



2025-26 **CODE OF STUDENT CONDUCT**



**Orange County
Public Schools**





School Year 2025-2026

The School Board of Orange County, Florida

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Vision

To ensure every student has a promising and successful future

Mission

With the support of families and the community, we create enriching and diverse pathways that lead our students to success

Objectives

High Expectations for Student Learning	Positive Climate and Safe Environment
Support of Student Resiliency	Efficient Operations
Dedicated and High-Quality Team	Engaged and Invested Community

The Code of Student Conduct (Code) is adopted by the School Board of Orange County, Florida (Board), to notify students and parents/guardians of student expectations for behavior while attending any school within Orange County. The Orange County Public Schools (OCPS) Code applies to all activities throughout the school, while being transported to and from school at a public expense, a reasonable time before and after school, during school-sponsored activities, and may extend to behaviors that occur within the community that have an impact on OCPS or OCPS students.

The following represents some of the information found within the Code, however, students and parents/guardians should read the Code in its entirety:

- Students have the right to choose to participate in an OCPS [disciplinary investigation](#). Parents/guardians may request their student not participate in student discipline investigations without authorization from the parent/guardian by submitting the request, in writing, prior to the occurrence of any discipline matter, to the school administration.
- [Safe Harbor](#) allows a student who accidentally brings an object (e.g. firearm, weapon) to school, or finds an object, which is not allowed by the Code, to turn the object in to school staff **before** an investigation or screening starts. The student could still receive a discipline referral. (Please note: not all zero tolerance offenses, such as firearms and weapons, qualify for Safe Harbor).
- Students who commit a [Level 4](#) offense will be recommended for [full exclusion](#) from all OCPS schools.
- All [threats](#) made to a school or person, including reposting a threat, will be taken seriously, regardless of the student’s intent.
- [Fighting](#) is not allowed on any OCPS property or during any OCPS sponsored event/activity, however, a student may use “self-defense” to prevent a pending attack. “Self-defense” is described as an action that is necessary to protect myself or someone else from serious bodily harm. “Self-defense” may include asking an adult for help, restraining or blocking the attacker, shielding self or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (e.g., punching, slapping, kicking) a person back, or choosing not to leave after the student is able to get away, may be considered as fighting.
- [Searches](#) of students and property will be conducted if school personnel have reasonable suspicion of a violation of the Code or law. Reasonable suspicion is not required to conduct random searches, which may occur at any time and are not protected by Safe Harbor.
- Students are strongly encouraged to report any suspicious or criminal behavior observed to FortifyFL through the FortifyFL app, on the student’s school-issued device, or by going online at [www.getfortifyfl.com](#). The report can be anonymous. If the student knowingly submits a false tip to FortifyFL the student may face criminal penalties and/or discipline under the Code.



The full version of the Code can be found on students’ OCPS device and can also be found at [codeofconduct.ocps.net](#)

School Name		Grade
Print Student Name	Student Signature	Date
Print Parent/Guardian Name	Parent/Guardian Signature	Date

PARENTS/GUARDIANS: The Code is reviewed with your child at school, however, it is important that you review the Code with your child at home as well. Please note, all students are required to follow the Code and can receive a disciplinary referral and consequences, even if you refuse or fail to sign this document.

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Code of Student Conduct Introduction





Orange County Public Schools

CODE OF STUDENT CONDUCT 2025-2026

INTRODUCTION

The School Board of Orange County, Florida (Board) is required to adopt a Code of Student Conduct (Code), pursuant to [Policy JIC, titled “Code of Student Conduct,”](#) and [Section 1006.07, Florida Statutes](#). In addition, [Rule 6A-1.0017, Florida Administrative Code](#), defines several offenses the Board must adopt into the Code. Orange County Public Schools (OCPS) has developed the Code to help students, parents/guardians, and school personnel understand the guidelines for maintaining a safe and orderly learning environment. The Code shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each school year and quarterly thereafter and for transferring students upon their enrollment.

The Code applies to all OCPS students in Kindergarten through Grade 12, including high school and school-age students attending either a technical center, a dual-enrollment program or a community school program for high school credit.

Each OCPS student must adhere to OCPS rules and the Code:

- While on Board property;
- While being transported to or from school at public expense;
- During school-sponsored activities, including, but not limited to distance learning, virtual learning, field trips, athletic functions, and similar activities;
- While using an OCPS device or while on the OCPS network, even if in the community;
- While in the community if the behavior has an impact on OCPS or OCPS students; and
- If appropriate, any other area as permitted by Florida Statutes and/or State Board of Education Rules.

In order to conserve resources, schools will not distribute paper copies of the Code to every student. An electronic copy of the Code can be found online at codeofconduct.ocps.net, on the OCPS app, or on OCPS school-issued devices. If you require a paper copy of the Code, please notify your OCPS school.

Federal and state statutes and Board Policies are referenced throughout this handbook. It is important to note that the statutes and Board Policies referenced herein are subject to amendment throughout the school year, which may affect specific sections of this handbook. Should a section be impacted by an amendment during the current school year, the Code will be updated to reflect the amendment as adopted by statute or Board Policy. A redline version of the amendment and footnote with a detailed explanation of the update will be accessible online at codeofconduct.ocps.net.

In Loco Parentis

State and federal law recognizes that teachers and school administrators have a need to stand in place of parents/guardians over children entrusted to them at school. This is a legal concept called *in loco parentis*. While this authority is not equal to a parent's/guardian's authority over a child, it does permit school personnel to exercise a degree of supervision and control over students while students are on Board property, school transportation, or attending a school activity. [Section 1003.31\(1\), Florida Statutes](#), also recognizes that students are under the control and direction of the principal or teacher in charge of the school. This authorizes school personnel to search without a warrant based on reasonable suspicion and are not held to the higher standard of “probable cause” by which law enforcement is bound. This concept authorizes school personnel to question a student without providing the student with Miranda warnings or allowing the student to call a parent/guardian or attorney.

INTRODUCTION

Notice of Limited Responsibility for Supervising Students

OCPS employees are not responsible for supervising students who arrive on school grounds more than 30 minutes before school and/or 30 minutes before a school-sponsored activity is scheduled to begin or students remaining on school grounds more than 30 minutes after school and/or 30 minutes after the school-sponsored activity ends. OCPS is not responsible for supervising students not in attendance at school, or students not authorized to participate in school-sponsored activities. Casual or incidental contact between OCPS personnel and students on school grounds shall not result in a duty to supervise students. Parents/guardians should not rely on OCPS employees to provide supervision for their child outside of the aforementioned time period.

Nothing in this section precludes OCPS from administering discipline for acts or behavior that occur on OCPS property.



Section I: **Discipline Response Code**



SECTION I: DISCIPLINARY RESPONSE CODE

Disciplinary Response Code Overview

The following section provides the disciplinary offenses and potential consequences for students for behavior that occurs on Board property; on school transportation; and at school activities, including, but not limited to distance learning, field trips, athletic functions, and similar activities; and if appropriate, any other area as permitted by Florida Statutes and/or State Board of Education Rules. Student disciplinary offenses and the responses to them are divided into four levels. Each level represents progressively more serious offenses and responses to them become progressively more severe. Some offenses require consultation with law enforcement if the offense is deemed to be a violation of state or federal laws.

OCPS promotes a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a serious threat to school safety. School-based administrators shall provide consistent school-based discipline, where appropriate, and authorized by policy and this Code. In addition, pursuant to [Section 1006.09, Florida Statutes](#), a good faith effort shall be made by the principal or designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions that require immediate suspension or in the case of a serious breach of conduct as defined by the Board and this Code.

OCPS is committed to providing a safe environment for all students and seeks support from the community and parents/guardians in achieving this goal. To that end, [Section 1003.04, Florida Statutes](#), provides that the parent/guardian of each public K-12 student must cooperate with the authority of the Board, OCPS, the Superintendent, the Principal, teachers, and school bus drivers, to remove the student from the classroom and the school bus and, when appropriate and available, to place the student in an alternative educational setting, if the student is disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive.

PLEASE NOTE: Any offense title in Levels 1-4 that is bold and italicized is an offense required by state statute or State Board of Education rule. It is important to note that OCPS is required to report these acts to the Florida Department of Education regardless of the student's capacity to understand the appropriateness of the student's actions (e.g., age and/or disability). The definitions for these offenses can be found in [Rule 6A-1.0017, Florida Administrative Code](#), and on the [Florida Department of Education, Office of Safe Schools website under SESIR Codes and Definitions](#).

Student Discipline Investigations

OCPS stands *in loco parentis* (Latin for "in place of the parent") while a student is in the physical custody of the school and is responsible for investigating all allegations of student misconduct within its jurisdiction using the preponderance of the evidence legal standard. Therefore, OCPS employees are authorized to interview students and obtain witness statements from students involved in offenses of the Code, however, any student may refuse to participate in an investigation. It is important to note that if the behavior is believed to be criminal and a violation of Florida Statutes, the school resource officer, or law enforcement officer, if the school resource officer is not available, may participate in the investigation.

Parents/guardians may request their student not participate in student discipline investigations without authorization from the parent/guardian by submitting the request, in writing, prior to the occurrence of any discipline matter, to the school administration. Refusal to participate in the investigation does not prohibit OCPS from continuing with the investigation and administering an appropriate disciplinary consequence pursuant to the procedures outlined in this Code. In addition, refusal does not prohibit the school resource officer, or law enforcement officer, from continuing the criminal investigation and imposing criminal penalties if warranted.

After the discipline investigation is complete, the parent/guardian of the student being disciplined may request a copy of all documentary evidence upon which the proposed disciplinary consequence is based. However, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed by the parent/guardian of the student being disciplined. A copy will not be provided. Additional information pertaining to discipline offenses and procedures can be found within this section of the Code and [Section II](#).

If the discipline investigation is conducted due to allegations of a threat or threatening behavior, the investigation will be submitted to the School Threat Management Team for review. The School Threat Management Team is established by [Board Policy JICK, Threats](#), and [Section 1006.07, Florida Statutes](#).

Any allegations of sex discrimination or sexual harassment must be forwarded to the school-based Title IX Coordinator for review and investigation before administering disciplinary consequences.

SECTION I: DISCIPLINARY RESPONSE CODE

Level 1: Discipline Response Code

Level 1 offenses are minor acts of misconduct that may interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program or approved transportation.

The OCPS employee involved should intervene in the misconduct. If further action is necessary, the employee shall refer the student to the school administrator for disciplinary action. After hearing the student's explanation, consulting with staff members and other students, and conducting any other necessary investigation, the administrator will decide on disciplinary action. Suspension is not an available disciplinary response for Level 1 violations.

The following offenses and "Code Definitions" apply to Level 1 offenses. The column titled, "Simplified Definition," is provided to help students to have a better understanding of each offense, however, disciplinary referrals will be issued based on the "Code Definition."

PLEASE NOTE: Any offense title in Levels 1-4 that is **bold and italicized** is an offense required by state statute or State Board of Education rule. It is important to note that OCPS is required to report these acts to the Florida Department of Education regardless of the student's capacity to understand the appropriateness of the student's actions (e.g., age and/or disability). The definitions for these offenses can be found in [Rule 6A-1.0017, Florida Administrative Code](#), and on the [Florida Department of Education, Office of Safe Schools website under SESIR Codes and Definitions](#).

LEVEL 1: OFFENSES			
	Offense	Code Definition	Simplified Definition
A.	Cheating	Willful or deliberate unauthorized use of the work of another person for academic purposes, or unauthorized use of notes or other material in the completion of an academic assignment or test. In addition to disciplinary responses, the student may receive no credit for the assignment, test, or exam at the discretion of the teacher.	Using someone else's work and saying it's yours, or using secret notes or other ways to finish a test or homework without telling the teacher.
D.	Disrespect	Written or oral language, or gestures that lack regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel. <i>This offense may include, but is not limited to, speech or behavior that is insulting or rude, or profane language that is not directed at anyone. This section does not include threatening or intimidating language.</i>	Saying or doing things that make someone feel bad, annoyed, or embarrassed. <i>This does not include threats or saying that you may hurt someone.</i>
E.	Dress Code	Not following the OCPS established dress code. (First offense)	Wearing clothes that don't follow the rules of what's allowed to be worn.
F.	Failure to Report for Detention	Failure to report for assigned discipline.	Not going to detention when you're supposed to.
G.	False and/or Misleading Information	Intentionally providing false or misleading information to an OCPS employee, contracted personnel, or volunteer, which does not cause a disruption to the school environment.	Not telling the truth to an adult, even if it doesn't cause trouble at school.
KK.	Electronic Device Violation	Electronic devices that are not being used for educational purposes. An electronic device may include, but is not limited to, tablets, laptops, handheld gaming devices, and other electronic devices. <i>This offense does not include cellphones, earbuds, smartphones, smart watches, or other devices included in the Cell Phone Policy of this Code.</i>	Using electronic devices like tablets, laptops, or electronic games for things that aren't about school, like playing games or listening to music. <i>This does not include cellphones, earbuds, smartphones, smart watches, or other items listed in Level 1S.</i>

LEVEL 1: OFFENSES			
	Offense	Code Definition	Simplified Definition
L.	Tardiness	Late arrival to class, not to school. <i>This offense does not include late arrival to school. Repeated tardiness to school may constitute truancy pursuant to Section 984.151, Florida Statutes and Board Policy JE, Student Attendance. This offense should be used for the first three (3) violations.</i>	Coming late to class without a reason, even though you got to school on time. This doesn't include being late to school.
M.	Unauthorized Absence from School or Class (Skipping)	A student arrives at school and then leaves campus without permission, has temporary unauthorized absences from classes without permission, or fails to attend specific classes.	Not being in school or class without asking your parent or the school for permission.
N.	Other Misconduct	Any other minor act of misconduct that may interfere with the orderly operation of the classroom, the school program, a school activity, an extracurricular/co-curricular program, or approved transportation and cannot be coded as another Level 1 offense.	Doing something wrong that causes trouble in class, during school activities, on the bus, or at school in general, and what you did is not listed as another Level 1 offense.
O.	Unsubstantiated Bullying (UBL)	After an investigation, there is not enough evidence to demonstrate that the alleged "bullying" incident occurred. <i>This offense is for documentation purposes only as required by the Florida Department of Education; discipline consequences are not given.</i>	After looking into a reported bullying incident very carefully, the person who looked into it decides that there isn't enough proof to say for sure it was bullying. This is just to keep track of what happened, but nobody gets in trouble for it.
P.	Unsubstantiated Harassment (UHR)	After an investigation, there is not enough evidence to demonstrate that the alleged "harassment" incident occurred. <i>This offense is for documentation purposes only as required by the Florida Department of Education; discipline consequences are not given.</i>	After looking into a reported incident where someone was bothering another person, the person who looked into it decides that there isn't enough proof to say for sure it was harassment. This is just to keep track of what happened, but nobody gets in trouble for it.
R.	Horseplay	Any rough, uncontrolled play or prank by one or more students.	When a student plays or does something silly without being careful and it might end up causing trouble or someone getting hurt.
S.	Cell Phone/Wireless Communication Device Violation	The use of a wireless communication device during the school day, unless an exception applies under the Cell Phone Policy located within this Code. "Wireless communication devices," include but are not limited to, cell phones and/or auxiliary/ancillary devices such as smartwatches, smart glasses including prescription smart glasses and ear buds. <i>This offense should be used for the first two (2) violations.</i>	Using a device such as a cellphone, earbuds, smart glasses including prescription smart glasses, or smartwatches, when you are not supposed to and you are told by an adult to stop 1 or 2 times.
T.	Student Parking Violation <i>*High School Students Only</i>	Violation of the OCPS and/or school policy, regulation, rule, and/or conditions contained in the application for parking.	

LEVEL 1: DISCIPLINARY RESPONSES

- Confiscation of unauthorized materials, objects, or contraband Assigned seat
- **Counseling and direction***
- Detention
- No contact contract
- **Parent/guardian contact***
- Referral to intervention program
- Referral to mental health services
- Restorative Practice
- SAFE/Guidance referral
- Schedule change
- Special work assignment
- Supervision plan
- Verbal reprimand
- Warning of referral to Level 2
- Withdrawal of privileges

****Mandatory Disciplinary Responses***

SECTION I: DISCIPLINARY RESPONSE CODE

Level 2: Discipline Response Code

Level 2 offenses are more serious acts of misconduct than Level 1 offenses. Level 2 offenses may include repeated acts of misconduct from Level 1 and acts directed against people or property that do not seriously endanger the health or safety of others. Level 2 offenses that are determined to be acts of hate or hate-crime related, as defined in [Florida Administrative Code Rule 6A-1.0017\(8\)\(e\)](#), may receive higher consequences and/or increased to a Level 3 offense and are required to be reported to the Florida Department of Education's School Environmental Safety Incident Reporting (SESIR) system and law enforcement.

The misconduct must be reported to the appropriate school administrator for further investigation. After hearing the student's explanation, consulting with staff members and other students, and conducting any other necessary investigation, the administrator will follow the procedure designated for Level 2 violations in investigating the matter and deciding on the progressive disciplinary action. Out-of-school suspension is not an available disciplinary response for Level 2 violations.

The following offenses and "Code Definitions" apply to Level 2 offenses. The column titled, "Simplified Definition," is provided to help students to have a better understanding of each offense, however, disciplinary referrals will be issued based on the "Code Definition."

PLEASE NOTE: Any offense title in Levels 1-4 that is bold and italicized is an offense required by state statute or State Board of Education rule. It is important to note that OCPS is required to report these acts to the Florida Department of Education regardless of the student's capacity to understand the appropriateness of the student's actions (e.g., age and/or disability). The definitions for these offenses can be found in Rule 6A-1.0017, Florida Administrative Code, and on the Florida Department of Education, Office of Safe Schools website under SESIR Codes and Definitions.

LEVEL 2: OFFENSES			
	Offense	Code Definition	Simplified Definition
A.	Destruction of Property/ Vandalism (under \$100)	The willful or malicious destruction of Board property, school transportation, or the property of others.	Breaking or damaging things that belong to the school, the school bus, or to someone else.
B.	Disrespect	Repeated written or oral language, or gestures that lack regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel. <i>This offense may include, but is not limited to, inappropriate language directed towards another that is not profane.</i>	Continuously being mean or embarrassing others, including teachers. This is worse than a Level 1 and could include saying mean things without saying bad words.
C.	Physical Altercation	Minor physical contact between two or more students such as pushing, shoving, or an altercation that stops upon verbal command. SELF-DEFENSE: If a student is unable to leave the area of a pending attack, a student may use self-defense. Self-defense is an action taken that is necessary to protect oneself or others from serious bodily harm; however, the action taken cannot be more forceful than the attack the student is trying to stop (see Section 1006.13, Florida Statutes). Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding oneself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (e.g., punching, slapping, kicking) a person back, or choosing not to leave after you are able to get away, may be considered fighting.	Hitting, pushing, or touching another student in a way that causes trouble, but stops when someone tells them to stop. SELF-DEFENSE: If someone hits you, instead of hitting back, you can protect yourself using self-defense. Self-defense means asking an adult for help, blocking the person so they can't hit you or anyone else, covering yourself from being hit, or pushing them away so you can go somewhere safe. But if you hit them back or keep fighting instead of trying to leave, you might get in trouble.

