

# ***GULF COUNTY SCHOOL BOARD POLICY***

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**REPORTING CHILD ABUSE****2.80****I. Definitions of Child Abuse, Abandonment or Neglect**

- A. *Abuse* means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
- B. *Abandonment* means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.
- C. *Neglect* occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian.

**II. Prohibition Against Child Abuse, Abandonment or Neglect**

The School Board strongly prohibits any action or omission constituting child abuse, neglect, or abandonment by any of its employees, agents, volunteers, or by other persons affiliated in any way with the School District. Further, all employees, agents, and volunteers of the School District must comply with Florida law requiring reporting of child abuse, neglect, or abandonment.

III. Notification of Responsibility

A notice providing the following information shall be posted in a prominent place in each school:

- A. All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; immunity from liability if they report such cases in good faith; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect.
  
- B. Statewide toll-free telephone number for the central abuse hotline.

IV. Requirements for Reporting Child Abuse, Abandonment or Neglect

- A. Florida Statute requires that any person including, but not limited to, any
  - 1. Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;
  
  - 2. Health or mental health professional other than one listed in 1.;

3. Practitioner who relies solely on spiritual means for healing;
4. School teacher or other school official or personnel;
5. Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or
6. Law enforcement officer or judge

who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.

- B. Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.
- C. Reporters in the categories specified in A. above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.
- D. In accordance with state law, the Department of Children and Family Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.

- E. Complaint Against School District Employee, Volunteer or Agent - If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect may be suspended or reassigned from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.
- F. When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.
- G. Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor.
- H. Child Abuse Prevention Training for School District employees, staff, volunteers shall be provided in compliance with and as specified in Florida Statute.

**STATUTORY AUTHORITY:** 120.54, 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 39.0015, 39.01, 39.201, 39.202, 39.203,  
39.205, 39.206, 1001.43, 1006.061, F.S.

**HISTORY:** **ADOPTED:** \_\_\_\_\_

**REVISION DATE(S):** 08/01/06

**FORMERLY:** NEW

**THE CURRICULUM****4.10\*+**

- I. The District curriculum shall be determined by
  - A. Students' needs as determined by studies, assessments and surveys;
  - B. Continuous evaluation of curriculum effectiveness in meeting students' needs in the District;
  - C. Florida Statutes, State Board of Education rules, and the School Board; and
  - D. Florida Department of Education developed and School Board approved Florida curriculum frameworks, State Student Performance Standards and course descriptions.
- II. The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the District.
- III. The Superintendent shall designate an appropriate staff member who is responsible for the development and coordination of the total curriculum of the District.
- IV. The program of instruction can be found in the *Student Progression Plan* for elementary, middle and high school levels. A student's progression from one grade to another shall be determined, in part, upon proficiency in reading, writing, science, and mathematics.
- V. The responsibility and right of an instructional staff member to present information of a controversial nature is hereby recognized. The teacher shall not present

controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions.

- VI. A course description shall be presented for School Board approval before any course or unit in the objective study of the Bible or a comparative study of religion, as provided in Florida Statutes, is initiated in any school. The description shall detail the purpose of the course, the materials to be used, grade location, length of the course, and credit value. No teacher shall present or permit to be presented any material which ridicules any religious sect, belief, or faith.
- VII. Prior to initiating any course or unit of instruction in human growth and development, a course outline and complete description shall be presented for School Board approval. This rule does not preclude the teaching of personal cleanliness in health and physical education classes or in the elementary grades, or the teaching of matters relating to sex education as provided in state-adopted textbooks, or information relating to sex education as required in other courses using duly-adopted textbooks and materials where the teaching of sex is an incidental part of the course.
- VIII. It shall be the responsibility of the school to make students aware of the dangers and consequences of sexually transmitted diseases. The manner, scope, and levels at which this information will be presented shall be determined by the Superintendent or designee in consultation with instructional supervisors and principal(s). Prior to initiating any such unit of instruction, the proposed program, the materials to be used, and other essential information shall be presented to the School Board for approval. When any questionable information is to be viewed by mixed groups, the sexes may be separated for presentation of materials.
- IX. Age-appropriate information about Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV) infection, and other sexually transmissible diseases shall be taught in Grades K-12. Instruction shall address causes, transmission, and prevention and shall be approved by the School Board.



- X. The Superintendent or designee shall review curriculum frameworks which are prepared and distributed by the Florida Department of Education and related to AIDS education. If the curriculum frameworks are inconsistent with locally determined curriculum for AIDS education or are not reflective of local values and concerns, the Superintendent shall advise the School Board and provide recommendations for instructional activities.
  
- XI. A student shall be exempt from instructional activities on reproductive health or Acquired Immune Deficiency Syndrome (AIDS) provided his/her parent(s), as defined by Florida Statutes, files a written request with the school principal.
  
- XII. In compliance with Florida Statute, throughout instruction in Acquired Immune Deficiency Syndrome, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality, a school shall:
  - A. Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age children while teaching the benefits of monogamous heterosexual marriage.
  
  - B. Emphasize that abstinence from sexual activity is an absolute way to avoid pregnancy, sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), and other associated health problems.
  
  - C. Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.
  
  - D. Provide instruction and material that is appropriate for the grade and age of the student.

