

Code of Conduct

for

Adult Students*

*Shared-time and dual enrolled students will follow the procedures as specified in the Codes of Student Conduct (Elementary or Secondary)

Dade County



Public Schools

Office of
Applied Technology
Adult, Career, and
Community Education

Introduction

The primary objective of the Dade County Public Schools is to develop each student's potential for learning and to foster positive interpersonal relationships. If this is to be accomplished, it is necessary that the school environment be free of disruptions which interfere with teaching and learning activities. The student's conduct determines to a great extent the full development of his/her potential for learning and the development of positive relationships.

The purpose of this document is to assist adult students, teachers, and school administrators in the consistent maintenance of an environment which will enhance the achievement of this objective. To enhance its effectiveness, this **Code of Conduct** addresses not only the role of the students, and the school, but also addresses:

- grounds for disciplinary action;
- procedures for taking disciplinary action; and
- responsibilities and rights of students.

Those individuals governed by this document are adult students, 16 years of age and older, who no longer participate in the PK-12 program. These students are considered postsecondary students and are, therefore, eligible to discharge the rights detailed in this document and School Board Rule, 6Gx13- 5B-1.07, Student Educational Records.

You are encouraged to read this booklet and develop a thorough understanding of the details presented in this publication.

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Chapter One

What is the Code of Conduct and why do we need it?

Students need an environment that is safe and conducive to learning. To help provide and maintain that environment, the **Code of Conduct**:

- describes that positive environment;
- describes that conduct which is disruptive of such an environment;
- strives to standardize those procedures which the school will use in responding to conduct problems;
- assures the rights of students when disciplinary action is taken; and
- specifies the rights and responsibilities of students.

The **Code of Conduct** is in force:

- during operational hours of adult, skill, vocational technical centers, and community schools including satellite and off-campus locations.
- at such times and places, including, but not necessarily limited to school-sponsored events, field trips, and other activities where appropriate school administrators have jurisdiction over students.
- when a student's misconduct occurs in close proximity to the educational site and has a detrimental effect upon students.

In addition, administrators have the authority consistent with the powers delegated to them, to take alternative administrative action if, in their opinion, the nature of the misconduct has a detrimental effect upon students or on the orderly educational process.

What does the Code describe as a good learning environment?

A good learning environment provides order and discipline as evidenced by the absence of distractions, frictions, and disturbances which interfere with the effective functioning of the student, the class, and the school. It is also the presence of a safe, friendly, yet businesslike atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals.

What roles do the student, administrators and other school personnel have in establishing this environment?

STUDENTS WHO:

- attend all scheduled classes and are on time;
- are prepared to come to class with appropriate materials;
- are respectful to all individuals and of property;
- refrain from profane or disruptive statements;
- conduct themselves in a safe and responsible manner;
- are well-groomed;
- are responsible for their own work;
- abide by the rules and regulations set forth by the school and individual classroom teacher; and
- seek changes in an orderly and approved manner.

SCHOOL ADMINISTRATORS WHO:

- encourage the use of student services;
- maintain a safe atmosphere;
- exhibit respect for students;
- plan a flexible curriculum to meet the needs of students, and provide equal access to programs offered;

- promote effective training or discipline based upon fair and impartial treatment of all students;
- develop a good working relationship between staff and students;
- encourage the school staff and students to use the services of community agencies;
- encourage students to participate in school activities;
- involve students in the development of school policy;
- involve the entire community in improving the quality of life within the school and community; and
- publish rules, regulations, and procedures annually for distribution.

SCHOOL PERSONNEL WHO:

- are in regular attendance and on time;
- are prepared to perform their duties with appropriate working materials;
- are respectful to all individuals and of property;
- refrain from profane or disruptive statements;
- conduct themselves in a safe and responsible manner;
- are well-groomed;
- abide by the rules and regulations set forth by the school and district; and
- seek changes in an orderly and approved manner.

What types of preventive measures are emphasized in the Code?

A major consideration in the application of the Code is that the most appropriate disciplinary action taken by school officials is the least extreme measure which can resolve the discipline problem. Teachers, counselors and administrators strive to use a variety of informal disciplinary or guidance strategies, prior to, during, and after formal disciplinary action.

SOME INFORMAL DISCIPLINE OR CORRECTIVE STRATEGIES INCLUDE:

- adjustment of the student's curriculum;
- referral for student services, (e.g., counseling, peer counseling, peer mediation or referral to appropriate service agencies);
- conferences and contracts among administrators, teachers, and students;
- denial of the privilege of participating in social and/or extracurricular activities;
- alcohol and drug counseling information and referral services available through community agencies; and
- transfer to another teacher, program, or location when permitted.

What types of formal disciplinary actions are recognized in the Code?

