

# Walton



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## COUNTY SCHOOL DISTRICT

2020-2021

### STUDENT CODE OF CONDUCT

**A. Russell Hughes, *Superintendent***

145 Park Street, Suite #2  
DeFuniak Springs, FL 32435  
(850) 892-1100

**Board Members**

Gail Smith, *District 1*  
Kim Kirby, *District 2*  
William "Bill" Eddins, Jr, *District 3*  
Marsha Winegarner, *District 4*  
Jason Catalano, *District 5*

# CALENDAR 2020-2021

August 3-7, 2020	Pre-Planning Days (Professional Development - 15 hours and Teacher Work Days - 22.5 hours)
August 6, 2020	Instructional, Clinic, and Bilingual Aides Return
August 10, 2020	Classes Begin for Students
August 28, 2020	Early Release Day for Students/Professional Development for Staff
September 7, 2020	Labor Day (all personnel out)
October 9, 2020	End of 1 <sup>st</sup> Nine Weeks (44 days)
October 12, 2020	Teacher Work Day (students out)
November 11, 2020	Veterans' Day (all personnel out)
November 23-27, 2020	Thanksgiving Holidays (all personnel out)
December 18, 2020	End of 2 <sup>nd</sup> Nine Weeks (43 days)
	End of 1 <sup>st</sup> Semester (87 days)
December 21, 2020-January 1, 2021	Christmas & New Year's Holidays (all personnel out)
January 4, 2021	Teacher Work Day (students out)
January 5, 2021	Professional Development Day for Teachers (students out)
January 6, 2021	Students Return
January 18, 2021	Martin Luther King, Jr. Day (all personnel out)
February 15, 2021	Presidents' Day (all personnel out)
March 11, 2021	Early Release Day for Students/Professional Development for Staff
	End of 3 <sup>rd</sup> Nine Weeks (45 days)
March 12, 2021	Teacher Work Day (students out)
March 15-19, 2021	Spring Break (all personnel out)
April 2, 2021	Early Release Day for Students
May 26, 2021	Last Day for Students
	End of 4 <sup>th</sup> Nine Weeks (48 days)
	End of 2 <sup>nd</sup> Semester (93 days)
May 27, 2021	Teacher Work Day

## Graduation Dates

May 18, 2021	Paxton High School (7PM)
May 20, 2021	Freeport High School (7PM)
May 21, 2021	South Walton High School (7PM)
May 22, 2021	In10sity School of Excellence (4PM)
	Walton High School (7PM)

## Designation of Days

**Teacher Work Days:** 22.5 hours during August 3-7, 2020; October 12, 2020; January 4, 2021; March 12, 2021; and May 27, 2021 are planning days for teachers to work in their classrooms.

**Professional Development Days:** 15 hours during August 3-7, 2020; August 28, 2020; January 5, 2021; and March 11, 2021 are designated as professional development for staff.

## Attention Administrators

All schedules, class rosters and other materials needed for the classroom are to be ready on August 3, 2020 to hand out to teachers.

APPROVED BY

MAR 24 2020

WALTON COUNTY SCHOOL BOARD

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**\*Forms to be completed and returned to school**



# WALTON COUNTY SCHOOL DISTRICT

## **A. Russell Hughes, *Superintendent***

145 Park Street, Suite #2  
DeFuniak Springs, FL 32435  
(850) 892-1100

## **Board Members**

Gail Smith, *District 1*  
Kim Kirby, *District 2*  
William "Bill" Eddins, Jr, *District 3*  
Marsha Winegarner, *District 4*  
Jason Catalano, *District 5*

Dear Parent/Guardian and Student:

It is with great enthusiasm that I welcome you and your child to an EPIC 2020-2021 school year. As your superintendent, a primary goal of mine is to ensure our students, staff and community have a safe and productive learning environment that is conducive to each student reaching his or her potential for learning. This document will assist students in taking control of their own learning which will enhance their ability to positively alter outcomes by employing appropriate personal choices and skills.

School administrators and teachers will review the Code of Conduct and their individual school's student handbook to bring attention to the established rules and guidelines for acceptable behavior. Parents and guardians, I encourage you to read this document with your child and discuss expectations for following the rules and making good choices, especially if your child is faced with peer pressure.

We take great pride in the success of our "A+" school district. We realize our positive outcomes are the result of the collaborative efforts of students, parents, guardians, teachers, administrators, support staff and the community. We also recognize that parent involvement is one of the components in a child's education, and we are extremely grateful to have an opportunity to work collaboratively with you. With our continued team effort to prepare our students for life, we are assured that 2020-2021 will be another EPIC year for all as we strive to be the top district in the state of Florida!

