

CODE OF STUDENT CONDUCT AND DISCIPLINE (208S)

PREFACE

Prior to the beginning of each school year, the school board may revise the Code of Student Conduct and Discipline. The code shall be applied in a uniform manner throughout the school district. The code shall be posted online, and copies shall be made available for students, staff and administrators at school sites. Additional copies will be made available to other people upon request. Each school will obtain a written acknowledgment of receipt of the code by the student and his/her parents/guardians. The absence of a signed acknowledgment of receipt does not affect the application of the code to every student under the jurisdiction of the school board.

The code covers student rights and responsibilities as well as violations of conduct, which could lead to disciplinary responses up to and including expulsion. Discipline problems not listed in the code shall be within the jurisdiction of each school under the guidance of the district discipline office. Each school is authorized to attach local school rules to the Code of Student Conduct and Discipline as long as such rules and regulations do not conflict with this code.

Throughout this code, reference will be made to other policies that are incorporated herein by reference and can be found in full form on the Volusia County School Board Policies website located on BoardDocs.

INTRODUCTION

This Code of Student Conduct and Discipline is intended to address the responsibilities and requirements in regard to student discipline set out in the following sections of the Florida Statutes: section 1006.07 – District School Board Duties Relating to Student Discipline and School Safety; section 1006.13 – Policy of Zero Tolerance for Crime and Victimization; section 1006.08 – District School Superintendent Duties Relating to Student Discipline and School Safety; and section 1006.09 – Duties of the School Principal Relating to Student Discipline and School Safety. The purpose of this code is to make available to school personnel, students, and parents/guardians rules governing student conduct and discipline adopted by the School Board of Volusia County in order to ensure that:

1. Students will understand what behavior is expected of them as well as the range of consequences for misbehavior; and
2. Students will be assured of fair and consistent treatment and will understand the procedures for discipline and appeal.
3. Schools will identify students in need of additional behavioral support and provide positive intervention(s) matched to their needs.
4. Schools will inform parent/guardian if more intensive, positive behavioral interventions are required.

The code is intended to be an instructive policy based on interventions and support for students. However, when consequences are warranted, they shall be implemented based on a system of progressive discipline. Minor

infractions and first offenses have a less serious consequence than major infractions and repeat offenses. Factors such as age, grade level, social, emotional, and intellectual development, disability, special education status, other contributing factors to the student's behavior, the degree of harm caused and the student's willingness to repair the harm shall also be considered. Disciplinary issues will be resolved by every means possible prior to exclusion from school, however, it is recognized that some events are of a nature that require immediate removal from the campus. The safety and security of all individuals on campus is paramount.

PARENT/GUARDIAN RESPONSIBILITIES

The cooperation of parents/guardians/family members, school personnel, students, and partners in education is essential if good discipline in the school is to be achieved. Parents/guardians are expected to contribute to good discipline by:

1. Knowing the rules of the Student Code of Conduct and Discipline;
2. Maintaining a positive attitude toward education;
3. Showing an interest in their children's progress through regular communication with their children and the school;
4. Assuring that their children are neat, clean, and appropriately dressed;
5. Ensuring their children's timely daily attendance;
6. Reporting and explaining promptly to the school officials any absence;
7. Teaching their children respect for authority of school personnel;
8. Informing the school immediately of any condition or circumstance, which may affect their children's ability to learn, to attend school regularly, or to participate in school activities;
9. Cooperating with school personnel in solving disciplinary problems;
10. Not allowing their children to disrupt the education of others;
11. Abiding by the Code of Civility.

CODE OF CIVILITY ON SCHOOL BOARD PROPERTY

Standards of Educational Partnership Conduct:

The School Board believes that education thrives through partnership among students, parents, teachers, administrators, staff, community partners in education. This collaboration requires appropriate conduct and mutual respect from all participants.

To foster this successful educational partnership, the School Board establishes these conduct standards:

Student Responsibilities:

Adhere to the Code of Student Conduct and Discipline (School Board Policy #208).

- A. Follow all rules established by school administrators and teachers.

Parent, Guardian, and Visitor Responsibilities:

- Maintain appropriate conduct at all times.
- Avoid rude, discourteous, disruptive, threatening, or disrespectful behavior.

Communication Standards:

When interacting with school personnel in any format (in-person, email, or telephone), parents and all individuals must:

- Use appropriate language when speaking to one another (no profanity).
- Maintain a calm speaking tone at all times.
- Practice active listening.
- Work cooperatively with school and district staff.

Code of Civility on School Board Property:

All individuals on School Board property must demonstrate respect and civility at all times. This includes:

- Following all posted rules and staff instructions.
- Refraining from disruptive behavior during meetings and events.
- Using designated facilities and areas appropriately.
- Addressing concerns through proper channels and procedures.
- Respecting the physical space and property of others.
- Conducting oneself in a manner that promotes a safe and positive educational environment.

Failure to comply with these standards may result in appropriate administrative action, including but not limited to removal from School Board property and restriction of access to school events or facilities.

Referenced Volusia County School Board Policy 418, Standards of Conduct.

APPLICATION OF THE CODE

This code applies to EVERY student who is under the jurisdiction of the School Board of Volusia County. It will be in effect on school property, at other places where teachers and school administrators have jurisdiction over students, such as extracurricular activities (athletics, dances, concerts, field trips, etc.) and applies to all student use of electronic hardware, software, and/or internet applications being used in a class, school or district activity, including where such use occurs off campus. This code also applies to students when they are being transported on school buses and at all bus stops, to students participating in Hospital/Homebound, Off-campus

Instruction Program and for any off-campus conduct as provided by law. In addition, jurisdictional control over students may be extended as per Florida Statute Sections 1006.07, 1006.08, 1006.09, 1006.13, 1006.147, and 1003.31 whenever the conduct of a student is deemed to have a detrimental effect on the health, safety, and welfare of any member of the school community or the learning environment of the school.

IN LOCO PARENTIS

State and federal law recognizes that teachers and school administrators have a need to stand in the place of parents over children entrusted to them at school. This is a concept called *in loco parentis*. While this power is not equal to a parent's power over a child, it permits school personnel to exercise a degree of supervision and control over students that could not be exercised over free adults.

Consistent with this concept, school personnel can search without a warrant based on reasonable suspicion and are not held to the higher standard of "probable cause" by which law enforcement is bound. Also consistent with this concept, school personnel can question a student without providing him or her with Miranda warnings or allowing the student to call a parent or attorney.

SAFETY AND SECURITY

The following safety and security protocols apply to all students, including students with disabilities. The application and enforcement of the safety protocols for a student with disabilities, however, must be in accordance with the student's IEP/BIP/504 plan (when applicable), Rule 6A-6.93312 of the Florida Administrative Code, and Title II of the Americans with Disabilities Act (ADA).

With the increase of security awareness and protocol, Volusia County Schools has implemented the following procedures for the safety and security of students, staff and visitors to Volusia County Schools sites and sponsored events: (Refer to School Board Policy 510 for a full explanation of the Safety and Security Guidelines):

SEARCHES AND SCREENINGS - All individuals entering or present on Volusia County School sites or events are on notice that randomized screenings may be conducted without cause by the site administrator utilizing minimally intrusive Artificial Intelligence (AI), electronic devices and detection canines. Searches may be conducted as permitted by State and Federal Law.

Searches may be conducted upon reasonable suspicion of a violation of law or school rule, as permitted by State and Federal Law while on school district property or under supervision of school district employees, such as field trips, extra-curricular activities or school buses.

Students who refuse to be screened or searched will be subject to disciplinary consequences including and up to referral to the District Student Placement Committee for consideration of up to expulsion, alternative education placement or off-campus instruction.

PROHIBITED ITEMS - (non-exhaustive list): controlled or illegal substances such as alcohol or drugs; drug paraphernalia including matches, lighters, and vapes; weapons including firearms, ammunition, knives (including pocket knives of any length), chains, sling shots, tear gas, razor blades, etc.

BACKPACKS – Bookbags and/or backpacks should be limited to standard dimensions. Those larger than 15" x 21" are prohibited. Duffel or large bags are prohibited from being used and may be confiscated upon entering a Volusia County School site or event. Only clear bags are allowed at after school events such as sporting events, graduations or programs in the auditorium or cafeteria. This includes school-sponsored events that take place off campus. Small handbags (clutches) and diaper bags are the exception. All bags, however, are subject to search. Any backpack, bag, carrying device or musical instrument carrying case is subject to search prior to entering the campus or off campus event as posted on all school board sites.

EARBUDS - In order for students to be made aware of security announcements or other hazardous situations in a timely manner, it is expected that all students will keep earbuds put away in a backpack or purse during the instructional day, unless directed by the classroom teacher for academic purpose only.