The **Code of Conduct** recognizes the following disciplinary actions:

Disciplinary Probation - A disciplinary action serving notice to the student that his/her behavior is in serious violation of the **Code of Conduct** and that continued enrollment depends upon the maintenance of required standards of conduct during the period of probation. A probationary time period must be indicated by the administrator. A student will be released from probationary status after the specified time period has elapsed provided the required standards of conduct have been maintained.

Temporary Removal from Class. - The teacher shall have the authority to remove a seriously disruptive student from the classroom. In such cases, the principal or designee shall be notified immediately and the teacher shall be entitled to receive, within a reasonable period of time, a report describing corrective action(s) taken. Guidelines for implementing this provision shall be developed by each Faculty Council/Shared Decision-Making Cadre.

Suspension - An action taken by the administrator which requires a student's temporary removal from Adult and Community Education Programs for a period not to exceed ten school days. The adult education administrator has the latitude to create a suspension period equivalent to ten school days based on a student's class schedule. The student shall have the right to a conference with the administrator to hear the evidence and present his/her side of the case which resulted in the suspension. A student on suspension is barred from visiting, class attendance, or enrolling in any Adult and Community Education Program in the district through an all-location lockout (administrative hold in the Vocational Adult Community System [VACS]).

An administrator may suspend any student when:

- the student is directed by an administrator or faculty member to cease and desist any activity which disrupts the orderly operation of the school; and

- the student persists in a disruptive activity after receiving a warning and directive; or
- for reasons relating to the physical or emotional safety and well-being of the student, other students, faculty, or property.

The administrator shall decide on the basis of evidence observed or reported that the activity disrupts the orderly operation of the school, or presents a clear and present danger, or impinges upon or invades the rights of others in the school community.

Failure by any student to make up the assigned work missed during a period of suspension will result in the student's being given the academic grade of "I" for those assignments. A suspended student completing assigned work missed during the period of suspension will not be subject to the withholding of passing final grades and program certificates. In addition to making up assigned work, the student will be held responsible for the material presented during the student's absence.

Under no circumstances are teachers required to make special provisions to comply with this procedure. The responsibility for securing assignments missed during the suspension period will be the responsibility of the student.

Upon completion of the makeup work, within a reasonable amount of time, the student should submit the work to the teacher. The teacher must grade and record the makeup work as it is received.

Expulsion - A removal of any right to attend Adult and Community Education Programs in a period of time not to exceed the remainder of the trimester or school year and one additional year of attendance. A request for readmission will not be considered until the time specified in the order of expulsion has elapsed. A student who has been expelled is barred from enrolling in, or visiting, any Adult and Community Education Program in the district during the term of expulsion and is placed on an all location lockout (administrative hold in VACS).

When a student is expelled, the student shall be entitled to file a petition for a hearing in accordance with School Board Rule 6Gx13- 8C-1.062. A student who has been expelled and the expulsion is found not to be warranted, shall be allowed to make up, without prejudice, any class work or examinations missed because of the expulsion.

Any student currently enrolled in the **Education for Adult Students with Disabilities Program** who commits a disruptive act of sufficient severity to have expulsion recommended must be referred to a region director from the Office of Applied Technology, Adult, Career, and Community Education.

What safeguards protect the rights of students?

All disciplinary action taken by the school must be in compliance with School Board rules and policies. Inherent in these rules and policies is the philosophy of fairness and consideration for action which is in the best interest of the student.

When confronted with an act which may require the imposition of disciplinary action by the school, the student and all other appropriate persons should be given the opportunity to explain the circumstances of the incident.

Students who disagree with actions and decisions at the school level have the following rights:

1. a school level conference;
2. appeal to the next administrative level; and
3. a formal complaint procedure, if permitted by School Board Rule 6Gx13- 5D-1.10.

National origin minority or limited English proficient (LEP) students shall not be subjected to any disciplinary action because of the use of a language other than English.

Chapter Two

What violations disrupt the educational process?

The **Code of Conduct** defines distinct violations identified by administrators, teachers, students, and community members, which are representative of those acts that frequently cause disruption of the orderly educational process on all property where classes are conducted by Dade County Public Schools.

It should be pointed out, however, that this list is not all-inclusive and a student committing an act of misconduct not listed will be subject to the discretionary authority of the principal.

A major consideration in the application of the **Code of Conduct** is to identify the most appropriate disciplinary action for bringing about positive student behavior. To that end, the violations have been divided into six groups, and a variety of administrative actions, dependent upon the severity of the misconduct, have been recommended or mandated. Before, during, and after the implementation of any disciplinary action, student services personnel may play a vital role in assisting the student in resolving any problems influencing his/her behavior.

Administrators, teachers, or both, consistent with the powers delegated to them, have the authority to take alternative administrative action if, in their opinion, the nature of the misconduct warrants it.

