

CHAPTER 5.00 – STUDENT SERVICES

STUDENT CONTROL / DISCIPLINE

5.10

All students enrolled in school shall be subject to the laws, regulations of the State Board of Education, the rules and policies of the School Board and the *Code of Student Conduct* and shall be under the control and direction of the principal or designee during the time they are transported to or from school at public expense, during the time they are attending school or a school-sponsored activity, and during a reasonable time they are on School Board premises for school attendance or authorized activities.

- I. The principal or the principal's designated representative shall see that students are properly supervised while at school and during any school-sponsored activity.
- II. The teacher, other members of the instructional staff or bus driver shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.
 - A. No student may be suspended from school, from school bus transportation or from class, nor may corporal punishment be administered except as provided by law and the policies of the Board.
 - B. No student shall be suspended for unexcused absence, tardiness, or truancy unless otherwise provided in the *Code of Student Conduct*.
- III. This policy shall not apply to students while they are being transported to or from school by private citizens.
- IV. The *Code of Student Conduct* for elementary, middle, high school and postsecondary schools are hereby incorporated by reference and made a part of this rule. The *Code of Student Conduct* and any revisions shall be approved and adopted by the School Board. The *Code of Student Conduct* shall:
 - A. Be developed by School Board members, appropriate grade level teachers, school personnel, school administrators, students, and parent organizations.
 - B. State grounds for disciplinary action procedures and the rights of students.
 - C. Be distributed to all teachers, school personnel, students, and students' parent(s) or legal guardian(s) at the beginning of each school year.

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- D. Be filed in the Superintendent's office.
- V. The *Code of Student Conduct* shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each year.
- VI. Any School Board decision which conflicts with provisions in the *Code of Student Conduct* shall prevail until revisions are adopted.
- VII. The principal shall use the *Code of Student Conduct* to familiarize students with School Board rules relating to students' rights, responsibilities, and conduct at the beginning of each school year and whenever he/she deems it necessary.

1. RULES

- A. Rule 1: Disruption and Interference with School, School Activities, Functions or Events.

No Student shall:

1. Occupy any school building or property with intent to deprive others of use or where the effect thereof is to deprive others of use.
2. Block the doorway or corridor of any school building or property so as to deprive others of access thereto.
3. Prevent or attempt to prevent the convening or continued functioning of any school class, activity, or lawful meeting or assembly on the school campus.
4. Prevent students from attending a class or school activity.
5. Block normal pedestrian or vehicular traffic on the school campus or adjacent grounds unless under the direction of a school administrator.
6. Make noise or act in any other manner so as to interfere seriously with the teacher's instruction of the class or any other school activity.

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7. In any manner by the use of violence, force, noise, coercion, threat, intimidation, harassment, fear, passive resistance, or any other conduct cause the disruption of any lawful process or function of the school or engage in any such conduct for the purpose of causing the disruption or obstruction of any such lawful process or function.
8. Refuse to identify himself/herself on request of any teacher, principal, Superintendent, school bus driver, school attendance officer, or other school personnel.
9. Encourage other students to violate any rule or School Board Policy.

B. Rule 2: Damage or Destruction of School Property

A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property. The School District will attempt to recover damages from the student destroying school property. Parents of any minor student under the age of eighteen (18) living with the parents may be liable for damages caused by said minor in an amount not in excess of Florida Statutes or a Court Order.

C. Rule 3: Damage or Destruction of Private or Public Property

A student shall not cause or attempt to cause damage or steal or attempt to steal private or public property. The District School Board will cooperate fully with law enforcement officials should such violations occur.

D. Rule 4: Physical Abuse or Assault by a Student on a School Employee or a Person not Employed by the School

A student shall not cause or attempt to cause physical injury or behave in such a way as could reasonably cause physical injury to a school employee, fellow student or other individual. Violence will not be tolerated under any circumstances.