LEVEL 2: OFFENSES			
	Offense	Code Definition	Simplified Definition
D.	Forgery (Non-criminal)	To create or reproduce the signature or document of another for fraudulent purposes. <i>This offense may include, but is not limited to, signing a document with your parent's/guardian's signature without permission.</i>	Writing a note to trick a teacher or staff member, or signing a paper with your parent's name when they didn't really sign it.
E.	Gambling (OMC) <i>Must Report to Law Enforcement</i>	Any unlawful participation in games (or activities) of chance for money and/or other things of value.	Playing games where you bet money or valuable things.
F.	Insubordination/ Open Defiance	Verbal or non-verbal refusal to comply with school rules or directions from an OCPs employee, contracted personnel, or volunteer without causing a disruption or committing any further acts.	Not listening to school rules or to what teachers say, without causing a big problem.
G.	Threat/ Intimidation (TRE) <i>Must Report to Law Enforcement</i>	An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or non-verbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes threats to hit, fight, or beat up another person without a plan and/or furtherance of action.</i>	Saying something or acting in a way that makes another person feel like they might get hurt, even though no one actually touched them. This could be through words or actions that make them think they might be harmed. It doesn't matter if these threats are said face-to-face, online, or any other way. <i>This includes making threats to hit or fight someone, whether it's in person, online, or in any other way.</i>
J.	Stealing (under \$375)	Taking the property of another without permission of the person.	Taking something that doesn't belong to you without asking if it's okay first.
K.	Unauthorized Assembly, Publications, etc.	Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications, including misuse of electronic messages or computers, which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.	Having meetings or giving out papers to other students without asking first, which makes the school day or activities not go smoothly.
M.	Other Serious Misconduct	Any other act of misconduct that is more serious, harmful, or is a more disruptive example of any of the offenses described in Level 1, which may interfere with the orderly operation of the school, school transportation, or school activity and cannot be coded as another Level 2 offense.	Doing something really bad or harmful at school that's worse than a Level 1 offense and causes big problems for the school, like disrupting classes or activities, and what you did is not listed as another Level 2 offense.
N.	Gang Related	The possession, use, or displaying of items associated with gang activity that include, but is not limited to, clothing and accessories, gang related insignias, writings, signs, or symbols that promote gang affiliation and/or involvement.	Wearing or showing things at school that are connected to gangs, like certain clothes or symbols.

LEVEL 2: OFFENSES			
	Offense	Code Definition	Simplified Definition
Q.	Electronic Device Violation	The repeated misuse of electronic devices; unauthorized access to programs or files not expected or intended for student use on an electronic device or OCPS network (e.g., gaming); sharing another person's username and password; or intentionally providing access to another person to use the student's device while the student is logged in. <i>This offense does not include cellphones, earbuds, smartphones, smart watches, or other devices included in the Cell Phone Policy of this Code.</i>	Using electronic devices many times for things that are not related to school. This includes going into programs or files you're not supposed to, sharing your username and password with someone else, or letting someone else use your device when you're logged in. <i>This does not include cellphones, earbuds, smartphones, smart watches, or other items listed in Level 2U.</i>
S.	Horseplay	Any rough, uncontrolled play or prank that involves one or more students and there is minor injury (e.g., scratch, bruise, etc.) as a result of the horseplay, however, the minor injury was not intentional.	Playing rough or doing pranks and someone gets hurt, like a scratch or bruise, even if you did not mean to hurt the other person.
T.	Dress Code	Not following the OCPS established dress code. <i>This offense should be used for second and subsequent offenses of the dress code violation.</i>	Wearing clothes that don't follow the rules of what's allowed to be worn more than once.
U.	Cell Phone/Wireless Communication Device Violation	The repeated use of a wireless communication device during the school day, unless an exception applies under the Cell Phone Policy located within this Code. "Wireless communication devices," include but are not limited to, cell phones and/or auxiliary/ancillary devices such as smartwatches, smart glasses including prescription smart glasses and ear buds. <i>This offense should be used for 3-4 violations.</i>	Using a device such as a cellphone, earbuds, smart glasses including prescription smart glasses or smartwatches, when you are not supposed to and have already been told by an adult to stop using it 3 or 4 times.
V.	Tardiness	Repeated late arrival to class, not to school. <i>This offense does not include late arrival to school. Repeated tardiness to school may constitute truancy pursuant to Section 984.151, Florida Statutes and Board Policy JE, Student Attendance. This offense should be used for four (4) or more violations.</i>	Repeatedly coming late to class without a reason, even though you got to school on time. This doesn't include being late to school.
W.	Unauthorized Absence from School or Class (Skipping)	A student repeatedly arrives at school and then leaves campus without permission, has temporary unauthorized absences from classes without permission, or fails to attend specific classes.	Repeatedly not coming to school or class without asking your parent or the school for permission.
X.	Over-the-Counter Medication	The first-time purchase, sale, or giving of any over-the-counter medication to another person. <i>If an excess amount of over-the-counter medication is taken or the over-the-counter medication is purchased, sold, or given for mood modifying purposes, then a Level 4F or 4U should be considered.</i>	Giving, buying or selling medicine that you can buy from the store to another person. <i>If you take too much of this type of medicine on purpose or give this type of medicine to someone else, so they can feel funny, you may get a Level 4.</i>

LEVEL 2: OFFENSES			
	Offense	Code Definition	Simplified Definition
Y.	Contraband	The first-time a student possesses, and/or distributes materials or items, other than weapons or firearms (<i>see</i> 4H - Weapons) or other dangerous objects (<i>see</i> - 4K - Other Dangerous Objects), which are not allowed on school property, transportation, or at school-sponsored events. The parent/guardian will arrange to pick up the object from the school, if applicable. At no time shall OCPS be responsible for theft, loss or damage to contraband items brought onto its property. <i>This offense may include, but is not limited to, lighters, eyebrow trimmers, or concealed self-defense chemical spray containing two (2) ounces or less that is not used or threatened to be used.</i>	The first-time a student brings or shares things at school that aren't allowed, like matches, lighters, toy guns, tools, and more. If this happens, a parent or guardian will need to come to school to pick up the item. The school won't be responsible if these things are lost, stolen, or broken while at school.
Z.	Student Parking Violation <i>*High School Students Only</i>	Repeated violations of the OCPS and/or school policy, regulation, rule, and/or conditions contained in the application for parking. <i>This offense should be used for 2-3 violations.</i>	
LEVEL 2: DISCIPLINARY RESPONSES			
- Alternative classroom - Behavior contract/plan - Confiscation of unauthorized materials - Counseling and direction* - Detention - No contact contract - Parent/guardian contact* - PASS (1-10 days) - Referral to intervention program - Referral to mental health services - Restitution - Restorative Practice - Return of property - SAFE/Guidance referral - Schedule change - Special work assignment - Supervision plan - Suspension from bus (1-10 days) - Temporary removal or participation in extracurricular/co-curricular programs or activities - Warning of referral to Level 3			

***Mandatory Disciplinary Responses**

Highlighted Disciplinary Responses are additional responses available to a school that are not available for a Level 1 offense.

SECTION I: DISCIPLINARY RESPONSE CODE

Level 3: Discipline Response Code

Level 3 offenses are major acts of misconduct that disrupt the orderly operation of the school, school activity, or school transportation and threaten the health, safety, and property of others. Level 3 offenses may include repeated acts of misconduct from Level 2. Level 3 offenses that are determined to be acts of hate or hate-crime related, as defined in [Florida Administrative Code Rule 6A-1.0017\(8\)\(e\)](#), may receive higher consequences and/or increased to a Level 4 offense and are required to be reported to the Florida Department of Education's School Environmental Safety Incident Reporting (SESIR) system and law enforcement.

The misconduct must be reported right away to the school administrator for further investigation. After hearing the student's explanation, consulting with staff members and other students, and conducting any other necessary investigation, the administrator will follow the procedure designated for Level 3 violations in investigating the matter and deciding on the progressive disciplinary action, which may result in the removal of the student from the school or activity immediately.

The following offenses and "Code Definitions" apply to Level 3 offenses. The column titled, "Simplified Definition," is provided to help students to have a better understanding of each offense, however, disciplinary referrals will be issued based on the "Code Definition."

PLEASE NOTE: Any offense title in Levels 1-4 that is bold and italicized is an offense required by state statute or State Board of Education rule. It is important to note that OCPS is required to report these acts to the Florida Department of Education regardless of the student's capacity to understand the appropriateness of the student's actions (e.g., age and/or disability). The definitions for these offenses can be found in [Rule 6A-1.0017, Florida Administrative Code](#), and on the [Florida Department of Education, Office of Safe Schools website](#) under SESIR Codes and Definitions.

LEVEL 3: OFFENSES			
	Offense	Code Definition	Simplified Definition
A.	<i>Simple Battery (PHA)</i> <i>Must Report to Law Enforcement</i>	An actual and intentional striking of another person against his or her will without injury. Florida Administrative Code Rule 6A-1.0017 . <i>This offense does not include fighting if the students involved are mutual combatants.</i>	Hitting another person on purpose when they don't want you to, but without hurting them. <i>This doesn't count if both people agree to fight.</i>
C.	Destruction of Property/Vandalism (\$100 to \$999)	The willful or malicious destruction of Board property, school transportation, or the property of others.	Breaking or damaging things that belong to the school or to someone else on purpose.
D.	Disrespect	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, OCPS employee, volunteer, or contracted personnel. <i>This offense may include, but is not limited to, language and/or gestures that are abusive and/or profane directed towards another person.</i>	Doing things that hurt someone's feelings, make them feel embarrassed, or just generally make them feel bad. <i>This could include saying or doing mean things or using bad words.</i>
E.	Extortion/Blackmail	The willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, or items of material worth. <i>This offense may include, but is not limited to, threatening to accuse another of a minor offense or crime in order to obtain lunch money.</i> <i>This offense does not include taking or attempted taking of money or property from the person (see Level 4M - Robbery).</i>	Making threats to hurt others in order to get something from them. <i>If you take or try to take something from someone and threaten to hurt them, that is a Level 4.</i>

LEVEL 3: OFFENSES

	Offense	Code Definition	Simplified Definition
F.	Fighting (FIT) <i>Must Report to Law Enforcement</i>	When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Florida Administrative Code Rule 6A-1.0017 . SELF-DEFENSE: If a student is unable to leave the area of a pending attack, a student may use self-defense. Self-defense is an action taken that is necessary to protect oneself or others from serious bodily harm; however, the action taken cannot be more forceful than the attack the student is trying to stop (see Section 1006.13, Florida Statutes). Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding oneself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (e.g., punching, slapping, kicking) a person back, or choosing not to leave after you are able to get away, may be considered fighting.	<u>When two or more people use force or violence together, and either someone else needs to step in to stop it or it causes an injury needing first aid or a doctor.</u> SELF-DEFENSE: If someone hits you, instead of hitting back, you can protect yourself using self-defense. Self-defense means asking an adult for help, blocking the person so they can't hit you or anyone else, covering yourself from being hit, or pushing them away so you can go somewhere safe. But if you hit them back or keep fighting instead of trying to leave, you might get in trouble.
G.	Firecrackers/ Fireworks	Unauthorized possession, sale, or storage of unlit fireworks or firecrackers on Board property, school transportation, and/or at a school activity.	Having, keeping, or selling fireworks or firecrackers on school property, in school vehicles, or during school events without setting them off.
H.	Gross Insubordination/ Open Defiance	Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order; challenging the authority of an OCPS employee, contracted personnel, or volunteer in the presence of others which causes a disruption.	Not listening to what school staff tell you to do on purpose; saying or doing things that show you won't follow any directions; or arguing with an adult in front of others, which causes a problem.
I.	Illegal Organizations	Establishing or participating in a secret society on Board property, on school transportation, and/or at a school activity.	Being in groups or clubs that are kept secret at school and adults don't know about it.
J.	Possession of Contraband Material	The repeated possession and/or distribution of materials or items, other than weapons or firearms (see 4H - Weapons) or other dangerous objects (see - 4K - Other Dangerous Objects), which are not allowed on school property, transportation, or at school-sponsored events. The parent/guardian will arrange to pick up the object from the school, if applicable. At no time shall OCPS be responsible for theft, loss or damage to contraband items brought onto its property. <i>This offense may include, but is not limited to, lighters, eyebrow trimmers, or concealed self-defense chemical spray containing two (2) ounces or less that is not used or threatened to be used.</i>	Repeatedly bringing or sharing things at school that aren't allowed, like matches, lighters, toy guns, tools, and more. If this happens, a parent or guardian will need to come to school to pick up the item. The school won't be responsible if these things are lost, stolen, or broken while at school.

LEVEL 3: OFFENSES			
	Offense	Code Definition	Simplified Definition
L.	Tobacco/Vaping/ Nicotine (TBC) <i>Must Report to Law Enforcement</i>	The possession or use of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation. Tobacco incidents cannot be Drug-related. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes vaping nicotine products, items represented to be of said nature, and additional items which may include, but are not limited to, electronic cigarettes, CBD oil, Juuls, pods, vapors and hookah pens that do not contain THC or any other illegal controlled substance.</i>	Smoking cigarettes or vaping with nicotine at school, during school events, or on school buses.
M.	Stealing (\$375 to \$749)	The taking of the property of another without the permission of the person.	Taking someone else's things without asking.
N.	Unauthorized Entrance to OCPS Property	To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry. <i>This applies only to incidents that did not have a prior official warning, did not result in an arrest, or did not involve students under suspension or expulsion.</i>	Going or staying on school property, school buses, or school events without permission or after being told to leave by the school staff. <i>This rule applies only if there wasn't a warning to leave before, nobody got arrested, or it didn't involve students who were already suspended or expelled.</i>
O.	Violation of Curfew	Breaking of curfew regulations during an extracurricular/co-curricular activity.	Breaking curfew rules means not following the time you're supposed to be back during a school activity.
Q.	Other Serious Misconduct	Any other act of misconduct that is more serious, harmful, or is a more disruptive example of any of the offenses described in Level 2, which may interfere with the orderly operation of the school, school transportation, or school activity and cannot be coded as another Level 3 offense. <i>This offense may include, but is not limited to, sexting that is not intended to extend beyond the sender/receiver; body piercing, providing false/misleading information to staff members, or written/verbal language intended or reasonably calculated to insult and/or incite another person.</i>	Doing something really bad, harmful, or very disruptive at school, on the bus, or during a school activity, which is worse than Level 2 offenses and doesn't fit into any other Level 3 category. <i>This may include piercing your ears at school, lying to adults on purpose, saying or doing something that gets someone else in trouble.</i>
T.	Threat/Intimidation (TRE) <i>Must Report to Law Enforcement</i>	An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or non-verbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes threats to hit, fight, or beat up another person with a plan and/or furtherance of action, or to kill another person without a plan and/or furtherance of action.</i>	Saying something or acting in a way that makes another person feel like they might get hurt, even though no one actually touched them. This could be through words or actions that make them think they might be harmed. It doesn't matter if these threats are said face-to-face, online, or any other way. <i>This includes things like threatening to hit, fight, or beat up someone and planning how to do it or trying to do it, or threatening to kill someone without planning how to do it or trying to do it.</i>

LEVEL 3: OFFENSES			
	Offense	Code Definition	Simplified Definition
U.	Gang Related	Conduct or behavior that tends to promote gang activity or provoke violence, and seriously disrupts the orderly operation of the school program, any school activity or transportation services. <i>This offense includes, but is not limited to, the possession, use or displaying of gang paraphernalia, jewelry, tattoos, clothing, or other insignias and writings that promote gang affiliation/involvement/the use of gang related signs or symbols or any other gang associated behavior.</i>	Doing things or acting in a way that encourages gangs, causes fights, or makes it hard for school to run smoothly. <i>This includes having or using gang-related stuff or doing anything else that shows you're involved with gangs.</i>
V.	Harassment (HAR) <i>Must Report to Law Enforcement</i>	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an OCPS student or school employee in reasonable fear of harm to his 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 including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-Related. Florida Administrative Code Rule 6A-1.0017 . <i>Harassment is something that happens one (1) time, if the behavior is repetitive, it could be a Level 4V-Bullying.</i>	Doing anything that makes another person feel scared they might get hurt or their things might get damaged. This includes saying mean things, making threatening movements, using computer programs to harm someone, or doing anything that makes it hard for a student to learn or for the school to run smoothly. If you do this to the same person more than once, then it is Bullying, which is a Level 4. <i>Harassment only has to happen one (1) time, if it happens more than once, then it could be a Level 4V - Bullying.</i>
Y.	Electronic Device Violation	The continual misuse of electronic devices five (5) or more instances), that are not educational in nature; the unauthorized modification of software/hardware configuration on an electronic device (e.g., factory reset of District device); unauthorized access to programs and/or files not expected or intended for student use on an electronic device or OCPS network; unauthorized access to websites using a proxy. <i>This offense does not include images, videos, messages, etc. that can be classified as another offense (e.g., threats, images/videos containing nudity). In addition, this offense does not include cellphones, earbuds, smartphones, smart watches, smart glasses including prescription smart glasses or other devices included in the Cell Phone Policy of this Code.</i>	Using electronic devices for things that have nothing to do with school, like playing games or using programs you're not allowed to use. This also includes trying to access the internet or look at files that you're not supposed to. However, it doesn't include things like sending inappropriate pictures, videos, or messages, which would be a different offense. <i>This does not include cellphones, earbuds, smartphones, smart watches, or other items listed in Level 3DD.</i>
AA.	Horseplay	Any rough, uncontrolled play or prank that involves one or more students and there is serious injury as a result of the horseplay (e.g., medical intervention required), however, the injury was not intentional.	Playing too rough and accidentally hurting someone who needs to see the nurse or a doctor.

LEVEL 3: OFFENSES			
	Offense	Code Definition	Simplified Definition
CC.	Disruptive Conduct	Conduct or behavior that interferes with or disrupts the orderly process of teaching/learning, school environment, a school function, or extracurricular/co-curricular activity. <i>This offense does not include behavior that would amount to a Level 4T – Other or Level 4I, Disruption of Campus-Major.</i>	Doing things that make it hard for teachers to teach, students to learn, or for school activities to happen. <i>This doesn't include really serious disruptions, like ones that stop the whole school from running properly, that would be a Level 4.</i>
DD.	Cell Phone/Wireless Communication Device Violation	The repeated use of a wireless communication device during the school day, unless an exception applies under the Cell Phone Policy located within this Code. "Wireless communication devices," include but are not limited to, cell phones and/or auxiliary/ancillary devices such as smartwatches, smart glasses including prescription smart glasses and ear buds. <i>This offense should be used for five (5) or more violations.</i>	Using a device such as a cellphone, earbuds, smart glasses including prescription smart glasses or smartwatch, when you are not supposed to and have already been told by an adult to stop using it five (5) or more times.
EE.	Campus Security Violation	Intentionally allowing someone to have unauthorized access to the school campus or a specific classroom. <i>This offense includes, but is not limited to, propping open doors with the intent of allowing others on the campus who are not supposed to be there or providing a false identity. If the campus security violation results in a major campus disruption or injury to others, then a Level 4 offense should be considered.</i>	Letting someone into the school that you know should not be there. <i>This may include leaving doors open on purpose so someone can come in or lying about who you are to a teacher or substitute. If what you did causes someone to get hurt or makes the school not run smoothly, then you may get a Level 4.</i>
FF.	Indecent Misconduct <i>*Grades KG – 2 Only</i>	A student exposing or showing his/her private body parts in a manner that is not lewd or lascivious and there is no proof the student had conscious sexual intent (for all other exposure see Levels 4O or 4P).	Showing your private parts to others.
GG.	Over-the-Counter Medication	The repeated purchase, sale, or giving of any over-the-counter medication to another person. <i>If an excess amount of over-the-counter medication is taken or the over-the-counter medication is purchased, sold, or given for mood modifying purposes, then a Level 4F or 4U should be considered.</i>	Repeatedly giving, buying or selling medicine that you can buy from the store to another person. <i>If you take too much of this type of medicine on purpose or give this type of medicine to someone else, so they can feel funny, you may get a Level 4.</i>
HH.	Student Parking Violation <i>*High School Students Only</i>	Repeated violations of the OCPS and/or school policy, regulation, rule, and/or conditions contained in the application for parking. <i>This offense should be used for four (4) or more violations.</i>	

LEVEL 3: DISCIPLINARY RESPONSES

- Alternative class
- Behavior contract/plan
- Confiscation of unauthorized materials, objects, or contraband
- **Counseling and direction***
- Detention
- No contact contract
- **Parent/guardian contact***
- PASS (1-10 days)
- Referral to intervention program
- Referral to mental health services
- Restitution
- Restorative Practice
- Return of property
- SAFE/Guidance referral
- Schedule change
- Supervision plan
- Suspension from bus (1-10 days)
- **Suspension from school (1-10 days)**
- Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities
- Warning of referral to Level 4

****Mandatory Disciplinary Responses***

Highlighted Disciplinary Responses are additional responses available to a school that are not available for Level 1-2 offenses.