¹ Florida School Search Reference Guide, Office of the Attorney General, Florida Crime Prevention Training Institute (2023)

ID Badges - All middle school and high school students will be issued a school identification badge (ID) which is required to be visibly displayed at all times while on campus.

Safety is the responsibility of everyone. All should be active and engaged in our shared school safety and security responsibility. Students are required to report any threats to an adult and staff are required to immediately report to the administration. FortifyFL is an anonymous mobile app for reporting suspicious activity which can be used by anyone to report any threats towards a person or school. All are encouraged to download and utilize FortifyFL at www.getfortifyfl.com.

Remember, if you see it, don't spread it. Report it!

STUDENTS' RIGHTS AND RESPONSIBILITIES

Students are entitled to a public education as long as they adhere to the guidelines set forth in this code. Students have a responsibility to know the rules of the Student Code of Conduct and Discipline. School authorities will place limitations on the rights of students when necessary to prevent disruption on the school campus, on school buses, and at school-sponsored activities.

RIGHTS	RESPONSIBILITIES
ATTENDANCE - Students have the right to a prescribed number of days of meaningful learning experience.	Students enrolled in Volusia County Schools have the responsibility to attend school regularly.
RESPECT FOR PERSONS AND PROPERTY Students have the right to use school property in a manner approved by the school center. Students have the right to use their personal property in a manner approved by the school. Students have the right to privacy consistent with	Students have the responsibility to respect the rights of others and not to interfere with their learning. Students have the responsibility to respect and adhere to the rules and regulations of the school system.

<p>applicable laws.</p> <p>Students have the right to be respected and accepted as individuals.</p>	<p>Students have the responsibility to report evidence of an illegal act or violation of the code.</p> <p>Students have the responsibility to exhibit respect for themselves and others by dressing appropriately and in accordance with the adopted dress code, recognizing the role that appropriate dress and respect for self and others has on an orderly learning environment.</p>
<p>KNOWLEDGE AND OBSERVATION OF RULES AND CONDUCT - Students have the right to know the rules and regulations regarding their conduct. They also have the opportunity for input in the development of these rules and regulations.</p> <p>Students have the right to be assured of a school environment, which does not jeopardize their safety, health, or welfare.</p>	<p>Students have the responsibility to follow the rules and regulations of the school center.</p> <p>Students have the responsibility to follow the rules and regulations of the school center so as not to jeopardize the safety, security, health, and welfare of others. This includes having your school-issued identification badge displayed during school and at all school activities.</p>
<p>RIGHT TO LEARN - Students have the right to learn and pursue an education without interference.</p> <p>Students have the right to a school atmosphere that is conducive to appropriate learning.</p>	<p>Students have the responsibility to learn and pursue an education.</p> <p>Students have the responsibility to be present on time, prepared and attentive in class so that they are ready to learn.</p>
<p>RIGHT TO FREE SPEECH AND PUBLICATION - Students have the right to be appropriately involved in their education on an equal basis with their peers.</p> <p>Students are entitled to freedom of expression of their views unless there are legal reasons to regulate their speech or publications.</p>	<p>Students have the responsibility to contribute to a positive atmosphere.</p> <p>Students have the responsibility to refrain from speech and/or the distribution or display of material, which could cause conduct that would interfere with discipline or cause disorder, including the display of the Confederate flag.</p>
<p>RIGHT TO ASSEMBLE - Students have a right to assemble peacefully without disrupting regular activities.</p>	<p>Students have the responsibility to assemble according to the prescribed rules and regulations of the school.</p>
<p>PARTICIPATION IN SCHOOL ACTIVITIES - Students have the right to participate in school programs and activities in accordance with eligibility requirements.</p>	<p>Students have the responsibility to contribute to these activities in a beneficial manner.</p>

MEDIA ACCESS TO SCHOOL ACTIVITIES AND STUDENT DIRECTORY INFORMATION

The media and other education stakeholders may have access to school activities, events, and functions. Such access may result in photographs or other directory information being released and/or published. Parents may

opt out by signing and returning the "Student Information and Media Release Opt-Out Form" in the Forms tab in FOCUS. Refer to School Board Policy 207 for full explanation of student directory information.

USE OF ARTIFICIAL INTELLIGENCE (AI) FOR LEARNING

Academic Integrity, in the context of AI use, means using AI tools ethically, responsibly, and as intended – to support learning, not to bypass it. This means producing work that is primarily the student's own, and appropriately acknowledging assistance received from AI according to the following guidelines.

GUIDELINES FOR AI USE

Supplemental Aid: AI can be used as a tool for assistance in brainstorming ideas, understanding complex texts, or improving grammar and syntax. However, the bulk of the thinking, analysis, and composition should be the student's own.

Reference and Citation: If significant insights or phrases are borrowed from AI, these should be properly cited, much as a student would cite a human source.

Clarification, Not Substitution: Use AI for clarifying doubts or seeking explanations, not as a shortcut to avoid reading, analysis, and comprehension.

Learning, Not Completing: Use AI as a tool for learning, not just for task completion. The student's primary goal should be understanding and skill development, not simply finishing an assignment.

Tutoring, Not Completing: Use AI to ask questions as a student would their teacher. Just as the teacher would not provide "what are the answers," neither should AI.

Violations of the Student Code of Conduct: Any use of AI to complete assignments, tests, or projects in lieu of the student's own work will be considered cheating unless the use of AI was sanctioned and guided by the student's teacher. This includes using AI to bypass necessary steps in assignments, such as reading or analysis.

Submitting Generative AI Writing as Original Work: It is strictly prohibited to submit any AI-generated text as original work. This includes essays, poems, stories, or any other creative writing assignments. All submitted work must be the product of the student's own intellectual effort and analysis. AI may be used as a feedback mechanism as part of the writing process, but fully transparent citation of AI use is required.

Using AI When Prohibited: Teachers may explicitly prohibit the use of AI tools on any specific assignment or piece of schoolwork. Following the instructions provided by educators is crucial in maintaining academic integrity. **Fabricating or Manipulating Data:** Employing AI to fabricate or manipulate data for research projects or assignments is strictly forbidden. All data presented must be accurate and represent genuine findings.

Unattributed Collaboration: Using AI as an uncredited collaborator in any project or assignment undermines intellectual honesty.

DISCIPLINARY OFFENSES AND RESPONSES

The below offenses are conduct that is not permitted on school campus, school transportation or at school related functions or activities. This may not represent an all-inclusive list of offenses but represents common misconduct and infractions that negatively impact the educational environment for students, faculty and staff. Behaviors that jeopardize safety, health or welfare of our students, faculty and staff are prohibited. Offenses are grouped by severity, with four levels: Minor, Intermediate, Major I and Major II.

In addition, the responses or consequences of prohibited conduct are grouped by the level of offense. These responses are the only disciplinary actions that principals or their designees may use. Paddling, corporal punishment or other punitive physical contact are not permitted responses to a disciplinary offense.

LEVEL 1 OFFENSES – Minor Offenses

Definition: Level I infractions are minor acts of misconduct that interfere with the orderly operation of the classroom, school function, extracurricular activities, or approved transportation. These behaviors are typically managed by the classroom teacher but may require administrative intervention when repeated.

Specific Level 1 Offenses	Definition	Specific Examples – Offense includes but is not limited to the following:
Bus Disturbance (Minor)	Bus disruptions refer to any behaviors or incidents that interfere with the safe and orderly operation of a school bus. These disruptions can endanger students, distract the driver, and violate school or district transportation policies.	Eating or drinking. Using inappropriate language or gestures. Standing or moving between seats.
Disruption (Minor)	Behavior which is willful and overt initiated on the part of the student, and which requires the attention of school personnel to deal with the incident.	Promoting, encouraging or inciting others to fight.
Dress Code Violation	Any violation of the school dress code policy – Refer to School Board Policy 217 for Complete Dress Code.	Wearing clothing that exposes undergarments or midribs - - Wearing pants below waist level - Wearing shorts/skirts shorter than fingertip length - Wearing prohibited items as defined in the dress code policy – Wearing clothing or outer garments traditionally designed as undergarments, such as boxer shorts, underwear, tights,

		hosiery and sleepwear.
False Document	To make, possess, or sign a counterfeit or forged school related document.	Fake Hall/Class pass or Absence excuse signed by someone other than parent or guardian.
Horseplay	Engaging in non-confrontational physical contact with another student.	Pushing or shoving without intent to harm - Running in hallways or classroom - Throwing objects without intent to harm.
Littering	Intentionally discarding trash in areas other than designated receptacles.	Throwing paper, cans, bottles and other waste on the sidewalk, classroom floor, courtyard, etc.
Matches/Lighters/Flammable	Possessing or Using matches, lighters or flammables.	Student brings lighter to school.
Public Displays of Affection	Engaging in consensual physical contact.	Kissing, prolonged hugging, sitting on lap.
School Rule	Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels.	
Tardy (T1-T7)	Arriving late to class or school without a valid excuse.	
Vehicle Violation (minor)	Driving is a privilege. Students must meet qualifications in order to earn a parking decal. A high school student vehicle violation typically refers to any infraction of the rules set by a school or local authority regarding the use, parking, or operation of a vehicle by a student. These violations can vary depending on the school's policies and local laws.	Not parking in the designated area, no decal displayed, late returning from lunch, improper parking, loud music, Driving a non-registered vehicle on school property.
Wireless	(First Offense): Unauthorized use of electronic devices.	Using cell phones during instructional time (High School) – Using cellphones at any time during the school day (Middle School) - Using earbuds/headphones during instructional time without teacher permission - Using electronic devices during testing. (High School Only)