The following charts describe the violations and the disciplinary actions. When the violation calls for a disciplinary action, all or any part of the appropriate plan is to be implemented. If the violation indicates a mandatory action, all parts of the required plan must be administered unless any part is not applicable.

Violations

GROUP I

General Disruptive Conduct:

Excessive tardiness to class, use of objects such as electronic beepers, telephone pagers, cellular telephones, or radios, and/or any other behavior which disrupts the orderly educational process.

Use of Provocative Language:

Obscene language, profanity, threats and/or inflammatory statements.

Dress Code:

Non compliance with standards of dress established in the school's student handbook.

FIRST VIOLATION - PLAN A

REPEATED VIOLATION - PLAN B (MANDATORY)

GROUP II

Academic Dishonesty:

Cheating, plagiarism, or other misrepresentation of work.

Assault:

Intentional verbal or physical threat to do violence to someone by a student who possesses an apparent ability to do so, and in doing so creates a well-founded fear that such violence is imminent.

Defiance of School Personnel's Authority:

Refusal to comply with a reasonable request from school personnel, including refusal to display or present identification when requested.

Gambling:

Participation in games of chance for money and/or other things of value.

Harassment:

Any slurs, innuendos, or other verbal or physical conduct reflecting on an individual's gender, race, color, religion, ethnic or national origin, age, sexual orientation, social and family back-

ground, linguistic preference, or disability, which has the purpose or effect of creating an intimidating, hostile, or offensive educational environment.

Indecent Proposition:

An unsolicited sexual proposal.

Obscene Material:

Possession and/or distribution of material which offends common decency and morals, as defined by the courts.

Sexual Harassment:

Sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when such conduct substantially interferes with a student's academic performance, or creates an intimidating, hostile, or offensive school environment.

Trespassing on School Property:

Entering a public school campus, School Board facility, satellite or off campus location without authorization or invitation and without lawful purpose for entry, including entry by students under suspension or dismissal.

Use of Tobacco Product:

Holding a lighted cigarette (cigar, etc.), drawing in and exhaling the smoke of tobacco or use of any tobacco product while on school property, and at satellite or off-campus locations.

FIRST VIOLATION - PLAN B

REPEATED VIOLATION - PLAN C (MANDATORY)

Bad Check:

Check made to a center which is not supported by sufficient funds on deposit or is in anyway worthless.

Unsatisfied Financial Obligation

Failure to pay fees and fines.

FIRST VIOLATION - PLAN C

GROUP III

Falsification of Information:

Alteration of grade reports, transcripts and other records by forgery or other means of deception.

Fighting:

A hostile physical encounter between two or more individuals.

Petty Theft: (not over \$300 in value)

Unauthorized possession and/or sale of the property of another without the consent of the owner.

Vandalism:

The willful or malicious destruction and/or damage of school property or the property of another.

FIRST VIOLATION - PLAN C REPEATED VIOLATION - PLAN D (MANDATORY)

GROUP IV

Assault on Staff Member:*

Intentional verbal or physical threat to do violence to a staff member by a student who possesses an apparent ability to do so and in doing so creates a well-founded fear that such violence is imminent.

Battery (Non-Staff Member):

An actual and intentional harmful or offensive touching or striking of another person against his or her will.

Extortion:

Obtaining money, information, or anything of value from another by coercion or intimidation.

Grand Theft: (over \$300 in value)

Unauthorized possession and/or sale of the property of another without the consent of the owner.

Possession of Mood Modifiers or Illegal Drugs:

Possession of any mood modifier, illegal drug, alcohol or similar items while on all school property and at satellite or off-campus locations. ★

Robbery:

The taking of money or other property from the person or custody of another by force, violence, assault, or placing in fear.

Using Mood Modifiers, including Alcohol:

Absorbing a substance, not medically prescribed for the student, capable of producing a change in behavior or altering a state of mind or feeling while on all school property and at satellite or off-campus locations.

FIRST VIOLATION - PLAN D REPEATED VIOLATION - PLAN E

***REQUIRES PRINCIPAL TO MAKE RECOMMENDATION FOR EXPULSION**

★ THE ILLEGAL USE, POSSESSION, OR SALE OF CONTROLLED SUBSTANCES, AS DEFINED IN CHAPTER 893, FLORIDA STATUTES, BY ANY STUDENT WHILE ON ALL PROPERTY WHERE CLASSES ARE CONDUCTED BY DADE COUNTY PUBLIC SCHOOLS MAY ALSO RESULT IN CRIMINAL PENALTIES IN ADDITION TO SUSPENSION, EXPULSION OR OTHER SCHOOL DISCIPLINARY ACTION.

GROUP V

Arson:

Any willful or malicious igniting of a fire which causes damage or is intended to cause damage to school property or the property of another.

