

**THE SARASOTA COUNTY SCHOOL DISTRICT
2022-2023 Code of Student Conduct**

300.0 — CODE OF STUDENT CONDUCT

[Behavior and Consequence Chart Code of Conduct](#)

300.1 - Dress Code

[Dress Code Infographic](#)

The Sarasota County School District has established procedural guidelines for student dress, in accordance with [School Board Policy 5.37](#).

Individual schools are expected to use the District dress code guidelines as minimum standards and are encouraged to extend their own standards to meet the uniqueness of their school community. Schools are encouraged to obtain input from school stakeholders, including parents, staff and students as they establish a school dress code policy.

The principal's decision on the appropriateness of dress will be final. Refusal to comply with the school's dress code policy is an infraction under this code.

Students have a RIGHT to:

- Wear **appropriate** clothes or the school uniform, as long as those clothes or the way the clothes are worn are appropriate for the school setting, adhere to the school dress code, are not dangerous to health or safety, and do not disrupt the learning environment.
- Learn without being offended or disrupted by the way other students are dressed.

Students have a RESPONSIBILITY to:

- Comply with the school dress code.
- Be respectful of their peers at all times regardless of what they are wearing.
- Come to school fully clothed and wear clothes that are not dangerous to health or safety, do not disrupt the learning process, and stay within the school dress code.

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- Dress in a way not offensive to others at school or at school-sponsored events, including, but not limited to:
 - No:
 - exposed undergarments
 - jeans, shorts, skirts, dresses, or pants worn below the hips
 - jeans, shorts, skirts, dresses, or pants with rips above the mid-thigh
 - jeans, shorts, skirts, dresses, or pants with the inseam or out-seam shorter than the mid-thigh
 - pajamas or slippers
 - excessively low-cut tops
 - see-through clothing (includes mesh material mid-thigh and above)
 - clothing of an ethnic or racially offensive nature
 - clothing must cover the mid-riff when standing naturally
 - sleeveless shirts must have straps with a minimum width of one inch (about two fingers) and the gap below the armpit cannot be in excess of three inches (about four fingers)
- Not wear items or markings which are offensive, suggestive, indecent, or associated with gangs; as identified by the Florida Gang Intent Act of 1990 or as outlined or provided by Chapter 874, Florida Statutes.
- Not wear items that encourage the use of drugs, tobacco, alcohol, violence, weapons, or support discrimination on account of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, sexual orientation, or any other characteristic protected by federal or state law or School Board policy.

300.2 — Electronic Devices

Students may possess an electronic device at schools. Tablets, smartphones, smart devices, laptops or other devices or technology that receive, send or store digital data are acceptable, provided that the students are using the devices for educational purposes, in conformance with School Board policies and procedures, and have permission from a staff member at the school. The School Board is not responsible for preventing theft, loss, damage, or vandalism to electronic devices or technology brought onto its property or vehicles or used during or for a school-related purpose. Refer to Sarasota County [School Board Policy 5.38. The regulation of electronic devices and other technology shall at all times be consistent with state and federal law.](#)

- Students may not use any electronic devices or other technology during school, on school vehicles or property or at a school-sponsored activity to access and/or view websites that are otherwise blocked to students at the school. Students may never use School Board devices or technology to do so, regardless of location. In special circumstances, with permission from a supervising school district employee, a student may use an electronic device or technology for communication.
- Students may not possess any electronic device or other technology during testing, unless explicit authorization is given, regardless of the student's location during the testing or who owns the device, even if the device or technology is turned off or the student does not use it. Violation of this rule will result in the student's test being invalidated.

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- If an electronic device or technology disrupts a class or students, for example by ringing, flashing, or vibrating, the student possessing the device or technology will be subject to disciplinary action. Any student who uses an electronic device or technology in a manner that materially disrupts classwork or involves substantial disorder or the invasion of the rights of others, including by threatening, bullying, harassing, discriminating against, or intimidating another student or district staff member through email, social network posting, or other electronic messages or technology, also will be subject to disciplinary action as determined by the school administration.
- Personally-owned electronic devices and technology used in violation of school rules will be confiscated and returned to the student's parent or guardian.