- XIII. The Superintendent or designee shall develop a physical education program to implement the requirements of Florida Statutes.
- XIV. The Superintendent or designee shall develop procedures to implement the provisions of the Florida Secondary Schools Redesign Act. Requirements of the Act shall be incorporated into the *Student Progression Plan*.
- XV. When dealing with political issues, the positions of all parties will be presented on a nonpartisan basis. Partisan political literature will not be distributed in schools. However, schools may give out information relating to School District taxes or the need for construction bonds.
- XVI. All course materials and verbal or visual instruction shall conform to the requisites and intent of all Florida law and the state constitution. All instructional materials, including teachers' manuals, films, tapes, or other supplementary instructional material, shall be available for inspection by parents of the children engaged in such classes.
- XVII. The Superintendent/designee shall develop procedures to assure all aspects of curriculum development and implementation are carried out.

**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 1000.21, 1001.43, 1003.413, 1003.42, 1003.4203,  
1003.43, 1003.45, 1003.455, 1006.28,  
1006.29, 1008.25, 1010.305, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-1.0941, 6A-1.09412, 6A-1.09414

**HISTORY:** **ADOPTED:** \_\_\_\_\_

**REVISION DATE(S):** 10/16/06, 05/29/12

**FORMERLY:**

**PHYSICAL EDUCATION****4.19\*+**

The School District of Gulf County believes that physical education is an important component of the total educational program. Physical activity is essential to the development and maintenance of good health. The physical education program shall focus on providing students with the knowledge and skills to make healthy lifestyle decisions.

- I. The physical education program shall be consistent with the standards of the National Association for Sport and Physical Education and with the Sunshine State Standards. It shall be an integral part of the District Wellness Program.
  
- II. The physical education curriculum shall be a continuum from prekindergarten through grade 12. Activities shall be appropriate for the grade level and capabilities of the students and shall be of sufficient intensity and duration to provide a health benefit.
  
- III. Goals of the physical education program shall include
  - A. Competency in motor skills and movement patterns;
  
  - B. Understanding of human movement as it relates to physical activities;
  
  - C. Understanding of the benefits of regular participation in physical activity;
  
  - D. Regular participation in physical activity;
  
  - E. Achievement of a health-enhancing level of physical fitness;

- F. Knowledge of safety in physical activities;
  - G. Knowledge of first aid and cardiopulmonary resuscitation (CPR);
  - H. Demonstration of responsible personal and social behavior in physical activity;
  - I. Recognition and acceptance of the differing abilities of people;
  - J. Recognition of the values of physical activity for health, enjoyment, challenge, self-expression, and social interaction; and
  - K. Increase in health and wellness.
- IV. The District shall develop a comprehensive physical education plan with input from teachers, parents, students, and representatives from the medical and sports fields. The plan shall be reviewed annually by the Wellness Committee and modified as appropriate. The plan shall adhere to the requirements of Florida Statutes.
- V. The District shall notify parents annually that counseling concerning the benefits of physical education is available at each school. The District shall also inform parents, prior to scheduling a student for physical education, that the requirement for participation in physical education may be waived under certain circumstances as specified in law.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1001.43, 1003.41, 1003.42, 1003.43,  
1003.453, 1003.455, F.S.**

**HISTORY:**

**ADOPTED: \_\_\_\_\_**

**REVISION DATE(S): 10/15/06, 09/15/08**

**FORMERLY: NEW**

**HOMELESS STUDENTS****5.14\***

I. Homeless children who live within the county shall be admitted to school in the District, shall have access to free public education including preschool, shall be given the opportunity to meet local and state academic achievement standards, and shall be included in state and District assessments and accountability systems.

II. Definitions

A. Homeless Child

One who lacks a fixed, regular and adequate nighttime residence and includes children and youth who

1. Are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. Are living in emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement;
4. Have a primary nighttime residence that is
  - a. A supervised shelter designed to provide temporary living accommodations;

- b. An institution providing temporary residence for persons who are to be institutionalized; or
    - c. A public or private place not designed or normally used as a regular sleeping accommodation for human beings;
  - 5. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
  - 6. Are migratory children who qualify as homeless because the children are living in circumstances described in II.A.1. through II.A.5.
- B. Unaccompanied Youth – A student who is not in the physical custody of a parent or guardian.
- C. School of Origin – The school that the student attended when permanently housed or the school where the child or youth was last enrolled.
- D. Enroll and Enrollment – Attending school and participating fully in school activities.
- E. Immediate – Without delay.
- F. Parent – Parent or guardian of a student.



- G. Liaison – The staff person designated by the District as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.
  
- III. The District shall identify homeless students as defined by federal and state law.
  
- IV. The District shall seek to remove barriers to the enrollment and retention of homeless children and youth.
  
- V. The District shall ensure the immediate enrollment of homeless students.
  - A. The District shall assist homeless children to provide documentation of records such as immunization, residency, birth certificate, school records, and guardianship to meet state and local requirements for entry into school.
  - B. A homeless child shall be given a thirty (30) school day exemption to provide proof of age, certification of a school-entry health examination, proof of immunization and other documentation required for enrollment.
  
- VI. Each homeless student shall be provided the services that are available for all other students including transportation, school nutrition programs, before and after school programs, and education services for which the child meets the eligibility criteria such as exceptional education, gifted education, vocational and technical programs, preschool programs, Title I, and limited English proficiency programs.
  
- VII. Homeless students shall be given meaningful opportunities to succeed in school.
  
- VIII. Homeless students shall be allowed to remain in the school of origin to the extent feasible, unless this is contrary to the wishes of the parents.

- IX. Homeless students and/or parents shall have the right to dispute school assignment if placement is other than the school of origin. The District shall ensure that unaccompanied youth and the parents of homeless students are notified of the right to remain in the school of origin and of the dispute process.
  