Aggravated Assault:

An intentional verbal or physical threat to do violence to someone by a student who possesses an apparent ability to do so, while displaying an object other than a firearm, knife, or other deadly weapon, which could cause bodily harm, and which creates a well-founded fear in the victim that such violence is imminent.

Aggravated Battery:

- a) An actual and intentional harmful or offensive touching or striking of another person against his or her will, utilizing an object not usually considered a weapon (including, but not limited to, a book, chair, pen, pencil, trash can) as a weapon, other than a firearm, knife, or deadly weapon, to inflict bodily harm, or
- b) An actual and intentional harmful or offensive touching or striking of another person against his or her will, without using an object, but causing bodily harm.

Battery (Staff Member):

An actual and intentional harmful or offensive touching or striking of a staff member against his or her will.

Continuous Disruptive Behavior:

Committing a combination of any of the violations listed in this Code that have resulted in more than 20 days of suspension.

Possession and/or Concealment of Weapons:

Any carrying, concealing, displaying, or use of knives, destructive devices, flammable material, or any other items that are used to cause bodily injury or death.

Sale or Distribution of Mood Modifiers or Illegal Drugs:

The act of distributing a mood modifier or illegal drug, including alcohol, to others. The possession of an amount that would be considered greater than that for personal use will be deemed to be for distribution/sale. ★

Sex Violations:

Sexual battery or an offense against chastity or common decency.

PLAN E

GROUP VI

Aggravated Assault:

An intentional verbal or physical threat to do violence to someone by a student who possesses an apparent ability to do so, while displaying a firearm, knife, or other deadly weapon, and which creates a well-founded fear in the victim that such violence is imminent.

Aggravated Battery:

An actual and intentional harmful or offensive touching or striking of another person against his or her will, utilizing a firearm, knife, or other object as a weapon, to inflict bodily harm.

Possession and/or Concealment of a Firearm: ★★

Any carrying, concealing, displaying, or use of any weapon that will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive.

PLAN F (MANDATORY)

★ THE ILLEGAL USE, POSSESSION, OR SALE OF CONTROLLED SUBSTANCES, AS DEFINED IN CHAPTER 893, FLORIDA STATUTES, BY ANY STUDENT WHILE ON ALL PROPERTY WHERE CLASSES ARE CONDUCTED BY DADE COUNTY PUBLIC SCHOOLS MAY ALSO RESULT IN CRIMINAL PENALTIES IN ADDITION TO SUSPENSION, EXPULSION OR OTHER SCHOOL DISCIPLINARY ACTION.

★★ THE POSSESSION OF A FIREARM WHILE ON ALL PROPERTY WHERE CLASSES ARE CONDUCTED BY DADE COUNTY PUBLIC SCHOOLS MAY ALSO RESULT IN CRIMINAL PENALTIES IN ADDITION TO SUSPENSION, EXPULSION OR OTHER SCHOOL DISCIPLINARY ACTION.

Disciplinary Action Plans

PLAN A

- Administrator/teacher/student conference.
- Informal discipline strategies.

(One or more of these actions may be appropriate)

PLAN B

- Administrator/teacher/student conference.
- Disciplinary probation.
- Temporary removal from class, if appropriate.
- Suspension not to exceed ten days.
- Participate in a session on the problem of harassment.
- Conduct research on the topic of harassment.
- Refer criminal acts to the Dade County Public Schools Police and the local police agency for appropriate legal action.**
- When appropriate, seek restitution or restoration.

(One or more of these actions may be appropriate)

PLAN C

- Administrator/teacher/student conference.
- Suspension for ten days.
- Expulsion and all-location lockout.
- Participation in a series of sessions which focus on ending the student's harassing behavior. This may be considered an alternative to suspension.
- Refer criminal acts to the Dade County Public Schools Police and the local police agency for appropriate legal action.**
- *When appropriate, seek restitution or restoration.
- *Withholding of grades and/or certificates and ability to register for class and to secure his/her own school documents.

(One or more of these actions may be appropriate)

PLAN D

- Administrator/student/teacher conference.
- Suspension for ten days.
- Expulsion and all-location lockout.
- Refer criminal acts to the Dade County Public Schools Police and the local police agency for appropriate legal action.**
- When appropriate, seek restitution or restoration.

(One or more of these actions may be appropriate)

PLAN E

- Administrator/student/teacher conference.
- Expulsion and all location lockout.
- Refer criminal acts to the Dade County Public Schools Police and the local police agency for appropriate legal action.**
- When appropriate, seek restitution or restoration.

(One or more of these actions may be appropriate)

Mandatory

PLAN F

- Student/teacher/conference by administrator.
- Expulsion and all location lockout.
- Refer criminal acts to the Dade County Public Schools Police and the local police agency for appropriate legal action.**

*Required for **Bad Checks** and **Unsatisfied Financial Obligation**.