300.3 — Technology Use

Technology and electronic devices are an integral part of a student's educational experience and must be used in a way that is consistent with the goals of Sarasota County Schools' acceptable use policy and Social Media guidelines and consistent with state and federal law, regardless of who owns the device or technology. Technology includes, but is not limited to computers, smartphone, smart devices, other electronic devices, software, e-mail, the Internet, other network resources, cell phones and cameras. Student use of technology is a privilege; students are responsible for using technology appropriately. This includes the use of school district equipment away from school grounds.

The following are inappropriate and/or illegal uses of technology:

- Transmission of any material in violation of federal, state, or local law, or School Board policy, regulation, or Code of Student Conduct while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, or during school-sponsored activities. This includes, but is not limited to copyrighted material; threatening, obscene, or pornographic material; vandalizing data, test questions and/or answers; student work products; trade secrets; and computer viruses, "worms" or "trojans."
- Utilizing technology for commercial activities while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, or during school-sponsored activities, unless explicitly permitted by the School Board or its designee.
- Downloading and/or printing music, games, images, words, videos or inappropriate files or content while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, or during school-sponsored activities.
- Modifying the original pre-set software or hardware on any School Board-owned technology or device, including, but not limited to: loading software applications not authorized by the school board; changing the computer name; changing or removing operating system and extensions; altering security/filtering software; altering the pre-loaded operating system or application; or taking apart the computer for access to internal parts, accessing or altering password.
- Using applications (apps) including video conferencing, social media, chats, e-mail, instant messaging, web pages, or other technology or communication operations in a

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manner that materially disrupts classwork or involves substantial disorder or the invasion of the rights of others.

- Gaining or attempting to gain unauthorized access to the School Board’s network, computer servers, or data files.
- Gaining or attempting to gain unauthorized access to non-School Board networks, computer servers, or data files utilizing School Board-owned equipment.
- Using profanity, obscenity, discussing drugs, or using other languages which may be offensive to another user, or reposting and copying personal communications without the author’s prior consent, while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, or during school-sponsored activities.
- Attempting to log on to the district’s network using another person’s identity.
- Bypassing or attempting to bypass the district’s filtering software, including the use of proxies or VPNs.
- Using computers, networks, and online telecommunication systems in a manner that materially disrupts classwork or involves substantial disorder or the invasion of rights of others, including but not limited to engaging in plagiarism, reproduction of state- or teacher-made tests, textbooks, teaching materials, non-authored text, cheating and theft of ideas.
- Accessing, posting or recording distributing offensive, threatening, bullying, harassing, obscene, inflammatory, or pornographic material while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, during school-sponsored activities, or while off-campus in a manner that materially disrupts classwork or involves substantial disorder or the invasion of rights of others.
- Using network access to destroy information that belongs to others.
- Copying software or other copyright-protected materials in violation of copyright laws.
- Using the School Board network, technology, or devices for any illegal activity or private business purposes or accessing inappropriate Internet sites including social media applications (apps).
- “Hacking” into the school’s computer systems or unauthorized modification of computer settings. These acts will be considered vandalism and disruption of a school function and will be treated as such.
- Using technology to threaten, harass or bully other students or staff while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, during school-sponsored activities, or while off-campus in a manner that materially disrupts classwork or involves substantial disorder or the invasion of rights of others.
- Using a School Board computer, applications (apps), tablets, electronic devices, video, camera, technology, network, or program in any manner other than for appropriate educational purposes, without explicit authorization.
- Students should have no expectation of privacy either when using school district computer equipment or network services as activities, files, and transmissions are being logged and monitored as appropriate.

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Violations will result in serious disciplinary actions, which may include an arrest if any criminal law is broken. Examples of such violations would be computer hacking or trespass, harassment, or threats via computer or computer fraud.

300.4 — Student Search and Seizure: [F.S. 1006.09 \(9\)](#)

School personnel may search students reasonably suspected of being in possession of contraband or other prohibited items while on school district property or wherever students are under the official supervision of district employees, such as on field trips, at extracurricular activities, or while being transported to and from such places either by school bus, by approved drivers, or by other means of conveyance.