Level 1 Offense – Responses/Consequences

Principals, Assistant Principals or Administrative Deans MUST select from the following consequences for Level I infractions. Multiple consequences may be used for the same infraction when appropriate.

1. First Offense: - Student conference with teacher/staff - Parent/guardian contact (phone, email, or written) - Student reflection assignment.

2. Second Offense (same infraction): - Parent/guardian conference - Detention (1-3 days) - Loss of privileges for 1-5 days - Behavior contract .

3. Third Offense (same infraction): - Parent/guardian conference - Escalation to Level II infraction (Insubordination) - In school suspension and Referral to Student Support Team which may include a referral to MTSS or call the District Discipline Office.

Additional available consequences that may be used: - Behavioral contract - Cafeteria restriction - Conference with student - Extended detention - In-school suspension - Loss or suspension of privileges including extracurricular events/activities - Mediation - Parent/guardian visitation - Multi-Tiered System of Support Team - Restitution - Saturday school - Student services referral (i.e., school counselor, school social worker or school psychologist) - Suspension - Suspension from the bus - Time out - Warning - Work detail.

Note: Where a disciplinary infraction is committed by a student with a disability, any action taken by VCS must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable.

LEVEL 2 OFFENSES –

Level II infractions are intermediate acts of misconduct that are more serious or disruptive than Level I infractions. Level II infractions include repeated acts of Level I misconduct and acts directed against people or property that do not seriously endanger the health or safety of others.

Specific Level 2 Offenses	Definition	Specific Examples – Offense includes but is not limited to the following:
Repeated Level I Offenses	Three or more documented Level I infractions of the same type within a 30-day period.	
Bus Disturbance (intermediate)	Any behaviors or incidents that interfere with the safe and orderly operation of a school bus. These disruptions can endanger students, distract the	Loud or disruptive behavior (yelling, screaming, or playing loud music). Refusing to follow the bus driver's instructions (one warning).

	driver, and violate school or district transportation policies.	
Cheating/Academic Dishonesty	To influence by deceit, trick, or fraud, to violate rules for personal gain or the gain of others. To obtain by deceit a grade or reward to which one is not entitled.	Copy Answers of another. Obtain test questions or answers to gain an advantage. Plagiarize. Use of AI without proper citation in effort to pass off as one's own work or creative expression.
Disrespect	Making comments or engaging in behavior that shows lack of respect for others including	Name-calling - Mocking - Making derogatory comments about another person - Using profanity or vulgar language.
Disruption (intermediate)	Considerable disruption or disturbance of a school activity, class, or campus activity.	
Eloping	Running off school campus or supervised area without permission of school faculty or staff.	
Failure to appear for Saturday School, Detention, or Extended Detention	Failure to appear for prior discipline sanction.	
False Information	Providing false or misleading information to staff.	Lying to avoid trouble - Falsifying documents - Misrepresenting identity.
Fighting (Minor)	When two or more people participate in use of force or physical violence, without injury, that stop on verbal command.	Pushing, Shoving.
Gambling	Participating in games of chance for money or items of value. Bet money or other stakes on an outcome or a game, contest, or event.	Student Throwing Quarters.
Inappropriate Materials	Possessing, displaying, or distributing items that are inappropriate for the educational setting.	Obscene pictures or texts - Age-inappropriate materials - Items that promote illegal activities.
Insubordination	Behavior, acts, or words which are disobedient. Overt refusal to comply with reasonable staff instructions.	Repeat instances of misconduct with same or similar offense. Refusing to identify oneself when asked by

		staff - Walking away from staff while being addressed - Using obscene or inappropriate language/gestures toward staff - Refusing to report to office when directed.
Intro Foreign Substance into food or drink	Non-harmful substance.	
Laser Light Possession	Any device which projects a concentrated beam of light in one or more discrete wavelengths.	
Physical Contact	Non-injurious physical contact with another person including	Pushing or shoving with intent to intimidate - Throwing objects with potential to cause harm - Unauthorized physical contact that causes disruption.
Possession of Chemical Spray (< .5oz)	A gas or liquid, which is expelled from a canister or container designed for personal protection.	Possession of Mace or Pepper Spray.
Profane, Obscene or Vulgar Language	Verbal, written, or by gesture directed at others.	
Property Damage (Minor)	Causing damage to school or personal property valued under \$100 including	writing on desks, walls, or other school property - Breaking classroom materials - Damaging textbooks or other school materials.
Scuffling	Wrestling, grappling, hitting, or tussling on the part of two or more students in which there is no degree of injury.	
School Rules (Intermediate)	Any other violation, which the principal may reasonably believe, falls within this category and is not listed under the other three levels.	
Skiping**	Being absent from class without proper authorization while still on campus.	
Tobacco	(Cigarettes, vapes or other forms of smokeless tobacco) - The possession, use, distribution, or sale of tobacco	A student under 21 possessing and/or smoking cigarettes. A student using smokeless tobacco. A student possessing

	or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related.	a vape device or cartridge.
Toy Gun/Knife	<p>Non-functioning replica of a gun designed for play, with obvious appearance of a toy.</p> <p>Non-functioning replica of a knife designed for play, with obvious appearance of a toy.</p>	<p>Water gun, nerf gun or bubble blowing gun.</p> <p><i>This does not include toys, bb or replica guns that look like a functioning firearm.</i></p>
Truancy **	Unexcused absence from school or multiple classes throughout the day.	
Unauthorized Area	Being present in buildings, rooms, or other areas of campus restricted to student use during certain hours or at any time.	
Vape Possession or Usage	The possession of vape, use of, distribution, or sale of vape(s) or vaping products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21.	A student under 21 possessing and/or using e-cigarettes.
Vehicle Violation/Traffic Citation	Driving is a privilege. Students must meet qualifications in order to earn a parking decal. A high school student vehicle violation typically refers to any infraction of the rules set by a school or local authority regarding the use, parking, or operation of a vehicle by a student. These violations can vary depending on the school's policies and local laws.	Driving a non-registered vehicle on school property 2nd offense, knowingly using wrong ID, speeding in the parking lot, not obeying signs and road rules, parking in handicap spots without a permit.
Wireless Device Misuse	Second or Third Violation of Wireless Device Policy.	
Level 2 Offense – Consequences		

Principals, Assistant Principals and Deans **MUST** select from the following consequences for Level II infractions. Multiple consequences may be used for the same infraction when appropriate.

1. First Offense: - Parent/guardian conference (required) - Detention (3-5 school days) - Loss of privileges for 10 school days - Restitution (if applicable) - Behavior contract.

2. Second Offense (same infraction): - In-school suspension (1-3 school days) - Referral to Student Support Team - Loss of privileges for 30 school days - Restitution (if applicable).

3. Third Offense (same infraction): - Escalation to Level III infraction – Out of school suspension (1-5 school days).

Additional available consequences that may be used: - Behavioral contract - Cafeteria restriction - Concern of harm referral - Extended detention - Loss of privileges: extracurricular events/activities - Mediation - Parent/guardian visitation - Problem Solving Team - Restitution - Saturday school - Student services referral (i.e., school counselor, school social worker or school psychologist) - Suspension - Suspension from the bus - Suspension of privileges - Time out - Tobacco citation or Online Tobacco Class (VAPE_ - Warning - Work detail - In-school conference with student, contact with parent/guardian, confiscation of contraband, loss of grade, zero on assignment (for cheating).

Note: Where a disciplinary infraction is committed by a student with a disability, any action taken by VCS must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable.