Criminal acts shall be reported in accordance with the directives contained in the document **Procedures for Promoting and Maintaining a Safe Learning Environment.

Reporting of Crimes and/or Disruptive Behavior

It is important that all students understand that, in addition to taking disciplinary action at the school level, certain criminal and/or disruptive behavior must, by Board Rule, be reported to appropriate police authorities and to the Dade County Public Schools Police (School Board Rule 6Gx13- 4A-1.21). The following incidents **WILL BE** reported:

1. **Arson** -- Any willful or malicious igniting of a fire that causes damage or is intended to cause damage to school property or the property of another.
2. **Assault** -- Intentional verbal or physical threat to do violence to someone by a student who possesses an apparent ability to do so and in doing so, creates a well-founded fear that such violence is imminent.

Aggravated Assault -- Assault with a weapon.

3. **Battery** -- An actual and intentional harmful or offensive touching or striking of another person against his/her will.

Aggravated Battery -- Battery with a weapon or battery where great bodily harm is intentionally or knowingly caused.

Sexual Battery (Rape) -- State law defines sexual battery as "...oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object..."

4. **Bomb Threat** -- The threat of placing, or actual placing, of any explosive on school premises.
5. **Breaking and Entering** -- The forcible entry into a school or vehicle of staff or students.
6. **Homicide (Murder)** -- The willful (non-negligent) killing of a human being by another.
7. **Inciting Individuals to Disrupt any School Function or Class** -- Advising, counseling, or instructing any student or school employee with the intent to disrupt substantially any school function or classroom and the actual occurrence of such disruption.
8. **Kidnapping** -- Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against that person's will and without lawful authority, with the intent to:
 - hold for ransom or as a shield or hostage
 - commit a felony
 - inflict bodily harm or terrorize

9. **Mood Modifiers, Possession, Sale, or Distribution of** -- Any possession, sale, or transmission on school premises of a mood-modifying substance not medically prescribed for the student.
10. **Possession of Explosives** -- The carrying or concealing of a bomb, dynamite, or other deadly explosives.
11. **Property Damage** -- Any willful damage or attempted damage to the property of students, school personnel, or school.
12. **Robbery** -- The taking of money or other property from the person or custody of another by force, violence, assault, or placing in fear.

Armed Robbery -- The taking of money or other property from a person while the offender is carrying a firearm or other deadly weapon.
13. **Sex Violation** -- Included are sexual battery or an offense against chastity or common decency.
14. **Theft** -- Taking property belonging to another, from another's possession, or from the possession of some person holding the property for another, without consent, with intent to deprive the owner of the value of the property and to appropriate it for the use or benefit of the person taking the property.
15. **Trespassing on School Property** -- Entering a public school campus or School Board facility, satellite or off campus location without authorization or invitation and without lawful purpose for entry, including entry by students under suspension or expulsion.
16. **Weapons, Possession, Use and/or Concealment of** -- Any carrying, concealing, displaying, or use of firearms, knives, destructive devices, flammable material, or any other items that are used to cause bodily injury or death.

Chapter Three

Student Rights and Responsibilities

It is the intent of this chapter to allow students maximum freedom under law, commensurate with the schools' responsibility for student health, safety, and welfare. The rights and responsibilities presented in this document reflect the need for providing students with greater opportunities to serve themselves and society.

NOWHERE IS IT STATED OR IMPLIED IN THIS DOCUMENT THAT THE SCHOOL SHOULD RELINQUISH ITS AUTHORITY AND RESPONSIBILITY. Within every school, the principal and staff inevitably have the responsibility and authority for maintaining the orderly educational process.

Right to Learn

Philosophical Basis:

All students have the right to be involved in their education. Course selection and participation in school activities are an integral part of learning.

Students' opinions concerning course materials, content, and relevance are important and deserve analysis and consideration by educators.

Rights:

- Students have the right of access to clear curriculum descriptions that will help them to make more informed choices.
- Students have the right to participate in challenging and creative academic programs.
- Students have the right to study all subjects under competent instructors in an atmosphere free from bias and prejudice.
- Students have the right, within the scope of their course-work, to study any controversial issue which has political, economic, or social significance. They have the right of access to all available relevant information.
- Students have the right to evaluate classroom instruction. Such evaluations shall be treated as privileged material to the teacher and used for the improvement of instruction.
- Students have the right of equal access to any extracurricular activity.
- Students with disabilities may be entitled to special services.