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- E. Rule 5: Narcotics, Beverages Containing Alcohol, Drugs, and Tobacco Products
- A. A student shall not possess, sell, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, any prescription drugs without a valid physician's prescription, or any other controlled substance as referenced in Florida Statutes, 232.26, or beverage containing alcohol or intoxicant of any kind or tobacco products.
 - B. A student shall not possess, sell, use, transmit or be under the influence of any counterfeit controlled substance or any substance represented or purported to be a controlled substance including but not limited to substance named or described in 893.03 Florida Statutes or substances represented or purported to be beverages containing alcohol or intoxicant of any kind.
 - C. The District School Board acknowledges the relationship between electronic telephone pagers and the illegal use, sale or distribution of controlled substances as referenced in 230.23 (6) C Florida Statutes. Accordingly, students shall not possess electronic telephone pagers on school grounds. A violation of this subparagraph shall be considered according to the disciplinary guidelines regarding drug violations.
 - D. A violation of any portion of policy E. Rule 5 is grounds for expulsion. Alternatives to suspension and expulsion may be considered as provided in disciplinary guidelines approved by the District School Board. The parent/guardian of any student determined to be in violation of this policy will be informed of low cost substance abuse assessments available through state-licensed drug abuse treatment centers and of any agreement between the District School Board and such a center. The District School Board may consider successful completion of a treatment program developed by a state licensed treatment center in determining a student's length of expulsion, early termination of expulsion or length of assignment at the Putnam Educational Academy.

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F. Rule 6: Weapons, Dangerous Instruments and Contraband

A student shall not possess, handle, transmit, or use a weapon including but not limited to: a knife, razor, ice pick, explosive, pistol, rifle, shotgun, pellet gun, or any contraband materials or any other kind of gun (whether operable or inoperable, loaded or unloaded) or any replica of a gun.

A violation of this policy will also occur if a student uses any article or object as a weapon or in a manner reasonably calculated to threaten any person.

A violation of this policy is grounds for expulsion.

G. Rule 7: Disregard of Directions or Commands

A student shall not fail to comply with directions or commands of teachers, student teachers, substitute teachers, teacher aides, principals, administrative personnel, Superintendents, school bus drivers, school attendance personnel, custodians, lunch room personnel, or other authorized school personnel.

H. Rule 8: Appropriate Dress for Students

1. All students shall be properly groomed and attired when on school property or participating in school activities. Students shall be dressed so they will not present a clear danger to health and safety. They shall not be dressed in a manner which causes an interference with work or creates classroom or school disorder.
2. Attire which exposes the midriff (back or front) is prohibited (examples would be a halter or cut-off shirt).
3. Inappropriately revealing sleeveless clothing shall not be worn in the middle and high schools. Clothing that exposes the undergarments, armpits, breast, or chest will not be allowed. Shirts should cover the shoulder. Tank tops, spaghetti straps, or shirts with sleeves cut out are not considered proper in any grade. Sleeveless dresses and blouses are considered proper dress for girls in elementary schools.

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4. Shoes shall be worn at all times. Shoes that are unsafe, such as bedroom slippers and heelys shoes, will not be allowed.
5. No head attire, including bandanas, shall be worn inside the buildings. This does not include wigs.
6. Clothing with slogans or symbols is prohibited if it may be interpreted to be offensive, obscene, indecent, vulgar or encourages the sale or use of drugs or alcohol. Clothing that is symbolic of gang activity, i.e., bandanas, will not be allowed.
7. Shorts, and skirts may be worn in classes pre-school through grade twelve provided they meet the following criteria:
 - They are not too tight, as determined on an individual basis by school administration or deans;
 - They are not too short, as determined on an individual basis by school administrators or deans.

As a general guideline to students, the District School Board allows the wearing of shorts and skirts that are not unusually tight fitting and that are at least mid-thigh when the student is in a standing position. All principals shall document violations of this code by students and an initial hearing shall be held by them regarding violation of this dress code policy.

8. Inappropriately loose fitting clothing, which could conceal contraband, will not be allowed, as determined on an individual basis by school administrators or deans.
9. Pants and skirts must fit the waist and may not drag the floor (no sagging pants or hip huggers).

I. Rule 9: Secret Societies

Secret societies are prohibited in the public schools of Putnam County.

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J. Rule 10: Initiation and Hazing

Students guilty of violation initiation and hazing policies shall be subject to suspension or expulsion, and the organization shall be suspended from school activities and school recognition.