LEVEL 3 – OFFENSES

Specific Level 3 Offenses	Definition	Specific Examples – Offense includes but is not limited to the following:
Alcohol	Possession, sale, purchase, or use of alcoholic beverages. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. Alcohol incidents cannot be Drug-related. All beverages and/or edible items or substances containing alcohol in any percent by volume.	Possession or use of wine, beer, and distilled spirits. Student testing positive for alcohol by law enforcement. Student possessing, using, or selling alcohol.
Ammunition	The various projectiles together with their fuses, propelling	

	charges, and primers that are fired from guns	
Bullying	Pattern of behavior displayed against multiple students or employees or repetitive behavior against a single student or employee which inflicts physical hurt or psychological distress that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation, including through electronic means. Behavior must have been reported to school officials.	May include cyberbullying, teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, humiliation, or destruction of property.
Burglary	Breaking and entering or remaining in a dwelling, structure, or conveyance with the intent to commit a crime.	
Bus Disturbance – Major	Causing a significant disturbance on school based transportation. Any behaviors or incidents that interfere with the safe and orderly operation of a school bus. These disruptions can endanger students, distract the driver, and violate school or district transportation policies.	Fighting or roughhousing (physical altercations or horseplay). Bullying or harassment (verbal, physical, or cyberbullying of other students) (2nd warning) Standing while the bus is moving (unless permitted) Throwing objects inside the bus or out of windows Vandalism (damaging seats, windows, or other bus property) Unauthorized boarding or exiting (getting on/off at wrong stops).
Consensual Sex	Sexual Activity on school campuses, at school functions, or school transportation is prohibited.	
Cyberstalk	Engaging in a course of conduct to communicate words, images, or language through electronic means, directed at a specific person, causing substantial	

	emotional distress.	
Disruption – Major	Causing a significant disturbance of a school activity, class, or campus.	
Drug paraphernalia	Equipment used for planting, cultivating, processing, or consuming controlled substances.	Possession, use, or distribution.
Drugs/Controlled Substances	Controlled substances as defined in Chapter 893, Florida Statutes.	Possession, use or being under the influence of a controlled substance.
Electronic Tampering/Electronic Device Misuse	Unauthorized access to accounts, networks, or files; modifying or destroying files without permission.	Distributing inappropriate content.
Extortion	Threatening another with the intent to obtain money, property, or to compel them to do or refrain from doing something against their will.	
False Alarm	Intentionally initiate any false alarm.	Contacting 911 with false report or pulling a fire alarm station.
False Reporting	Knowingly filing a false report.	Willfully giving or conveying to any law enforcement officer or school official false information or reports concerning the alleged commission of any crime under the laws of the state, or ethical violation of school board policy, knowing that such information is false, in that no crime or ethical violation has been committed.
Fighting (Major)	When two or more people participate in the use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention.	Student or other engaging in a fight/combat with another and physical restraint is necessary to stop it. Student becoming engaged in a fight which results in the need for first aid or medical attention for one or both of the participants.
Fireworks	Explosives or combustibles used to produce light, smoke, odor, or noise.	
Forgery	To make a document with the	

	intent to defraud.	
Grand Theft (\$750+)	(Taking property from person, building, or a vehicle) - The unauthorized taking, carrying, riding away, or concealing the property of another person, including motor vehicle, without threat, violence, or bodily harm.	Student or other embezzling public funds. Student or other stealing an item/items worth \$750 or more. Student finding a checkbook, signing owner's name and making a purchase. Student or other stealing a car or motorcycle.
Harassment	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related. See School Board Policy 509 Prohibition against Harassment and Policy 525 for complete a definition and consequences for students engaging in harassment.	One student approaches another student and makes an insulting gesture. The targeted student runs off in tears and is visibly upset.
Hazing	Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-	Pressuring, coercing or forcing a student into 1) violating state or federal law; 2) consuming any food, liquor, drug, or other substance; or 3) participating in physical activity that could adversely affect the health or

	sanctioned organization.	safety of the student.
Hitting/Striking	Purposely making forceful contact with another against his/her will which does not result in an injury, and which does not constitute battery; biting, spitting, or throwing bodily fluids (not covered under battery.)	
Hitting/Striking with Injury	Purposely making forceful contact with another against his/her will resulting in an injury and which would constitute battery, but where the injured party elects not to pursue criminal charges.	
Inappropriate Touching	Any contact or touching of a sexual nature which is inappropriate for an educational setting or event.	
Indecent Exposure	Exposing or exhibiting sexual organs in any public setting.	
Insubordination (Gross) **	Behavior, acts, or words which are disobedient; failure to respect authority.	
Intro Foreign Substance into food or drink	Toxic or Harmful substance.	
Malicious Threats of Violence	Threats that do not constitute assault but are intended to incite fear.	
Non-Prescription Medication	Over-the-counter medications.	Unauthorized use, possession, distribution or sale.
Pornographic Materials	Vulgar or Obscene materials or communications, oral or written. This includes notes and phone calls and other communications such as Internet communications, as well as the possession of lewd or obscene drawings, pictures, or magazines. Magazines, which depict nude models, are included in this category.	
Chemical Spray possession	Possession of a chemical spray between 0.5 and 2 oz.	

Possession of Common Pocketknife	Having custody or control of a common pocketknife.	
Principal to a Level III Criminal Act	Aiding, abetting, counseling, hiring, or procuring a criminal offense classified as Level III.	
Racial/religious/disability Slur	Harassment based on race, ethnicity, religion, or disability.	
School Rules	Any other violation which the principal may reasonably believe falls within this category and is not listed under the other three levels.	
Secret society/gang activity	The organization of, establishment of, promotion of, membership in, or pledge of membership in any secret fraternity, sorority, or group (including a gang) wholly or partly composed of student(s) enrolled in the public schools and which perpetuates itself wholly or partly by taking in additional members on the basis of the decision of its membership rather than on the right of any student who is qualified by the rules of the school to be a member. Displaying or wearing any secret society organization logo in any way disruptive of the educational program is prohibited.	
Sexual harassment	Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to	Unwelcome statements of a sexual nature. Unwelcome solicitation or pressure for sexual activity. Intentionally brushing against, patting or pinching of another's body. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes.

	the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.	
Synthetic/Counterfeit Drugs	Any substance that is represented to be, represented to contain, mimics, or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, intoxicant, or controlled substance of any kind under the law of Florida or federal law. This includes, but is not limited to, any substance that produces the same effect as or is represented to produce the same effect as a controlled substance or any analogue of a controlled substance including but not limited to "Bath Salts" or "K-2", also known as "Spice" or "legal weed."	
Theft under \$750	The unlawful taking of the property of another, the value of which is less than \$750.00, without threat of violence or bodily harm.	
Toxic Plants	Any mind-altering or poisonous plant.	Use, possession, distribution, or sale.
Trespassing	To enter or remain on school grounds, school transportation, or at a school-sponsored event without authorization or invitation and with no lawful purpose for entry.	Any unauthorized person entering the campus. Any unauthorized person remaining on property after being directed to leave by the chief administrator or designee.
Vandalism under \$1,000	Willfully injuring or damaging property with damages valued under \$1,000.	
Vehicle Violation - Major	Driving is a privilege. Students must meet qualifications in order to earn a parking decal. A high school student vehicle violation typically refers to any	Car surfing, illegal substances or objects including weapons, racing, sexual activity in car, Leaving campus without permission (if students are

	infraction of the rules set by a school or local authority regarding the use, parking, or operation of a vehicle by a student. These violations can vary depending on the school's policies and local laws.	required to stay on campus during school hours) Transporting other students without authorization (especially during school hours or on school-sponsored trips).
Walkie-Talkie		Use or Possession
<p>Level 3 – Consequences</p> <p>Multiple consequences may be used for the same infraction when appropriate.</p> <p>Parents/Guardians may request a conference with the principal and one or more of the following disciplinary actions:</p> <ul style="list-style-type: none"> • Assignment to an alternative education program • Civil citation program • Confiscation • Concern of harm referral • Expulsion recommendation from school or bus • In-school suspension • Restitution • Saturday School • Student services referral (i.e., school counselor, school social worker or school psychologist) • Suspension from school or bus (suspension must be considered for the possession of a common pocketknife) • Suspension from driving/vehicle restriction • Threat Assessment. <p>Note: Where a disciplinary infraction is committed by a student with a disability, any action taken by VCS must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable.</p> <p>The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law where the act posed a serious threat to school/student/employee safety.</p>		