- **School personnel may conduct** a search of a student, a student’s possessions, a student’s locker, or any other storage area on school property without a warrant when school personnel have reasonable suspicion that illegal, prohibited or harmful items or substances, or stolen property, maybe concealed on a student’s person or in a storage area.
- **School personnel are encouraged** to attempt to obtain consent from a student to search for illegal, prohibited, harmful items or substances, or stolen property, but may proceed with a search without a student’s consent, upon reasonable suspicion of a prohibited or illegally possessed substance or object.
- **School personnel has the authority** to search a student’s backpack, purse, or wallet, upon reasonable suspicion, if the student refuses to reveal the contents inside.
- **School lockers are the property** of the district and are subject to periodic searches without prior notice and without reasonable suspicion of a violation of the law.
- **Parking a vehicle on school district property** is a privilege that may be extended to students. All students desiring to park a vehicle on school district property shall be required to sign a consent form allowing the vehicle, upon reasonable suspicion, to be searched by the principal or his or her designee. Refusal of a student to cooperate in the request to search his or her vehicle shall result in the revocation of the student’s parking permit for two (2) years from the date of refusal.

300.5 — Pledge of Allegiance

Florida law [F.S. §1003.44 \(1\)](#) requires that the Pledge of Allegiance must be recited at the beginning of the day in every Florida public elementary, middle and high school. The law also grants students the right not to participate in reciting the pledge. Upon written request by a parent/guardian, a student must be excused from reciting the pledge, including being excused from standing and placing the right hand over the student’s heart.

300.6 — Bullying, Harassment and Student Dating Violence & Abuse

NOTE: Any reference to “bullying” in this handbook includes cyberbullying (via computer, tablet, smartphone smart devices, applications (apps) social media, chats, posts, or any other electronic device or means while using a School Board-owned device or technology, during school, while on school property or vehicles, while using School Board networks, during school-sponsored activities, or while off-campus in a manner that materially disrupts classwork or involves substantial disorder or the invasion of rights of others), whether specifically stated. It is the policy of the Sarasota County School District that all its students and school employees have

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an educational setting that is safe, secure and free from harassment and bullying of any kind. The district will not tolerate bullying and harassment of any type. Bullying generally means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees, however one incident can, at times, constitute bullying and harassment. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, and may involve but is not limited to teasing; social exclusion; threat; intimidation; stalking; physical violence; theft; sexual, religious, or racial harassment; public humiliation; or destruction of property. Harassment means 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 the person or damage to the 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. Harassment involves one-time insulting behaviors.

Bullying and harassment also encompass retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment in good faith. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with the intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by incitement or coercion; accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or acting in a manner that has an effect substantially similar to the effect of bullying or harassment. The regulation of bullying and harassment shall be consistent with state and federal law. Online conduct or speech the District that materially disrupts classwork or involves substantial disorder or invasion of the rights of others is prohibited.

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

Conduct that constitutes bullying and harassment, as defined herein, is prohibited. The District upholds that bullying or harassment of any student or school employee is prohibited as follows:

- during any education program or activity conducted by a public K-12 educational institution;
- during any school-related or school-sponsored program or activity;
- on a school bus or other transportation of or provided by a public K-12 educational institution; or
- through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 educational institution.

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In any other context permitted by state and federal law or when it involves speech or conduct that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. Incidents of bullying or harassment shall be reported to the school's administration as per School Board Policies [2.70](#), [2.71](#), [2.71a](#). The principal or designee will investigate all reports of bullying that have been deemed a violation of the policy pursuant to the steps outlined in [School Board Policy 2.70, 2.71, 2.71a](#).

A maximum of ten (10) school days shall be the limit from the initial filing of incidents to the completion of the investigative procedural steps. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*. The Sarasota School District Bullying and Harassment [School Board Policy 2.70](#) will be publicized at the beginning of each school year for staff, parents and students.

300.6 a Sexual Assault, Sexual Battery and Sexual Offenses (Other)

Note: Definitions within this section reflect Florida Department of Education SESIR reporting guidelines (SESIR.org) as well governing Florida State Statutes.

Sexual Assault is defined by SESIR Reporting guidelines and as contemplated by [Chapter 784, Florida Statutes](#). This term includes any incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault. The threat must include all the following elements: 1) intent; 2) fear; and 3) capability.

Sexual Battery as defined by SESIR Reporting guidelines and contemplated by Chapter 794, Florida Statutes, is forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object. Both males and females can be victim of sexual battery.

Examples:

- Student or other raping someone.
- Student or other attempting to rape someone.

Non-Examples:

- Students engaging in consensual sex acts. (Consensual sex is not Sexual Battery. Refer to [Sexual Offenses \(Other\)](#) as a possible SESIR code).
- Student or other threatening to rape someone. (Refer to [Sexual Assault](#) as a possible SESIR code.)