- X. If requested by the parent of a homeless child or by the liaison on behalf of an unaccompanied youth, the District shall be responsible for providing transportation to and from the school of origin throughout the duration of homelessness. The District shall share the responsibility for transportation if a homeless student begins living in another district in a homeless status and continues to attend the school of origin.
  
- XI. Homeless students shall not be stigmatized, segregated, or separated in any educational program on the basis of their homeless status.
  
- XII. The District shall follow the requirements of the McKinney-Vento Homeless Assistance Act.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1003.21, F.S.**

**LAW(S) IMPLEMENTED:** **1000.21, 1001.43, 1003.01, 1003.21, 1003.22, F.S.**

**MCKINNEY-VENTO HOMELESS ASSISTANCE ACT, P.L.100-77**

**NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110**

**HISTORY:** **ADOPTED:** \_\_\_\_\_

**REVISION DATE(S): 10/22/08, 03/17/09**



**STUDENT CONTROL****5.30+**

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 the time they are on School Board premises for school attendance and 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. The School Board shall review the provisions for corporal punishment at a School Board meeting every three (3) years and shall take public testimony at the meeting.

- IV. This policy shall not apply to students while they are being transported to or from school by private citizens.
- V. The *Code of Student Conduct* for elementary, middle, high school and postsecondary schools is 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' parents, as defined by Florida Statutes, at the beginning of each school year.
  - D. Be filed in the Superintendent's office.
- VI. The *Code of Student Conduct* shall be discussed with students, school advisory councils, and parent/teacher associations at the beginning of each year.
- VII. Any School Board decision which conflicts with provisions in the *Code of Student Conduct* shall prevail until revisions are adopted.

VIII. 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.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**120.57(1), 1000.21, 1001.43, 1002.20, 1003.04,  
1003.21, 1003.31, 1003.32, 1006.07, 1006.08,  
1006.09, 1006.10, 1006.13, F.S.**

**HISTORY:**

**ADOPTED: \_\_\_\_\_**

**REVISION DATE(S): 7/21/11**

**FORMERLY:**

**STUDENT DETENTION, SEARCH, AND SEIZURE****5.31**

- (1) Any instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board rules. No student shall be temporarily detained longer than is reasonably necessary. Such temporary detention shall not extend beyond the place where it was first effected or the immediate vicinity thereof.
- (2) If, at any time after the onset of the temporary detention, a reasonable suspicion arises that the detained student is concealing or has concealed stolen or illegal property or contraband on his/her person, or within his/her locker or other student storage space, an administrative staff member may search the personal property of the temporarily detained student or his/her locker or other storage space for the purpose of disclosing the presence of suspected stolen or illegal property.
- (3) Stolen or illegal property which is seized during a search of the personal property of the student or his/her locker or other student storage area shall be given to law enforcement authorities, when appropriate.
- (4) Each principal shall place a sign which is clearly visible to students and in a prominent location(s) within the school. The sign shall contain the following text:

**Notice to Students**

School authorities may search student lockers or other areas when reasonable suspicion that prohibited or illegally possessed substance or object is contained within the area Pursuant to Florida Statutes.

- (5) The following provisions shall apply to canine searches for screening for illegal substances:
  - (a) Canine sniffers shall be used primarily for school purposes to bring disciplinary action against students who are found in possession of illegal substances.
  - (b) Parents, students, School Board employees, and the public shall be informed that public school campuses, including, but not limited to, buildings, parking areas, athletic and recreational areas, and lockers are School Board property and no one using said property, whether

- as a student or in any other capacity, has the expectation of privacy in or around said property.
- (c) Students shall be informed that automobiles, trucks, vans, or other transportation means located or operated on School Board property is a privilege granted by the School Board and students whose vehicles are so located shall not have any expectation of privacy in or around said vehicles.
  - (d) The Superintendent or designee shall determine at what times and in which schools the canine sniffers shall be utilized. The school principal or designee shall be notified each time the canine sniffers are brought on campus.
    - (i) The canine sniffers shall be controlled and directed at all times by qualified handlers from the Sheriff's Department or local police departments.
    - (ii) Searches shall be conducted at the qualified handler's direction in cooperation with the School Board's administrative personnel.
    - (iii) School Board administrative personnel shall be responsible for necessary parental notification, student disciplinary action, student due process, and public relations related to such searches.
    - (iv) Custody, analysis, and disposal of the illegal substance shall be the responsibility of law enforcement.
  - (e) The primary purpose of the canine sniffer program shall be to refer students to police authorities for criminal prosecution. The circumstances in some cases may make it advisable to refer that case to law enforcement due to the serious nature of the offense, dangerous nature or sizable amount of the contraband seized, past school disciplinary or criminal record of the suspect, or serious disruption of school that has occurred or is likely to occur. The decision to refer a case to police authorities shall be made by the school principal, after consultation with the qualified handler and Superintendent or designee.
  - (f) Annual written notice of this policy shall be included in the Code of Student Conduct and in the school student/parent handbook.



- (g) The Superintendent shall develop procedures to be used in search and seizure situations.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1001.43, 1003.31, 1006.07, 1006.09(9), 1006.13, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S):  
FORMERLY:**

**ZERO TOLERANCE FOR SCHOOL RELATED CRIMES****5.32\***

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. The District shall strive to protect students, staff, visitors and volunteers from harm and to protect victims of crime from further victimization. This policy applies to conduct on School District property, school or District provided transportation and at any school or District sponsored activity. This policy implements the zero tolerance policy as outlined in Florida Statutes.
  