LEVEL 4 - OFFENSES

Specific Level 4 Offenses	Definition of Prohibited Behavior	Specific Examples – Offense includes but is not limited to the following:
Alcohol distribution/Sale	Distribution, sale, or attempted sale of alcoholic beverages (including substances represented as alcohol.)	
Arson	Willful and malicious damage to any structure by fire or explosion	Student or other deliberately burning school property (building, fixtures, etc.)
Assault/Threat/Intimidation	An incident where there was no physical contact between the offender and victim, but the	Student or other willfully and repeatedly following another or stalking with intent to cause the

	<p>victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person electronically or through any other means.</p>	<p>person to fear for his/her safety. Student or other who willfully and repeatedly uses email or text message to cause another to fear for his/her safety or cause substantial emotional distress (cyber stalking). Student or other making repeated malicious, credible threats in person or by telephone causing the person to fear for his/her safety. Student telling another he/she could kill or knows people who could kill him/her. Student or other violating a restraining order.</p>
Battery	An actual and intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.	
Bomb Threat	Intentionally making a false report to any person, including school personnel, concerning the planting, placing, igniting of any bomb, dynamite or other arson causing device.	
Disorderly Conduct	Acts which substantially disrupt school functions or pose threats to health, safety, or welfare.	
Drug Distribution/Sale	Distribution, attempted distribution, sale, or attempted sale of controlled substances.	
Explosives	Possession or use of prepared chemical or powder devices designed to explode or burn.	
Firearm	Any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun.	Distribution, sale, use, or willful possession of s firearm at school, at any school function, or onto any school-sponsored transportation.

Homicide	The unjustified killing of one human being by another.	
Kidnapping	Forcibly, secretly, or by threat confining, abducting, or imprisoning another person against their will.	
Look-Alike Gun	Any replica firearm or object purposely displayed or represented as a firearm.	Possession or Use.
Look-Alike Knife	Any replica knife or object purposely displayed or represented as a knife.	Possession or Use.
Off-Campus Felony	Any student who is reported to have been formally charged (petition filed) by the state attorney with a felony offense may be suspended and expelled from school attendance in accordance with the district's procedure. This section also applies to any student reported by the court who has been found to have committed a delinquent act, which, if committed by an adult, would be a felony.	
Paintball/Air Soft Guns		
Principal to a Level IV Criminal Act	Aiding, abetting, counseling, hiring, or procuring a criminal offense classified as Level IV.	
Riot	A violent disturbance by three or more students with a common purpose.	
Robbery	(Using force to take something from another) - The taking or attempted taking of anything of value that is owned by another person or organization, under the confrontational circumstances of force or threat of force or violence and/or by putting the victim in fear.	Student or other snatching a gold chain off someone's neck. Student or other extorting lunch money. Student or other engaging in "carjacking."
School Rule	Any other violation which the principal may reasonably believe falls within this category and is not listed under the other	

	three levels.	
Sexual Assault	An incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault.	
Sexual Battery	Forced or attempted penetration of another by any body part or foreign object, Per Florida Statue 794.011. Both males and females can be victims of sexual battery. This category requires law enforcement involvement and the filing of criminal charges.	Student or other raping someone. Student or other attempting to rape someone.
Synthetic/Counterfeit Drug Distribution/Sale	Distribution, attempted distribution, sale, or attempted sale of substances represented as controlled substances.	
Vandalism over \$1,000	Willfully injuring or damaging property with damages valued over \$1,000.	Student or other defacing with graffiti. Student or other keying or scratching a car. Student or other trashing a room resulting in damages of \$1,000 dollars or more.
Vehicle Theft	Theft or attempted theft of a motor vehicle.	
Weapon Use	BB Gun, Knives, Brass Knuckles - Any object used or intended to cause harm or that disrupts the educational environment"	
<p>Level 4 – Consequences</p> <p>Expulsion must be recommended to the District Student Placement Committee for all Level IV offenses. Multiple consequences may be used for the same infraction when appropriate.</p> <p>Unless otherwise recommended by the superintendent, expulsions for firearms and look-alike firearms or disorderly conduct shall be for no less than one calendar year.</p> <ul style="list-style-type: none"> • Expulsion (pending expulsion, students will be suspended and will lose all privileges pertaining to extracurricular events and activities). • Administrative assignment to an alternative education program • Concern of harm referral • Restitution • Student Services Referral (i.e., school counselor, school social worker or school psychologist) •Threat Assessment 		

Note: Where a disciplinary infraction is committed by a student with a disability, any action taken by VCS must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable.

The appropriate law enforcement agency must be notified if the offense involved is a criminal act under Florida law where the act posed a serious threat to school/student/employee safety.

GENERAL EXPECTATIONS

1. Each classroom teacher is expected to deal with any student's general classroom conduct. The teacher may take the following actions: in-class disciplinary action, contact the student's parent/guardian, and/or schedule conferences with the student's parent/guardian and other staff including MTSS team. The student should be referred to the principal or designee only after the actions taken by the teacher are ineffective or the disruption is severe. Teachers have the authority to remove students from the classroom in accordance with the Florida Statute and district procedures, subject to the procedures and requirements set forth in the Student Attendance Policy located in full on BoardDocs – see Policy 206.

2. Failure to bring materials and equipment to class, refusal to do homework, or refusal to work in class are not grounds for a discipline referral unless classroom disruption results from these acts. The teacher should notify the parent/guardian when a student exhibits poor work habits.

3. In any situation where a violation of this code is alleged, the principal or designee will hear the student's explanation and investigate the matter fully before determining if a violation has occurred. The student shall be given the opportunity to make a written statement in response to the alleged disciplinary infraction, which must be considered by the principal, or designee, before the discipline is administered. If a violation has occurred, the principal or designee will determine the level of that violation.

4. All teachers are expected to utilize proactive strategies and other permissible interventions and modification, including those set forth in the MTSS and ESE Guides Multi-Tiered System of Support, and Exceptional Student Education respectively. When working with a student with a disability who is engaging in conduct that may constitute an offense under the Student Code of Conduct and Discipline, that is a result or manifestation of the disability, administrators, teachers, and staff must first attempt to address such conduct through the use of positive corrective measures, before resorting to exclusionary discipline, except when the principal or superintendent determines that the student's presence causes a danger to persons, or when it is otherwise permitted by law. These strategies and interventions must be in accordance with the student's IEP/BIP (if applicable). When a student with a disability engages in conduct that may constitute an offense under the Student Code of Conduct and Discipline, administrators, teachers, and staff must document their attempt to employ positive corrective measures and, if unsuccessful or if exclusionary discipline is otherwise warranted (i.e., where the student's presence causes a danger to persons or when it is permitted by law), the reasons for using the exclusionary discipline. This documentation must be included in the student's discipline file.

5. Students making verbal or written threats of violence toward themselves or others or who engage in behavior that is a physical threat to themselves, or others are to receive appropriate intervention in accordance with district procedures. Disciplinary action will be taken as is appropriate according to this

policy. The degree of each threat is assessed as directed by Volusia County School's Safety and Security Manual and discussed with the student's parent/guardian. Threat assessment determinations are not subject to appeal.

6. Staff members are required to report any offense to the administration that might be considered a criminal act under Florida law. Law enforcement will be contacted by the administration to determine whether the incident meets criterion for a charging affidavit or civil citation. In addition, all school board employees who have first-hand knowledge of a level III or IV code of conduct violation by a student shall immediately report the violation to a school administrator.

7. The decision to involve Law Enforcement Officials, including but not limited to School Resource Deputy (SRD), or School Resource Officer (SRO), shall be in accordance with the Safety and Security Policy located in full on BoardDocs – see Policy 510.

STATUTORY NOTICES

1. The illegal use, possession, or sale of controlled substances, as defined in chapter 893, by any student while the student is upon school property or in attendance at a school function is grounds for disciplinary action by the school and may also result in criminal penalties being imposed. Any student who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under chapter 893 may be entitled to a waiver of the discipline or expulsion: (a) if the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him or her, or if the student voluntarily discloses his or her unlawful possession of the controlled substance prior to his or her arrest. Any information divulged which leads to arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging the information; or (b) if the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

2. Vapes, e-cigarettes, nicotine, tobacco, and all drug products are prohibited on all school campuses and at all school functions, which includes school transportation. Failure to comply with this policy will result in disciplinary action up to and including Volusia Assistance Prevention Education (VAPE), school suspension and possibly expulsion.

3. The use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school or criminal penalties if the device is used in a criminal act. The School Board and school personnel shall not be liable for the loss or damage of any cell phone or wireless communication device brought on school property, school transportation or school activity. House Bill 1105 (2025) establishes mandatory statewide restrictions on student cell phone use.