SECTION I: DISCIPLINARY RESPONSE CODE

Level 4: Discipline Response Code

Level 4 offenses are the most serious acts of misconduct and are grounds for expulsion. Level 4 offenses may include repeated acts of misconduct from Level 3. Any Level 4 act shall result in a 10-day suspension with a potential recommendation for expulsion. Level 4 offenses that are determined to be acts of hate or hate-crime related, as defined in [Florida Administrative Code Rule 6A-1.0017\(8\)\(e\)](#), are required to be reported to the Florida Department of Education's School Environmental Safety Incident Reporting (SESIR) system and law enforcement.

Major acts of misconduct must be reported right away to the school administrator for further investigation. After hearing the student's explanation, consulting with staff members and other students, and conducting any other necessary investigation, the administrator will follow the procedure designated for Level 4 violations in investigating the matter and refer the Level 4 to District personnel for further review.

The following offenses and "Code Definitions" apply to Level 4 offenses. The column titled, "Simplified Definition," is provided to help students to have a better understanding of each offense, however, disciplinary referrals will be issued based on the "Code Definition."

PLEASE NOTE: Any offense title in Levels 1-4 that is bold and italicized is an offense required by state statute or State Board of Education rule. It is important to note that OCPS is required to report these acts to the Florida Department of Education regardless of the student's capacity to understand the appropriateness of the student's actions (e.g., age and/or disability). The definitions for these offenses can be found in [Rule 6A-1.0017, Florida Administrative Code](#), and on the [Florida Department of Education, Office of Safe Schools website under SESIR Codes and Definitions](#).

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
A.	<i>Alcohol (ALC)</i> <i>Must Report to Law Enforcement</i>	Possession, sale, purchase, distribution, or use of alcoholic beverages. Use means the person is caught in the act of using, admits to use, or is discovered to have used in the course of an investigation. Alcohol incidents cannot be drug related. Florida Administrative Code Rule 6A-1.0017.	Having, selling, buying, giving, or drinking grown-up drinks like alcohol is not allowed. "Using" means getting caught doing it, saying you did it, or it being found out you did it when the school looks into it.
B.	<i>Arson (ARS)</i> <i>Must Report to Law Enforcement</i>	(intentionally setting a fire on school property) To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Florida Administrative Code Rule 6A-1.0017.	Setting something on fire on purpose, or making something explode on purpose that causes damage.
C.	<i>Threat/Intimidation (TRE)</i> <i>Must Report to Law Enforcement</i>	(instilling fear in others) An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically, or through any other means. Florida Administrative Code Rule 6A-1.0017. <i>This offense includes threats to kill with a plan and/or furtherance of action.</i>	Saying something or acting in a way that makes another person feel like they might get hurt, even though no one actually touched them. This could be through words or actions that make them think they might be harmed. It doesn't matter if these threats are said face-to-face, online, or any other way. <i>This includes threatening to kill someone and planning how to do it or trying to do it.</i>

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
D.	Aggravated Battery (BAT) <i>Must Report to Law Enforcement</i>	(intentional great bodily harm) A battery where the attacker intentionally or knowingly causes more serious injury such as great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or where the attacker knew or should have known the victim was pregnant. Florida Administrative Code Rule 6A-1.0017. <i>This offense includes injuries with substantial risk of death, extreme physical pain, protracted and obvious disfigurement, and protracted loss or impairment of the function of a bodily member, organ, or mental faculty.</i>	Someone hurts another person very badly on purpose. It could mean causing really serious injuries like hurting their body a lot, making them unable to move or use their body parts forever, or making them look very different. It also includes when someone uses a dangerous weapon to hurt someone or when they knew that the person they hurt was going to have a baby.
E.	Threats to the School (DOC) <i>Must Report to Law Enforcement</i>	Making a threat or false report of a threat that involves the school or school personnel's property, school transportation, or a school-sponsored activity. This is a zero-tolerance offense under Section 1006.13, Florida Statutes. <i>This offense includes, but is not limited to, reposting threats, threats to throw, project, place, or discharge any destructive device; false reports concerning planting a bomb, an explosive, or weapon of mass destruction; or concerning the use of firearms in a violent manner.</i>	Saying or doing something that threatens the school, school bus, or school activity that may be said out loud, hinted at, or even posted online or sent in messages. <i>This may include making a bomb threat or threatening to kill a lot of people.</i>
F.	Drug Use/Possession (DRU) <i>Must Report to Law Enforcement</i>	(illegal drug possession or use) The use or possession of any drug (e.g. illegal drugs, prescription drugs, etc.), narcotic, controlled substance, or any substance when used for chemical intoxication. Use means the person is caught in the act of using, admits to use, or is discovered to have used in the course of an investigation. Florida Administrative Code Rule 6A-1.0017. <i>This offense includes the possession or use of any substance represented as a drug, narcotic, controlled substance, or any other substance when used for chemical intoxication.</i> <i>This offense also includes the possession or use of prescription medication that is not prescribed to the student.</i>	Having or taking any kind of drug, medicine that's not allowed, or something that can make you feel strange. "Using" means getting caught doing it, saying you did it, or it being found out you did it when the school looks into it.

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
H.	Weapons Possession (WPO) <i>Must Report to Law Enforcement</i>	(possession of firearms and other instruments which can cause harm) Possession of a firearm or weapon as defined by Section 790.001, Florida Statutes, that can inflict serious harm on another person or that can place the person in reasonable fear of serious harm. Florida Administrative Code Rule 6A-1.0017. <i>This offense includes the following objects as defined in Section 790.001, Florida Statutes.</i> Firearm means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term "firearm" does not include an antique firearm unless the antique firearm is used in the commission of a crime." Weapon means any dirk, knife (with a blade length of 2.5 inches or more), metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device over two (2) ounces, or other deadly weapon.	Having a gun or weapon that can seriously hurt someone or make them really scared. <i>This may include having a gun, bomb, dirk, knife with a blade that is more than 2.5 inches, slungshot, club, metal knuckles, pepper spray over two (2) ounces, or other weapon that can seriously hurt someone.</i>
I.	Disruption on Campus-Major (DOC) <i>Must Report to Law Enforcement</i>	(major disruption of all or a significant portion of campus activities, school-sponsored events, and school bus transportation) Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others. Examples of major disruptions include inciting a riot or initiating a false alarm." Florida Administrative Code Rule 6A-1.0017. <i>This offense may include, but is not limited to, disruptive behavior that causes the bus to stop for safety, closing the cafeteria, pulling a fire alarm, preventing other students from proceeding to the next class.</i>	Causing a big problem that makes it hard for everyone at school to do their activities or go to events. <i>This includes things like starting a big fight, pretending there's an emergency when there isn't, causing the bus to stop for safety, causing the cafeteria to close, pulling a fire alarm when there is not a fire, or stopping other students from going to their class.</i>
J.	Grand Theft (\$750 or over) (STL) <i>Must Report to Law Enforcement</i>	(taking of property from a person, building, or a vehicle) (\$750 threshold) The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as robbery. Florida Administrative Code Rule 6A-1.0017.	Taking things that don't belong to you, like a car or cellphone, that is worth \$750 or more, without scaring or hurting anyone. If someone takes things and uses force or makes the person scared, it's called robbery and is a Level 4M.

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
K.	Other Dangerous Objects	The possession, sale, distribution, or control of any instrument or object, other than a firearm or weapon as defined under a Level 4H, Weapons Possession, which could be used to inflict harm on another person or to intimidate any person. <i>This offense includes, but is not limited to, BB guns or pellet guns, airsoft guns, paintball guns and replicas of any gun or weapon, water/gel bead gun, chains, pipes, common household tools, razor blades, box cutter/utility knife, knives with blades less than 2.5 inches, ice picks, other pointed instruments, nunchucks, throwing stars, Taser, items used for self-defense (e.g., kubaton), ammunition, firearm clips, firearm cartridges. This offense also includes igniting fireworks/firecrackers.</i>	Having, selling, or giving out things that could hurt or scare someone. <i>This includes things like BB guns, airsoft guns, paintball guns, something that looks like a gun, water/gel bead guns, chains, pipes, tools, razor blades, box cutters, knives with blades that are less than 2.5 inches, sharp things, nunchucks, throwing stars, items for self-defense, bullets, bullet holders, or lighting fireworks.</i>
L.	Repeated Misconduct of a More Serious Nature	Repeated misconduct, which may substantially disrupt the orderly conduct of a classroom, school, school transportation, and/or school activity. Recommendations for expulsion relative to repeated misconduct must be based on documented referrals and a variety of intervention strategies.	Doing the wrong thing over and over again, which can really affect how things are supposed to be in class, school, on the bus, or during school activities.
M.	Robbery (ROB) <i>Must Report to Law Enforcement</i>	(using force to take something from another) The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force, or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear. Florida Administrative Code Rule 6A-1.0017 .	Taking or trying to take someone's money or things on purpose, and making them really scared by using force, threats, or violence. The big difference between Grand Theft and Robbery is that Robbery includes being violent, threatening violence, or scaring the person.
N.	Sexual Battery (SXB) <i>Must Report to Law Enforcement</i>	(attempted or actual) Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or foreign object. Both males and females can be victims of sexual battery. Florida Administrative Code Rule 6A-1.0017 .	Someone trying to make another person do things with their private body parts that are not okay or using things that pretend to be private body parts. Boys and girls can be hurt by this. It's not okay for adults at school, other kids, or people who are not part of the school to do these things. This should never happen, and it's important to tell a trusted adult if it does.

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
O.	Sexual Harassment (SXH) <i>Must Report to Law Enforcement</i>	(undesired sexual behavior) Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cell phones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes unwanted sexting or sexting that extends beyond the initial sender/receiver.</i>	When someone does things that make another person uncomfortable, like saying or doing things that involve private parts. This can happen through talking, writing, or using devices like computers or phones. It's not okay for adults at school, other kids, or people who are not part of the school to do these things. This should never happen, and it's important to tell a trusted adult if it does.
P.	Sexual Offenses (SXO) <i>Must Report to Law Enforcement</i>	(lewdness, indecent exposure) Other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. Florida Administrative Code Rule 6A-1.0017 .	When two or more students agree to touch each other's private body parts or when a student shows private parts in a disrespectful way. It's not okay for adults at school, other kids, or people who are not part of the school to do these things. This should never happen, and it's important to tell a trusted adult if it does.
Q.	Violation of Early Re-entry Plan	Any act or series of acts that violates or has the practical effect of violating an early re-entry plan from full exclusion/expulsion.	Doing something that breaks the plan to come back early after being removed from the school for another offense.
S.	Criminal Mischief (\$1000 or over) (VAN) <i>Must Report to Law Enforcement</i>	(destruction, damage, or defacement of school or personal property) Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. Florida Administrative Code Rule 6A-1.0017 .	Doing things on purpose to hurt or breaking things that belong to the school or other people. That included drawing on walls or damaging anything that doesn't belong to you.
T.	Other Major (OMC) <i>Must Report to Law Enforcement</i>	(major incidents that do not fit within the other definitions) Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. Florida Administrative Code Rule 6A-1.0017 .	When something happens and it's so serious that the police need to be involved to figure things out. This offense is used when the action cannot fit into another Level 4 category.
U.	Drug Sale/Distribution (DRD) <i>Must Report to Law Enforcement</i>	(illegal sale or distribution of drugs) The manufacture, cultivation, purchase, sale or distribution of any drug, narcotic, controlled substance or any substance represented to be a drug, narcotic, or controlled substance. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes the intent to sell any drug, narcotic, controlled substance or any other substance represented to be a drug, narcotic, or controlled substance.</i> <i>This offense also includes giving prescription drugs to another student.</i>	Making, growing, buying, selling, or giving out any drug or substance that might act like a drug. <i>This may include trying to sell drugs even if you have not sold any yet or giving medicine a doctor gave you to someone else.</i>

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
V.	Bullying (BUL) Must Report to Law Enforcement	(intimidating behaviors that are repeated, intentional, and involve a power imbalance) Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Section 1006.147, Florida Statutes. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment. Florida Administrative Code Rule 6A-1.0017. <i>The bullying includes intimidating behaviors that are repeated, intentional, and involve a power imbalance.</i> <i>Repeated discipline of another nature (such as repeated fights with the same person) may constitute bullying.</i>	When someone keeps being mean or hurting others over and over again, either by doing things physically or making them feel really bad. This can happen at school or even online, like on computers. Bullying isn't just hitting or pushing—it can also be teasing, leaving someone out, threatening, scaring, following, stealing, being mean, embarrassing someone, or breaking someone's things. Bullying also means that one person has more control or power than the other person.
X.	Hazing (HAZ) Secondary Only Must Report to Law Enforcement	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. "Hazing" includes, but is not limited to pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements. Florida Administrative Code Rule 6A-1.0017.	For 6-12 Grades only. When someone pressures or forces another student to do something that is illegal or dangerous or they hurt the other student just so the other person can be part of a school club or sport.
Y.	Simple Battery (PHA) Must Report to Law Enforcement	An actual and intentional touching or striking of another person against his/her will causing bodily harm. Florida Administrative Code Rule 6A-1.0017. <i>This offense includes incidents that require immediate first aid or subsequent medical attention. This offense does not include death or injuries with substantial risk of death, extreme physical pain, protracted and obvious disfigurement, and protracted loss or impairment of the function of a bodily member, organ, or mental faculty (see 4D Aggravated Battery)</i>	When someone touches or hits another person on purpose and they hurt the other person's body and the other person has to get help from the nurse or doctor.
Z.	Sexual Assault (SXA) Must Report to Law Enforcement	An incident that includes fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault. Florida Administrative Code Rule 6A-1.0017.	A really serious situation where someone does or says things that are not okay about someone else's private parts. Both boys and girls can be hurt by this. It's not okay for adults at school, other kids, or people who are not part of the school to do these things. This should never happen, and it's important to tell a trusted adult if it does.

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
AA.	Electronic Device Violation	Use of unauthorized access to programs and/or files not expected or intended for student use on any electronic device (including personal devices or cellphones) or OCPS network; or any use that violates Board policies, local, state, and/or federal laws and regulations. <i>This offense may include, but is not limited to, using a proxy to gain access to the OCPS network with intent to do harm or alter records, or having images, videos, messages, etc., on a district issued device that are not shared with others (e.g., images/videos containing nudity).</i>	Using a computer or tablet in a way that's not allowed, like looking at things or doing stuff you're not supposed to. This could mean getting into the school computer system to cause trouble or change things, or having pictures, videos, or messages on your school device that you shouldn't have (like pictures with no clothes).
CC.	Burglary (BRK) <i>Must Report to Law Enforcement</i>	(illegal entry into a facility) Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein. Florida Administrative Code Rule 6A-1.0017 .	Going into the school, a building, or car, without permission and planning to do something wrong inside.
DD.	Homicide (HOM) <i>Must Report to Law Enforcement</i>	The unjustified killing of one human being by another. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes murder, manslaughter.</i>	When one person hurts and causes another person to die.
EE.	Kidnapping (KID) <i>Must Report to Law Enforcement</i>	Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority. Florida Administrative Code Rule 6A-1.0017 . <i>This offense includes abduction of an individual.</i>	When someone makes another person go somewhere they don't want to, or keeps them in a place by using force, keeping it a secret, or by scaring them.
FF.	Tobacco/Vaping/ Nicotine (TBC) <i>Must Report to Law Enforcement</i>	(cigarettes or other forms of tobacco/nicotine) The sale, purchase, distribution of tobacco or nicotine products on school grounds, at school sponsored events, or on school transportation. Tobacco incidents cannot be Drug-related. Florida Administrative Code Rule 6A-1.0017 . <i>This includes vaping nicotine products, items represented to be of said nature, and additional items, which may include, but are not limited to, electronic cigarettes, CBD oil, Juuls, pods, vapors and hookah pens that do not contain THC or any other illegal controlled substance. This offense also includes repeated Level 3L - Tobacco offenses.</i>	Selling, buying, or sharing tobacco or nicotine items like cigarettes or vaping things at school or school events. This also includes having several Level 3L referrals. <i>This includes using things like electronic cigarettes, CBD oil, Juuls, pods, vapors, and hookah pens that don't have illegal stuff in them.</i>
GG.	Igniting	Fires that are intentional and do not cause damage. <i>This offense may include, but is not limited to, student starting a fire in a trashcan or a student burning paper/small object that does not result in damage.</i>	Setting something on fire on purpose that does not cause damage.

LEVEL 4: OFFENSES			
	Offense	Code Definition	Simplified Definition
JJ.	Trespassing (TRS) <i>Must Report to Law Enforcement</i>	(illegal entry onto campus) To enter or remain on school grounds/campus, school transportation, or at a school sponsored event/off campus without authorization or invitation and with no lawful purpose for entry. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass. Florida Administrative Code Rule 6A-1.0017.	Going to the school or staying at the school or school activity without being invited or told it's okay when you've already been told you cannot be at the school or school activity.

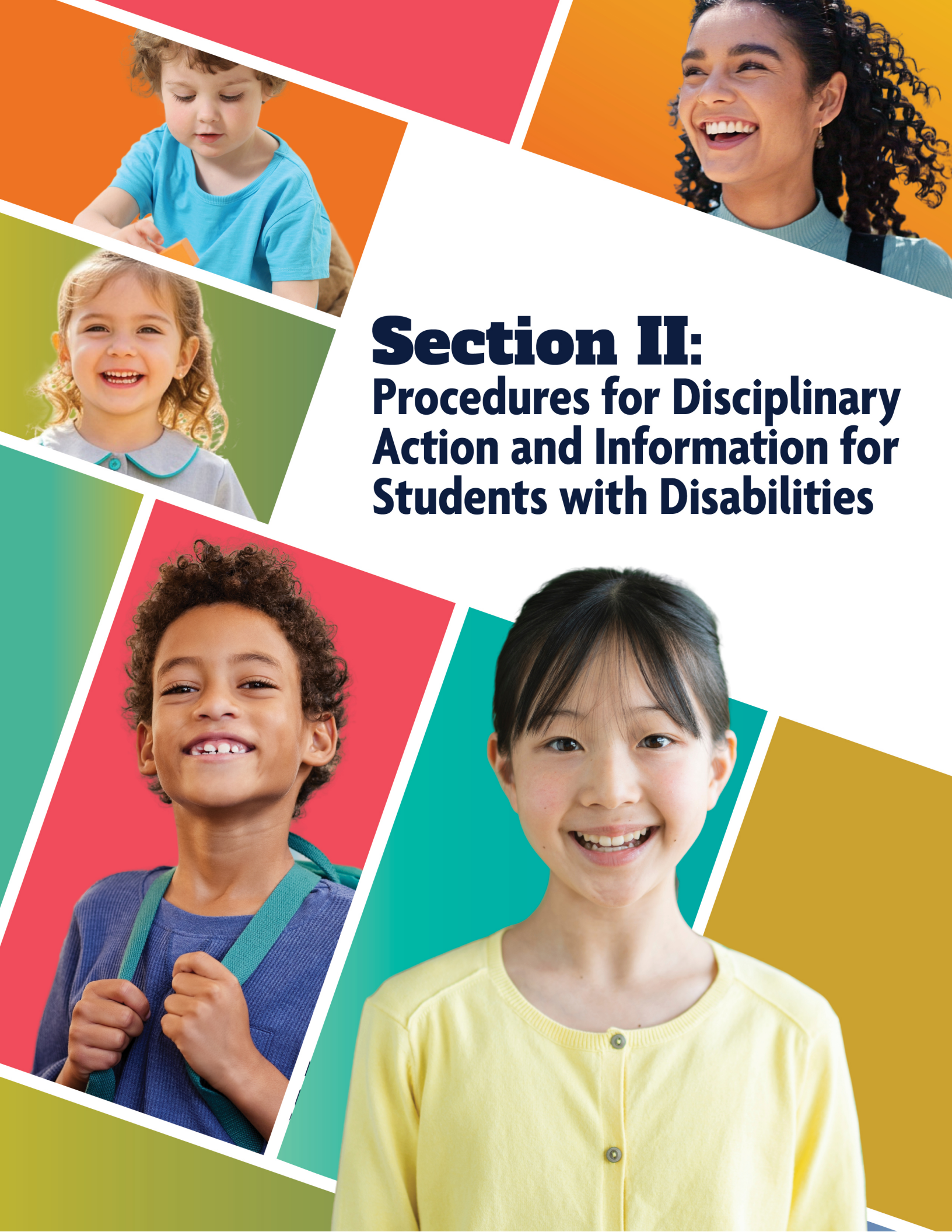
LEVEL 4: DISCIPLINARY RESPONSES

Students will receive school consequences and district consequences for all Level 4 offenses.