K. Rule 11: Off-Campus Activity

Any student who commits, or threatens to commit, an act or is involved in a transaction, event or occurrence off school grounds which, in the opinion of the principal, following an administrative hearing with notice provided to the parent or legal guardian, poses a danger to the safety or welfare of students and/or school personnel is subject to action as said principal deems appropriate in order to protect and insure the safety and well being of students and/or personnel. Action as contemplated herein may include placement in the school alternate class, transfer to the District Opportunity Center, suspension or expulsion. Such discipline as imposed by the principal shall not effect the delivery of educational services to the student from school, the student shall be immediately enrolled in a daytime alternative education program. If the student is subsequently charged by a proper prosecuting attorney with an offense within the scope of 232.26 Florida Statutes, the administrative hearing, conducted in a manner as set forth in this policy, will serve as the administrative hearing referenced in 232.26 Florida Statutes provided that no new evidence is alleged to exist. If the student is subsequently adjudicated guilty of a felony or a felony level delinquent act, the Superintendent shall have the authority to determine if a recommendation for expulsion shall be made to the School Board pursuant to this policy, policy 5.17V(b) and 232.26 Florida Statutes.

L. Rule 12: Behavior Not Covered Above

The District School Board reserves the right to punish behavior which is subversive to good order and discipline in the schools, even though such behavior is not specified in the preceding written rules.

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The District School Board directs individual schools and departments to develop, print, and disseminate such rules and regulations which are consistent with District rules but which are needed to supplement District rules in order to carry out the proper and orderly function of the school or department. District and school rules; however, shall not permit disciplinary action to be taken based on the use of language other than English by Limited English Proficient students.

M. Rule 13: Misconduct at a Bus Stop

Serious misconduct reported to have occurred at a bus stop of the Putnam County School Transportation System may result in a referral to law enforcement by the school principal/designee or parent/concerned citizen. Proper conduct is expected on bus stops and school personnel will cooperate fully with law enforcement investigations.

2. Procedures

Violations of the previous rules and/or supplemental rules may result in one or more of the following types of disciplinary action:

- A. Corporal Punishment;
- B. Counseling;
- C. Detention;
- D. Expulsion;
- E. Parent Conference;
- F. Physical Examination Referral;
- G. Referral to Special Class;
- H. Referral to Student and/or Psychological Services;
- I. Remedial Instruction;
- J. Supervised Upkeep and/or Maintenance;

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- K. Suspension;
- L. Transfer to Alternate Class or Program;
- M. Transfer to Special Class or School; or
- N. Other Alternatives as deemed appropriate by the Principal and/or Designee

Procedures for Drug, Alcohol and/or Weapon Violations, K-5

- A. First Offense:
Admission or possession of drugs, alcohol and/or weapons
 - 1. Check to see if student is in exception education.
 - 2. Notify police.
 - 3. Notify parents.
 - 4. Notify Superintendent and send paperwork and recommendations.

Recommendations:

- a. corporal punishment
- b. in-school counseling
- c. suspension
- d. ask Youth Services to schedule conferences with parents, student and school personnel. At the end of six (6) weeks, have an evaluation conference on the status of the situation.
 - 1. Improvement: end of process - no more conferences.
 - 2. No Improvement: additional counseling or expulsion.

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- e. Recommend expulsion.
- f. Other actions deemed appropriate.

B. Second Offense:

1. Check to see if student is in exceptional education.
2. Suspend ten (10) days and send recommendation to Superintendent for convening of Discipline Review Committee to examine the problem and make a recommendation to the Superintendent.

Recommendations may be:

- a. Expulsion;
- b. an in-school alternative class placement at middle school level; or
- c. other actions deemed appropriate by the Discipline Review Committee

3. Corporal Punishment

- A. The Board directs that procedures for the administration of corporal punishment shall be developed by the Superintendent to assist the principal in the implementation of this policy. This policy is issued to assist District and school staff members in the implementation of corporal punishment.
- B. The authority set forth in Florida Statutes vests teachers and administrators with the power to establish rules for discipline, develop understanding for the enforcement of obedience, and, as a corollary power, to enforce the classroom regulations. Teachers and administrators have the right to use such means, including the moderate use of physical force or physical contact, as may be necessary to maintain discipline and to enforce school order and rules.

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If physical force becomes necessary, the means used will depend upon the circumstances, including the nature of the misconduct of the student, the age of the student, and the physical and emotional condition of the student. Physical force must not be used maliciously or wantonly.

