

2300 -- TCCA Behavioral Policies

A. Code of Student Conduct

Unless otherwise spelled out within these organizational policies, the organization will adhere to the school's Code of Student Conduct, incorporated by reference. Copies of the organization's student policies and the school's Code of Student Conduct will be made available to all parents and students on the school's website.

B. Behavior Foundation

The organization believes that children learn in a variety of ways, and that our teachers provide an environment that meets the needs of our students. Utilizing our approach to education we believe that through student engagement we reduce the number of behavioral concerns within the classroom. However, we realize that when dealing with children, issues may arise which may require the school to address student behavior. In doing so, the school believes behavioral correction should be a learning opportunity, where students are given the opportunity to learn and demonstrate appropriate behavior, and cooperatively accept responsibility and be accountable for their actions. The organization believes we have a unique partnership with like-minded parents who share this philosophy of behavioral management and positive parental role modeling.

C. Bullying and Harassment

Statement Prohibiting Bullying and Harassment

It is the policy of the organization that all of its students, employees, and volunteers learn and work in an environment that is safe, secure, and free from harassment and bullying of any kind. The organization will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

Definitions of Bullying and Harassment

Bullying means intentionally and repetitively inflicting physical hurt or psychological distress on one or more students or employees and may involve but is not limited to:

1. Teasing
2. Social exclusion
3. Threat
4. Intimidation

5. Stalking, including cyber stalking as defined herein
6. Physical violence
7. Theft
8. Sexual, religious, racial or gender orientation harassment
9. Public humiliation
10. Destruction of property

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

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

Bullying and harassment also encompasses:

- Retaliation against a student or employee by another student or employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
- Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
 - Incitement or coercion.
 - Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the school.
 - Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
 - Cyber stalking, which is defined as engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. See § 784.048(1)(d), Florida Statutes.

Expected Behavior

The organization 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.

The organization 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 school and community property on the part of students, staff, and community members. Since students learn by example, school administration, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate harassment or bullying. The organization upholds that bullying of any student or employee is prohibited:

1. During any education program or activity conducted by the school;
2. During any school-related or school-sponsored program or activity;
3. On a school bus; or
4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the district school system.

Consequences for an Act of Bullying or Harassment

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. 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 reassignment, as outlined in school's policies. Consequences and appropriate remedial action for an employee found to have committed an act of bullying or harassment may be disciplined in accordance with school policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate. (See State Board of Education Rule 6B-1.006, FAC, The Principles of Professional Conduct of the Education Profession in Florida.) 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. Accusations made in good faith, even though subsequently determined to be false, shall not be subject to discipline consequences or remedial action as called for by this section.

Consequences for Intentional Misreporting

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 reassignment, as outlined in school's policies. Consequences and appropriate remedial action for an employee found to have wrongfully and intentionally accused another as a means of bullying or harassment may be disciplined in accordance with school policies, procedures, and agreements. 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.

Reporting an Act of Bullying or Harassment

The dean of students or designee, is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the dean of students or designee. 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 dean of students or designee. In order to report incidents of bullying, individuals may meet with either the dean of students or designee to make the report. Any report in person should be followed within one day with a written report or a written explanation to the school's office. Should the dean of students wish, other forms of reporting may be created. The methods of reporting bullying will be prominently publicized to students, staff, volunteers, and parents/legal guardians, as well as how the report will be acted upon. The victim of bullying, anyone who witnessed the bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying. An 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 official and who makes this report in compliance with the procedures set forth in the school policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. 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. Written and oral reports shall be considered official reports. Reports may be made anonymously but formal disciplinary action may not be based solely on the basis of an anonymous report.