<u>School Consequences</u> • Counseling and direction* • No contact contract • Parent/guardian contact* • Refer to the District for a Discipline Team Meeting* • Restorative Practice • Schedule change • SAFE/Guidance referral • Supervision plan • Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities, e.g., to include, but not limited to, senior graduation • Up to a 10 day suspension with a recommendation for expulsion*	<u>District Consequences</u> • Assignment to an alternative school or virtual platform • Bus expulsion • Expulsion from the school district • Referral to an intervention program • Referral to mental health services
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***Mandatory Disciplinary Responses**

Highlighted Disciplinary Responses are additional responses available to a school that are not available for Level 1-3 offenses.



Section II: **Procedures for Disciplinary** **Action and Information for** **Students with Disabilities**

SECTION II: PROCEDURES FOR DISCIPLINARY ACTION

Procedures for Levels 1-3 Offenses

In order to protect student rights, certain procedures are followed with regard to disciplinary actions. These procedures are developed as suggested or required by law or regulation. School/classroom management strategies not covered by these specific procedures are encouraged. A student accused of misconduct for a Level 1-3 offense, shall be afforded the following procedures.

Any offense that is “overturned” for a due process violation will remain on the student’s record for reporting purposes only. The information in the student’s file will state the discipline was overturned for a due process violation, but a disciplinary consequence was not imposed.

Please note, these procedures should be used in conjunction with the procedures set forth in [Title IX of the Education Amendments Act of 1972](#) and the [Board Policy JB, Equal Educational Opportunities](#).

LEVELS 1-3 PROCEDURES	
Step 1:	The student must be told by the principal/designee of the reason(s) for the referral.
Step 2:	The student must be given the opportunity to present his or her side of the matter either verbally or in writing and must have the opportunity to present witnesses to the incident.
Step 3:	The principal/designee shall determine whether the evidence supports the offense. If so, the principal/designee determines the appropriate discipline offense according to Section I of this Code. The student shall be informed of the disciplinary offense assigned.
Step 4:	Reasonable efforts shall be made to contact the parent/guardian prior to the start of the suspension. If the parent/guardian cannot be reached prior to the start of the suspension, the principal/designee may determine that the suspension will start without prior contact with the parent/guardian, but continued reasonable efforts to contact the parent/guardian shall be made. The principal/designee shall give notice in writing of each suspension and the reasons for the suspension within 24 hours to the student’s parent by United States mail or other method agreed to by the parent/guardian and to the district superintendent.
Step 5:	After the discipline investigation is complete, the parent/guardian of the student being disciplined may request a copy of all documentary evidence upon which the proposed disciplinary consequence is based. However, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed by the parent/guardian of the student being disciplined. A copy will not be provided.
Step 6:	The student and parent/guardian have a right to request a conference with the principal to appeal the discipline imposed. All such requests must be made to the principal in writing within three (3) school days of the first notification of a discipline referral. The principal shall have the discretion to adjust the discipline offense.
Step 7:	A meeting shall be held each time any student with disabilities has been suspended from the classroom or transportation for ten (10) consecutive school days or ten (10) cumulative school days for similar behavior during a school year. The purpose of the meeting is to determine if the behavior is a manifestation of the student’s disability, whether OCPs implemented the student’s Section 504 Plan or IEP appropriately, whether the student’s current placement is appropriate and if any changes need to be made in order to more effectively address the student’s behavior. <i>More information on this step can be found within this Section of the Code under “Suspension/Removal of Students Eligible for Services under the Individuals with Disabilities in Education Act (IDEA)” and “Suspension/Removal of Students Eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA).”</i>
Step 8:	At the discretion of the principal/designee, a written behavior contract or supervision plan may be required upon the return of the student.
Step 9:	If the parent/guardian feels that the facts do not meet the criteria of the offense and/or disciplinary due process was not provided, they may appeal the principal’s/designee’s decision by contacting an area administrator. All such requests must be made to the area administrator in writing within three (3) school days after meeting with the principal. Failure of the parent/guardian to request to appeal to the area administrator within three (3) school days after meeting with the principal shall be deemed a waiver of any appeal to the discipline offense and consequence assigned. The area administrator shall discuss the matter with the parent/guardian, and if appropriate, schedule a meeting between the principal/designee, the area administrator, and the parent/guardian to further discuss the matter.

LEVELS 1-3 PROCEDURES

Step 10:	The area administrator will make a recommendation to the Director of Discipline to either uphold the principal's/designee's decision or modify the decision based on whether the facts meet the criteria of the offense and whether the student was afforded appropriate disciplinary due process. The Director of Discipline has the final decision-making authority for these types of appeals.
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SECTION II: PROCEDURES FOR DISCIPLINARY ACTION

Procedures for Level 4 Offenses

In order to protect student rights, certain procedures are followed with regard to disciplinary actions. These procedures are developed as suggested or required by law or regulation. School/classroom management strategies not covered by these specific procedures are encouraged. A student accused of a violation of the Code, which, in the opinion of the principal/designee, meets the criteria of a Level 4 offense and may require expulsion from school or transportation, shall be afforded the procedural safeguards described below.

Any offense that is “overturned” for a due process violation will remain on the student’s record for reporting purposes only. The information in the student’s file will state the discipline was overturned for a due process violation, but a disciplinary consequence was not imposed.

Please note, these procedures should be used in conjunction with the procedures set forth in [Title IX of the Education Amendments Act of 1972](#) and the [Board Policy JB, Equal Educational Opportunities](#).

LEVEL 4 PROCEDURES	
Step 1:	The principal/designee must inform the student of the reason(s) for the Level 4 referral and consideration of expulsion.
Step 2:	The student shall be given the opportunity to present his or her side of the matter either verbally or in writing and must have the opportunity to offer witnesses to the incident.
Step 3:	The principal/ designee shall make a determination in writing as to whether the facts support the Level 4 offense. If so, the principal/designee will determine the appropriate discipline offense according to the Code. The student shall be informed of the Level 4 offense. The student shall also be informed that the student is being suspended from school for up to ten (10) school days and a recommendation for a full exclusion is being considered.
Step 4:	Reasonable efforts shall be made to contact the parent/guardian prior to the start of the suspension. If the parent/guardian cannot be reached prior to the start of the suspension, the principal/designee may determine that the suspension will start without prior contact with the parent/guardian, but continued reasonable efforts to contact the parent/guardian shall be made. The principal/designee shall give notice in writing of each suspension and the reasons for the suspension within 24 hours to the student’s parent by United States mail or other method agreed to by the parent/guardian and in writing to the district superintendent. A meeting shall be held each time any student with disabilities has been suspended from the classroom or transportation for ten (10) consecutive school days or ten (10) cumulative school days for similar behavior during a school year. The purpose of this meeting is to determine if the behavior is a manifestation of the student’s disability, whether OCPS implemented the student’s Section 504 Plan or IEP appropriately, whether the student’s current placement is appropriate and if any changes need to be made in order to more effectively address the student’s behavior. <i>More information on this step can be found within this Section of the Code under “Suspension/Removal of Students Eligible for Services under the Individuals with Disabilities in Education Act (IDEA)” and “Suspension/Removal of Students Eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA).”</i>
Step 5:	After the discipline investigation is complete, the parent/guardian of the student being disciplined may request a copy of all documentary evidence upon which the proposed expulsion is based. However, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed by the parent/guardian of the student being disciplined. A copy will not be provided.
Step 6:	The student and parent/guardian have a right to request a conference with the principal to review the Level 4 offense. All such requests must be made in writing within three (3) school days of the first notification of suspension that the parent/guardian receives.

LEVEL 4 PROCEDURES	
Step 7:	An area administrator from the District shall convene a Discipline Team Meeting (DTM) as soon as possible. The school will request that the parent/guardian and student attend the DTM. The OCPS employees present at the DTM shall include the area administrator, principal/designee and other appropriate personnel, which may include, but is not limited to, a counselor, school psychologist, administrative dean, staffing specialist, 504 Coordinator, Positive Pathways Transition Center staff, etc. The purpose of the DTM is to: 1) Review all documentary evidence upon which the Level 4 and proposed expulsion is based; 2) Ensure the student received disciplinary due process during the investigation; 3) Provide the student and parent/guardian the opportunity to present new evidence and/or explain the student's involvement; and 4) If upheld, determine whether a referral will be made to an alternative program/school or expulsion.
Step 8:	The parent/guardian may elect to bring another adult of their choice to the DTM. No later than one (1) school day prior to the DTM, the parent/guardian must notify the school principal/designee of all parties that will attend the DTM on behalf of the student. However, if the parent/guardian retains legal counsel, the Office of Legal Services must be notified at (407) 317-3411.
Step 9:	If the area administrator verifies the Level 4 and the consequence is a full exclusion, with or without continuing educational services, the Superintendent may invoke Section 1006.08, Florida Statutes, and either extend the student's suspension or temporarily administratively place a student in an alternative setting pending the final decision of expulsion from the Board. If the area administrator verifies the Level 4 and the consequence is an alternative placement, Section 1006.08, Florida Statutes, will be invoked and the student will be administratively placed at the alternative school within Orange County. It is important to note, once the student is withdrawn from their home school the only OCPS school the student may attend is the school designated by the area administrator at the DTM. The parent/guardian may instead elect to enroll their child in home school, Florida Virtual School, private school, or another county, if permissible. However, OCPS will not assist the parent/guardian with this process.
Step 10:	If the area administrator verifies the Level 4 and the parent/guardian would like to appeal the decision, the parent/guardian may request an administrative hearing by providing written notice of the request to the applicable area administrator or designee within fourteen (14) calendar days of the DTM date. Failure of the parent/guardian to request an administrative hearing from the applicable area administrator or designee within fourteen (14) calendar days after the DTM shall be deemed a waiver of any appeal to the discipline offense and consequence assigned. Administrative hearings shall be granted or denied within fifteen (15) calendar days from the date they are requested unless an extension is agreed upon in writing. An administrative hearing can be requested for one (1) or more of the following reasons and must include an explanation of the reasons selected: (1) Dispute the facts presented at the DTM and present additional evidence or information to support this claim; (2) The criteria for the Level 4 offense have not been met; (3) The parent/guardian has new evidence to present that was not available at the DTM; (4) The parent/guardian believes the school did not provide the student with disciplinary due process as detailed within this Code. If the student is recommended for a full exclusion with or without educational services, the administrative hearing will be governed by the provisions in Sections 120.569 and 120.57(2), Florida Statutes.
Step 11:	The area administrator and the principal/designee, as well as other appropriate school personnel may attend the administrative hearing. The parent/guardian may elect to bring another adult of their choice to the administrative hearing. However, if the parent/guardian retains legal counsel, the Office of Legal Services must be notified prior to the administrative hearing at (407) 317-3411. The parent/guardian shall notify the applicable area administrator of all parties attending the administrative hearing on behalf of the student no later than three (3) school days prior to the administrative hearing.

LEVEL 4 PROCEDURES	
Step 12:	The Administrative Hearing Officer can recommend the DTM decision be upheld, overturned, or changed to another offense. <i>However, the Hearing Officer cannot change the consequence nor modify the recommended placement by the area administrator.</i> The Administrative Hearing Officer will make this determination based on the facts presented and whether the student was afforded disciplinary due process. Both the principal/designee and the parent/guardian shall have the right, but not obligation, to submit a recommended order to the Administrative Hearing Officer containing proposed findings of facts and conclusions of law. The Administrative Hearing Officer may, in his/her discretion, use a proposed order submitted by either the principal/designee or the parent/guardian, however, the Administrative Hearing Officer may reject both proposed orders and issue his/her own order.
Step 13:	For Level 4 consequences of alternative placement or disciplinary program: The Superintendent shall then review the Hearing Officer's recommendation and shall have the authority to take whatever action he/she deems appropriate. The Superintendent's decision shall be final and binding. For Level 4 consequences that result in an expulsion as defined in Section 1003.01(6), Florida Statutes, with or without continuing educational services: If the recommendation of the Administrative Hearing Officer is to uphold the Level 4, the parent/guardian may request a meeting with the Chief of Schools or designee to discuss the recommendation of the area administrator and Administrative Hearing Officer. The Chief of Schools or designee will review the facts presented at the DTM and administrative hearing and disciplinary due process and provide a recommendation to the Superintendent for review. The Superintendent shall then review the Chief of Schools or designee recommendation and shall have the authority to recommend to the Board that the student be expelled or take whatever action he/she deems appropriate. The Superintendent shall notify the parent/guardian and the principal/designee prior to the Board meeting at which the Board will consider his/her recommendation.
Steps 14 and 15 only apply for Level 4 consequences that result in an expulsion as defined in Section 1003.01(6), Florida Statutes.	
Step 14:	The parent/guardian/student shall have the right to appear before the Board. Factual evidence, which was not properly presented either at the DTM or the Administrative Hearing may not be presented to the Board. The parent/guardian/student is limited to challenging whether the facts found at the DTM appropriately led to the consequence under the Code. The School Board may reject the hearing officer's findings of fact only if it determines that there is no competent substantial evidence to support the findings of fact. The School Board may reject the conclusions of law only if it determines that Board Policy JIC, Code of Student Conduct, was misinterpreted or applied incorrectly. The School Board may reduce or increase the penalty only upon a review of the complete record and must state with particularity its reasons by citing to the record to justify the action.
Step 15:	For full exclusions brought before the School Board, the School Board will execute a Final Order memorializing the discipline consequence.

SECTION II: PROCEDURES FOR DISCIPLINARY ACTION

Suspension/Removal of Students Eligible for Services under the Individuals with Disabilities Education Act (IDEA)

The following information only applies to students with disabilities eligible for services under the [Individuals with Disabilities Education Act](#) (IDEA), and to students where OCPS had knowledge that the student may be a student with a disability under the IDEA **before** the violation of the Code occurred. The disciplinary procedures for Levels 1-4 provided in this Code apply to all students, including students with disabilities; however, the following additional information also apply to students with disabilities under the IDEA, but does not apply to students who have an Educational Plan (EP) for gifted services only. Students with an EP are disciplined in the same manner as a non-disabled student.

Please note, these procedures should be used in conjunction with the “[Level 1-3 Procedures](#)” and “[Level 4 Procedures](#),” set forth herein, as well as the procedures in [Title IX of the Education Amendments Act of 1972](#) and the [Board Policy JB, Equal Educational Opportunities](#).

ADDITIONAL IDEA INFORMATION

SUSPENSION

If a student with a disability violates the Code, the student may be removed from the student’s current placement to an appropriate interim alternative educational setting, another setting, or suspended **without continuing educational services** for up to ten (10) school days in a school year. The ten (10) school days can be consecutive (meaning ten (10) school days in a row), or cumulative (meaning the student receives a total of ten (10) out of school suspension days throughout the school year for the same or similar behavior). According to the IDEA, a removal from a student’s current placement is permitted for these ten (10) school days and the school district does not need to provide continuing educational services or determine whether the behavior causing the offense is related to the student’s disability. However, if the Individual Educational Plan (IEP) team notices a pattern of behavior, the IEP team may review the student’s misconduct to determine if there is a need for additional behavior supports and/or services.

After a student with a disability has been removed from the student’s placement for ten (10) school days, consecutive or cumulative, as detailed herein, OCPS must provide continuing educational services to the student; however, it is important to note, that the manner in which the services are provided to the student may vary depending on the severity of the student’s behavior.

(Continued on the next page)

ADDITIONAL IDEA INFORMATION

MANIFESTATION DETERMINATION

Once a student has been removed for ten (10) school days, consecutive or cumulative as detailed in the “Suspension” section above, the IEP Team must convene a manifestation determination meeting. A manifestation determination is a process by which the relationship between the student’s disability and a specific behavior that may result in disciplinary action is examined. In majority of cases, the manifestation determination may occur in conjunction with the Discipline Team Meeting for Level 4 offenses.

The manifestation determination meeting must include relevant members from the student’s Individual Educational Plan (IEP) team (as determined by OCPS and the parent(s)/guardian(s)), which may include, but is not limited to: (1) the parent(s)/guardian(s) (as defined by IDEA); (2) student (if appropriate); (3) not less than one regular education teacher (if the student is, or may be, participating in the regular education environment); (4) not less than one special education teacher, or where appropriate, not less than one special education provider of the student; (5) a representative of OCPS qualified to provide, or supervise the provision of, specially designed instruction, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of OCPS resources; (6) an individual who can interpret the instructional implications of evaluation results, if needed (this may be a person already listed in the section); and (7) at the discretion of the parent/guardian or OCPS, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The parent(s)/guardian(s) may also be accompanied by another adult of their choice.

During the manifestation determination meeting, the IEP team will determine whether the student’s behavior was caused by, or had a direct and substantial relationship to, the student’s disability, or whether the student’s behavior was the direct result of the school’s failure to implement the IEP, and whether the student’s current placement is appropriate.

- If the IEP team determines the student’s behavior is a manifestation of the student’s disability, the student may return to the student’s current placement, unless: (1) the IEP team determines the student’s current placement is not appropriate to address the student’s current needs; (2) the parent(s)/guardian(s) agree to a change in placement as part of a modification of the student’s Behavior Intervention Plan (BIP); and/or (3) the student’s behavior involves a weapon, drugs, or the student has inflicted serious bodily harm on another person.
- If the IEP team determines the student’s behavior is a manifestation of the student’s disability, but the student’s behavior involves a weapon, drugs, or serious bodily harm, then the student may be removed to an interim alternative educational setting for up to forty-five (45) school days.
- If the IEP team determines the student’s behavior is not a manifestation of the student’s disability the student may be disciplined in the same manner and for the same duration as students without disabilities. However, continuing educational services must be provided.

The [Procedural Safeguards](#) must be provided to the parent(s)/guardian(s) at the manifestation determination meeting. In addition, regardless of whether the behavior is determined to be a manifestation of the student’s disability, the team must consider whether a Functional Behavioral Assessment (FBA) and/or BIP needs to be developed or, if a BIP has already been developed, whether the BIP needs to be modified to address the student’s current behavior.

APPEAL

If the parent(s)/guardian(s) disagrees with the manifestation determination made by the IEP team, as detailed herein, the parent(s)/guardian(s) may appeal the decision by requesting a District review of the manifestation determination or by requesting a due process hearing before an Administrative Law Judge with the Florida Division of Administrative Hearings. In addition, if OCPS believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, OCPS may also appeal the manifestation determination and request the student be removed from the student’s current placement. More information on this process can be found in the [Procedural Safeguards](#) provided at the manifestation determination meeting, the [IDEA](#), [Florida Statutes](#), and the [Florida Administrative Code](#).

It is important to note that pursuant to the IDEA, if the student is placed in an interim alternative education setting due to a violation of the Code, the student will remain in the interim alternative education setting pending the outcome of the due process hearing.

If the parent(s)/guardian(s) disagrees with the discipline investigation or whether disciplinary due process was afforded to the student, the parent(s)/guardian(s) may request an appeal for disciplinary purposes as detailed in the [disciplinary procedures](#) for Levels 1-4 of this Code.