- C. Punishment, in the general sense, is the inflicting of a penalty for an offense. Corporal punishment is generally applied to the body of the offender, or is physical punishment as opposed to other forms of punishment and is administered as a means of changing the behavior of the student. It is, therefore, important to analyze whether or not this goal will be accomplished by such action.
- D. The punishment must be reasonable and must be administered under conditions not calculated to hold the student up to ridicule or shame. Corporal punishment shall not be administered in the presence of other students. Care should be taken that the period of time between the offense, or the school's awareness of the offense, and the punishment itself is not excessive. PCDSB Form E-6 shall be used.
- E. Corporal punishment for young students in the primary and intermediate grades shall be limited to a maximum of five (5) strokes administered using one hand. At the middle and senior high level not more than seven (7) strokes administered using one hand are permitted. The type of punishment, the severity of punishment, and the number of strokes administered when paddling a student must be individually determined in every case.
- F. Procedures for the Administration of Corporal Punishment:
 - 1. When corporal punishment becomes necessary, the teacher must have permission from the principal or his/her administrative designee prior to its use.
 - 2. Corporal punishment must be administered by specific personnel designated by the principal and in the presence of an adult staff member designated by the principal. The adult witnessing the act of corporal punishment must be advised of the reason for said punishment in the presence of the student.

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3. A teacher or principal who has administered corporal punishment shall, upon request, provide the student's parent or guardian with a written explanation of the reason for the punishment and the name of the other teacher or principal who was present.
 4. In every case of corporal punishment, the student must be told of the seriousness of the offense and the reasons for the punishment.
 5. In administering corporal punishment, the instrument must be no more than two (2) feet long nor more than one-half (1/2) inch thick, and should be smooth with no sharp edges or holes. The punishment shall be administered posteriorly with efforts being made to avoid punishment above the waist or below the buttocks.
 6. Corporal punishment should never be administered to a student known by school personnel to be under psychological or medical treatment unless there has been a pre-conference with the school psychologist or the student's physician. It is the parent's responsibility to inform the school in writing of psychological or medical conditions which preclude the administration of corporal punishment.
 7. The principal of each school shall maintain a record of all instances where corporal punishment is administered. The record will contain the name of the student, the date, the time, the number of strokes administered, the infraction of rules which caused the punishment, who administered the punishment, and the name of the adult witness. PCDSB Form E-6 shall be used.
4. Detention of Students
- A. After parents have been notified, students may be detained after school hours for reasons of poor conduct or failure to complete required school work.
 - B. Students may not be detained in excess of one (1) hour.

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- C. It is the responsibility of the parents to provide transportation if a student is required to stay after regular school hours.

USE OF REASONABLE FORCE

The School Board recognizes that a safe, orderly learning environment is necessary for high student achievement. School personnel shall serve as models of appropriate conduct and positive conflict resolution. Existing provisions of Florida Statutes and Florida Administrative Code establish the rights and duties of school personnel.

Rights

1. Use of reasonable force by a teacher or principal as may be necessary for self-protection or to protect other students from disruptive students (s.228.041927), F.S.).
2. Enhanced criminal penalty for assault/battery of school personnel (s.231.03, F.S.).
3. Criminal penalties enforced on the general public for interrupting the orderly conduct of school or school activity (s.231.07, F.S.).
4. Removal of a disruptive student from the education environment and the refusal to accept student back (s.232.26, F.S.) (s.232.27, F.S.) (s.232.28 F.S.).
5. Control and discipline students as may be assigned to him/her by principal (s.232.27, F.S.)

Duties

1. School personnel shall keep good order in the educational environment (s.232.27, F.S.) (s.232.28, F.S.)
2. School personnel shall refrain from use of excessive force and cruel or unusual punishment (s.232.275, F.S.)
3. School personnel who hold Florida Educator's Certificate shall uphold the ethical obligations to the student as specified in 6B-1006, FAC.

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Use of Reasonable Force

1. The use of reasonable force is permitted to protect the student from:
 - A. Conditions harmful to learning;
 - B. Conditions harmful to student's mental health;
 - C. Conditions harmful to student's physical health;
 - D. Conditions harmful to safety; and
 - E. Harm and/or injury to self, school personnel, and others.
2. While use of physical force may be needed, alternatives should be attempted, time permitting.
3. Whether or not force is reasonable may be determined during a set of guidelines that would include, but not limited to:
 - A. Severity of offenses;
 - B. Size and physical condition of participants;
 - C. Patterns of behavior;
 - D. Potential danger, physical and other;
 - E. Availability of assistance; and
 - F. Actions taken prior to use of physical force.
4. Reasonable force cannot be excessive or cruel or unusual in nature. Physical force being used should cease upon the restoration of a safe and orderly environment.

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