All wireless communication devices shall be turned off or placed in airplane mode and stored in the area designated by the teacher during all instructional and class time. (1006.07)

Middle Schools – Cell phones and other wireless communication device use are completely prohibited during the entire school day.

High Schools – Cell phones and other wireless communication device use is prohibited during instructional time except when specifically authorized by teacher.

Students are prohibited from using any Wireless Communication Device (WCD) or other recording equipment to secretly record or transmit audio or video of any school meeting or activity. This prohibition applies to placing any device with one-way or two-way audio/video communication capabilities in a student's belongings or on their person without express written consent from an administrator, staff member, IEP Team, or Section 504 Team.

Prohibited devices include but are not limited to:

1. Smartphones and mobile phones
2. Smartwatches and fitness trackers with communication capabilities
3. Smart glasses AI or recording device with communication capabilities
4. Wireless earbuds and headphones with recording functions
5. Digital pens with recording capabilities
6. Bluetooth-enabled devices with audio/video functions
7. Mini recording devices and microphones
8. GPS trackers with communication features
9. Any device capable of capturing or transmitting audio or video content

Violations of this policy may result in disciplinary action as outlined in this policy under the section “Disciplinary Offenses and Responses”.

4. Any student who is determined to have possessed, displayed, used, sold or transmitted a firearm or other Class A weapon, at school, school function, or any school-sponsored transportation, will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year and referred to the criminal justice or juvenile justice system. The school board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion.

The superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the school board to modify the requirement by assigning the student to an alternative education program 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.

Disciplinary incidents involving firearms and weapons shall be reported to the FLDOE in accordance with Rule 6A-1.0017 SESIR requirements through the approved reporting tool provided by the School Board.

Note: When the FLDOE revises the SESIR definitions and this policy has not completed the rule making/rule adoption process to align with such changes, the FLDOE definitions found at <http://www.fldoe.org/safe-schools/sesir-disciplinedata/> will supersede the definitions within this policy.

For purposes of this policy, weapons are defined in two categories, Class “A” or Class “B.” An object, which can be, defined as a Class “A” weapon pursuant to this policy shall be conclusively determined to be a Class “A” weapon and further classifications shall not be considered.

Weapons – Class A - Possessing/Displaying/Using/Selling/Transmitting weapons and firearms as defined in Chapter 790, Florida Statute is prohibited on school grounds/property, school transportation and at school-sanctioned activities. This category includes, but is not limited to:

- Firearm, (whether operable or inoperable, loaded or unloaded) including, but not limited to, handgun, zip gun, pistol, rifle, shotgun, and starter gun, but excluding a BB gun, hard pellet gun, or airsoft gun.
 - Note that a student who wields or threatens with a BB gun, hard pellet gun, or airsoft gun is considered in possession of a weapon under Rule 6A-1.0017, F.A.C. These incidents shall be handled in accordance with possession of a Class A weapon under this policy.
- Explosive propellant or destructive device (operable or inoperable), including bombs
- Dirk
- Brass knuckles and/or metallic knuckles includes, but is not limited to, any device or instrument made of metal or other materials, designed to fit around the knuckles/fingers
- Billy club
- Tear gas
- Electric weapon or device including, but not limited to, stun gun and taser gun.
- Slingshot - is a striking weapon consisting of weight or other hard object affixed on a flexible handle or strap
- Chemical weapons or devices in a container with the capacity to hold more than 2 ounces of the chemical
- Flare gun
- Ice pick
- Knife – Any knife that may inflict harm on another person, or could be used to intimidate/threaten another person, including, but not limited to, fixed blade knives, regardless of size, switch blade knives, razor blades, or box cutters, but excluding blunt-bladed table knives and common pocketknives, defined as a folding knife with a blade of 3 ¾ inches or less. (see Class B weapons/items for other knives)
 - Note that a student who wields or threatens with a common pocketknife is considered in possession of a weapon under Rule 6A-1.0017, F.A.C. These incidents shall be treated consistent with possession of a Class A weapon under this policy.

Weapons – Class B (Possessing/Displaying/Using/Selling/Transmitting) are prohibited from school grounds/property, school-sanctioned activities, and transportation. This category includes, but is not limited to: • Chains (i.e., household, industrial) • Pipe - a hollow cylinder or tube made of metal, wood, plastic, or similar material • Other pointed instruments or sharp objects, other than school supplies (i.e., pencil, compass) • Nunchakus, Chinese stars • Chemical weapon or device such as pepper spray or mace in a container

5. Violence against any school board personnel by a student is grounds for in-school suspension, out-of-school suspension, referral to the District Student Placement Committee, or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed.

6. The violation of school board transportation policies, including disruptive behavior on a school bus or at a school bus stop, by a student is grounds for suspension of the student's privilege of riding on a school bus and may be grounds for disciplinary action by the school and may also result in criminal penalties being imposed. Any action taken in response to a violation of school board transportation rules and policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable. The full policy on transportation is located on BoardDocs – see Policy 504.

7. The violation of the school board's sexual harassment policy by a student is grounds for in-school suspension, out-of-school suspension, expulsion, or imposition of other disciplinary action by the school and may also result in criminal penalties being imposed. Any action taken in response to a violation of school board transportation policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable. The full policies prohibiting bullying as well as harassment are located on BoardDocs – see Policy 509 and Policy 525.

8. Any student who is determined to have made a threat or false report, involving school or school personnel's property, school transportation, or a school-sponsored activity will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year and referred for criminal prosecution.

- Threat to Kill/Mass Shooting – Per F.S. §836.10, any person who sends, posts, or transmits, or procures the sending, posting, or transmission of, a writing or other record, including an electronic record, in any manner in which it may be viewed by another person, when in such writing or record the person makes a threat to kill or do bodily harm to another, or conduct a mass shooting or act of terrorism. *Electronic record is defined as any record created, modified, archived, received, or distributed electronically which contains any combination of text, graphics, video, audio, or pictorial represented in digital form. This does not include a telephone call.
- Threat to throw, project, place, or discharge any destructive device- Per F.S. §790.162, it is unlawful for any person to threaten to throw, project, place, or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person.
- False Report/Hoax - Per F.S. §790.163, it is unlawful for any person to make a false report/hoax, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive, or a weapon of mass destruction as defined in F.S. §790.166, or concerning the use of firearms in a violent manner against a person or persons, and/or in accordance with F.S. §790.164 concerning any act of arson or other violence to property.
- Hoax Bomb - Per F.S. §790.165, “hoax bomb” means any device or object that by its design, construction, content, or characteristics appear to be, or to contain, or is represented to be or to contain

a destructive device or explosive as defined in said chapter, but is, in fact, an inoperative facsimile or

imitation of such a destructive device or explosive, or contains no destructive device or explosive as was represented.

The school board may assign the student to an alternative education program for the purpose of continuing educational services during the period of expulsion. The superintendent may consider the 1-year expulsion requirement on a case-by-case basis and request the school board to modify the requirement by assigning the student to an alternative education program if it is determined to be in the best interest of the student and the school system. Any action taken in response to a violation of the false reporting policy, that involves a student with a disability, must be in accordance with the Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act, as applicable.

9. Volusia County Schools will adhere to the basic eligibility and participation requirements for athletics and activities for all public schools as authorized in section 1006.15, Florida Statutes, as well as the bylaws of the Florida High School Athletic Association. Additional requirements may be implemented by a school. If so, those requirements will be published and distributed by the coach/school prior to tryouts for the specific sport. Minimum requirements for eligibility in athletics and activities may be found in School Board Policy 313. Transfer students wishing to be considered eligible for good cause beyond the scope of Section 1006.15, Florida Statutes, may request review by the District Athletic Eligibility Review Committee whose membership is designated by the superintendent. The decision of the committee shall be final and binding.

10. Public Restroom/Changing Facilities Usage: Pursuant to HB 1521 and Florida Statute 553.865, exclusive use of public restrooms by males or females shall be respective to their sex at birth. Failure to comply will result in disciplinary action as governed by the Student Code of Conduct.

11. Testing Security Procedures: In accordance with the state statute rule 6A regarding testing: Any student that violates testing procedures; which includes but is not limited to the use of unauthorized materials during the testing, use of a cell phone or any other device with the ability to take photos of exam materials, assisting any other test taker with exam questions, and the disclosure of any test questions after the test administration is subject to the Code of Conduct, as well as any other restrictions imposed by the state.

DOCUMENTATION AND REPORTING REQUIREMENTS

For all infraction levels, the following documentation and reporting requirements apply:

1. All infractions must be documented in the district's student information system on the same day they occur or once notified.
2. Parent/guardian notification must occur within 24 hours of the infraction, with multiple contact attempts documented if needed.
3. A detailed written account of the incident must be completed from all staff.
4. Student statements must be collected from all participants and witnesses.