SECTION II: PROCEDURES FOR DISCIPLINARY ACTION

Suspension/Removal of Students Eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Americans with Disabilities Act (ADA)

The following information only applies to students eligible under [Section 504 of the Rehabilitation Act of 1973](#) (Section 504) and Americans with Disabilities Act (ADA), and to students where OCPS had knowledge that the student may be a student with a disability under Section 504 or the ADA **before** the violation of the Code occurred. The disciplinary procedures for Levels I-IV provided on pages 62-64 of this Code apply to all students, including students with disabilities; however, the following additional procedural safeguards also apply to students with disabilities under Section 504 and the ADA. If a student is also a student with disabilities under the IDEA, the procedures under the preceding section titled, "Suspension/Removal of Students Eligible for Services under the Individuals with Disabilities in Education Act (IDEA)," will apply.

Please note, these procedures should be used in conjunction with the "[Level 1-3 Procedures](#)" and "[Level 4 Procedures](#)," set forth herein, as well as the procedures in [Title IX of the Education Amendments Act of 1972](#) and the [Board Policy JB, Equal Educational Opportunities](#).

ADDITIONAL 504 AND ADA INFORMATION

SUSPENSION

If a student with a disability violates the Code, the student may be removed from the student's current placement to an appropriate interim alternative educational setting, another setting, or suspended **without continuing educational services** for up to ten (10) school days in a school year. The ten (10) school days can be consecutive (meaning ten (10) school days in a row), or cumulative (meaning the student receives a total of ten (10) out of school suspension days throughout the school year for the same or similar behavior). A removal from a student's current placement is permitted for these ten (10) school days and the school district does not need to provide continuing educational services or determine whether the behavior causing the offense is related to the student's disability. However, if the Section 504 team notices a pattern of behavior, the Section 504 team may review the student's misconduct to determine if there is a need for additional behavior supports and/or services.

After a student with a disability has been removed from the student's placement for ten (10) school days, consecutive or cumulative, as detailed herein, OCPS may be required to provide continuing educational services to the student; however, it is important to note, that the manner in which the services are provided to the student may vary depending on the severity of the student's behavior.

(Continued on the next page)

ADDITIONAL 504 AND ADA INFORMATION

MANIFESTATION DETERMINATION

Once a student has been removed for ten (10) school days, consecutive or cumulative as detailed in the “Suspension” section above, the Section 504 Team must convene a meeting (Note: Section 504 regulations do not use the term “manifestation determination” but do require an “evaluation” prior to a significant change in placement; OCPS has termed this meeting a “manifestation determination” to differentiate between an evaluation meeting for eligibility and a disciplinary change in placement). A manifestation determination is a process by which the Section 504 team determines whether the behavior for which discipline is proposed is based on the student’s disability, and if so, whether changes in the student’s placement are required to ensure the student receives a free and appropriate public education. In majority of cases, the manifestation determination may occur in conjunction with the Discipline Team Meeting for Level 4 offenses.

The manifestation determination meeting must include persons that are knowledgeable about the student. The parent(s)/guardian(s) may also be accompanied by another adult of their choice.

During the manifestation determination meeting, the Section 504 team will determine whether the student’s behavior was caused by, or had a direct and substantial relationship to, the student’s disability whether the student’s behavior was the direct result of the school’s failure to implement the Section 504 Plan and whether the student’s current placement is appropriate.

- If the Section 504 team determines the student’s behavior is a manifestation of the student’s disability, the school cannot carry out discipline that would exclude the student on the basis of the disability, and may return the student to the student’s current placement, unless: (1) the Section 504 team determines the student’s current placement is not appropriate to address the student’s current needs; (2) the parent(s)/guardian(s) agree to a change in placement; and/or (3) the student’s behavior involves a weapon, drugs, or the student has inflicted serious bodily harm on another person.
- If the Section 504 team determines the student’s behavior is a manifestation of the student’s disability, but the student’s behavior involves a weapon, possession of drugs, or serious bodily harm, then the student may be removed to an interim alternative educational setting for up to 45 school days.
- If the Section 504 team determines the student’s behavior is not a manifestation of the student’s disability the student may be disciplined in the same manner and for the same duration as students without disabilities.
- A student with a Section 504 Plan may be recommended for expulsion as defined for all students when the behavior, as determined by the Section 504 team, is not a manifestation of the student’s disability.
- OCPS is not required to hold a manifestation determination meeting for use of illegal drugs or alcohol committed by a student eligible under Section 504. The student may be disciplined in the same manner as non-disabled students for use of illegal drugs or alcohol and may be disciplined in the same manner and for the same duration as students without disabilities.

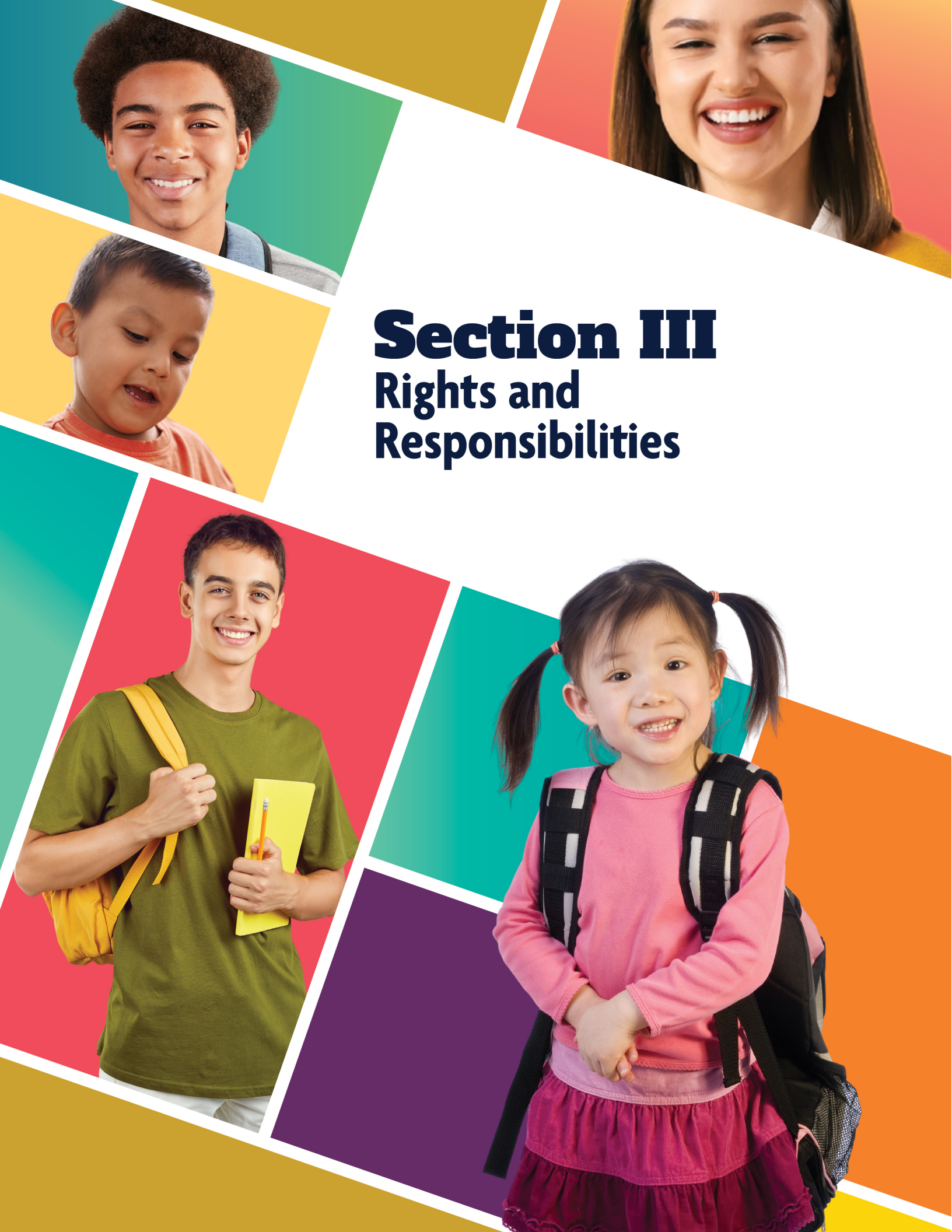
NOTE: If a student with a Section 504 Plan has been referred for an evaluation under the IDEA **before** the violation of the Code occurred, then a manifestation meeting under the [IDEA](#) will be provided.

APPEAL

If the parent(s)/guardian(s) disagrees with the manifestation determination made by the Section 504 team, the parent(s)/guardian(s) may appeal the decision by requesting a district review of the manifestation determination or by requesting a hearing before an Administrative Hearing Officer with the School Board of Orange County, Florida. In addition, if OCPS believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, OCPS may also appeal the manifestation determination and request the student be removed from the student’s current placement. More information on this process can be found in the [Procedural Safeguards](#) provided at the manifestation determination meeting.

It is important to note that if the student is placed in an interim alternative education setting due to a violation of the Code, the student will remain in the interim alternative education setting pending the outcome of the hearing.

If the parent(s)/guardian(s) disagree with the **discipline investigation or whether disciplinary due process** was afforded to the student, the parent(s)/guardian(s) may request an appeal for disciplinary purposes as detailed in the [disciplinary procedures](#) for Levels 1-4 of this Code.



Section III

Rights and Responsibilities



SECTION III: RIGHTS AND RESPONSIBILITIES

The Board believes a positive school culture promotes equal educational opportunities and establishes the framework for a safe and effective learning environment. The Board expects all students and stakeholders to demonstrate mutual respect for one another and, therefore, establishes the following Rights and Responsibilities for Students, Parents/Guardians, and OCPS Personnel.

Student Rights and Responsibilities:

- Follow the Code and school-based rules
- Maintain behavior that enhances a positive learning environment
- Notify school staff about any dangerous behaviors, bullying, or activity that occurs on school grounds or off school ground when it results in a disruption to the school campus
- Accept and respect individual differences and people
- Only bring materials to school that are allowed
- Keep parents/guardians informed of school-related matters
- Ask school personnel or other trusted adults for help in solving problems
- Attend school daily, be prepared for class, and complete assignments to the best of the student's ability
- Make-up missed class work in a reasonable amount of time after an absence
- Use guidance services for educational and personal improvement
- Respect the right of others to express their views and refrain from using speech or expression that could substantially disrupt the learning environment or harm the health, safety, or welfare of others
- Behave respectfully during patriotic observances
- Respect the religious beliefs of others and to refrain from activities that hold religious beliefs up to ridicule
- Follow the rules of responsible journalism under the guidance of an advisor, including seeking complete information about topics and refraining from publishing false or obscene material
- Create a good academic environment
- Report any violations of the Code that you may witness or have knowledge of
- Respect each other's privacy and confidentiality
- Actively contribute to a culture of respect and inclusivity
- Provide a statement and present witnesses if the student is accused of violating the Code
- Assist with creating an environment that is safe

Parent/Guardian Rights and Responsibilities:

- Read the Code with your child(ren)
- Ensure your child(ren) attend school regularly and on time
- Notify the school of absences or tardies in a timely manner
- Monitor your child(ren) academic and behavioral progress
- Talk to your child(ren) about school and behavioral expectations
- Teach and model for your child(ren) to respect the rights and property of others
- Report any violations of the Code that you may witness or have knowledge of

OCPS Personnel Rights and Responsibilities:

- Distribute and review the Code with students
- Implement the Code in a fair and consistent manner
- Maintain a safe and orderly school by using prevention and intervention strategies
- Set expectations, teach, model, and reinforce positive behavior
- Provide students with meaningful and relevant feedback on their behavioral and academic progress
- Provide corrective feedback and re-teach appropriate behaviors when a student demonstrates misconduct
- Keep parents informed of students' academic progress and behavior through regular communication
- Provide meaningful opportunities for parent participation and involvement
- Communicate expectations and concerns to students and parents, and respond to students' and parents' concerns in a timely manner
- Review and revise the Code as needed
- Report any violations of the Code that you may witness or have knowledge of

SECTION III: RIGHTS AND RESPONSIBILITIES

Code of Civility

The education of a child happens only through a partnership among the child, school faculty and staff, parents/guardians, the community and district office employees. Partnership is an active state that includes sharing responsibilities, having meaningful communication and welcomed participation.

When people who are working together agree, the partnership runs smoothly. Two people will not always agree and that can make partnership difficult. The partnership is most powerful, as children are educated to reach their potential, when we agree on how to disagree. We must be civil in our discourse.

Civility is often described by its absence. We hear of harmful actions such as road rage, physical confrontation, ethnic stereotypes and slurs. But civility is not just an absence of harm. It is the affirmation of what is best about each of us individually and collectively. It is more than saying “please” and “thank you.” It is reflecting our respect for others in our behavior, regardless of whether we know or like them. It is not simply being politically correct and should not to be used to stifle criticism or comment. It is being truthful and kind and for us to take responsibility for our own actions rather than blaming others.

As we communicate with each other, we need to remember that we are working together to benefit the children of this community.

Therefore, the Board requires that, as we communicate, students, OCPs faculty and staff, parents/guardians, and all other members of the community shall:

1. Always treat each other with courtesy and respect

This means:

- We listen carefully and respectfully as others express opinions that may be different from ours.
- We share our opinions and concerns without loud or offensive language, gestures or profanity.

2. Treat each other with kindness

This means:

- We treat each other, as we would like to be treated.
- We do not threaten or cause physical or bodily harm to another.
- We do not threaten or cause damage to the property of another.
- We do not bully, belittle or tease one another and we do not allow others to do so in our presence.
- We do not demean and are not abusive or obscene in any of our communications.

3. Take responsibility for our own actions

This means:

- We share information honestly.
- We refrain from displays of temper.
- We do not disrupt or attempt to interfere with the operation of a classroom or any other work or public area of a school or school facility.

4. Cooperate with each other

This means:

- We obey school rules for access and visitation.
- We respect the legitimate obligations and time constraints we each face.
- We notify each other when we have information that might help reach our common goal. This will include information about safety issues, academic progress, changes that might impact a student’s work or events in the community that might impact the school.
- We respond when asked for assistance.
- We understand that we do not always get our way.

SECTION III: RIGHTS AND RESPONSIBILITIES

Code of Civility

Authority and Enforcement of the Code of Civility

Authority and enforcement of a code for civil conduct ultimately depends on the individual and collective will of those involved – students, OCPS faculty and staff, parents/ guardians, and all other members of the community. However, individuals need to know how to respond to uncivil behavior and how such behavior will be responded to. Therefore:

1. A student who believes that he or she has not been treated in a manner reflective of the Code of Civility should report such behavior to the appropriate school administrator.
2. A parent/ guardian or community member who believes that he or she has not been treated in a manner reflective of the Code of Civility should report such behavior to the staff member's immediate supervisor.
3. An employee who believes that he or she has not been treated in a manner reflective of the Code of Civility should use the following guidelines:
 - If personal harm is threatened, the employee may contact law enforcement.
 - Anyone on Board property without authorization may be directed to leave the premises by an administrator or school resource officer. Anyone who threatens or attempts to disrupt school or school district operations, physically harm someone, intentionally cause damage, uses loud or offensive language, gestures, profanity or shows a display of temper must be directed to leave the premises by an administrator or school resource officer. If such person does not immediately and willingly leave and if the school resource officer is not available, law enforcement shall be called.
 - If a telephone call recorded by an answering machine, e-mail, voicemail message, or any type of written communication is demeaning, abusive, threatening, or obscene the employee is not obligated to respond.
 - If personal harm is threatened, the employee may contact law enforcement.
 - The employee shall save the message and contact his or her immediate supervisor, the school resource officer and/or OCPS District Police.
 - If any member of the public uses obscenities or speaks in a demeaning, loud, or insulting manner, the employee to whom the remarks are directed shall take the following actions:
 - Calmly and politely, ask the speaker to communicate civilly.
 - If the verbal abuse continues, give appropriate notice to the speaker and terminate the meeting, conference, or telephone conversation.
 - If the meeting or conference is on school district premises, request that an administrator or authorized person direct the speaker to promptly leave the premises.
 - If the speaker does not immediately leave the premises, an administrator or other authorized person shall notify law enforcement to take any action deemed necessary.

SECTION III: RIGHTS AND RESPONSIBILITIES

Student Discrimination

[Board Policy JB, Equal Educational Opportunities](#), defines discrimination as conduct that deprives the victim of the opportunity to participate in educational programs or activities on the account of race, color, religion, age, sex, national origin, marital status, disability, sexual orientation, genetic information, gender identity or expression, language spoken, homelessness, or any other reason prohibited by law. Students attending OCPS shall be treated according to a unitary code, which applies equally to all students. All activities, curricular and extracurricular, which are sponsored by OCPS shall evidence respect for the individual student. Every reasonable attempt shall be made to ensure that activities do not disparage or offend any student on account of discrimination.

If a student believes they are a victim of discrimination based upon any factor identified above, the student is encouraged to report the alleged discrimination to school administration to investigate. The victim may also file a grievance/complaint with the OCPS Equity Officer to investigate the allegations; the Equity Officer for OCPS is Keshara Cowans and is located at the Ronald Blocker Educational Leadership Center, 445 W. Amelia Street, Orlando, Florida 32801, (407) 317-3200, titleIX@ocps.net.

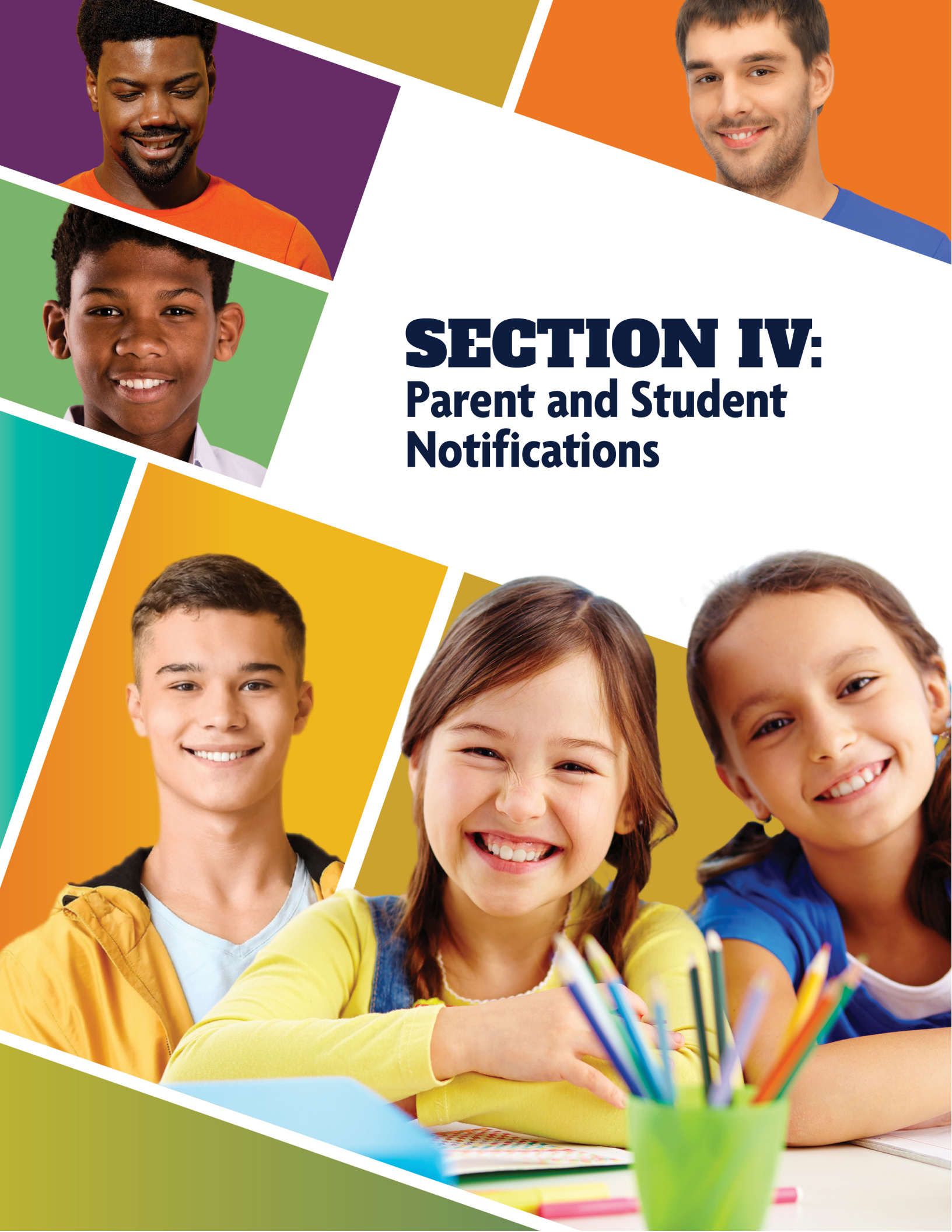
Title IX of the Education Amendments of 1972 and Sex Discrimination

In accordance with [Title IX of the Education Amendments of 1972](#), and [Board Policy JB, Equal Educational Opportunities](#), OCPS is committed to protecting its students, employees, and applicants for admission from sex discrimination and sexual harassment. OCPS believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Substantiated allegations of discrimination will not be tolerated and shall be just cause for disciplinary action. Any student who alleges sex discrimination or sexual harassment by another student should report the matter directly to the school-based Title IX Coordinator or the District Title IX Coordinator.