Note: This is a "Violent Incident" and must be reported in the related element "[Injury-Related](#)." and must also be "[Reported to Law Enforcement](#)."

Sexual Offenses (Other) as defined by SESIR Reporting guidelines and as contemplated by Chapters 794, 796, 800, and 827, Florida Statutes, including other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures or comments or sexual activity or exposing private body parts in a lewd manner.

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Examples

- Student or other participating in sexual activity in front of a student.
- Student or other intentionally exposing genitals.
- Two or more students engaging in sexual activity.
- Student or other soliciting or encouraging a person to commit a sexual act.
- Student or other touching the buttocks of another in a lewd, lascivious manner.

Non-Examples

- Students kissing consensually.
- Student swearing.
- A kindergarten child relieving himself publicly.
- A first-grade student hugging another.
- Student inadvertently touching breasts or buttocks of another.
- Inappropriate or suggestive gestures.

In accordance with [F.S. § 1002.40](#), the following reported incidents: Battery, Harassment, Robbery, Hazing, Bullying, Kidnapping, Physical Attack, Sexual Offenses, Assault, Battery, Threat or Intimidation, and Fighting are eligible for HOPE Scholarship Notification. For more information about HOPE Scholarship, please visit: [FLDOE.org/HOPE Scholarship](http://FLDOE.org/HOPE_Scholarship) or speak with your student's school administrator.

300.7 — Gangs

It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. In order to promote an orderly learning environment in our schools while preparing students for later success in the world of work, the School Board of Sarasota County has taken a proactive approach and has established procedural guidelines concerning youth gang activity. These guidelines are to address problems associated with youth gangs through proactive education and disciplinary action, when necessary. Any student who is associated with a gang and/or participates in gang activity as outlined by this policy is subject to immediate disciplinary action. This includes, but is not limited to, gang dress, gang symbols/signs and gang tattoos. If a parent is concerned about a student's possible involvement in gang activity, he or she should contact a school counselor, school administrator or School Resource Officer.

300.8 — Discrimination

Students have a RIGHT to:

- Attend school in an environment where all students and adults are treated equally, without regard to race, color, religion, sex, national origin, age, disability, marital status, genetic information, sexual orientation, gender identity, or gender expression.
- Attend school in an environment free from discrimination, hostility, bullying and/or harassment, including sexual harassment or when based on another protected classification.

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Students have a **RESPONSIBILITY** to:

- Treat others fairly and with respect.
- Conduct themselves and their activities in such a manner that they treat others equally on account of race, color, religion, ethnic or national origin, age, disability, veteran or military status, marital status, pregnancy, sex, gender, gender identity or expression, sexual orientation, or any other characteristic protected by federal or state law or School Board policy.
- Report occurrences of discrimination, harassment, bullying, hostility, or retaliation based on membership in a protected classification as described above, to appropriate school personnel.
- Please refer to the Human Resources web page for more information regarding the reporting of discrimination or harassment at: <https://www.sarasotacountyschools.net/EQUITY>

300.9 - Discipline Policies and Procedures

Violations of the Code of Student Conduct occur in varying degrees of severity. These behaviors are aligned with the district's discipline policy, from least severe (Level 1) to most severe (Level 4). The range of consequences for offenses appears in the Behaviors and Consequences chart following this section. Please note that all SESIR incidents will be reported on an [Event and Discipline Report](#).

LEVEL ONE

Attendance Incidents

Tardiness, habitual
Truancy/unexplained absence
Leaving school grounds without permission

Rules Violations Incidents

Dress code violation
Public display of affection
Cheating
Failure to comply with class/school rules
Disobeying rules on the school bus

Disruptive Incidents

Disruptive behavior
Disrespectful language
Confrontation
Lying/misrepresentation
Articles disruptive to the school
Prohibited items,
non-criminal, and unauthorized use of medication
Unauthorized sale/distribution of materials
Inappropriate activity

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LEVEL TWO

Disruptive/Physical/Verbal Incidents

Bus disruption
Disobedience/insubordination
Profane/obscene language
Non-criminal threat
Physical aggression (not involving law enforcement)
Repetitive disruptive behaviors
Repetitive disobedience/open defiance
Insubordination

Property Incidents

Abuse of school property/minor vandalism
Petty theft (under \$300)

Rules Violations and Other Serious Incidents

Unserved detention (regular)
Unserved detention (extended/multiple)
Unserved detention (Saturday)
Firecracker/poppers
Forgery of a document or signature
Gambling
Severe/repetitive inappropriate activity
Menacing statements, non-criminal
Public nudity
Local law enforcement authorities shall be notified when any crime or delinquent act is committed on school property or school-sponsored transportation, or during a school-sponsored activity.