Responsibilities:

- Students have the responsibility for seeking clarification, if necessary, from informed persons in the school.
- Students have the responsibility for striving for academic growth by participating to their utmost ability.
- Students have the responsibility for contributing to the development of a positive environment that is conducive to wholesome learning and living.
- Students have the responsibility for respecting the rights of others who have differing viewpoints, and for becoming informed and knowledgeable about controversial issues.
- Students have the responsibility for conducting the evaluation of classes as an educational activity, for being aware of, and for understanding the criteria for evaluation, and for following prescribed school procedures.
- Students have the responsibility for requesting the right to participate in any extracurricular activity.

Knowledge and Observation of Rules of Conduct

Philosophical Basis:

The most effective learning takes place in an atmosphere where students, teachers, and school administrators are fully aware of the grounds for disciplinary action and the procedures to be followed for violation of the **Code of Conduct**.

Rights:

- Students have the right to a clear explanation, in a language they can understand, of the **Code of Conduct** and to know the consequences of their misconduct.

Responsibilities:

- Students have the responsibility for becoming familiar with the **Code of Conduct** and for observing all school and classroom rules.

Respect for Persons and Property

Philosophical Basis:

Students have an obligation to assume responsibility for their own actions regarding respect for other persons and their property. The school must provide a climate which fosters respect for persons and property.

Rights:

- Students have the right to be treated with courtesy and respect.
- Students have the right to have their property respected by other students and school personnel.
- Students have the right to expect safe conditions at school.
- Students have the right to not be subjected to harassment of any kind including sexual harassment.*

*Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such conduct substantially interferes with a student's academic performance, or creates an intimidating, hostile, or offensive school environment. Sexual harassment may include, but is not limited to, verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome or inappropriate touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats or rewards for favors.

*Harassment is defined as any slurs, innuendos, or other verbal or physical conduct reflecting on an individual's gender, race, color, religion, ethnic or national origin, age, sexual orientation, social and family background, linguistic preference, or disability, which has the purpose or effect of creating an intimidating, hostile, or offensive educational environment.

Responsibilities:

- Students have the responsibility for showing respect and courtesy to fellow students, all School Board personnel, and campus visitors.
- Students have the responsibility for neither taking nor damaging the property of other students, school personnel, or the school.
- Students have the responsibility for respecting the privacy and property of persons who live in the area surrounding school grounds.
- Students have the responsibility for not harassing other students.

Participation in School Programs and Activities

Philosophical Basis:

Students learn from one another. Positive association with others may contribute to the overall goals of education.

Schools have the responsibility for promoting appropriate formal and informal programs and activities among students.

Rights:

- Students have the right to organize and participate in associations and extracurricular activities within the school which are organized for any proper and lawful purposes, providing that no such group denies membership to any student because of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, or disability.
- Students have the right to take part in activities designed to help make rules that affect their lives in school in accordance with the **Code of Conduct**.

Responsibilities:

- Students have the responsibility for seeking prior and proper consent from administrators and other designated school personnel before organizing student associations and for meeting approved criteria for membership in clubs and organizations.
- Students have the responsibility for participating regularly in their respective organizations and for conducting themselves in an appropriate manner, and for operating according to School Board policies and individual school requirements.

Consultation

Philosophical Basis:

Personal concerns can seriously threaten and inhibit the educational development of students. Schools have the responsibility for making relevant and objective information available to students such as career planning, family counseling, alcohol and drug counseling information and referral services available through community agencies.

Rights:

- Students have the right to access consultation services within a reasonable period of time.
- Students have the right to be accurately informed, in a language they can understand, of the nature of student support programs available to their school and community.
- Students have the right to request a change of counselor as school staffing permits.

Responsibilities:

- Students have the responsibility for scheduling appointments in advance unless their problem or concern is an emergency.
- Students have the responsibility for using these services for their educational, career, and personal development.
- Students have the responsibility for working cooperatively with the administration in seeking this change.

Student Records

Philosophical Basis:

Student records are intended to provide information which can be used to develop the best possible educational program for each student. A well-developed record contains information useful for advisement, counseling, individual instructional program design, recommendations for advanced study, job placement and other information needed for making appropriate educational decisions. Care must be exercised by the school staff to assure that student records are treated confidentially and that the information contained therein is relevant, accurate, and appropriate. Adult centers are postsecondary institutions and, therefore, all adults are eligible to discharge the rights detailed in School Board Rule, 6Gx13- 5B-1.07, Student Educational Records.

Rights:

- Students have the right to inspect, review, and challenge the information contained in those records directly relating to them. This access may not be denied because of failure to pay fees or book fines.
- Students have the right to restrict the release of directory information.
- Students have the right to be protected by legal provisions which prohibit the release of personally identifiable information to unauthorized persons without the consent of the student.

Responsibilities:

- Students have the responsibility for providing the school with any information that may be useful in making appropriate educational decisions. Students have the responsibility for meeting their financial obligation as it relates to school fees.
- Students have the responsibility for releasing information to those persons or agencies who are working actively and constructively for the benefit of the student.
- Students have the responsibility of notifying the school of change of address, telephone numbers, and other pertinent personal data.

