://www.myflorida.com) and will be

available by e-mail and at all Department of Health buildings. Also available are additional documents that further explain your rights to inspect and copy and amend your protected health information.

Your information may be used by certain personnel to improve health care operation. Personnel may send you appointment reminders, information about treatment options, or other health-related benefits and services. Some protected health information can be disclosed without your written authorization as allowed by law. Those circumstances include the following:

- report of abuse of children, adults, or disabled persons
- investigations related to a missing child
- internal investigations and audits by the divisions, bureaus, and offices of the Department of Health or Department of Education
- investigations and audits by the state's Inspector General and Auditor General and the legislature's Office of Program Policy Analysis and Government Accountability
- public health purposes including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals
- district medical examiner investigation
- research approved by the department
- court orders, warrants, or subpoenas
- law enforcement purposes, administrative investigations, and judicial and administrative proceedings

Other uses and disclosures of your protected health information by the Health Department or School District will require your written authorization. This authorization will have an expiration date that can be revoked by you in writing. These uses and disclosures may be used for marketing and for research purposes. Certain uses and disclosure of psychotherapist notes will also require your written authorization.

### **Notice of Privacy Practices Florida Department of Health County Health Department & School District of Escambia County:**

**This notice describes how medical information about you may be used and disclosed and how you can get access to this information.**

#### ***INDIVIDUAL RIGHTS***

You have the right to request the Health Department or School District to restrict the use and disclosure of your protected health information to carry out treatment, payment, or health care operations. You may also limit disclosures to individuals involved with your care. The Health Department or School District is not required to agree to any restriction.

You have the right to be assured that your information will be kept confidential. The Health Department or School District will make contact with you in the manner and at the address or phone number you select. You may be asked to put your request in writing.

You have the right to inspect and receive a copy of your protected health information. Your inspection of information will be supervised at an appointed time and place. You may be denied access as specified by law. If access is denied, you have the right to request a review by a licensed health care

professional who was not involved in the decision to deny access. This licensed health care professional will be designated by the Health Department or School District.

You have the right to correct your protected health information. Your request to correct your protected health information must be in writing and provide a reason to support your requested correction. The Health Department or School District may deny your request, in whole or in part, if it finds the protected health information.

### ***PSYCHOLOGICAL SERVICES – 469-5569***

Psychological Services is a group of professionals trained to work with preschoolers, children, and adolescents, as well as their teachers and families. School psychologists work with all school personnel to make education for students a positive and rewarding experience. Because of the changing nature of our society, students present unique opportunities and challenges to classroom teachers, school administrators, and support staff.

School psychologists provide

- assistance to students experiencing educational, social, emotional, and behavioral problems through consultation, data analysis, development of interventions and evaluations, as requested through Instructional Support Teams.
- assistance to parents/guardians who have children with attention, motivation, discipline, or adjustment problems through consultation.
- evaluation of exceptionally bright students evidencing a need for placement in the program for gifted students.
- evaluation of preschool children who are referred through Child Find.

### ***SCHOOL SOCIAL WORKER – 469-5451***

The school social worker will assist students with educational, attendance, emotional, and health problems.

### ***SUPPLEMENTAL INSTRUCTION/DROPOUT PREVENTION – 595-6085***

Based on students' needs, programs are designed in the categories of supplemental instruction and dropout prevention at school sites throughout the district. A voluntary program for pregnant teens is provided at the Sid Nelson Center and at various high schools in the district.

Students subject to repeated referrals for disciplinary problems or suspension or who may have been recommended for expulsion from their regular school may be offered an opportunity for an alternative program placement provided space is available and the student meets the specific eligibility criteria for the program.

Any student who is of compulsory attendance age is required to continue an academic program in an educational setting, notwithstanding the provisions of the preceding paragraph.

## Glossary

**Administrative Review** – a process allowing the principal the authority to review certain decisions for their appropriateness.

**Bullying** - unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or an offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individuals' school performance or participation; and may involve: excessive teasing; threat; intimidation; stalking; cyberstalking; cyberbullying; physical violence; theft; sexual, religious, or racial harassment; public humiliation; and destruction of property.