LEVEL THREE

All Level Three offenses will result in out-of-school suspension and possible recommendation for expulsion.

Alcohol (SESIR)
Bullying
Bullying/Harassment
Fighting
Hazing
Sexual Harassment
Threat Intimidation
Dangerous Prohibited Items

Property Incidents

Larceny/Theft more than \$750
Vandalism more than \$1,000 (includes materials/labor)
Computer misuse
Reckless vehicle use

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Counterfeit/misrepresented documents

Drug Incidents

Tobacco/Nicotine

Disruption on Campus

Trespassing

Sexual offense (Other)

Felony suspension act

Other Major incidents

LEVEL FOUR

Minimum mandatory punishment for Level Four offenses: out-of-school suspension and recommendation for expulsion.

Possession, use, sale, intent to sell, or distribution of drugs, imitation drugs represented as drugs or prescription medications

Possession, use, manufacture, sale, storage, or distribution of alcohol or intoxicating beverages

Battery Aggravated

Breaking and Entering/Burglary

Arson

Armed robbery/Robbery

Battery or aggravated battery on a school district employee

Kidnapping or abduction

Homicide

Physical Attack

Sexual Assault/Battery

Weapons Possession

*There is a mandatory minimum punishment of one (1) full year (365 days) of a disciplinary consequence for zero-tolerance offenses.

300.10 — Zero Tolerance

[F.S. §1006.13](#) mandates that, “Each school district shall adopt a policy of zero tolerance that defines criteria for reporting to a law enforcement agency any act that occurs whenever or wherever students are within the jurisdiction of the district school board; defines acts that pose a serious threat to school safety; defines petty acts of misconduct; minimizes the victimization of students, staff, or volunteers, including taking all steps necessary to protect the victim of any violent crime from further victimization; establishes a procedure that provides each student with the opportunity for a review of the disciplinary action imposed pursuant to s. 1006.07.” [F.S. §1006.07](#). Any student who is determined to have brought a firearm or weapon, as defined in [Chapter 790](#), Florida Statutes to school, to any school function, or onto any school-sponsored transportation, or to have possessed a firearm at school, 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 mental health services identified by the school district pursuant to [F.S. §1012.584 \(4\)](#) and the criminal justice or juvenile justice system. Also, refer to [School Board Policy 5.321](#)

Possession of Weapons and Other Prohibited Articles for additional information.

Any student who is determined to have made a threat or false report, as defined by [F.S. §790.162](#) and [F.S. §790.163](#), respectively, 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

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and referred for criminal prosecution and mental health services identified by the school district pursuant to [F.S. §1012.584 \(4\)](#) for evaluation or treatment, when appropriate.

In complying with the law, the School Board of Sarasota County has enacted [School Board Policy 5.32](#). Please review this policy carefully for a list of offenses that, in the absence of mitigating circumstances, will cause the student to be brought before the Board for expulsion. *All students are expected to follow the rules of this Handbook and Code of Student Conduct on their way to and from school. The principal or designee may take administrative action if students' misconduct in route to or from school has a harmful effect on the health, safety or welfare of themselves, other students and/or the school.*

300.11 — Behaviors and Consequences Chart

All possible behaviors/actions have not been included on this chart, and the omission of any behavior or action from this chart does not preclude the school administration from taking appropriate action to resolve any situation. A school administrator may develop additional consequences for a particular behavior as long as these consequences do not violate school board policies or state statutes. The following behaviors and consequences framework were developed in accordance with SESIR reporting requirements.

PLEASE NOTE THE FOLLOWING:

- Shaded areas represent levels of possible consequences for each behavior. Consequences are at the discretion of the school administrators.
- All possible behaviors/actions have not been included on this chart, and the omission of any behavior or action from this chart does not preclude the school administration from taking appropriate action to resolve any situation.
- Based on the nature of the incident(s), students may be referred for a threat assessment.
- Based on the nature of the incident(s), students may be referred to a mental health assessment.
- Based on the outcome, students may be referred to SWST, CARE, and/or additional school-based or community services.