Attendance

Philosophical Basis:

Students have the opportunity to participate in postsecondary education to help them develop the skills and knowledge necessary to function in a modern democratic society.

Rights:

- Students have the right to information on current attendance policies.
- Students have the right to request make-up assignments from their teachers during an absence or upon return to class.

Responsibilities:

- Students have the responsibility for taking advantage of their educational opportunity by attending all classes daily and on time, unless circumstances beyond their control prevent them from doing so.
- Students have the responsibility for completing the makeup work provided within a reasonable length of time.

Grades

Philosophical Basis:

Grades, at best, are but an indicator of the student's knowledge or skill at any particular time. Grades are not necessarily an accurate gauge as to whether learning has taken place. However, since much emphasis is placed upon grades, a student's academic grade should reflect the teacher's most objective assessment of the student's academic achievement. Academic grades should not be used as a threat in order to maintain classroom decorum.

Rights:

- Students have the right to be informed of the teacher's grading criteria, which is consistent with district guidelines, at the beginning of each grading period.
- Students have the right to receive an academic grade that reflects their achievement.
- Students have the right to be notified anytime during the term when it becomes evident that the student is performing unsatisfactorily.
- Students have the right to achieve academic success based upon their own initiative and ability without interference from others.

Responsibilities:

- Students have the responsibility for asking teachers in advance of a graded assignment for an explanation of any grading criteria or practice which they may question or which may need clarification.
- Students have the responsibility for maintaining reasonable standards of academic performance commensurate with their ability.
- Students have the responsibility for making every effort to improve their performance upon receipt of notification of unsatisfactory performance.
- Students have the responsibility for earning grades based upon their performance while guarding against cheating by other students.

Free Speech, Expression, and Assembly

Philosophical Basis:

One of the basic purposes of education is to prepare students for responsible self-expression in a democratic society. Citizens in our democracy are permitted self-expression under the First and Fourteenth Amendments of the United States Constitution. Full opportunity should be provided for students to inquire, to question, and to exchange ideas. They should be encouraged to participate in discussions in which many points of view, including those which are controversial, are freely expressed. (Refer to Procedures for Promoting and Maintaining a Safe Learning Environment)

Rights:

- The Pledge of Allegiance is a statement of American ideals, and each student shall be protected in his/her right to affirm his/her identity with these ideals. However, students who, because of religious or other deep personal convictions, do not wish to participate in the pledge may refrain from participation.
- Students have the right to refrain from any activity which violates the precepts of their religion.
- Students have the right to express themselves by speaking, writing, wearing, or displaying symbols of ethnic, cultural, or political values.
- Students have the right to petition and survey student opinion in accordance with the procedures that are established by the principal.
- Students have the right to form and express their own opinions on controversial issues without jeopardizing relations with their teachers or the school.
- Students have the right to assemble peacefully on school grounds or in school buildings. Exercise of this right shall be denied only on occasion when it substantially and directly endangers physical health or safety, damages property, or seriously and immediately disrupts the activities of others.

Responsibilities:

- Students have the responsibility for acting in a manner which preserves the dignity of the occasion.
- Students have the responsibility for respecting the religious beliefs of others.
- Students have the responsibility for accepting the rights of others to have differing viewpoints and for expressing themselves on those issues with which they disagree, in a manner which does not infringe upon the rights of others or interfere with the orderly educational process of the school. This should be done in a manner which is not obscene, libelous, or in violation of the school dress code.
- Students initiating a petition or survey have the responsibility not only for the reasonableness of the request but also for the accuracy of the content.
- Students have the responsibility for making efforts to become informed and knowledgeable about controversial issues and for expressing their opinions in a manner that is suitable for the forum in which the discussion is taking place.
- Students have the responsibility for planning, for seeking approval of, and for conducting those activities which are consistent with school policies.

Student Government

Philosophical Basis:

To a large extent, the respect afforded a student government is a result of its active and constructive involvement in the daily operation of the school. In order to be effective, student government and its concomitant responsibilities suggest that its representatives be given an opportunity to participate in those decisions that affect the learning climate of the school. To enhance the deliberating process, school board rules and individual school policies should be available to students in a specific location. Respected student governments are forums for expression, discussion, and action regarding the important issues of the day. All members of the school community share the responsibility for shaping student governments into positive instruments of student involvement.

Rights:

- Students have the right, under the direction of a faculty advisor, to form and operate a student government within their respective schools.
- Students have the right to recommend and/or confirm members of the faculty to serve as sponsors for their school's student government organization.
- Students have the right to seek office in student government or any organization, regardless of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, or disability.
- Student government officers and representatives have the right to attend official student government meetings during school hours.