- II. Acts that pose a serious threat to school safety are those acts that endanger the life or safety of a student, staff member or other person on campus or at a school or District sponsored activity. Such acts include but are not limited to
  - A. Aggravated battery;
  
  - B. Armed robbery;
  
  - C. Arson;
  
  - D. Battery or aggravated battery on a teacher or other school personnel;
  
  - E. Kidnapping or abduction;
  
  - F. Murder;

- G. Manslaughter;
  - H. Possession, use or sale of a controlled substance;
  - I. Possession, use or sale of any explosive devise;
  - J. Possession, use or sale of any firearm or weapon;
  - K. Sexual battery.
- III. Acts that are considered petty misconduct may disrupt the educational process but do not endanger the life or safety of an individual. Such acts include but are not limited to
- A. Cellular telephone violation;
  - B. Defiance of authority;
  - C. Disruption, minor;
  - D. Dress code violation;
  - E. Eating or drinking on the bus;

- F. Forgery;
  - G. Horseplay;
  - H. Leaving campus without permission;
  - I. Lying or misrepresentation;
  - J. Profanity;
  - K. Vehicle parking violation.
- IV. The District shall establish agreements with the county sheriff's office and local police department(s) that provide for reporting conduct that threatens school safety and obtaining assistance from the appropriate law enforcement agency.
- V. The District shall report to the appropriate law enforcement agency any act that poses a threat to the safety or welfare of students, staff and other persons on school property or at school events or is a serious violation of law. The following acts when committed on School District property or at a District activity shall be reported to the appropriate law enforcement agency:
- A. Alcohol violation;
  - B. Alcohol, sale or distribution;

- C. Arson;
- D. Battery;
- E. Bomb or biochemical threat;
- F. Breaking and entering or burglary;
- G. Disruption of school, major;
- H. Drug use, sale or distribution;
- I. Explosives, possession or use;
- J. Extortion;
- K. False alarm;
- L. Firearms violation;
- M. Gang-related activity;
- N. Hate crime;

- O. Illegal organization, membership;
  
  - P. Robbery;
  
  - Q. Sexual battery;
  
  - R. Sexual harassment;
  
  - S. Sexual misconduct;
  
  - T. Sexual offense;
  
  - U. Stalking;
  
  - V. Trespassing;
  
  - W. Weapons violation;
  
  - X. Any felony as defined by Florida Statutes.
- 
- VI. Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall 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 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 in Florida Statutes, Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
  - C. Assault or battery on specified officials or employees in violation of Section 784.081, Florida Statutes.
  - D. Hazing as defined in 1006.135, Florida Statutes.
- VII. When a student is formally charged with a felony or a delinquent act that would be a felony if committed by an adult, the Superintendent shall notify appropriate personnel including the principal, the transportation director, the student's classroom teachers, the student's bus driver and other school personnel who directly supervise the student.
- VIII. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
- IX. The Superintendent may consider the one (1) year expulsion requirement on a case by case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.

- X. If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.
  
- XI. Any student found to have committed a violation of Section 784.081(1), (2) or (3), Assault or Battery on Specified Officials or Employees, shall be expelled or placed in an alternative school setting or other program as appropriate. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.
  
- XII. A student or his/her parent may request a review by the Superintendent of any disciplinary action taken by the District. Such request must be submitted in writing to the Superintendent within ten (10) days of the imposition of disciplinary action.



**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 120.57(1), 775.08, 784.081, 790.162, 790.163, 985.04,  
1001.42, 1001.43, 1001.54, 1003.31, 1006.07, 1006.08,  
1006.09, 1006.13, 1006.135, 1006.14, 1012.28, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-6.03311

**HISTORY:** **ADOPTED:** \_\_\_\_\_  
**REVISION DATE(S):** 7/21/11  
**FORMERLY:**

**EXPULSION OF STUDENTS****5.34 OPTION 2**

The school principal may recommend, to the Superintendent, the expulsion of any student who has committed a serious breach of conduct including, but not limited to willful disobedience; open defiance of authority of a School Board employee; violence against persons or property or any other act which substantially disrupts orderly conduct of the school. The school principal or designee shall recommend, to the Superintendent, the expulsion of any student who has violated School Board rules which require expulsion. Mandatory expulsion includes, but is not limited to giving or selling intoxicating beverages, controlled substances, drugs, or counterfeit drugs to any person on school grounds or at any school-sponsored activity; threatening or using a weapon against any person; any felonious act; conviction of a felony; and any second offense of possessing or under the influence of intoxicating beverages, controlled substances, drugs, or counterfeit drugs on school grounds or at any school-sponsored activity.

- I. The following procedures shall be observed when a student is suspended with a recommendation of expulsion:
  - A. The Superintendent or designee shall receive and review recommendations for expelling a student from the school principal or designee who is directly charged with the supervision of the student concerned. These recommendations shall be submitted in writing to the Superintendent by the individual and shall indicate the grounds for the recommendation. The student's parent(s), as defined by Florida Statutes, or the adult student shall be notified in writing to inform them of the recommendation and to provide a reasonable opportunity to meet with the principal to discuss the recommendation and shall receive a copy of the recommendation submitted to the Superintendent. Such notification shall be sent by certified mail or by regular mail if the parent(s) or the adult student has been notified in person.
  - B. A preliminary investigation shall be conducted in accordance with the following.
    1. The Superintendent or designee shall direct an investigation based on the school's recommendation within five (5) school days of receipt of a

recommendation for expulsion. The student's parent(s) or adult student shall be informed that the investigation is being conducted in a manner reasonably calculated to notify them. The Superintendent or designee may extend an existing school suspension pending the results of the investigation when reasonable belief exists that the student's return to school or continued attendance at school is detrimental to the student, school staff, and other students or tends to interrupt the orderly conduct of the educational process.