5. For Level III and IV infractions, photographic evidence must be collected when applicable.
6. For Level IV infractions, law enforcement must be notified immediately, with documentation of time of notification and responding officer.
7. All disciplinary actions taken must be documented with exact dates and times.
8. Follow-up actions and interventions must be documented with dates and times.

APPEAL PROCESS

Parents/guardians have the right to appeal disciplinary decisions. The district has established the following standardized appeal process to ensure fairness and consistency:

1. Level I and II infractions: - Must be appealed to the school principal within 3 school days of the disciplinary decisions - Principal must respond in writing within 3 school days from receipt of the appeal - Decision of the principal is final for Level I infractions - Level II decisions may be further appealed to the supervising director.
2. Level III infractions: - Must be appealed to the District Student Placement Committee within 5 school days of the disciplinary decisions in writing. The Coordinator of District Student Placement Committee must respond in writing within 5 school days of receipt of the appeal- Coordinator of District Student Placement Committee decision is final for Level III infractions. If, however, the level 3 infraction resulted in a District Student Placement Committee alternative education placement the District Student Placement Committee appeals process must be followed.
3. Level IV infractions: - Must be appealed with the District Student Placement Committee within 10 school days of the disciplinary decisions in writing. District Student Placement Committee must be appealed to the Executive Director of Student Services within 10 school days of the DSPC disciplinary decisions in writing - Superintendent designee must respond in writing within 7 school days - Superintendent's designee decision is final for Level IV infractions except expulsions.
4. Expulsion recommendations: - Must be appealed to the School Board within 10 school days of the recommendation - School Board must hold a hearing within 15 school days of the appeal - School Board's decision is final.

III. CONDUCT AND DISCIPLINE PROCEDURES

SUSPENSION PROCEDURE

1. The principal or the principal's designee may suspend a student only in accordance with the code of student conduct and discipline. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone, email or other appropriate form of communication of a student's suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be

reported in writing within 24 hours to the student's parent by email, the FOCUS notification system or by United States mail. A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined in this policy. Such rules require oral and written notice to the student of the charges and an explanation of the evidence against him or her prior to the suspension. Each student shall be given an opportunity to present his or her side of the story. All disciplinary meetings between the principal, the student and the parent or guardian shall be informal and not in the nature of an evidentiary hearing. Therefore, requiring testimony, cross-examination, or similar legal proceedings are not permitted. Should the parent disagree with the principal's decision to suspend the student, the parent shall have the right to meet with the principal and explain why he or she believes the suspension to be unwarranted and/or not appropriate for the student. At the meeting, the principal shall review the charges and support information with the parents. The parent shall then be given the opportunity to present any additional information he or she may have and to explain why he or she believes the suspension to be unwarranted or inappropriate. The principal shall then consider the information provided and communicate their determination to the parents. If the parent is not satisfied with the determination made by the principal, the parent may request that the superintendent/designee review the matter. The superintendent/designee shall review all the information considered by the principal, and may choose, in his or her own discretion, to meet with the parent to discuss the matter further. The decision of the superintendent/designee shall be final and binding. No student shall be suspended for unexcused tardiness, lateness, absence, or truancy. The principal or the principal's designee may suspend any student transported to or from school at public expense from the privilege of riding on a school bus for violation of district school board transportation policies, which shall include a policy regarding behavior at school bus stops, and the principal or the principal's designee shall give notice in writing to the student's within 24 hours.

It is expected that any student displaying a pattern of misbehavior be referred to the MTSS Team whereby evidence-based interventions are identified and implemented and the student's responses to those interventions are documented. School personnel shall not be held legally responsible for suspensions of students made in good faith.

2. When a student is suspended for possession, distribution, attempted distribution, sale, or attempted sale of a controlled substance, or willful possession of a firearm or a weapon, or has committed any other offense which is a crime under Florida law, parents/guardians, law enforcement officials, and superintendent shall be notified by the principal or designee as soon as possible. The full policies regarding safety and security are located on BoardDocs – see Policy 510.

3. A principal may suspend a student from school or from riding the school bus for up to ten (10) consecutive school days. Any action taken in response to a violation of school board transportation policies, that involves a student with a disability, must be in accordance with Title II of the ADA (including the requirement to provide reasonable modifications to avoid discrimination on the basis of disability), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA), as applicable. The full transportation policy is located on BoardDocs – see Policy 504.

4. The exclusion of a student with a disability for more than ten (10) consecutive school days constitutes a "significant change in placement" under Section 504 regulations at 34 C.F.R. Section 104.35 and under IDEA regulations at 34 C.F.R. Section 300.530 and triggers an evaluation of whether behavior that the basis for the

exclusion is a result or manifestation of the student's disability. The determination of whether the series of suspensions creates a pattern of exclusions that constitutes a significant change in placement must be made on a case-by-case basis. In no case, however, may a series of short-term exclusions be used as a means to avoid the Supreme Court's prohibition of suspensions of more than ten (10) days.

5. Unless otherwise limited by Title II of the ADA, Section 504 of the Rehabilitation Act, and/or IDEA, the superintendent shall have the authority to extend the suspension of a student beyond ten (10) days where such suspension period expires before the next meeting of the school board, where the school board will be considering a recommendation from the superintendent to expel the student. The superintendent may further recommend an extension of a suspension to the school board for the purpose of providing proper notice of a recommendation for expulsion, or for further study and review of the student and matter at issue. During such extended suspension, the student shall be provided educational services.

6. Suspension proceedings may be initiated against any enrolled student who is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, if that incident is shown, in an administrative hearing with notice provided to the parents of the student by the principal of the school pursuant to rules adopted by the State Board of Education and to rules developed pursuant to section 1001.54, Florida Statutes, to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled. Any student who is suspended as the result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time, which may exceed ten (10) days, as determined by the superintendent. The suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in an alternative education program. If the court determines that the student did commit the felony or delinquent act which would have been a felony if committed by an adult, the school board may expel the student, provided that expulsion under this subsection shall not affect the delivery of educational services to the student in any residential, nonresidential, alternative, daytime, or evening program outside of the regular school setting.

DISTRICT STUDENT PLACEMENT COMMITTEE

1. The principal shall have the authority to make referrals to be reviewed for expulsion or alternative education placement for students having committed a Level III or Level IV offense under this code. All referrals for expulsion must be forwarded to the office of student discipline, then the District Student Placement Committee will meet to consider what action should be taken. The membership of the committee shall be designated by the superintendent or superintendent's designee. Based on the facts and evidence in each case, the committee shall decide if the student should be recommended for expulsion. The committee's recommendation shall be transmitted to the superintendent for appropriate action.

2. The committee also has the authority to place a student in an alternative setting in lieu of a recommendation for expulsion. Notice of the placement shall be provided to the parent via a phone call and in writing. Should the parent disagree with the committee's determination to place the student in an alternative setting, the parent shall have the right to meet with the committee via an audio call and explain why he or she believes the placement to be unwarranted and or not appropriate for the student. The parents shall have ten (10) calendar days from receipt of the notice to request to meet with the committee. At the meeting, the coordinator of student discipline or designee shall review the charges and supporting information with the committee and the parent.

The parent shall then be given the opportunity to present any additional information he or she may have, and to explain why he or she believes the placement to be unwarranted or inappropriate. The committee shall then deliberate, consider the information provided, and provide the parents with a response within five (5) calendar days of the meeting. If the parent is not satisfied with the determination made by the committee, the parent may request that the superintendent/designee review the matter. The superintendent/designee shall review all information considered by the committee, and may choose, in his or her own discretion, to meet with the parent to discuss the matter further. The decision of the superintendent/designee shall be final and binding.

3. Additionally, the committee has the authority to determine the most appropriate educational placement for the following students: student completing alternative education programs, students returning from the Department of Juvenile Justice commitment programs and students entering Volusia County Schools from a specialist program or being considered for expulsion in another district or state.

EXPULSION PROCEDURES

1. Only the school board has the authority to expel a student or cancel an expulsion. The term of expulsion may be for no more than the remainder of the school year and one additional school year.