See Behavior and Consequences Chart in Section 300.9 [Behavior and Consequence Chart Code of Conduct](#)

300.12 — Prohibition of Weapons

No student, while on school property, school transportation, or in attendance at a school-sponsored function, shall be in the possession of any article prohibited by law or rules of the district/school, or any article which could reasonably be considered as a weapon. Any student who brings a weapon may be expelled from the regular school for not less than one year and referred to law enforcement or the juvenile justice system for criminal prosecution.

Violations include any firearm, explosive device, or other weapons as defined by [Chapter 790](#), Florida Statutes the possession, sale, distribution, display, transfer or use of any firearm, explosive device, or other weapons, whether operable or inoperable, loaded or unloaded.

Examples include, but are not limited to, the following: guns, BB pistols, firecrackers, bullets, facsimile guns, smoke bombs or shock devices. Violations also include the possession of any object or material deliberately used to damage property, intended for use or that may be used to inflict harm or intimidate any person. This includes the possession of a knife of any size or

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length, a box cutter or any other sharp object, mace, pepper spray or any aerosol chemical propellant.

300.13 — Prohibition of Drugs

No student, while on school property or school transportation, or in attendance at a school-sponsored function, shall possess, use, store, sell, distribute or be under the influence of any substance defined as a controlled substance under state or federal law, regardless of whether prescribed or authorized. These include, but are not limited to, marijuana, hallucinogens, inhalants, or any substance which requires a physician's prescription or authorization, or any substance, synthetic or otherwise, designed to create a sense of euphoria or intoxication, or any substance represented by or that mimics or imitates an illegal or controlled substance, such as "designer drugs." No student, while on school property, school transportation, or in attendance at a school-sponsored function, shall possess, use, store, sell or distribute any equipment or device for the purpose of preparing, measuring, or using controlled substances, designer drugs", or other unauthorized or drugs. These include, but are not limited to, items listed in [F.S. §499.005](#), and items that may be determined to be drug paraphernalia or electronic cigarettes under the criteria set out in Florida Statutes and/or school/ [School Board Policy 5.322](#).

300.14 — Disciplinary Actions

In order to maintain safe and effective learning conditions, it may be necessary to impose disciplinary consequences for behaviors that disrupt the learning environment or pose a danger to students or school personnel. The following briefly describes the disciplinary actions recognized by the school district and the school board.

300.15 — Student Detention, Search, and Seizure

An instructional or administrative staff member is authorized to temporarily detain a student when there is reasonable suspicion that the student has violated a school board policy. This authority permits appropriate search procedures by administrative staff or designees, including searches of vehicles parked on school campuses, and supervised canine searches of student lockers, vehicles, purses, shoes, socks, pockets, backpacks, or other storage areas, the use of metal detectors and the seizure of suspect items. See [School Board Policy 5.31](#)

300.16 — Removal from Class

If a student causes a disruption to the educational environment, the student may be removed from the classroom.

300.17 — In-School Restriction (Alternative Education Environment)

This program provides for on-campus restriction in lieu of out-of-school suspension at the discretion of the administrator. However, due to problems of supervision or lack of facilities at some schools, in-school restrictions may not be offered at all schools. Appropriate behavior and attention to schoolwork are essential for this option to be available.

300.18 — Restriction of Privileges

Any student involved in a violation of the Code of Student Conduct may have the student's privileges restricted. The student may be denied participation in extracurricular activities. The student may be assigned to report frequently to a specified staff member who will assist in

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monitoring the adjustment to specific situations pertaining to the school and the student during this probationary period.

300.19 — School Bus Suspension

The privilege of riding the bus may be denied. In such cases, transportation shall be provided by the parent or guardian.

300.20 —Due Process for Suspension and Expulsion

When disciplinary actions reach the level of suspension or expulsion of a student, the following procedural steps are implemented to protect the interests of the student. The principal or designee will use and follow the steps in the Due Process Checklist, including identifying whether a student is receiving Exceptional Student Education, 504 plan, or English for Speakers of Other Languages (ESOL) services. Prior to suspension, a recommendation for expulsion or administrative assignment to an alternative school program, the student shall be provided due process and have the right to:

- Be advised of the charges/accusations.
- Be provided an opportunity to respond to the charges.
- Be provided an opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident.
- Be advised why they are being suspended or recommended for expulsion.