2. The Superintendent shall inform the student's parent(s) or adult student by certified mail of the suspension or extended suspension. If requested, the student's parent(s) or adult student shall be given a hearing with the Superintendent or his/her staff to challenge the extension or imposition of a suspension. Such hearing shall be informal in nature and shall be granted upon an oral or written request.
3. All interested parties shall be immediately informed in an appropriate manner when the Superintendent's investigation reveals that no reasonable basis exists for an expulsion recommendation to the School Board. The student shall immediately be readmitted to school with no penalty imposed for absences related to the investigation; this does not include the initial school suspension if reasonable in nature. Student records shall be properly annotated to indicate that grounds for expulsion were insufficient.
4. All necessary school personnel shall cooperate in the investigation. Inquiries shall be made into alternatives to expulsion before further proceedings are initiated. The student's parent(s) or adult student shall be informed of any feasible alternatives and appropriate changes shall be made in the student's assignment or program to avoid expulsion proceedings. Any changes shall be based upon sound educational reasons and upon a reasonable belief that such a change will alleviate the problems leading to the school expulsion recommendation.

5. The Superintendent may develop routine procedures and forms for gathering data relating to expulsions. Such forms and procedures shall be internal administrative matters.
  6. Investigations shall be conducted with deliberate speed, considering the nature of the facts underlying the school's recommendation and the characteristics of the student and his/her program.
- C. Charges and the notice of the right to a hearing shall be governed by the following:
1. Charges shall be made when a preliminary investigation is completed and there is reason to believe grounds exist for expulsion. The basis of the charges shall be specified with the Superintendent's recommended action, including specific allegations of fact to support the recommendation.
  2. Charges shall be served upon the student's parent(s) or adult student in a manner reasonably calculated to inform him/her of the charges. Certified mail addressed to the last known address of the parent(s) or adult student shall be considered sufficient notice.
  3. The student's parent(s) or adult student shall be notified, in writing, of a proposed hearing date and of the right to an administrative hearing, in accordance with the provisions of Florida Statutes, before the School Board, if they desire to dispute the material allegations of fact contained in the charges and the recommendation of expulsion. To request a hearing, the parent(s) or adult student shall file a written request for a hearing with the Superintendent's office at the specified address and before a certain date and time identified in the notice. Failure to request a hearing within the specified time, in writing, shall be considered a waiver of the student's right to a hearing to contest the charges.

4. The student's parent(s) or adult student who timely requests a hearing shall be notified in a manner calculated to inform him/her of the time, place, and nature of the hearing, including a statement of the legal authority and jurisdiction under which the hearing is to be held, a reference to the particular sections of the Florida Statutes and State Board of Education rules involved, and specific references to School Board rules.

D. A hearing shall be conducted pursuant to the following:

1. The hearing shall be governed by Florida Statutes relating to administrative procedures.
2. The School Board chairperson may direct the Superintendent or an administrative staff member to present the evidence and testimony to the School Board in support of the Superintendent's recommendation for expulsion.
3. Reasonable flexibility in method or order of presentation shall be permitted. No parent or adult student shall be prohibited from presenting reasonable matters to the School Board because of unsubstantiated procedural irregularities.
4. No parent or adult student shall be prohibited from being represented at the hearing by an adult, whether as legal counsel or qualified representative.
5. The School Board shall be the finders of fact and shall make conclusions of law based on competent substantial evidence presented at the hearing. Nothing herein shall prevent the School Board from seeking the advice of counsel of the attorney assisting it at the hearing. The School Board may indicate its finding of facts and conclusions of law to a School Board employee who shall write a final order for submission to the School Board for approval or modification.

- E. Any student who is being considered for dismissal shall be accorded due process of law prior to dismissal. This shall include the following:
1. A written copy of the charges against the student;
  2. The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;
  3. The right to cross-examine witnesses;
  4. The right to defend the student's actions;
  5. Legal counsel at the student's expense to assist the student in presenting a defense; and,
  6. A written copy of the School Board's findings or action.
- F. The following shall apply to informal proceedings on undisputed facts:
1. The student's parent(s) or the adult student may request, in writing, that an informal proceeding be conducted before the School Board when the facts alleged in the charges, upon which the Superintendent's recommendation is based, are not disputed. The student's parent(s) or the adult student shall file a written request for informal proceeding before a date and time certain with the Superintendent's office as provided in the notice. Failure to timely file a written request for an informal proceeding shall be deemed a waiver of the student's rights to an informal proceeding before the School Board.

2. Notification of the right to informal proceedings shall be given in the same manner as in the notice of right of hearings of disputed fact. The Superintendent, acting for the School Board, may establish a date for the informal proceeding to provide timely information on proceedings of the charges. Acceptance of the informal proceeding date by the student's parent(s) or the adult student shall be deemed waiver of the notice requirements as to time. The hearing shall not be held in a manner calculated to cause inadequate preparation time. Fourteen (14) days shall be deemed sufficient preparation time unless an objection is timely raised; the days shall be calculated from the day immediately following the actual personal notice or posting of the notice by certified mail.
  3. An informal proceeding shall be held before the School Board on the date proposed in the notice of right of informal proceeding when a timely request for an informal proceeding is filed. At the informal proceeding before the School Board, the student's parent(s), the adult student, or the legal counsel or representative may present written or oral evidence in opposition to the Superintendent's recommendation for expulsion. The School Board shall consider any oral testimony or written statements submitted by the parties and render a final order in the same manner as in formal hearings of disputed fact.
- G. The Superintendent shall notify the student's parent(s) or the adult student of the official School Board action by certified mail with reasonable speed and include a copy of the School Board's final order. The notice shall inform the student's parent(s) or the adult student of his/her right to appeal the School Board's final order to the District Court of Appeal.
- H. A student who is expelled from the District by School Board action shall not be afforded a rehearing before the School Board unless prior evidence is proven to be false or new evidence is substantiated that was omitted from the original hearing. A request for rehearing shall be made by the parent(s) to the Superintendent or designee. The Superintendent's office shall determine whether the expulsion shall be reheard by the School Board.