Investigation of whether a Reported Act is within the Scope of the School

The dean of students or designee will investigate procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the school. The trained designee(s) will provide a report on results of investigation with recommendations for the dean of students to make a determination if an act of bullying

or harassment falls within the scope of the district and will act according the following protocols:

1. If it is within the scope of the school, further investigation will commence in accordance with subsection (Prompt Investigation of a Report of Bullying or Harassment) herein;
2. If it is outside scope of the school, and determined a criminal act, refer to appropriate law enforcement.
3. If it is outside scope of the school, and determined not a criminal act, inform parents/legal guardians of all students involved.

Prompt Investigation of a Report of Bullying or Harassment

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act.

The procedures for investigating bullying and/or harassment include:

1. The dean of students (or designee employed by the school) will be assigned to initiate the investigation. The designee(s) may not be the accused perpetrator (harasser or bully) or victim.
2. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately.
3. The investigator shall collect and evaluate the facts including, but not limited to:
 - Description of incident including nature of the behavior; context in which the alleged incident occurred, etc.;
 - How often the conduct occurred;
 - Whether there were past incidents or past continuing patterns of behavior;
 - The relationship between the parties involved;
 - The characteristics of parties involved (i.e., grade, age, etc.);
 - The identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to bullying or harassment;
 - The number of alleged bullies/harassers;
 - The age(s) of the alleged bullies/harassers;
 - Where the bullying and/or harassment occurred; and
 - Whether the conduct adversely affected the student's education or educational environment.
 - Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances and includes:
4. Recommended remedial steps necessary to stop the bullying and/or harassing behavior.

5. A written final report to the dean of students.

Where the victim is a student, according to the severity of the infraction, the dean of students (or designee) shall promptly notify the parent/legal guardian of the victim via telephone or personal conference of any actions being taken to protect the victim. The frequency of notification will depend on the severity of the bullying incident. The maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

Determination of Consequences and Due Processes for a Perpetrator

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, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the school.

1. Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, or reassignment as outlined in the organization's policies and school district's Code of Conduct.
2. Consequences and appropriate interventions for an employee found to have committed an act of bullying will be instituted in accordance with school policy. Additionally, egregious acts of bullying by certified educators may result in a sanction against an educator's state issued certificate (Rule 6B-1.006 F.A.C.).
3. Consequences and appropriate intervention for a visitor or volunteer, found to have committed an act of bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
4. These same actions will apply to persons, whether they are students, school employees, or visitors/volunteers/independent contractors, who are found to have made wrongful and intentional accusations of another as a means of bullying.
5. If a complaint of bullying or harassment is made by the alleged victim during or after the commencement of an investigation into employee or student misconduct, it shall not be a defense to the allegations of employee or student misconduct but may be considered as a mitigating factor under school policy, if appropriate.

Providing Immediate Notification to the Parents/Legal Guardians of a Student Victim

The dean of students or designee, shall by telephone and 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 determines that an act of bullying has occurred. Notification must be consistent with the student privacy

rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

If the bullying incident results in the perpetrator being charged with a crime, the dean of students, or designee, shall by telephone or in writing by first class mail, inform 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 attending a persistently dangerous public elementary school or secondary school, as determined by the state in consultation with a representative sample of local educational agencies, or 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."

Once the investigation has been completed, appropriate local law enforcement agencies will be notified by telephone and/or in writing to determine whether to pursue criminal charges.

The Hope Scholarship Program

Pursuant to section 1002.40, the Hope Scholarship Program allows students who were subjected to an incident of violence or bullying an opportunity to transfer to another school, or to apply for scholarship funds to assist in enrolling and transferring to a private school. The school where the reported incident is responsible for the following:

1. Upon receipt of a report of an incident, the school principal, or his or her designee, shall provide a copy of the report to the parent and investigate the incident to determine if the incident must be reported as required by s. 1006.09(6). 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. Within 24 hours after receipt of the report, the principal or his or her designee shall provide a copy of the report to the parent of the alleged offender and to the superintendent.
3. Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the principal or his or her designee shall notify the parent of the Hope Scholarship Program and provide the parent with a completed [Hope Scholarship Notification Form](#). It is important to understand that the incident does not need to be substantiated in order for the school to notify the parent of the Hope Scholarship Program. The school shall retain a copy of the form in the student records and provide the original document to the parent.

Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

After an investigation has determined that an act of bullying has occurred, as defined herein, the school shall discuss with both the victim's and perpetrator's parents/legal guardians' options available for counseling. This may include referrals to community agencies or partner agencies the school has relationships with. Parents/legal guardians will be notified that the school does not have a counselor or mental health specialists on staff.

Providing Instruction Regarding Bullying and/or Harassment

The organization seeks to ensure that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying. This requires the efforts of everyone in the school environment including all school staff, parents/legal guardians, students and school volunteers.

Students, parents/legal guardians, all school staff and, and school volunteers shall be offered instruction at a minimum on an annual basis on the school'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.

Regularly Reporting of Actions Taken to Protect the Victim

The dean of students 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 determined an act of bullying has occurred. 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).

Publication of the Policy

At the beginning of each school year, the dean of students shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of this policy. The dean of students shall also make all contractors working with students aware of this policy.

The dean of students shall ensure the development of an annual process for discussing the policy on bullying and harassment with students in a student assembly or other

reasonable format.

D. Damage or Loss of School Property

The principal or dean of students shall assess damage or loss of school property.

A student who unintentionally damages or loses school property, including technology items, shall be requested, in writing, to restore or to replace any damaged or lost property in accordance with the value as determined by the principal or dean of students, or in extreme circumstances the school board.

A student who willfully damages, loses, or steals school property, including technology items, shall be properly disciplined and his/her parent(s) or legal guardian, if the student is a minor, shall be requested, in writing, to restore or to replace any damaged or missing property in accordance with the value as determined by the principal or dean of students, or in extreme circumstances the school's board. The Code of Student Conduct shall identify disciplinary procedures for students who abuse school property.

A civil action against the student's parent(s) or legal guardian may be instituted by the school principal or dean of students in an appropriate action to recover damages in an amount not to exceed the limit prescribed by Florida statutes if vandalism or theft of school property is known to have been committed by a minor and the parent(s) or legal guardian refuses to restore or replace the property.

E. School Bathrooms, Locker Rooms, and Dressing Rooms

This policy is implemented to comply with the requirements of Rule 6A-10.086, Florida Administrative Code, Chapter 1014, Florida Statutes, and other relevant laws.

1. **Purpose.** This policy is intended to inform parents of how bathrooms, locker rooms, and dressing rooms are designated by the School, and to ensure the health, safety, and welfare of students when utilizing bathrooms, locker rooms, and dressing rooms.
1. **Policy.** It is the policy of the School that all students, faculty, personnel, and guests of the School will use bathrooms, locker rooms, and dressing rooms that correspond with the individual's biological sex at birth. This means individuals

whose designated sex at birth was male will be required to use those bathrooms, locker rooms, and dressing rooms designated for men, and individuals whose designated sex at birth was female will be required to use those bathrooms, locker rooms, and dressing rooms designated for women. Individuals may also use single occupancy bathrooms that are gender neutral. Students are not permitted to utilize bathrooms that are designated exclusively for the school faculty. In enforcing this policy, school personnel may reasonably rely upon representations made or documentation provided by the parent or guardian at initial enrollment, or such other records available to the administration. In the event of any inconsistency in the student's records, the administration reserves the right to request additional documentation from the parent or guardian to verify the student's biological sex at birth. This policy shall at all times be construed in accordance with state and federal law.

1. **Privacy of Information.** In carrying out this policy, school personnel are required to maintain the privacy of all educational records as set forth in Section 1012.22, Florida Statutes, and to respect the privacy interests of all students and parents.

Parental Notification. A copy of this policy shall be made available on the School's website and incorporated into the School's Parent & Student Handbook to fully inform parents.

Adopted: November 18, 2019

Amended: February 7, 2023