2. If a student is referred to for possible expulsion, the parent/guardian will receive a letter explaining the reason for the referral. If the student is recommended for expulsion by the superintendent, the student's parent/guardian may request a hearing before the school board. The hearing will be held in accordance with sections 120.569 and 120.57(2), Florida Statutes. Expulsion hearings are exempt from section 286.011. However, the students' parents must be given notice of the provisions of section 286.011 and may elect to have the hearing held in compliance with that section. If the evidence at any hearing does not support a finding that the offense charged has occurred, the school board may find that any lesser offense provided by the evidence has occurred if the lesser offense is also described in the recommendation for expulsion. Failure to submit a timely request for a hearing shall be deemed a waiver of the student's right to hear before the school board. The meeting with the school board shall follow a meeting with the District Student Placement Committee. Failure to appear before the school board when the recommendation for expulsion is to be considered shall be deemed a waiver of the student's right to a hearing. The student and parent/guardian have the right to legal counsel and represent at their own expense, the right to present witnesses on the student's behalf, the right to cross-examine witnesses, and the right to present a defense.

3. The school board has the authority to honor the final order of expulsion or dismissal of a student by any in-state or out-of-state public district school board or private school, or lab school, for an act which would have been grounds for expulsion according to this Code of Student Conduct and Discipline. For this action to be taken, the prior order of expulsion must have been recorded in the school district's records and the expelled student applying for admission to the school district must have been advised of the final order of expulsion. The superintendent may recommend to the school board that the final order of expulsion be waived, and the student be admitted to the school district, or that the final order of expulsion be honored and the student not be admitted to the school district. If the student is admitted by the school board, with or without the recommendation of the superintendent, the student may be placed in an appropriate educational program at the direction of the school board.

LAST RESORT EXPULSION PROCEDURES

1. A student may be expelled from school if the student persists in violating the rules of the School District of Volusia County. Expulsion may result from continued violation of this code or school rules. In contrast to drug expulsions and expulsions of dangerous weapons and/or violence against person or property, prior to any expulsion under this paragraph the school must first have exhausted alternative methods of attempting to modify the student's behavior and the student must continue to refuse to conform to the rules of the school and/or district. Alternative methods include but are not limited to a MTSS Team referral whereby appropriate, evidence-based interventions are identified and implemented and the student's responses to those interventions are documented. *Changing the placement of a student with a disability, including an expulsion, must be in accordance with IDEA, Section 504 of the Rehabilitation Act, and Rule 6A-6.03312 of the Florida Administrative Code.*

2. The school need not try all those items enumerated under "Discipline Responses," but the school must attempt any corrective measures, which have a reasonable chance of modifying the student's behavior to bring the behavior into conformity with the rules of the school and/or district.

3. Parents/guardians and students should be aware that even if the student reaches the point of last resort at the student's regular school, placement into an alternative education or exceptional student program is possible. However, placement in any of these programs depends on the students' meeting the criteria for admission to the program and being placed there by the District Student Placement Committee.

F. PEER MEDIATION

Some of Volusia County Schools operate a peer mediation program to handle minor code violations and student disputes. Interested students may be selected to participate in this program. Parents or guardians may elect not to have their children participate in such a program by providing notification to the school.

G. WAIVER OF EXPULSION

1. The parent/guardian of an expelled student may make a request for the waiver of the expulsion to the principal who may forward the request with recommendation to the superintendent or designee. In addition, evidence must be submitted with the waiver request documenting the successful completion of an identified drug/alcohol program or other counseling/treatment program related to the behavior/incident, which resulted in the expulsion. The superintendent's recommendation for action on the waiver request shall be placed on the school board's agenda for final action.

2. Together with or after an application for waiver of expulsion, a student or the parent/guardian of a student may apply to the superintendent, and the school board may approve the deletion or expansion of a record of expulsion as inappropriate in light of the circumstances of the expulsion or the overall discipline record of the student.

ADDITIONAL REQUIREMENTS AND PROCEDURES FOR STUDENTS WITH DISABILITIES

EXPULSION PROCEEDINGS FOR STUDENT WITH DISABILITIES

Parents/guardians of students with a disability shall be advised of their rights to due process/procedural safeguards.

1. If a principal refers to a student with a disability who has an IEP for expulsion the superintendent or designee shall convene an Individual Education Plan (IEP) review committee in accordance with applicable law. The IEP committee shall review the appropriateness of the student's individual education plan. The committee shall meet and determine whether misconduct is a manifestation of the student's disability.
2. If misconduct is a manifestation of the student's disability, the school is required to follow the process set forth in Rule 6A-6.3312 of the Florida Administrative Code, and the Individuals with Disabilities Education Act. A change of placement may be initiated providing that all state and federal regulations have been followed including obtaining the required parent/guardian consent. Services must ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving his/her IEP goals.
3. If misconduct is not a manifestation of the student's disability, then the student may be expelled in accordance with the Code of Student Conduct and Discipline as set forth for general education students. However, in cases such as these, educational services must be continued in accordance with the IEP, and the IEP committee must determine the services necessary to ensure the student can continue to appropriately progress in the general curriculum and advance toward achieving his/her IEP goals.

EXPULSION PROCEEDINGS FOR STUDENTS WITH A SECTION 504 PLAN

Parent/guardians of students with a Section 504 Plan shall be advised of their procedural safeguards.

1. If a principal refers a student with a Section 504 Plan for expulsion, the superintendent or designee shall convene a Section 504 committee meeting in accordance with applicable law. Under Section 504, a team of people knowledgeable about the student and his or her disability must convene and decide if the student's misbehavior was a manifestation of the student's disability.
2. If the misconduct was not a manifestation of the student's disability, then the disciplinary action can proceed as it would for any general education student.

REASONABLE MODIFICATIONS

1. Under Title II of the ADA, VCS must provide reasonable modification to its policies, practices and procedures governing student conduct and discipline, including those set forth in the Student Code of Conduct and Discipline, when such modifications are necessary to avoid discrimination on the basis of disability.
2. A student with a disability or their parent(s)/guardian(s) may request a reasonable modification to VCS' disciplinary policies, practices, or procedures for that student. Where such a request has been made, VCS shall not implement disciplinary measures until the request for a reasonable modification has been resolved, and the

student and/or parent(s)/guardian(s) has received written notification of the resolution of the modification request.

3. VCS shall not require a specific request for modification where VCS knows or should have known that the student's conduct may be the result or manifestation of the student's disability. In such an instance, VCS will consider and make reasonable modifications to its disciplinary policies and/procedures when it is necessary to avoid discrimination on the basis of the student's disability.

MANIFESTATION OF A DISABILITY

1. If the school district, parent(s)/guardian(s), and relevant members of the IEP/504/Child-Find team(s) determine that the violation of the Student Code of Conduct and Discipline is the result of a manifestation of the student's disability, VCS will pursue the steps set forth in those respective policies and procedures, as applicable and including but not limited to conducting a functional behavioral assessment (FBA) with parental consent.

2. A student with a disability is entitled to Free Appropriate Public Education (FAPE). VCS shall maintain FAPE while ensuring a safe and secure learning environment for all students.

3. Pursuant to Rule 6A-6.03312 of the Florida Administrative Code, school personnel may remove a student to an Interim Alternative Educational Setting, for not more than forty-five (45) school days, without regard to whether the student's behavior is determined to be a manifestation of the student's disability when the student:

- Carries a weapon to or possess a weapon at school, on school premises, or to a school function under the jurisdiction of a state education agency or school district;
- Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, while at school, on school premises, or to a school function under the jurisdiction of a state education agency or school district; and/or,
- Has inflicted serious bodily injury upon another person while at school, on school premises, or to a school function under the jurisdiction of a state education agency or school district.

On the date on which a decision is made to make a removal that constitutes a change of placement because of a violation of a code of student conduct, the school district must notify the parent of that decision and provide the parent with a copy of the Notice of Procedural Safeguards.

In an effort to make this Code of Conduct user-friendly, some of the subsections have been separated into individual sections when presented to the public. However, each of the policies and procedures related to students, in any program, and/or level, including students with a disability, as well as the expectation and possible consequence are incorporated herein by reference as if set forth in full. This includes but is not limited to the ESE Handbook, the ESE Policies and Procedures (SP&P), and MTSS policies and procedures, each of which is incorporated herein by reference, as well as the policies and procedures set forth on the school district's BoardDocs website (<https://go.boarddocs.com/fla/vcslf/Board.nsf/Public>). It is imperative that anyone reading this Code of Conduct also refer to BoardDocs to ensure complete comprehension of all policies and procedures which this code includes and enforces.

Legal Authority:

Sections 1001.41, 120.54, Florida Statutes

Laws Implemented:

Sections 553.865, 1006.07(2), 1001.42(8), 1003.57, 1003.24, 1003.31, 1006.08, 1006.09, 1006.10, 1003.32, 1006.11, 1006.13, 1006.135, 1006.14, 893.145, 893.146, Florida Statutes; Every Student Succeeds Act (ESSA) of 2015; Rule 6A- 6.0331(7), Florida Administrative Code, HB 309

History:

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