- II. The Superintendent may recommend to the School Board expulsion of a student who is found guilty of a felony. Provided, however, any student subject to discipline or expulsion for the unlawful possession or use of any substance controlled under Florida Statutes shall be entitled to a waiver of the discipline or expulsion if he/she divulges information leading to the arrest and conviction of the person who supplied such controlled substance or if he/she voluntarily discloses the unlawful possession of such controlled substance prior to arrest.
  
- III. Provisions for the expulsion of exceptional education students shall be described and set forth in the *Code of Student Conduct*.
  - A. The dismissal of an exceptional education student shall not result in a complete cessation of educational services; the District is responsible for providing the dismissed student's education during the expulsion in accordance with a revised Individual Education Plan (IEP).
  
  - B. The following procedures shall be followed for the expulsion of exceptional education students:
    1. The principal shall adhere to State Board of Education rules when recommending expulsion of exceptional students and shall be responsible for convening a disciplinary review committee. The disciplinary review committee membership shall comply with State Board of Education rules and shall include, but not be limited to, the District administrator of exceptional students or designee, the school psychologist, the exceptional student education teacher, and the principal or designee. The disciplinary review committee shall review the student's IEP and shall determine whether the student's behavior bears a relationship to his/her exceptionality. A disciplinary review committee that determines the student's behavior is in relation to his/her exceptionality may modify the student's IEP in accordance with current needs and expulsion may not be applied. Procedures in subsection III.B.3., herein shall apply when a student's conduct does not bear a relationship to his/her exceptionality.



2. An IEP meeting shall be conducted in compliance with State Board of Education rules and in conjunction with the disciplinary review committee meeting. The decision of the disciplinary committee shall be recorded on the IEP and shall be used in determining the adequacy of the current special program and related services. The student's IEP may be revised to reflect:
    - a. A modification of the current special program or an alternative placement;
    - b. An indication that the exceptionality is not a precipitating factor and the student is expected to behave in accordance with the rules established in the District's *Code of Student Conduct*.
  3. The principal is responsible for taking appropriate action consistent with School Board rules and the *Special Programs and Procedures for Exceptional Student Education Manual*.
  4. The parent(s) or custodian of an exceptional education student shall be provided a copy of the suspension and expulsion procedures regarding discipline of exceptional education students at the initial placement meeting or at the first IEP meeting held in the District.
- C. Additional requirements for the expulsion of exceptional education students may be set forth in the *Special Programs and Procedures for Exceptional Student Education Manual*.
- IV. This rule shall prevail over any District procedure which is contrary to or conflicts with these rule provisions.

**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 120.57(1), 1000.21, 1001.43, 1001.54, 1003.31,  
1006.07, 1006.08, 1006.09, 1012.28, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-6.0331

**HISTORY:** **ADOPTED:** \_\_\_\_\_  
**REVISION DATE(S):** 10/15/06  
**FORMERLY:**

**STUDENT ATTENDANCE****5.40\***

- I. A student who is absent without the principal's approval shall have his/her parent(s), as defined by Florida Statutes, report such absences to the school center in the manner prescribed by the *Code of Student Conduct*.
  - A. The *Code of Student Conduct* shall prescribe attendance requirements including, but not limited to, provisions for excused and unexcused absences, opportunities to make up work assignments, and reporting absences.
  - B. Students shall be excused from any examination, study, or work assignments for observance of a religious holiday or because the tenets of his/her religion forbid secular activity at such time. The school principal shall implement this provision on an individual basis pursuant to Florida Statutes and State Board of Education rules.
  - C. No adverse or prejudicial effects shall result to any student who avails himself/herself to the provisions of this rule.
- II. Student absences must be tracked on a daily basis and parents contacted as required by law.
- III. A person designated by the Superintendent or his/her designee shall investigate truancy problems.

**STATUTORY AUTHORITY:****1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** 985.03, 1000.21, 1001.43, 1003.21,  
1003.23, 1003.24, 1003.26, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-1.044, 6A-1.09514

**HISTORY:** **ADOPTED:** \_\_\_\_\_  
**REVISION DATE(S):** 10/15/06  
**FORMERLY:**

**BULLYING AND HARASSMENT****5.321\*****I. Statement Prohibiting Bullying and Harassment**

- A. It is the policy of the Gulf County School District that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. The District upholds that bullying or harassment of any student or school employee is prohibited
1. During any education program or activity conducted by a public K- 12 educational institution;
  2. During any school-related or school-sponsored program or activity;
  3. On a school bus of a public K-12 educational institution; or
  4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution.

**II. Definitions**

- A. Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined

as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to

1. Teasing;
2. Social Exclusion;
3. Threat;
4. Intimidation;
5. Stalking;

6. Physical violence;
7. Theft;
8. Sexual, religious, or racial harassment;
9. Public humiliation; or
10. Destruction of property.

B. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that

1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of a school.