During a period of suspension that constitutes a change of placement and/or expulsion, students with disabilities are afforded the right to receive educational services that allow the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the student's IEP. [Florida Rule: 6A-6.03312, FAC-Discipline Procedures for Students with Disabilities.](#)

300.20a — Suspension

When suspension from school is being considered for a student, certain procedures are required by law. A school principal or designee may suspend a student from school for up to 10 (ten) school days per incident for persistent disobedience and/or gross misconduct. The principal or designee takes this action when he or she has exhausted other disciplinary strategies or when alternatives have at least been considered but have been rejected as inappropriate in a given situation. Conferences to resolve the problem are scheduled with the parent/guardian, student and appropriate administrator.

When a suspension is implemented, the parent/guardian will be informed, through written notification, that he or she has a right to a hearing with the principal. The principal's decision to suspend a student is final. Any student may appeal an alleged failure to provide due process to the superintendent or designee. Students will be remanded to the custody of their parent/guardian with specific coursework assignments to be completed. This disciplinary action excludes a student from entering or remaining on any school campus for any purpose, and he or she is restricted from participation in school-related functions. This includes all athletic and extracurricular activities on any Sarasota County School District campus.

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For students with an Individual Education Plan (IEP)/504 plan, federal law requires that IEP/504 plan teams conduct a Manifestation Determination Review (MDR) when a student's accumulated suspensions reach 10 (ten) days within a school year or a change of placement is recommended due to disciplinary infraction. At the MDR, the IEP/504 plan team must determine whether the student's misconduct was caused by the student's disabilities.

300.20b — Expulsion

If a student expelled in another district seeks to enroll, the student may be admitted by the district school board, with or without the recommendation of the district school superintendent, and the student may be placed in an appropriate educational program and referred to mental health services identified by the school district pursuant to [F.S. §1012.584 \(4\)](#) when appropriate, at the direction of the district school board.

A school principal may request that the superintendent recommends to the school board that a student be expelled. This is the most serious disciplinary step available. It denies the student attendance in any and all programs of Sarasota County Schools. An expulsion may be recommended for the remainder of the academic year, the summer session and one additional academic year.

For students with an Individual Education Plan (IEP)/504 plan, federal law requires that IEP/504 plan teams conduct a Manifestation Determination Review for all students who have committed expellable offenses. At the MDR, the IEP/504 plan team must determine whether the student's misconduct was caused by the student's disabilities. If it is determined that the misconduct was caused by the student's disabilities, the student would return to the student's current placement and a Functional Behavior Assessment/Behavior Intervention Plan is to be amended or created.

[Florida Rule: 6A-6.03312, FAC-Discipline Procedures for Students with Disabilities.](#)

Students assigned to second chance schools must be evaluated by the district school board's child study team before placement in a second chance school. The study team shall ensure that students are not eligible for placement in a program for emotionally disturbed children.

For ESE students only, an IEP Team would convene to determine any possible changes for the student, including a possible placement change. If it is determined that the conduct was not caused by the student's disabilities, the student could be considered for a recommendation for expulsion with services.

If grounds for expulsion exist, the superintendent or designee will notify the student and parents in writing of the charges against the student in a language the student and parents can understand. On the day a student with a disability (IEP/504 plan) is recommended for expulsion, the administrator must contact and provide to parent Notice of Procedural Safeguards. The parent or guardian will also receive the notice of suspension and Settlement Agreement which will include the following information:

- Notice of the extended suspension period
- Notice of the student's right to a hearing pursuant to [F.S. §120.569](#) and [F.S. §120.57](#)

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- A brief statement of the accusation against the student
- Grounds for the expulsion
- The student’s and parent’s/legal guardian’s procedural rights in connection with the hearing, including the right to counsel or other representation should they request a hearing
- Period of expulsion
- Notice of the consequences of failure to request or attend the hearing, which constitutes a waiver of further rights in the matter

The notification may also include a proposed Settlement Agreement.