Responsibilities:

- Student government officers and representatives have the responsibility for being alert to needs of the school and concerns of the student body, and for working toward the satisfaction of these needs and concerns to the best of their ability.
- Students have the responsibility for securing the prior consent of any faculty member recommended.
- Students have the responsibility for conducting election campaigns in a positive, mature manner, with respect shown for their opponents.
- Students have the responsibility for participating in meetings regularly and for conducting themselves in an appropriate manner, for demonstrating positive leadership in school government, and for operating within Board Rules and school regulations.

Publications

Philosophical Basis:

The primary liberties in a student's life have to do with the process of inquiry and learning, of acquiring and imparting knowledge, and of exchanging ideas. This process requires that students have the right to express opinions, to take stands, and to support causes publicly or privately.

One of the important roles of the school is to provide effective avenues through which students may express themselves on a wide range of subjects. Official school publications, such as school newspapers, should reflect the policy and judgment of the student editors and should include viewpoints representative of the entire school community.

Rights:

- Students have the right to possess, post and distribute any forms of literature that are not inherently substantially disruptive to the school program, including, but not limited to, newspapers, magazines, leaflets and pamphlets.
- Students have the right to be free from censorship of their publications within the framework of Guideline 25 of School Board Rule 6Gx13- 5D-1.08, "Procedures for Promoting and Maintaining a Safe Learning Environment."

Responsibilities:

- Students have the responsibility for using only those bulletin boards or wall areas designated for use by students and student organizations, and must also accept responsibility for the effect that the posting, publication, or distribution of this literature might have on the normal activities of the school.
- Students have the responsibility for refraining from publishing libelous, obscene, or substantially disruptive materials; for seeking full information on the topics about which they write; and for observing the normal rules for responsible journalism.

Search and Seizure

Philosophical Basis:

Students possess the right of privacy of person as well as freedom from unreasonable search and seizure of property guaranteed by the Fourth Amendment of the United States Constitution. That individual right, however, is balanced by the school's responsibility to protect the health, safety, and welfare of all its students.

Rights:

- Students have the right to privacy in their personal possessions unless the principal has reasonable grounds for suspecting that the student is concealing material, possession of which is prohibited by law.
- Students have the right to prior notification of any general search of lockers except in emergency situations.
- Students have the right to use authorized locks on assigned school-owned lockers.
- Students have the right to a notice that they may be subject to search for weapons by metal detectors while on school grounds or at school functions.

Responsibilities:

- Students have the responsibility for not carrying or concealing any material that is prohibited by law or by the **Code of Conduct**.
- Students have the responsibility for the contents of their locker.
- Students have the responsibility for adhering to policies governing the use of lockers which are the property of the school system.

School personnel and/or members of the Dade County Public Schools Police have the right to search lockers if there are reasonable grounds for suspecting that the contents include weapons, stolen goods, contraband, illegal substances, or mood modifiers.

Signs which advise students and visitors that they are subject to search for weapons by metal detectors will be posted in prominent locations where these searches will be conducted.

Complaint Procedures

Philosophical Basis:

A formal complaint is a situation occurring in the course of the school's operation which causes a student to consider herself/himself aggrieved. Schools are responsible for providing mechanisms for the expression and resolution of formal complaints.

Rights:

- Students have the right to a standard procedure for the resolution of formal complaints through a process which includes appropriate lines of communication, adherence to a time line, and a method of appeal.
- Students have the right to participate in the formulation of the formal complaint procedures with the school administration through their student government where it exists.
- Students have the right to expect that discrimination and formal complaints will be resolved in an expeditious, orderly, and equitable manner.
- Formal complaint procedures for students apply to those situations in which students believe themselves to be victims of discrimination based on gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, or disability. These formal complaint procedures also apply in situations in which students believe themselves to be victims of harassment, including sexual harassment.

Responsibilities:

- Students have the responsibility for discussing their complaints informally with the persons involved prior to invoking the formal complaint procedures unless they feel they are unable to resolve the grievance at the school level.
- Students have the responsibility for stating the formal complaint clearly, for following established procedures for resolving the formal complaint, for accepting the decision that is rendered and for filing a timely appeal.

Notes

Notes

The School Board of Dade County, Florida, adheres to a policy of nondiscrimination in educational programs/activities and employment and strives affirmatively to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin.

Title VII of the Civil Rights Act of 1964, as amended - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of gender.

Age Discrimination in Employment Act of 1967 (ADEA), as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled.

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations, and telecommunications.

Florida Educational Equity Act - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

School Board Rules 6Gx13- 5D-1.10, 6Gx13- 4A-1.01, and 6Gx13- 4A-1.32 prohibit harassment and/or discrimination against a student or employee on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference or disabilities.

Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07, (Florida Statutes), which stipulate categorical preferences for employment.

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