C. Bullying and harassment also encompass

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or

harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
  - a. Incitement or coercion;
  - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;
  - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.



- D. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Districts have the flexibility to add additional specific categories of students to which bullying and harassment is prohibited in excess of what is listed. Example(s) of approved District policies with additional categories will be available at [www.fldoe.org/family](http://www.fldoe.org/family).

### III. Behavior Standards

- A. The Gulf County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
  
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

The policy shall also

- A. Describe student responsibilities, including the requirements for students to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority
- B. Address appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship, and academic success
- C. Explain student rights
- D. Identify disciplinary sanctions and due process

IV. Consequences

A. Committing an act of bullying or harassment

1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
4. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

B. Wrongful and intentional accusation of an act of bullying or harassment

1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
  
2. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.

3. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- F. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the

procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

VI. Investigation of a Report of Bullying or Harassment

- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act.
- B. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.
- C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- D. The investigator shall collect and evaluate the facts including but not limited to
  - 1. Description of incident(s) including nature of the behavior;
  - 2. Context in which the alleged incident(s) occurred;
  - 3. How often the conduct occurred;

4. Whether there were past incidents or past continuing patterns of behavior;
  5. The relationship between the parties involved;
  6. The characteristics of parties involved, *i.e.*, grade, age;
  7. The identity and number of individuals who participated in bullying or harassing behavior;
  8. Where the alleged incident(s) occurred;
  9. Whether the conduct adversely affected the student's education or educational environment;
  10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
  11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and



2. A written final report to the principal.
  
- F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
  
- G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
  
- VII. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District
  - A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
  
  - B. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
    1. If it is within the scope of the District, a thorough investigation shall be conducted.
  
    2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.

3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.

VIII. Notification to Parents/Guardians of Incidents of Bullying or Harassment

A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.

1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
2. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”

B. Immediate notification to the parents/legal guardians of the perpetrator of an act bullying or harassment.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or

harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- C. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

**IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling**

When bullying or harassment is suspected or when a bullying incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher or parent/legal guardian may request informal consultation with school staff, e.g., school counselor, school psychologist, to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
- B. School personnel or the parent/legal guardian may refer a student to the school intervention team for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.
- C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
- D. The intervention team may recommend

1. Counseling and support to address the needs of the victims of bullying or harassment;
  
2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, *e.g.*, empathy training, anger management; and/or
  
3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

X. Reporting Incidents of Bullying and Harassment

A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report shall also include each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.

B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.

1. Bullying and/or harassment incidents shall be reported in SESIR with the bullying/harassment code.
2. If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are
  - a. Arson
  - b. Battery
  - c. Breaking and Entering
  - d. Disruption on Campus

- e. Major Fighting
- f. Homicide
- g. Kidnapping
- h. Larceny/Theft
- i. Robbery
- j. Sexual Battery
- k. Sexual Harassment

- i. Sexual Offenses
  
- m. Threat/Intimidation
  
- n. Vandalism
  
- o. Weapons Possession
  
- p. Other Major (Other major incidents that do not fit within the other definitions)

C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.

D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department.

**XI. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment**

A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.



- B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying in schools.

## XII. Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

## XIII. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1001.43, 1003.04, 1003.31, 1003.32,**

**1006.07, 1006.08, 1006.09,**

**1006.10, 1006.147, F.S.**

**20 USC 1232g**

**HISTORY:**

**ADOPTED: 11/03/08**

**REVISION DATE(S): \_\_\_\_\_**

**FORMERLY: NEW**

**DATING VIOLENCE AND ABUSE****5.325\***

It is the policy of the Gulf School District that all of its students and school employees have an educational setting that is safe, secure, and free from dating violence and abuse. The District shall not tolerate dating violence and abuse of any kind. Dating violence or abuse by any student is prohibited on school property, during any school related or school sponsored program or activity, or during school sponsored transportation.

**XIII. Definitions**

- A. *Teen dating violence* is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past intimate relationship to exert power and control over another when one or both of the partners is a teenager.
- B. *Abuse* is mistreatment which may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner.

**XIV. Reporting Teen Dating Violence or Abuse**

- A. The principal or designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or designee.

- C. All other members of the school community, including students, parents as defined by Florida Statutes, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or designee.
  
- D. The principal shall establish and prominently publicize to students, staff, volunteers, and parents how a report of dating violence and abuse may be filed either in person or anonymously and how this report will be acted upon.
  
- E. The victim of teen dating violence or abuse, anyone who witnesses an act of dating violence or abuse, and anyone who has credible information that an act of dating violence and abuse has taken place may file a report of dating violence and abuse.
  
- F. Submission of a good faith complaint or report of teen dating violence or abuse will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
  
- G. Any written or oral report of an act of dating violence and abuse shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.
  
- H. Incidents of teen dating violence and abuse shall be filed within ten (10) school days of the alleged incident or having knowledge of the incident.

XV. Investigations

- A. The principal or designee shall select a staff member employed at the school and trained in investigative procedures to initiate the investigation. The staff member may not be the accused perpetrator or victim.

- B. Documented interviews of the victim, alleged perpetrator and witnesses shall be conducted privately and separately. All interviews are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
  
- C. The investigative process shall be completed within ten (10) school days from the time the report is filed.
  
- D. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of teen dating violence and/or abuse and the investigative procedures that follow.
  
- E. If it is determined that inappropriate behavior(s) has occurred, the investigator will make recommendations for disciplinary action to the principal or Superintendent.

XVI. Discipline

- A. Immediate action shall be taken to eliminate the behavior.
  