**AED – Automated External Defibrillator** - a device located in each school which can be used in artificial resuscitation.

**Criminal Gang** – formal or informal ongoing organization, association, or group that has as one of its primary activities the commission of criminal or delinquent acts and that consists of three or more persons who have a common name or common identifying signs, colors, or symbols and have two or more members who, individually or collectively, engage in or have engaged in a pattern of criminal street gang activity. See Chapter 874.03, Florida Statutes (2008).

**Cyberbullying** - an informal word for cyber-stalking used when both the sender and recipient of the electronic communication are under age eighteen.

**Cyberstalking** - a crime under Florida Law. Communicating or having someone else communicate words, images, or language through electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. §784.048, Florida Statutes (2008)

**Expulsion** – the removal of the right and obligation of a student to attend a public school under condition set by the district school board, and for a period of time not to exceed the remainder of the term or school year and 1 additional year of attendance. Expulsions may be imposed with or without continuing educational services. (See page 10.)

**Jurisdiction over Students** – as provided by Florida Law, students are under the jurisdiction (or control) of the school district while being transported to school (including bus stops), while attending school or participating in a school-sponsored activity, and while on school property for a reasonable amount of time before and after school and school activities.

**Loitering** - lingering or remaining in a place, at a time, or in a manner not usual for law-abiding individuals, and under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity. See §856.021, Florida Statutes (2008).

**School-sponsored activities** – entertainment, competitions, or other events which are funded or supported by the School District of Escambia County.

**Skipping** Leaving campus without permission - student has arrived at school and is not in his/her assigned area or has left the campus without permission.

**Superintendent's Designee** – a person, such as a principal or other administrator, appointed by the Superintendent of Schools to carry out a specific duty.

**Suspension**– suspension is the temporary removal of a student from all classes of instruction and all other school-sponsored activities (except as authorized by the principal) for a period of up to 10 days per incident. See page 11. A student who has been removed from classes is said to be “under suspension.”

**Tardy** – student arrives to school or to class after the established start time has passed.

**Truant** – a student of compulsory school attendance age who is out of school without a valid reason provided by the parent/guardian; a student is “habitually truant” if he or she has 15 unexcused absences within 90 calendar days with or without a parent’s knowledge or consent.

# STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK

2009-2010

I, \_\_\_\_\_, have received the Student Rights and  
(Please print full name)

Responsibilities Handbook for 2009-2010. I understand that I am responsible to adhere to the rules outlined in the handbook. This book explains the policies for discipline, suspension and expulsion, health and safety, attendance, appropriate dress, breaches of conduct, special programs, and educational records. I know that by having received this handbook I am responsible for the policies outlined.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Grade Level

\_\_\_\_\_  
Homeroom Teacher

\_\_\_\_\_  
Date

## Community Services

Community Drug and Alcohol Council (Prevention, Education Awareness to report selling, serving to minors)	(850) 434-2724
DAART - Drug Alcohol Adolescent Residential Treatment	(850) 469-3586
	(after hours)(850) 469-3585
Help Line/Teen Line	(850) 438-1617
Alcohol Helpline	1-800-ALCOHOL
Lakeview Center – Adult and adolescent drug and alcohol counseling (Residential and Outpatient)	(850) 469-3405
Alcoholics/AI Anon/Narcotics Anonymous (MADD) (SADD)	1-800-222-0828
The Friary (Residential) – family problems, alcohol/drug related	(850) 932-9375
Twelve Oaks – Drug and alcohol rehabilitation center	1-800-622-1255
Baptist Hospital Stress Center care-unit (adult & adolescent)	(850) 434-4866
First Call for Help	(850) 595-5905
Crime Stoppers	(850)433-STOP
CHADD (ADHD)	1-800-233-4050
FL KidCare Insurance (health insurance info for uninsured students)	1-850-444-7111

## Peer Group Counseling Resources

Lutheran Services	(850) 453-2772
Your school's guidance counselor	_____
Escambia School District Guidance Department	(850) 469-5303
Your school's overlay counselor	_____