Please reference [Title IX of the Education Amendments of 1972](#) and [Board Policy JB, Equal Educational Opportunities](#), for more information regarding the requirements and procedures OCPS is required to follow when there are allegations of sexual harassment or sex discrimination.

Bullying and Harassment

In accordance with [Section 1006.147, Florida Statutes](#), [Board Policy ADD, Safe Schools](#), and [Board Policy JB, Equal Educational Opportunities](#), the Board is committed to protecting its students, employees, and applicants for admission, from bullying, harassment, or discrimination for any reason and of any type. The Board believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Substantiated allegations of bullying, harassment, or discrimination will not be tolerated and shall be just cause for disciplinary action. In addition, although unsubstantiated bullying and harassment do not result in disciplinary action, the unsubstantiated bullying and harassment must be documented and reported to the Florida Department of Education through the requirements of the [School Environment and Incident Reporting](#) (SESIR) structure. Any student who alleges bullying or harassment by another student may use the school's student grievance procedure or may complain directly to the principal or designee.



SECTION IV:

Parent and Student Notifications

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Safe Harbor Provision

Safe Harbor allows a student who accidentally brings an object (e.g. firearm, weapon) to school or finds an object, which is not allowed by the Code, to turn the object in to school staff **before** a discipline investigation or screening starts. The student could still receive a discipline referral. The school will arrange with the student's parent/guardian to pick up the object from the school, if allowable.

Please note, however, that [zero-tolerance](#) offenses (see [Section 1006.13, Florida Statutes](#)) include "firearms" and "weapons." OCPS is required to report [zero-tolerance offenses](#) to the Florida Department of Education and is also required to recommend the student for expulsion, assign the student to a disciplinary program, or assign the student to an alternative "second chance" school. Each incident involving a student turning in a "firearm" or "weapon" under Safe Harbor will be reviewed by District OCPS Personnel to determine whether the Safe Harbor provision applies. If the Safe Harbor provision applies, District OCPS Personnel may recommend a disciplinary program instead of expulsion to the Superintendent and Board.

Law enforcement may also be contacted for specific offenses as required by [Board Policy JIC, titled "Code of Student Conduct,"](#) and [Section 1006.13, Florida Statutes](#). Safe Harbor does not impact whether law enforcement will pursue criminal charges. These offenses may include, but are not limited to, firearms, drugs, and explosive devices.

Objects not allowed by the Code that are discovered during a random search are not protected by the Safe Harbor provisions.

Participation in Extracurricular/Co-curricular Activities

Participation in extracurricular/co-curricular activities is a privilege extended to OCPS students, but participation is not a student right. In order to participate in extracurricular/co-curricular activities or athletic programs, students must adhere to Board policies, school and District participation criteria, and applicable law. A student may not be eligible to participate in extracurricular/co-curricular activities for disciplinary offenses and may have participation privileges revoked. It is important for students to understand that the behavioral expectations placed upon students by the school can extend beyond the classroom and school campus (e.g., social media); therefore, off-campus behavior may also impact a student's participation in extracurricular/co-curricular activities. If it is discovered that the student has exhibited behavior that violates Board policies, school and District participation criteria, and/or applicable laws, even while in the community, the student's participation privileges shall be withheld for ten (10) school days to allow District staff to determine the student's future eligibility to participate. In addition, pursuant to [Section 1006.15, Florida Statutes](#), any student who has been formally charged with a felony by a prosecuting attorney, the student shall be excluded from participation in extracurricular/co-curricular activities for a minimum of one (1) calendar year. If the student is found not guilty or if the charges are dismissed, the student may return upon presenting documentation of the court's decision. Additionally, a student is ineligible to participate in extracurricular/co-curricular activities if a court order prohibits the student's enrollment in a traditional school setting. The final determination of eligibility rests with the district administrator responsible for extra-curricular/co-curricular activities.

A student may not participate in any extracurricular/co-curricular activity if the student participated in that same sport at another school during the same school year unless the student has been relocated due to foster care placement, moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent, been impacted by military orders, or authorized for good cause in district or charter school policy. A student's eligibility to participate in extracurricular/co-curricular activities may not be affected by recruiting allegations until a final determination has been reached.

Any student who has committed a Level 4 hazing offense for the first time shall be excluded from participation in extracurricular/co-curricular activities for a minimum of one (1) calendar year. Any student who has committed a subsequent Level 4 hazing offense shall be excluded from participation in extracurricular/co-curricular activities for the remainder of their enrollment at OCPS.

OCPS may require certain information and/or documentation be provided in order for a student to participate in extracurricular/co-curricular activities (e.g., home address, medical information, etc.). If it is discovered that the information and/or documentation provided to OCPS by the parent/guardian/student is fraudulent, false, or erroneous, the student will be prohibited from participating in the extracurricular/co-curricular activity for a minimum of one (1) calendar year from the date which the information was discovered by OCPS to be fraudulent, false, or erroneous.

Nothing in this section of the Code shall preclude the exercising of any existing authority of the Superintendent/designee or the Juvenile Justice System.

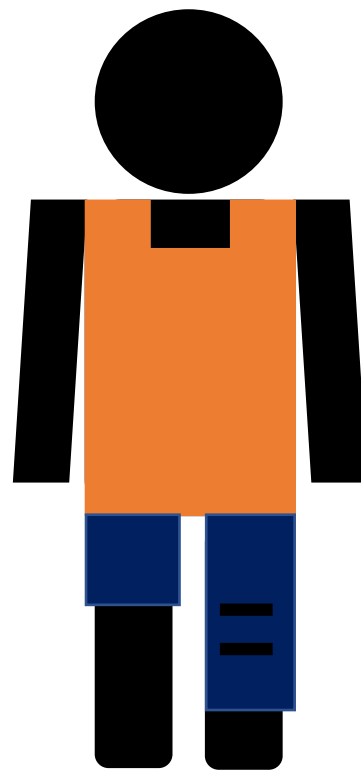
Additional information pertaining to extracurricular/co-curricular activities can be found in [Board Policy JJ, "Extracurricular Activities."](#)

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Student Dress

The dress and grooming of OCPS students shall contribute to the health and safety of the individual, promote a positive educational environment, and not disrupt the educational activities and processes of the school. These standards of dress and grooming apply to all students in the public schools of Orange County, unless a specific exemption is granted by the principal. Any request for an exemption shall be made to the principal.

1. Clothes shall be worn as they are designed. For example, suspenders should be over the shoulders, pants secured at the waist, belts buckled, no underwear as outerwear, and no underwear exposed.
2. Clothing must cover the body from one armpit across to the other armpit and down to approximately mid-thigh (see image to the right). Tops must have straps. Undergarments must not be viewable. Rips, holes, or tears in clothing must be below mid-thigh.
3. Shoes shall be worn at all times and should be safe for the school environment. The following shoes are not acceptable for any OCPS student: cleated shoes or shoes with wheels.
4. Headgear shall not be worn on campus during the school day, unless the headgear is approved by the principal.
5. Specialized courses may require specialized attire, such as sports uniforms or safety gear, and must be approved by the principal before being worn during the school day.
6. See-through, revealing, or mesh garments must not be worn without appropriate coverage underneath that meets the minimum requirements of this dress code.
7. Gang paraphernalia, garments and/or jewelry, tattoos, or other insignias that display or suggest sexual, vulgar, drug, alcohol, or tobacco-related wording/graphics or may tend to provoke violence or disruption in school shall not be worn.
8. Clothing must not state, imply, or depict acts of hate or imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected class.*
9. Clothing and accessories that endanger students or staff shall not be worn. This includes clothing that obscures the visual identification of a person (unless approved by the principal). The use of a medical mask worn for its intended purpose is permitted.
10. Individual schools may implement school uniforms with community input and the approval of the principal's supervisor.
11. Individual schools are expected to use the state and district dress and grooming guidelines as minimum standards; any adjustments may be made upon approval of the principal's supervisor. The principal at each school reserves the right to determine what appropriate dress is for the school as detailed in these minimum standards.



Any student who violates this dress policy will be subject to disciplinary action as outlined in [Sections I](#) of the Code, [Section 1006.07\(2\)\(d\), Florida Statutes](#), and below:

1. For a first offense, a student shall be given a verbal warning and the school principal shall call the student's parent/guardian.
2. For the second offense, a student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the school principal shall meet with the student's parent/guardian.
3. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to [Section 1003.01\(5\), Florida Statutes](#), for a period not to exceed three (3) days, the student is ineligible to participate in any extracurricular activity for a period not to exceed thirty (30) days, and the school principal shall call the student's parent/guardian and send the parent/guardian a written letter regarding the dress code violation.

* Clothing that states, implies, or depicts acts of hate or imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected class shall be coded as hate crime related.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Possession, Use, or Sale of Controlled Substances and/or Alcohol

According to state law and Board [Policy JICH, Drug and Alcohol Use by Students](#), the unlawful use, possession, or sale of controlled substances, as defined in [Chapter 893, Florida Statutes](#), and/or alcohol by any student while the student is on Board property, school transportation and/or at a school activity is grounds for disciplinary action by the school (such as suspension and/or expulsion) and may also result in criminal penalties being imposed.

Possession of Firearms, Weapons, and/or Destructive Devices on Board Property

Possession of a firearm, weapon, and/or destructive device (“weapons”) as defined in [Chapter 790, Florida Statutes](#), by any student while the student is on Board property, school transportation, and/or at a school activity, is grounds for disciplinary action and may also result in criminal prosecution. This includes, but is not limited to, possessing or carrying a weapon on his/her person, in a vehicle, container, or other conveyance.

Any student who is determined to have brought or possessed a weapon on Board property, on school transportation, and/or to a school activity, will be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than one (1) full year and referred to mental health services identified by OCPS pursuant to [Section 1012.584\(4\), Florida Statutes](#), and also referred to the criminal justice or juvenile justice system. Additional information regarding this section can be found in [Board Policy JICI, Firearms, Weapons and Destructive Devices](#).

Simulated Weapons

A student may not receive disciplinary action for simulating a firearm or weapon while playing, or for wearing clothing or accessories that depict a firearm or weapon, or expressing an opinion regarding Second Amendment Rights, unless the simulation causes a substantial disruption to learning, causes bodily harm, or places another person in fear of harm as outlined below. Simulating a firearm or weapon while playing includes, but is not limited to:

- Brandishing a partially consumed pastry or other food item to simulate a firearm or weapon.
- Possessing a toy firearm or weapon that is two (2) inches or less in overall length.
- Possessing a toy firearm or weapon made of plastic snap-together building blocks.
- Using a finger or hand to simulate a firearm or weapon.
- Vocalizing an imaginary firearm or weapon.
- Drawing a picture, or possessing an image, of a firearm or weapon.
- Using a pencil, pen, or other writing or drawing utensil to simulate a firearm or weapon.

However, a student may receive disciplinary action if simulating a firearm or weapon while playing, if the playing substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm. The severity of consequences imposed upon a student, including referral to the criminal justice or juvenile justice system, must be proportionate to the severity of the offense and consistent with Board policies for similar offenses. If a student is disciplined for such conduct, the school principal or designee must call the student’s parent/guardian. Disciplinary action resulting from a student’s clothing or accessories that depict firearms or weapons shall be determined pursuant to the [OCPS Dress Code](#), unless the wearing of the clothing or accessories causes a substantial disruption to student learning, in which case the infraction may be addressed in a manner that is consistent with Board policies for similar offenses. This paragraph does not prohibit schools from adopting a school uniform policy.

Violence Against School Employees

Aggression or physical violence against an employee is unacceptable and will not be tolerated. Violence against any OCPS employee, contracted personnel, or volunteer by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or any other disciplinary action by the school and may also result in criminal penalties.

In addition, any student found to have committed any offense in [Section 784.081, Florida Statutes](#), shall be expelled or placed in an alternative school setting or other program, as appropriate. The offenses listed within [Section 784.081, Florida Statutes](#), include, assault or aggravated assault, or a battery or aggravated battery, upon any school district employee when the person committing the offense knows or has reason to know the identity or position or employment of the victim. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Threats or False Reports

Any student who makes a threat or false report as defined by Sections [790.162](#), [790.163](#), and [836.10](#), Florida Statutes, involving school or school personnel's property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, for a period of not less than one (1) full school year and referred to law enforcement, regardless of intent. Threats may include, but are not limited to: bomb threats; threats to use firearms in a violent manner; threats to kill or do bodily injury; and/or threats to conduct a mass shooting or an act of terrorism.

The [Disciplinary Response Code](#) provides additional definitions for threats. Threats can be direct or indirect, verbal or nonverbal. A direct threat may include a specific act or a specific victim. A direct threat is delivered in a straightforward and clear manner, such as making a threat verbally or in writing directly to the victim. Indirect threats may be unclear or hidden. Indirect threats may not state a specific victim or there is no intent that the threat be heard or seen by the victim, such as writing a threat that is not shown to the victim.

If a student reposts a threat on social media or via text, the student will be presumed to have made a threat as if he/she were the initial poster/sender which will lead to disciplinary action and possible criminal penalties. In addition, spreading rumors or reposting any information through social media that causes a disruption to the school environment will not be tolerated and will lead to disciplinary actions. If you see or hear anything that makes you feel uncomfortable or concerned, tell a trusted adult at school right away.

Additionally, if a student makes a statement or posts statements on social media alluding to the student bringing a firearm or other weapon on Board property, on school transportation, or to a school activity, even if the student does not actually bring the firearm or weapon, the student will be presumed to cause a disruptive environment which will lead to disciplinary action and possible criminal penalties. This section includes students who post similar statements as a self-defense tactic.

Zero Tolerance for School-Related Violent Crime

In accordance with [Section 1006.13, Florida Statutes](#), the intent of OCPS is to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a threat to school safety. The Zero Tolerance Policy is not intended to be rigorously applied to petty acts of misconduct. The Zero Tolerance Policy must apply equally to all students regardless of their economic status, race, or disability. Zero Tolerance policies must require students found to have committed one of the following offenses to be expelled, with or without continuing education services, from the student's regular school for a period of not less than 1 full year, and to be referred to the criminal justice or juvenile justice system: a) bringing a firearm or weapon, as defined in [Chapter 790, Florida Statutes](#), to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school, b) making a threat or false report, as defined by Sections [790.162](#), [790.163](#), Florida Statutes, involving school or school personnel's property, school transportation, or a school-sponsored activity. Refer to [Board Policy JIC, Code of Student Conduct](#), for further information.

Fighting and Self-Defense

Fighting is prohibited on all Board property, school transportation, and/or at school activities. Fighting is defined by the Florida Department of Education as two or more people mutually participating in the use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. If the fight causes a major disruption on campus, it may be a Level 4 offense.

If a student is unable to leave the area of a pending attack, a student may use self-defense. Self-defense is an action taken that is necessary to protect oneself or others from serious bodily harm. Self-defense may include asking an adult for help, restraining or blocking the attacker, shielding oneself or others from being hit, or pushing to get away from the attacker. However, retaliating by striking or hitting (e.g., punching, slapping, kicking) a person back, or choosing not to leave after you are able to get away, may be considered as fighting. Pursuant to [Section 1006.13, Florida Statutes](#) "in a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened, using only the amount of force necessary, to stop a violent act against a student, staff, or volunteer were necessary to restore or maintain the safety of others."

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Sexting

In accordance with [Board Policy JIC, Code of Student Conduct](#), and [Section 847.0141, Florida Statutes](#), sexting is defined as using any computer or electronic device to send, forward, display, retain, store or post sexually explicit, lewd, indecent or pornographic photographs, images or messages. Sexting will not be tolerated. Participation in sexting:

- During school hours or school activities on or off campus;
- While on Board property or school transportation; or
- Beyond the hours of school operation if the behavior adversely affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school, or the education process or experience;

shall be just cause for disciplinary action pursuant to this Code.

Acts of Hate

Pursuant to Board Policy ADD, Safe Schools and [Board Policy JB, Equal Educational Opportunity](#), all students attending school in OCPS “shall be treated according to a unitary code which applies equally regardless of race, color, religion, age, sex, national origin, marital status, disability, sexual orientation, genetic information, gender identity or expression, language spoken, homelessness, or any other reason prohibited by law.” An act of hate occurs when a student intentionally selects the victim because of any protected characteristics identified in Board Policies JB and ADD. An act of hate can be found on the basis of speech (including but not limited to threats and harassment), on the basis of conduct (including but not limited to battery or fighting), or on the basis of damage to property (including but not limited to theft and destruction of property/vandalism). All charges under the category of an act of hate must be reviewed with the OCPS Office of Legal Services for compliance with law. Offenses that are determined to be an act of hate or hate-crime related, as defined in [Florida Administrative Code Rule 6A-1.0017\(8\)\(e\)](#), may receive higher consequences and/or an increase to a higher level offense and are required to be reported to the Florida Department of Education’s School Environmental Safety Incident Reporting (SESIR) system and law enforcement.

Student Parking and School Locker Search

All OCPS parking areas and lockers are the property of the school district. School authorities have the right to inspect any student vehicle and/or lockers in order to protect the health, safety, and welfare of all students and school employees. This includes the use of K-9 detection dogs. Each student who uses Board property to park a vehicle or uses a school locker must sign an OCPS Student Parking and/or Student Locker Application and Consent to Search and Waiver of Liability form acknowledging and agreeing to the conditions as a prerequisite to, and in consideration for, the issuance of a student parking decal and/or a student locker. Individual student parked vehicles and/or locker searches will be conducted if school personnel have reasonable suspicion of a violation of the law or of the Code. A student is responsible for all objects found in the car the student drove on campus and/or found in the student’s locker. Routine locker clean-ups are not considered searches.

Search of an Individual

Any individual on Board property, on school transportation, and/or at a school activity, is subject to search. To this end, OCPS recognizes the need to respect the rights of individuals while protecting the health, safety, and welfare of all students and school employees. OCPS has developed operational guidelines for random electronic scanning utilizing metal detectors and “hands-on” physical searches in schools as a means of helping to create and to maintain a safe educational environment in Orange County. Secondary schools may have their classrooms randomly selected to be searched, which may include a search of the student’s person and/or belongings.

As it relates to student discipline investigations, school personnel are authorized to search a student and their property if reasonable suspicion of a violation of the law or Code exists.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Hazing

In accordance with [Section 1006.135, Florida Statutes](#), [Rule 6A-1.0017, Florida Administrative Code](#) and [Board Policy JIC, Code of Student Conduct](#), OCPS is committed to protecting its students from any hazing activities at any time on Board property, on school transportation, at school activities, and/or off school property if the misconduct is connected to participation or membership of a club or organization of a school. Hazing will not be tolerated. Participation in hazing activities shall be just cause for disciplinary action. Any person who has knowledge or engages in hazing is strongly encouraged to report it directly to the principal or designee. The reporting of any act of hazing may be made anonymously.