- B. Disciplinary action shall be taken based on the circumstances of the behavior(s).
  
- C. Discipline shall be consistent with the provisions of the *Code of Student Conduct*.
  
- D. If a crime has been committed, the appropriate law enforcement agency shall be immediately notified.

XVII. Restraining Orders

- A. If an order of protection has been issued, the student or his/her parent(s) should inform the school immediately.
- B. The investigator will contact the abuser and his/her parent(s) to initiate a contract to stay away from the victim, consistent with the terms of the order, with penalties for known violations of the contract.
- C. The principal or district administrator will notify law enforcement immediately if he/she has a reasonable belief that a criminal or civil restraining order has been violated.
- D. The school resource officer and/or security officer will respond immediately to a report of a violation of a criminal or a civil restraining order.

XVIII. Support Services for the Victim

The school shall provide a victim of dating violence and abuse with support services that may include but are not limited to

- A. A contract with the offender to stay away from the victim while on school grounds, on school transportation and during school sponsored programs and events;
- B. Reasonable accommodations, such as class schedule changes;
- C. Security protection, such as safe egress/regress from school and within the school;

- D. Timely and comprehensive investigation of dating violence and abuse complaints.
  - E. Referrals for outside support and/or counseling.
- XIX. Curriculum
- A. The health education curriculum for students in grades 7 through 12 shall include dating violence and abuse. The teen dating violence and abuse component shall include, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.
  - B. The curriculum shall have an emphasis on prevention based education.
- XX. Training
- A. Teachers, administrators, counselors, instructional assistants, school nurses and other nonteaching staff such as bus drivers, custodians, and cafeteria workers shall receive training about teen dating violence and abuse.
  - B. Students, parents and school volunteers shall also be given instruction related to teen dating violence and abuse.
  - C. Training on the District’s policy prohibiting dating violence and abuse and related procedures shall be conducted, at a minimum, on an annual basis.



- D. The instruction shall include evidence based methods of preventing dating violence and abuse and how to effectively identify and respond to incidents of dating violence and abuse within the scope of the school.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1000.21, 1001.43, 1003.42, 1006.07, 1006.148, F.S.**

**HISTORY:**

**ADOPTED: 7/21/11**

**REVISION DATE(S): \_\_\_\_\_**

**FORMERLY: NEW**

<b>STUDENT SERVICES PLAN</b>
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<b>5.50+</b>
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The Superintendent shall recommend and the Board shall annually adopt a Student Progression Plan and Student Code of Conduct as required by law.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1001.43, 1006.07, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S):  
FORMERLY:**

**DIRECTORY INFORMATION****5.71**

Students' parent(s), as defined by Florida Statutes, shall be notified annually in the *Code of Student Conduct* that the School Board may release "directory information" to the general public.

- I. Directory information includes the following data about a student:
  - A. Name;
  - B. Address;
  - C. Telephone number, if listed;
  - D. Participation in officially recognized activities and sports;
  - E. Weight and height, if an athletic team member;
  - F. Name of the most recent previous school or program attended;
  - G. Dates of attendance at schools in the District and degrees and honors received;  
and,
  - H. Date and place of birth.

- II. Information described in subsections I.A., D., E., F., and G. herein may be published routinely by the School Board in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.
  
- III. Directory information shall not be published when the student's parent(s) submits written notification to the principal within thirty (30) days of distribution of the *Code of Student Conduct*. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information pursuant to Florida Statutes or federal laws.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1000.21, 1001.43, 1002.22, F.S.**

**HISTORY:**

**ADOPTED: \_\_\_\_\_**

**REVISION DATE(S): 03/04/03**

**FORMERLY:**

**ATHLETICS****5.80**

- I. Each school may establish a board of control for athletics to include the school principal, instructional staff members, the athletic director, and any other member deemed appropriate by the school principal.
  
- II. All District high schools and schools with middle grades shall be members of the Florida High School Athletic Association, Inc. (FHSAA) and shall be governed by the rules and regulations adopted by FHSAA. Students who participate in athletics shall meet eligibility requirements established by FHSAA and the School Board. Membership dues will be paid from the internal accounts of each respective school.
  
- III. Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a copy of the insurance card and a signed statement from the student's parent(s), as defined by Florida Statutes, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s) through the school, or the parent(s) may submit evidence that insurance has been provided through another source.
  
- IV. No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s) and a current physical examination as required by Florida High School Athletic Association being on file.
  
- V. Pursuant to Florida Statutes licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.

- VI. An automatic external defibrillator (AED) will be available for use, if needed, at every preseason and regular season interscholastic contest and at every FHSAA state championship series contest. Staff will be trained to use such equipment.
  
- VII. All students shall be subject to all School Board rules and to the *Code of Student Conduct* while attending athletic events and practices.
  
- VIII. In order for a student to be eligible to participate in interscholastic extracurricular student activities, he/she must meet all of the requirements established by the Florida High School Athletic Association and maintain satisfactory conduct, as defined by the District *Code of Student Conduct*. If a student is convicted of an on- or off-campus felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities will be suspended for the balance of the school year.
  
- IX. A report of an alleged violation of this standard of conduct shall be submitted to the principal or his/her designee for investigation. If the principal or his/her designee determines that a violation has occurred, the student and his/her parent shall be notified in writing, of the suspension from school sponsored extracurricular activities.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**768.135, 1000.21, 1001.43, 1006.07,  
1006.15, 1006.16, 1006.20, F.S.**

**HISTORY:**

**ADOPTED: \_\_\_\_\_**

**REVISION DATE(S): 10/15/06**

**FORMERLY:**