300.20c — Settlement and Second Chance Agreement

The principal or designee should offer to meet with the student’s parent(s) or legal guardian(s) to discuss a possible Second Chance Agreement or Settlement Agreement prior to proceeding through the formal hearing. A Second Chance Agreement is an agreement that may be offered to students who have committed an expellable offense pursuant to the Code of Student Conduct. The Second Chance Agreement is a disciplinary program that allows the student to remain on the regular school campus with specific conditions which may, in appropriate circumstances, include a safety plan. One or more of the following factors can be considered in granting a Second Chance Agreement:

- The act committed was not premeditated nor was there malicious intent
- The student has no previous similar referrals
- The student does not have a significant history of insubordination/misbehavior
- Academically the student has a 2.0 grade point average or better
- The student has good attendance; no more than three unexcused absences

A Settlement Agreement is an agreement that may be offered to students who have committed an expellable offense pursuant to the Code of Student Conduct ([School Board Policy 5.34](#)). The Settlement Agreement allows the student to attend an alternative placement to continue their education in lieu of being expelled from the Sarasota County School District upon the student’s agreement to comply with strict behavioral, attendance, and other conditions enumerated in the Settlement Agreement.

300.20 d — Formal Expulsion Hearing (formally requested by parent or guardian through the district discipline office)

The hearing will be held before a hearing officer appointed by the district. The hearing will be held as soon as possible after written notification of charges to the parent. The parent/legal guardian and principal will be notified of the time and date of the hearing.

- Expulsion hearings are governed by [Florida Statute 120.569](#). Although the school district is exempt from [Florida Statute 286.011](#), which requires reasonable notice of a hearing, the student’s parent(s) or legal guardian(s) must be given notice of the provisions of [Florida Statute 286.011](#) Fla. Stat. and may elect to have the hearing held in compliance with that statute. Testimony will be presented under oath. Hearsay is admissible, although it may not be the sole basis for the recommendation. The student may be

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represented by counsel and will be afforded the opportunity to cross-examine witnesses supporting the charge, to call witnesses on the student's behalf and to introduce evidence. A sufficient record of the proceedings will be kept so a transcript can be prepared in the event either party requests one.

- The hearing officer will issue a recommended order within seven (7) days following the hearing. The Sarasota County School Board will consider the recommendation and exemptions, if any, at its next regularly scheduled meeting and will approve or disapprove of the recommendation.
- The hearing officer will make factual findings of the allegations of misconduct against the student. If the findings are substantiated, the hearing officer may recommend an additional year of expulsion. A hearing officer does not decide whether a student is entitled to attend an alternative school.
- The district must offer educational services to ESE students during the period of expulsion. Expulsion of students with disabilities is defined as removal from one program to another, not exclusion from public education. Services may not be provided through a regular school assignment.

300.21 — Disruptive Students – Staff Intervention

The use of reasonable physical force must be consistent with federal, state and local laws, school district rules and school board policy. A staff member shall have the authority, while on duty, to come into physical contact with a student or students to the degree necessary for the purpose of establishing or maintaining control of students, including to reasonably protect himself/herself, other people or property. Such physical contact shall not be construed to be corporal punishment. At all times by School Board personnel, any force used must be reasonable, no more than necessary, and proportionate to the threat posed. Such force shall last no longer than reasonably necessary.

300.22 — Reporting of Crimes and/or Disruptive Behavior

It is important that all students and parents/guardians understand that certain criminal and/or disruptive behavior must, by school board policy, be reported to appropriate law enforcement authorities. The following types of incidents will be reported: alcohol use, arson, battery, bullying, breaking/entering, drugs, kidnapping, larceny/theft, possession or use of weapons or explosive devices, property damage, vandalism, robbery, sex offenses, sexual battery, sexual harassment or any other serious incident or disruption of school operation. Any student formally charged with a felony by the proper prosecuting authority shall be subjected to suspension in accordance with Florida Statutes for a period that may exceed 10 (ten) days, as determined by the superintendent. If the student is adjudicated delinquent or guilty of a felony, the school board has the authority to expel the student.

300.23 — Procedures for Off-Campus Felony Cases

Florida Statutes [Florida Statute 1006.09 \(2\)](#) allows the superintendent to suspend a student from school for a period longer than 10 (ten) days when a student has been formally charged with a felony committed on property other than public school property. In order for districts to utilize this section of the statutes, a student must have been formally charged, and in an administrative hearing, the school/district must show that the incident will have an adverse effect on the

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educational program, discipline or welfare of the school in which the student is enrolled. If the student is adjudicated guilty or delinquent, the school board may expel the student.