“Hazing” is defined in [Rule 6A-1.0017, Florida Administrative Code](#), as “any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6-12 for purposes of, initiation or admission into or affiliation with any school-sanctioned organization. Hazing includes, but is not limited to, pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.” Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Teen Dating Violence and Abuse

Dating violence is defined as violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim. Dating violence and/or abuse by any student is prohibited on school property, on school transportation, and/or during any school activity, and will be subject to disciplinary action and may result in criminal penalties.

Anyone who suspects dating violence and/or abuse is occurring is strongly encouraged to report the dating violence and/or abuse to the school administration for further investigation. The reporter may choose to remain anonymous. Any allegations of dating violence will be investigated in accordance with [Board Policy JB, Equal Educational Opportunities](#).

Trafficking

Any form of trafficking, such as human trafficking or drug trafficking, is prohibited on all Board property, school transportation, and/or at school activities. Anyone who is a victim of trafficking or anyone who suspects trafficking is strongly encouraged report the allegations to school administration for further investigation. School administration should consult with the school resource officer, or law enforcement officer if the school resource officer is unavailable, before beginning an investigation. The reporter may choose to remain anonymous.

Tobacco/Vaping

[Board Policy ADC, Tobacco Free Schools and Facilities](#), prohibits the use of all tobacco products, tobacco-related products, and electronic smoking devices on Board property, school transportation, and/or at school activities at all times. Students are prohibited from possessing, using, consuming, displaying, promoting, or selling/buying any tobacco product, tobacco-related product, electronic smoking device, or any item represented as such, at any time while on Board property, on school transportation, and/or at a school activity. This prohibition includes wearing clothing or using other items to advertise or promote tobacco products or electronic smoking devices.

Expulsion

[Section 1003.01, Florida Statutes](#) defines “expulsion” as the removal of the right and obligation of a student to attend a public school under conditions set by OCPS, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly.

All Level 4 Offenses may result in an expulsion pursuant to [Section 1003.01 Florida Statutes](#), which may be up to “a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance.” Some Level 4 offenses require a mandatory expulsion as outlined in Florida Statutes and this Code. These offenses include firearms/weapons possession/use and or threats or false reports. Pursuant to [Section 1006.13, Florida Statutes](#), before the expiration of an expulsion period, the Superintendent shall determine, based upon the determination of the threat management team, whether the expulsion period should be extended. Upon the completion of the expulsion, the Superintendent may invoke [Section 1006.08, Florida Statutes](#), and administratively place a student in an alternative setting.

Please note, the term “expulsion” is interchangeable with “full exclusion” and “expelled.”

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Out-of-School Suspension

[Section 1003.01, Florida Statutes](#), defines “suspension” as 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 ten (10) school days and remanding of the student to the custody of the student’s parent/guardian with specific homework assignments for the student to complete.

The Code has certain offenses that could result in out-of-school suspension. If a student receives out-of-school suspension, they are prohibited from attending school, any school-sponsored activity, or athletic program/event.

Students may qualify for an Alternative to Out-of-School Suspension (A2S) Program based on their disciplinary offense. A2S provides students with a safe, structured, alternative to complete assignments from teachers, while providing character education for life and social skills training. To qualify for A2S, the student’s school administration coordinates with the parent/guardian and student to discuss the A2S process.

Positive Alternative to School Suspension

[Section 1003.01, Florida Statutes](#) defines “in-school suspension” as the temporary removal of a student from the student’s regular school program and placement in an alternative program under the supervision of OCPs personnel, for a period not to exceed ten (10) days.

The Positive Alternative to School Suspension (PASS) program is a short-term, on-site intervention classroom initiative designed to address the unique needs of students who have committed a school-level behavioral offense. The classroom components help students develop more effective coping skills, character development principles, pro-social behaviors, while remaining on track with academics in the classroom. [Restorative Practices](#) are included in the PASS program and used in congruence with the classroom components. PASS is designed as an enhancement to the Code. Only administrators with official referral documentation may place a student in PASS. These placements are on a period-by-period basis or for a number of days not to exceed ten (10) days for any single placement. The goal of this program is to allow schools and administrators to effectively deal with Code violations that do not require a student be removed from the school setting.

Detention

Detention is permitted during school hours or outside of normal school hours if the principal or designee believes the detention is in the best educational interest of the student. Written notice shall be provided to the parent/guardian twenty-four (24) hours before the start of the detention.

If a student is assigned to detention before or after school, during the school week, then the detention shall be for no longer than one (1) hour and shall not exceed five (5) school days in a row, unless the principal or designee and parent/guardian agree otherwise. If the student rides the school bus, prior arrangements shall be made by the principal/designee to ensure the student has transportation.

If a student is assigned detention on a non-school day, then the detention shall be for no longer than four (4) hours, unless the principal or designee and parent/guardian agree otherwise. Prior arrangements shall be made by the principal/designee to ensure the student has transportation before detention can be assigned on a non-school day.

Restorative Practices

Restorative Practices is a research-based approach to address school culture and climate. Restorative Practice is a preventative approach aimed at promoting inclusiveness, relationship building, and problem solving. Restorative Practices involve a continuum of interventions and strategies that are both proactive and responsive. OCPs has implemented Restorative Practices to address the unique needs of students who have committed disciplinary offenses in violation of the Code. A trained school staff member (administrator, teacher, or counselor) facilitates Restorative Practices conflict resolution circles with the person harmed and the person causing harm. Some restorative methods include using affective statements, restorative questions, community building circles, and conflict resolution circles. Restorative Practices also aim to build a school culture that focuses on developing and maintaining relationships among educators and students. Through Restorative Practice, all voices are heard as problems are addressed and solved. Restorative Practices teach the skills necessary to manage and reduce conflict.

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

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Restitution

If a student takes or damages school property or the property of others, they may be required to pay restitution to the victim or OCPS. This obligation will remain on the student's discipline record until the restitution is paid in full. Payment plans can be arranged with the school principal. Additionally, community service may be completed in lieu of costs.

Court Orders and Felony Suspension/Expulsion

If a student is formally charged by a prosecuting attorney for a felony offense, or a delinquent act that would be a felony if committed by an adult, for an incident that allegedly occurred on property other than Board property, a felony suspension proceeding may be initiated against the student as permitted by [Section 1006.09, Florida Statutes](#). Additional information can be found in [Section V](#) of the Code. If a court determines that the student did commit a felony or delinquency act which would have been a felony if committed by an adult, OCPS may expel the student, provided that expulsion does 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 as permitted by [Section 1006.09, Florida Statutes](#). Additional information can be found in [Section V](#) of the Code.

In addition, if a student has a no-contact order with other children or students, the student may be removed from their current school of enrollment and placed in another OCPS school or program. Additional information regarding no-contact orders and felony offenses can be found in [Section 1006.13, Florida Statutes](#), and [Board Policy JIC, Code of Student Conduct](#).

Consultation with Law Enforcement

[Section 1006.13, Florida Statutes](#), and [Board Policy JIC, Code of Student Conduct](#) requires OCPS employees to consult with the school resource officer (SRO), or law enforcement officer if the SRO is not available, for any act that poses a threat to school safety that occurs whenever or wherever students are in the jurisdiction of the district school board. OCPS employees are not required to consult with law enforcement when a student commits a petty act of misconduct that is not a threat to school safety. A threat management team may use alternatives to expulsion or referral to law enforcement agencies to address disruptive behavior through restitution, pre-arrest delinquency citation, teen court, neighborhood restorative justice, or similar programs. The final determination of whether the SRO or law enforcement officer will issue a pre-arrest delinquency citation rests solely with the SRO or law enforcement officer and does not exempt the student from receiving other forms of discipline interventions from the school. This recommendation cannot be made for certain offenses, which includes, but is not limited to, the following: felonies; threats to the school; and possession/use of a firearm or weapon.

Petty Acts of Misconduct

[Board Policy JIC, Code of Student Conduct](#), defines petty acts of misconduct as acts that do not pose a threat to school safety and do not require consultation with law enforcement. The principal or designee may assign a student who commits a single petty act of misconduct to a school-based intervention program as permitted in this Code.

School Environment Safety Incident Report (SESIR)

[Florida Administrative Code Rule 6A-1.0017](#) requires school districts to correctly code data used to report incidents that are against the law or represent serious breaches of the Code of Student Conduct. This includes those incidents considered severe enough to require the involvement of a School Resource Officer "SRO" or incidents to be "Reported to Law Enforcement."

Those incidents that are required to be reported to SESIR and/or Law Enforcement are identified in the Code of Student Conduct with the three-letter code identifying SESIR incidents. When multiple incidents occur at the same time and place, the incident that caused the most injury or the highest loss of property or monetary cost should be the one reported. Any related elements to the SESIR incident must be reported. A related element includes those specified in [Florida Administrative Code Rule 6A-1.0017\(8\)](#): alcohol, bullying, drug, gang, hate crime, hazing, injury, vaping, and weapon(s).

"Reported to Law Enforcement" means that an official action was taken by a School Resource Officer (SRO) or a local law enforcement officer such as, assigning a case number, filing a report, filing an affidavit, issuing a civil citation, conducting an investigation and finding it to be an incident reportable to SESIR, or making an arrest.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Cell Phone/Wireless Communication Device Policy for Students

A student may not possess smart glasses, including prescription smart glasses, on Board property or on school transportation. A student may possess a cell phone on Board property, on school transportation and at school activities, provided that during school hours, the cell phone is silenced and concealed in the student's backpack or purse. Pursuant to [Section 1006.07, Florida Statutes](#), "elementary and middle school students may not use a wireless communications device during the school day. High school students may not use a wireless communications device during instructional time, except when expressly directed by a teacher solely for educational purposes. A high school teacher shall designate an area for wireless communications devices during instructional time." For purposes of this section, the designated area for wireless communication use upon express permission of a school administrator will be the front office. Violations of the cell phone policy will be handled in accordance with the Code and may result in confiscation of said device. If the cell phone is used in a criminal act (such as sexting as outlined in Florida Statutes and the Code), the cell phone will be provided to law enforcement and the student may face criminal penalties.

The use of wireless communication devices is always prohibited during the school day (from the first morning bell to dismissal) unless expressly directed by a high school teacher solely for educational purposes. Wireless communication devices include, but are not limited to, cell phones, tablets, and/or auxiliary/ancillary devices such as smart glasses, including prescription smart glasses, smartwatches and ear buds. Students may not receive discipline if they use their cellphone and/or ancillary device(s) to monitor a health condition that is documented through medical records provided to the school including, but not limited to, an IEP, a Section 504 Plan, or a Health Plan.

OCPS is not responsible for theft, loss, or damage to cell phones or other electronic devices brought onto its property.

Safety in Private Spaces Act

Pursuant to [Section 553.865, Florida Statutes](#), each educational institution shall, within its code of student conduct, establish disciplinary procedures for any student who willfully enters, for a purpose other than those listed below: a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by any instructional personnel as described in [Section 1012.01, Florida Statutes](#), administrative personnel as described in [Section 1012.01, Florida Statutes](#), or a safe-school officer as described in [Section 1006.12, Florida Statutes](#).

Pursuant to [Section 553.865, Florida Statutes](#), "a person may only enter a restroom or changing facility designated for the opposite sex under the following circumstances:

- (a) To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person as defined in s. [825.101](#), or a person with a disability as defined in s. [760.22](#) or a developmental disability as defined in s. [393.063](#);
- (b) For law enforcement or governmental regulatory purposes;
- (c) For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;
- (d) For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
- (e) If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex."

Violations of the policy will result in disciplinary action pursuant to the Code.

Dual Enrollment/Postsecondary Notification

Students who participate in a dual-enrollment program at a postsecondary institution, such as Orange Technical College, are subject to both this Code and the postsecondary institution's Code of Student Conduct. Any disciplinary offenses that occur on OCPS campus will be reported to the participating postsecondary school where the student is dually enrolled and may result in the student being excused from the program. In addition, any disciplinary offenses that occur on the postsecondary institution's campus will be reported to OCPS for further investigation. Students who commit a verified Level 4 offense pursuant to this Code may be unable to complete their dual enrollment program.

Failure to Attend Classes

If a student arrives at school and then leaves campus, has temporary absences from classes, or fails to attend specific classes, the school can take disciplinary action for skipping.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Truancy

If a student is required by law to attend school, the school will not suspend the student for unexcused absences or truancy pursuant to [Board Policy JE, Student Attendance](#). [Section 1003.27, Florida Statutes](#), requires the Superintendent to report to the Department of Highway Safety and Motor Vehicles the name, date of birth, sex, and social security number of all students (14-17 years of age) who accumulate fifteen (15) unexcused absences in any ninety (90) calendar day period. These students could lose driver's licenses, or the privilege to obtain a driver's license if deemed truant by the school and Florida Statutes. In addition, parents/guardians of habitually truant students are subject to actions taken through the judicial system.

Corporal Punishment

The Board prohibits the administration of corporal punishment in the school district.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Standards of Conduct for Students using Transportation Provided by OCPS

Because of OCPS's continuing efforts to provide safe transportation for all students, whether for a field trip, athletic function, similar activity, or to and from home, students are expected to abide by the following standards of school bus behavior, in addition to the Code:

- (1) Obey the bus driver at all times.
- (2) Stand off the roadway while waiting for the bus.
- (3) Be at the bus stop five minutes prior to a scheduled stop time.
- (4) Cross the roadway several steps in front of the bus.
- (5) Ride only on the assigned bus.
- (6) Board and depart at the assigned bus stop.
- (7) Must scan their RFID Student ID or Bus Pass to enter and exit the bus, upon issuance of RFID Student ID or Bus Pass.
- (8) Act appropriately while waiting for the bus.
- (9) Give your proper name when requested by the bus operator or monitor.
- (10) Remain seated at all times when the bus is moving and properly wear a seat belt, as applicable.
- (11) Remain silent when the dome lights are on.
- (12) Remain silent at railroad crossings.
- (13) Refrain from littering on the bus.
- (14) Refrain from bringing reptiles, bugs, animals, or marine life (dead or alive) on the bus unrelated to school activities.
- (15) Refrain from displaying signs from the bus.
- (16) Refrain from using profane language or gestures.
- (17) Refrain from acts of vandalism.
- (18) Refrain from throwing any objects from the windows of the bus.
- (19) Refrain from any conduct or behavior that interferes with the orderly, safe, and expeditious transportation of yourself or other bus riders.
- (20) Students are permitted to use their electronic device while on OCPS/OCPS-sponsored transportation so long as the student utilizes earbuds, headphones, etc. and has at least one ear free to hear directions.
- (21) Skateboards are not permitted on the school bus.

Recording devices have been installed on buses. Students may be filmed at any time during their ride. The recordings may be utilized to determine violations of the Code. Violations of the aforementioned standards, or any other section of the Code, may be the basis for suspension or expulsion from the bus/school.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Internet Policy: Student Technology Acceptable and Responsible Use Agreement

OCPS is committed to providing a safe, positive, productive, and nurturing educational environment. OCPS believes that all students should have access to technology (e.g., software, Internet, and network access) when they act in a responsible, efficient, courteous, and legal manner. Violations of the Internet Policy will not be tolerated and will be subject to this Code.

Educational Purpose

Technology access has been established for educational purposes and will be consistent with the district's curriculum and the Florida Standards. The term "educational purpose" includes age-appropriate academic activities that directly improve upon 21st century skills such as creativity, innovation, critical thinking, problem solving, communication, and collaboration. Technology access includes the use of Artificial Intelligence (AI) tools responsibly for educational purposes, such as described below, aligned with the district's curriculum and the Florida Standards.

Students are expected to follow the rules set forth in the Code and the law in the use of the Internet and network resources.

Students may not use the Internet for commercial purposes. This means they may not offer, provide, or purchase products or services through the Internet at any school using district resources.

Student Internet Access

All students will have district-supervised access to the Internet through the classroom, media center, district-issued device, or computer lab. In accordance with the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA), all OCPS web access is filtered. However, this does not preclude the possibility that inappropriate sites are not blocked.

Students will use OCPS Internet access for educational purposes only and will not access profane or obscene material, advocate illegal acts, or advocate violence or discrimination towards other people. OCPS-issued student accounts are subject to OCPS monitoring.

Responsible Uses

In order to ensure a safe, positive, productive, and nurturing educational environment for all, students are expected to demonstrate responsible technology uses. Students will keep information, such as his/her password, address, phone number, birthday, and other identifiable information private. Sharing personally identifiable information that might compromise a student's OCPS-issued account, even your own, is strictly prohibited. Students are strongly encouraged to report anyone who tries to use technology to hurt or harass other students or staff or anyone who makes him/her feel uncomfortable.

Students will not login to any account other than their own or use OCPS technology to engage in any illegal acts, such as drug sales, purchasing alcohol, engaging in criminal gang activity, threatening the safety of another person, cyber-stalking, or cyberbullying. Any attempts to circumvent OCPS ITS security and network protocols and systems are prohibited. This includes the use of unauthorized executable files. Violations will be subject to the OCPS Code of Student Conduct.

Responsible Use of AI

In addition to the general responsible uses outlined above, students are expected to adhere to the following guidelines when using AI tools:

- **Accuracy and Verification:** Students are responsible for verifying the accuracy of information generated by AI tools. AI-generated content should not be assumed to be factual and require critical evaluation. Students should cite AI sources appropriately.
- **Plagiarism and Originality:** Submitting AI-generated work as one's own original thought is considered plagiarism. Students must understand how to properly attribute the use of AI in their work and ensure that the work submitted reflects their own learning and understanding.
- **Bias and Fairness:** Students should be aware that AI models can exhibit biases. Critical thinking is essential when evaluating AI-generated content for fairness and potential biases.
- **Appropriate Use:** AI tools should be used for educational purposes only. Using AI for malicious purposes, such as generating harmful or discriminatory content, is strictly prohibited. Students shall not utilize AI driven resources to produce material that can be considered threatening and /or cyberbullying in nature, utilize a student or staff members likeness, or circumvent instructional resources provided by OCPS in completing assignments.

SECTION IV: PARENT AND STUDENT NOTIFICATIONS

Internet Policy: Student Technology Acceptable and Responsible Use Agreement

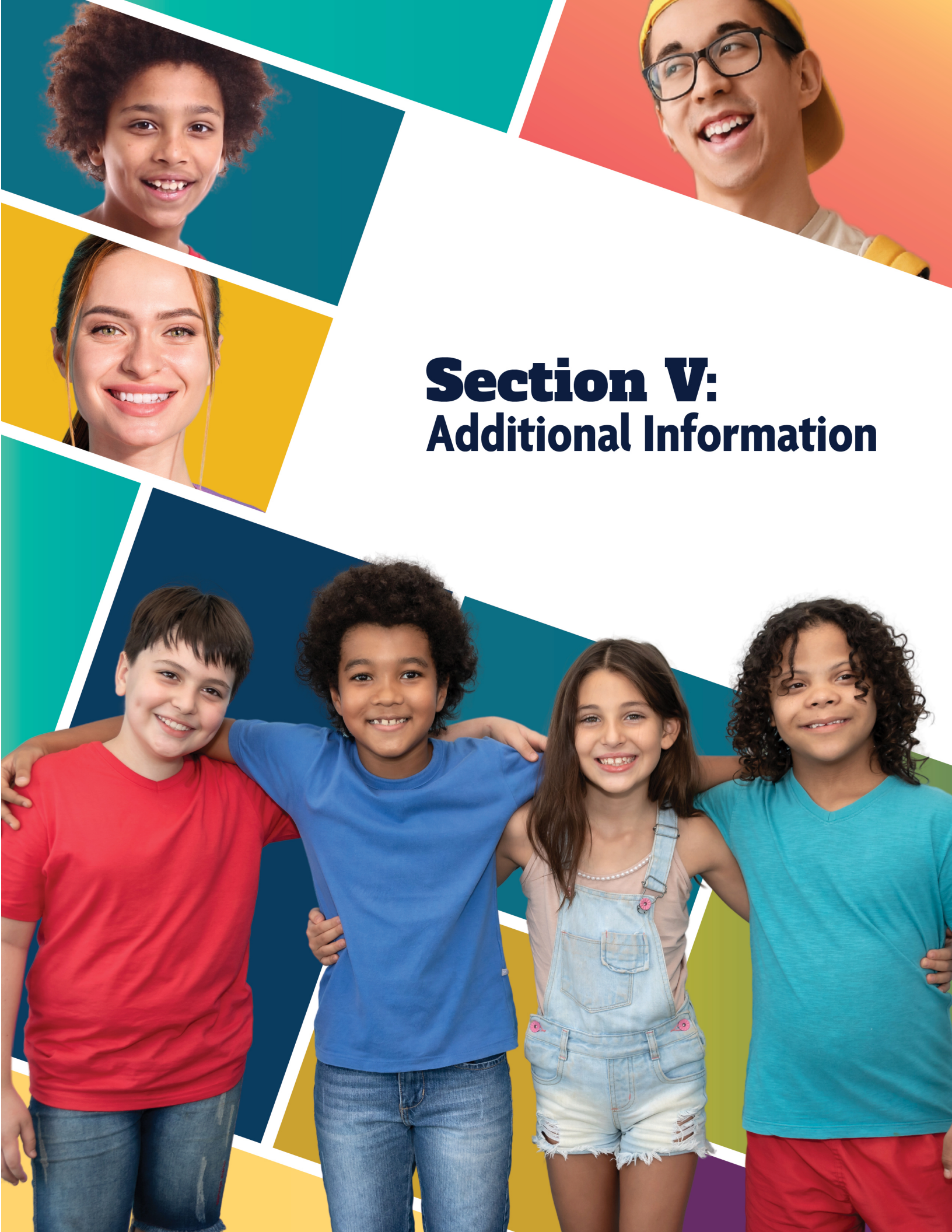
Inappropriate Content

Students will treat others with respect by using appropriate language and offer constructive criticism if appropriate. Students will not use inappropriate language, harass others, knowingly or recklessly communicate false or defamatory information about a person or organization, share privately sent messages without permission of the person who sent it, share private information about another person, or participate in sexting. This also includes the generation and dissemination of inappropriate or harmful video, image, audio, or other content using AI tools. The student code of conduct defines and covers inappropriate or harmful content.

System Security

All students will allow any teacher, administrator, or OCPS ITS staff to review their work and activities created on a district device or OCPS network at any time. Students are required to ask for permission before connecting their personal device to the OCPS network and will make sure any devices used on the OCPS network are approved by the district. OCPS ITS and school personnel do not require student permission to access district owned accounts or devices.

Students will not use technology to gain access to student grades or private student records, download or utilize unauthorized software, apps, extensions, or plug-ins on a school device, intentionally spread computer viruses, or bypass, destruct, disrupt, modify, or abuse OCPS network access. Violations of the policy will result in disciplinary action pursuant to this Code. Students will not use AI tools to attempt to bypass OCPS security measures or gain unauthorized access to systems or data.



Section V:
Additional Information

SECTION V: ADDITIONAL INFORMATION

Family Educational Rights and Privacy Act (FERPA)

Notification of Rights under FERPA for Parents/Guardians/Eligible Students

The [Family Educational Rights and Privacy Act \(FERPA\)](#) affords parents and students who are eighteen (18) years of age or older (eligible students) certain rights with respect to your student's education records. These rights are:

1. The right to inspect and review the student's education records within forty-five (45) days of the day the school receives a request for access. Parents/guardians or eligible students who wish to inspect their child's or their education records must submit a written request to the principal that identifies the record(s) the parents/guardians or eligible student wishes to inspect. The principal will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education record that the parent/guardian or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents/guardians or eligible students who wish to ask the school to amend their child's or their education records must write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. If the school decides not to amend the record as requested, the school will notify the parent/guardian or eligible student of the decision and of their right to a hearing regarding the request for amendment. If, as a result of the hearing, the school still decides not to amend the record, the parent/guardian or eligible student can insert a statement into the record setting forth his or her views regarding the nature of the inaccuracy. The statement must remain with the contested part of the record for as long as the record is maintained. Please note, while the FERPA amendment procedure may be used to challenge facts that are inaccurately recorded, it may not be used to challenge a grade, an opinion, or a substantive decision made by a school about a student. FERPA was intended to require only that schools conform to fair recordkeeping practices and not to override the accepted standards and procedures for making academic assessments, disciplinary rulings, or placement determinations. Additionally, if FERPA's amendment procedures are not applicable to a parent's/guardian's request for amendment of education records, the school is not required under FERPA to hold a hearing on the matter.
3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff; the person elected to the school board; or, a person or company with whom the district has contracted to perform a specific task. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Additionally, personally identifiable information will be released without consent to appropriate officials in emergency situations, to comply with a lawfully issued subpoena and in cases involving compulsory school attendance and child abuse. Further disclosures of personally identifiable information from educational records of a student without obtaining prior written consent of the parents/guardians or the eligible students can be found in 34 C.F.R. Part 99.31. Please note: Per FERPA, disciplinary records are also considered educational records and cannot be disclosed unless one of the above exceptions applies.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

SECTION V: ADDITIONAL INFORMATION

Release of Directory Information

The [Family Educational Rights and Privacy Act \(FERPA\)](#), a Federal law, requires that OCPS, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, OCPS may disclose appropriately designated "directory information" without written consent, unless you have advised OCPS to the contrary in accordance with OCPS procedures and [Board Policy JRA, Student Records](#). The form to opt-out of the release of directory information can be obtained from your child's school or by completing the form found at https://www.ocps.net/students_and_parents/family_engagement_and_digital_outreach/parent_technology_media_information_consent_form. Please note, directory information, as permitted by the Board, will only be shared with contracted entities and is pursuant to [Board Policy JRA, Student Records](#).

In accordance with [FERPA](#) and [Board Policy JRA, Student Records](#), the following information, also known as "directory information," can be found in your child's school records and is not confidential:

- Student name;
- Student address;
- Telephone numbers, if listed;
- Name of the most recent previous school or program attended;
- Dates of attendance at schools in the district;
- Participation in officially recognized activities and sports;
- Diplomas, certificates, and honors received;
- Date of graduation; and
- Date and place of birth.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

Military recruiters may also request the name, addresses, and telephone listings of students pursuant to federal law. Local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA), must provide the requested information to the military recruiters, unless parents/guardians have advised the LEA that they do not want their student's information disclosed without their prior written consent. [Note: These laws are [Section 9528 of the ESEA \(20 U.S.C. § 7908\)](#) and [10 U.S.C. § 503\(c\)](#), and [Section 1003.451, Florida Statutes](#).]

In addition, the names and directory information pertaining to children of active or former law enforcement officers, investigative personnel of the Department of Health and Rehabilitative Services, firefighters, justices and judges, and other officials, as outlined in [Section 119.07, Florida Statutes](#), are exempt from disclosure. If such a parent/guardian makes a written request to the school that information not be released by the school without parent/guardian consent, the school shall not release such information.

Release of Educational Records to Other Educational Agencies

FERPA permits disclosure of educational records to other educational agencies or institutions in accordance with [34 C.F.R. § 99.34](#). OCPS may disclose educational records (e.g. academic, disciplinary, Title IX, etc.) to other educational agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. The parent/guardian may request a copy of the record that was disclosed, and/or the parent/guardian may request a hearing as outlined in this Section. In addition, pursuant to [Section 1003.25, Florida Statutes](#), educational records transferred to another educational agency shall include: verified reports of serious or recurrent behavior patterns, including threat management evaluations and intervention services; and psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by OCPS, as appropriate.

SECTION V: ADDITIONAL INFORMATION

Procedures for Felony Suspension/Felony Expulsion

[Section 1006.09\(2\), Florida Statutes](#), allows the principal to suspend a student enrolled at his/her school who has been formally charged with a felony or similar offense by a prosecuting attorney and the incident for which he/she has been charged occurred off of Board property, and under circumstances in which the student would not already be subject to the rules and regulations of OCPS, and the incident would have an adverse impact on the educational program, discipline or welfare in the school in which the student is enrolled.

FELONY SUSPENSION PROCEDURES	
Step 1:	Determine that the student has actually been formally charged with a felony (or has been charged with an offense in juvenile court which, if the student were an adult, would be classified as a felony) by notifying an area administrator who will contact the Office of Legal Services for confirmation, if needed.
Step 2:	If the student attempts to return to school, the principal must decide whether the student's return would have an adverse impact on the school. The principal should consider the possibility of harm to the accused student or to others created by the presence of the accused student in the school. Felony suspension should be used only when the principal identifies and documents a definite adverse impact on other students or on the accused student. In determining "adverse impact", the principal should consider the nature of the alleged offense (e.g., a student charged with rape, robbery, murder, etc.). The principal should also consider the publicity of the offense or any other circumstances which might increase the possibility that the student's presence would pose a threat to the students and staff and substantially disrupt the school. The principal should also consider whether the student's continued attendance would pose a threat to the student charged with the felony.
Step 3:	The principal must contact the area administrator to schedule the hearing within ten (10) schools days of receiving the notice of the felony charges against the student. A hearing is conducted by the principal/designee and area administrator in every felony suspension procedure. It is not necessary for the parent/guardian to request a hearing.
Step 4:	If a felony suspension related to the documented adverse impact is imposed, the parent/guardian must be notified in writing of the following: (1) Recommendation for suspension until the determination of student's guilt or innocence, or dismissal of charges. (2) Specific charges against a student. (3) The date and time of a hearing with the area administrator. (4) Pending the hearing, the student is temporarily suspended. (5) If the hearing results in a felony suspension, the student will need to be temporarily placed at an alternative education site until the outcome of the felony charge has been determined. (6) Conditions under which a waiver of felony suspension may be granted in the case of unlawful use of an illegal controlled substance as provided in Section 1006.09(2)(b), Florida Statutes: a. If there is not an adverse impact on the school. b. If the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him. c. If the student voluntarily discloses his/her unlawful possession of such controlled substances prior to his/her arrest. d. If the student commits himself/herself, or is referred by the court in lieu of sentence, to a state-licensed substance abuse program and successfully completes the program.
Step 5:	The hearing will be conducted by the area administrator and must be attended by the principal/designee, the student, the parent/guardian, and the student's representative or counsel, if applicable. The student may speak to his/her own defense, may present any evidence indicating his/her eligibility for waiver of disciplinary action, and may be questioned on his/her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify. The person conducting the hearing is not bound by courtroom procedure or testimony and no transcript of the testimony shall be required. The purpose of the hearing is not to determine the student's guilt or innocence of the felony. The purpose of the hearing is to determine whether knowledge of the offense with which the student has been charged would have an adverse impact on the educational program, discipline, or welfare of the school.

FELONY SUSPENSION PROCEDURES

Step 6:	Following the hearing, the area administrator will provide the student and parent/guardian with a decision in writing as to whether or not the felony suspension will be made. In arriving at a decision, the area administrator will consider conditions under which a waiver may be granted and may grant a waiver when he/she determines such actions to be in the best interest of the school and student. The letter should also instruct the parent/guardian and student to provide documentation to the principal of the satisfactory resolution of the charges. The area administrator has the authority to modify the decision to either grant or deny a waiver at any time prior to adjudication by a court. However, any modification that is adverse to the student shall be made only following a hearing conducted in accordance with the procedure described.
Step 7:	If the decision by the district is to impose the felony suspension, an area administrator will make arrangements to place the student in an alternative education setting.
Step 8:	If the charges are dropped (nolle prosequi) or the student is adjudicated not guilty or not delinquent by the court, the student may return to their zoned school upon presenting documentation of the court's decision.

FELONY EXPULSION

Step 9:	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 area administrator may provide a recommendation for expulsion to the Director of Discipline and Superintendent. The Superintendent shall review the recommendation and shall have the authority to recommend to the Board that the student be expelled for one (1) year from the date of the adjudication, provided that the expulsion does 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.
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Notice: [Section 1006.09, Florida Statutes](#), prohibits any student who commits, and is adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere, of any kind of the felony offenses specified by [Section 1006.13, Florida Statutes](#), (homicide, assault-battery-culpable negligence, kidnapping-luring or enticing-false imprisonment-custody offense, sexual battery, lewdness-indecent exposure, abuse, robbery, sudden snatching, carjacking, home invasion robbery) against another student from attending school with, or riding the same school bus as, the victim or any sibling of the victim, or if a "no contact" order is issued by the court and notification is reported by the Department of Juvenile Justice to OCPS.

SECTION V: ADDITIONAL INFORMATION

Procedures for Early Re-entry of Students Assigned to an Alternative Placement in Lieu of Expulsion

A student may qualify for an early re-entry to the student's zoned school or other school deemed appropriate by OCPS, following the Superintendent or Designee's action to place a student at an alternative school in lieu of expulsion. This section details the procedures for early re-entry, including what will be required of the student, parent/guardian, and/or school. Any student who qualifies for early re-entry must have a re-entry plan. Failure to abide by the re-entry plan may result in the student returning to the alternative placement and/or further disciplinary action, as appropriate.

A re-entry plan requires a commitment from the student and parent/guardian to cooperate with school officials to reasonably ensure that the behavior that led to the original alternative placement does not recur.

The determination to allow a student early re-entry solely rests with the Superintendent or Designee. A student will only be considered for early re-entry if the Superintendent or Designee finds reasonable probability that the student will behave in a respectful manner upon re-entry, abide by this Code, and does not pose a threat to the school, other students, OCPS staff, contracted vendors, or volunteers. Students who committed acts of violence or made concerning threats to an individual or school may not be eligible for an early re-entry consideration.

This section only applies to students assigned to an alternative placement in lieu of expulsion; for students who were fully excluded without continuing educational services, please see "Early Re-Entry for Fully Expelled Students," located within this Section of the Code.

EARLY RE-ENTRY PROCEDURES	
Step 1:	A written request for early re-entry may be made by the parent/guardian, student, or OCPS personnel at the midpoint of the alternative placement. Once the request is received, OCPS will review the documentation required within this section, the initial offense resulting in the alternative placement, victim impact (if applicable), and other records relating to the student to determine the probability of success for early re-entry.
Step 2:	The following documents are required to determine eligibility for an early re-entry plan: 1. Documentation of counseling relating to the offense; 2. Minimum of 2.0 GPA (secondary), a C average (grades 3-5) or satisfactory (grades K-2) for current course work; 3. Consistent attendance and no disciplinary behaviors at the alternative placement site; 4. Other documentation required by OCPS that relates to the specific student and the offense committed, which resulted in the alternative placement; and 5. An acknowledgment from the parents/guardians that they understand and accept the conditions outlined in the re-entry plan.
Step 3:	The Superintendent's designee will consider the request for early re-entry. An early re-entry meeting will be held if the Superintendent's designee finds the requirements contained within this section have been met and the Superintendent's designee finds there is a reasonable probability the student will abide by this Code, which includes, but not limited to, behaving in a respectful manner upon re-entry, and not posing a threat to the school, other students, OCPS staff, contracted vendors, or volunteers. The early re-entry meeting will include the following participants to develop an early re-entry plan: director of discipline, area administrator, alternative placement site principal/designee, school principal/designee recommended for re-entry, parent/guardian, and student. Other OCPS staff may be invited depending on the specific offense and student; in addition, the parent/guardian may bring another adult of the parent/guardian's choice.
Step 4:	The re-entry plan will be submitted to the Superintendent or designee for final approval before the student is permitted to return to the student's zoned school or other school as deemed appropriate by OCPS. If approved, the director of discipline will notify the parent/guardian.

SECTION V: ADDITIONAL INFORMATION

Procedures for Early Re-entry for Students that Receive a Full Exclusion With or Without Continuing Educational Services

A student may qualify for early re-entry to an alternative placement school, following the Board's action to fully expel the student without continuing educational services. This section details the procedures for early re-entry, including what will be required of the student, parent/guardian, and/or school. Any student who qualifies for early re-entry must have a re-entry plan. Failure to abide by the re-entry plan may result in the full exclusion without continuing educational services being reinstated and the student being removed from the alternative placement school.

A re-entry plan requires a commitment on the part of the student and parent/guardian to cooperate with school officials to reasonably assure the behavior which led to the original expulsion will not recur.

The determination to allow a student early re-entry must be recommended by the Superintendent to the Board. The expulsion from the student's record cannot be removed or modified; however, the Board, with the recommendation of the Superintendent, may determine that the student can return to an alternative placement school to receive educational services.

This section only applies to students who receive a full exclusion without continuing educational services; for students who were assigned to an alternative placement in lieu of expulsion, please see "Procedures for Early Re-Entry of Students Assigned to Alternative Placement in Lieu of Expulsion," located within this Section of the Code.

Early re-entry plans are to be developed when appropriate, following the procedures described below.

EARLY RE-ENTRY PROCEDURES	
Step 1:	A written request for an early re-entry plan may be made at the midpoint of the expulsion to the applicable area administrator. Once the request is received, OCPS will review the documentation required within this section, the initial offense resulting in the full exclusion, victim impact (if applicable), and other records relating to the student to determine the probability of success of an early re-entry.
Step 2:	The following documents are required to determine eligibility for an early re-entry plan: 1. Documentation of third-party counseling relating to the offense; 2. Positive community service; 3. Minimum of 2.0 GPA for current course work; 4. Consistent attendance and no disciplinary behaviors at the student's current school of enrollment; 5. Review from OCPS Department of Student Services as to the student's well-being; 6. Other documentation required by OCPS that relates to the specific student and the offense committed, which resulted in the full exclusion; and 7. An acknowledgment from the parents/guardians that they understand and accept the conditions outlined in the re-entry plan.
Step 3:	After review of this information, the Superintendent's designee will consider the request for early re-entry. If the Superintendent's designee finds that all criteria have been met, and agrees that an early re-entry would be in the best interest of the student and of the school system, a meeting will be held with the Superintendent's designee, area administrator, alternative placement site principal/designee, parent/guardian, and student to develop a written early re-entry plan. The parent may also bring another adult of the parent/guardian's choice to the meeting. The early re-entry plan must detail the conditions for the student to attend the alternative placement school.
Step 4:	Following completion of the re-entry plan, which is acceptable to the school administrator who will be responsible for supervising the student, the plan shall be submitted to the Superintendent.
Step 5:	If the Superintendent approves the student's early re-entry, the Superintendent shall submit the recommendation to the Board for consideration and final approval. The parent/guardian will be notified of the action taken by the Board.

CHANGES TO THE CODE OF STUDENT CONDUCT

Acknowledgement

- K-12 Acknowledgement Page

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 - 1S: Cell Phone/Wireless Communication Device Violation
 - 1T: Student Parking Violation (NEW)
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 - Level 3: Discipline Response Code
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 - Level 4: Discipline Response Code
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Section III: Rights and Responsibilities

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Section V: Additional Information

- Procedures for Early Re-entry for Students that Receive a Full Exclusion Without Continuing Educational Services



OCPS Non-Discrimination Statement

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

Equal Employment Opportunity (EEO) Officer & Title IX:

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

ADA Coordinator:

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

Section 504:

Tajuana Lee-Wenze – Director
ESE Procedures/Compliance
Ronald Blocker Educational Leadership Center
445 West Amelia Street Orlando, FL 32801
(407) 317-3279
504help@ocps.net



Orange County Public Schools

445 W. Amelia Street | Orlando, FL 32801
407.317.3200 | www.ocps.net

The School Board of Orange County, Florida, does not discriminate in admission or access to, or treatment or employment in its programs and activities, on the basis of race, color, religion, age, sex, national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, or any other reason prohibited by law. The following individuals at the Ronald Blocker Educational Leadership Center, 445 W. Amelia Street, Orlando, Florida 32801, attend to compliance matters: Equal Employment Opportunity (EEO) Officer & Title IX Officer: Keshara Cowans; ADA Coordinator: Michael D. Graf; Section 504 Coordinator: Tajuana LeeWenze. (407-317-3200)