Sincerely,

A. Russell Hughes  
Superintendent

**NOTICE OF RECEIPT: After reading and discussing this Code with your child, please acknowledge your understanding and receipt by signing the required pages in the back and returning them to your child's school.**

This publication is developed to assist parents, guardians and students to understand their rights and responsibilities as Walton County Schools strive to maintain a safe and orderly educational environment. The descriptions contained within this document do not supersede applicable Florida Statutes or School Board Policy. School Board Policies are accessible on the Walton County School District website at [www.walton.k12.fl.us](http://www.walton.k12.fl.us) or by calling 850-892-1100.

## **RIGHTS AND RESPONSIBILITIES**

# RIGHTS & RESPONSIBILITIES

## WALTON SCHOOL DISTRICT (WCSD)

### MISSION

*Preparing the whole child for a life of success.*

### VISION

*Walton District Schools will improve our ranking in student achievement or district grades by one or more ranking positions in either category until we reach #1 ranking in both.*

### 1.0 CODE OF CONDUCT

The Code of Conduct outlines the key rights, responsibilities and requirements for students and parents/guardians in our schools. Additional information may be found in the student handbook sent out by your school. This Code of Conduct applies to all students in the district. It applies to activities at school, on School Board buses or other school property, on field trips, at athletic events and at other school sponsored activities. State law and district policy also provide for discipline for certain serious offenses (felonies or felonies if committed by an adult) by students that occur off campus, at school bus stops or after school hours.

### 1.1 SCHOOL DISTRICT RESPONSIBILITIES

**It is the responsibility of the school district and each school to:**

- a) provide high quality instruction for all students;
- b) provide and maintain a safe atmosphere that encourages good behavior and learning for all students. Many schools use the Positive Behavior Support (PBS) approach in all settings;
- c) teach students to respect themselves and others by treating them fairly, with dignity and respect by implementing PBS to establish a predictable, consistent and positive school culture;
- d) provide in-service courses in communications to further improve the working relationships among the staff and with the students, parents, guardians, and community;
- e) provide courses of study, programs, and activities and materials to meet the academic and social needs of all students;
- f) involve parents/guardians in selecting strategies for reaching academic or behavioral goals; and,
- g) inform parents/guardians of the availability of homebound instruction when the school suspects or knows that a student will be

absent for at least fifteen (15) or more school days for health reasons.

### 1.2 CONTROL OF STUDENTS

Subject to law and rules of the State Board of Education and of the Walton County School Board (WCSB), each student enrolled in a school shall be under the control and direction of the principal or teacher in charge of the school, and under the immediate control and direction of the teacher or other member of the instructional staff or of the bus driver to whom such responsibility may be assigned by the principal:

- a) during the time she or he is being transported to or from school at public expense;
- b) during the time she or he is attending school;
- c) during the time she or he is on the school premises participating with authorization in a school-sponsored activity; and
- d) during a reasonable time before and after the student is on the premises for attendance at school or for authorized participation in a school-sponsored activity, and only when on the premises.

### 1.3 TEACHERS' RIGHTS & RESPONSIBILITIES

Teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior ensuring the safety of all students:

- a) establish classroom rules of conduct and implement consequences designed to change behavior for infractions of classroom rules;
- b) have disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students temporarily removed from the classroom for behavior management intervention;
- c) assist in enforcing school rules on school property, on school-sponsored transportation, and during school-sponsored activities;
- d) press charges if a crime has been committed against the teacher or other instructional personnel on school property, on school-sponsored transportation, or during school-sponsored activities; and,
- e) use reasonable force, such as CPI, according to standards recommended by the Education Standards Commission and the Education Practices Commission and adopted by the State Board of Education, to protect him/herself or others from injury. (FL Statutes 1006.11, 1012.75(2) and SBR 6A-6.05271)

# RIGHTS & RESPONSIBILITIES

## **1.4 CIVILITY IN SCHOOLS**

Members of the WCSB's staff will treat parents, guardians and other members of the public with respect and expect the same in return. Staff will take all necessary action to protect the safety and welfare of students and employees. Disruptions, threats, offensive language, unauthorized entry or willful property damage will be grounds for removal from School Board property by staff or a law enforcement officer.

To ensure the safety of students and staff, security and surveillance systems have been installed on school campuses and on school buses to video record and/or audio record activities occurring on school property. These recordings may be utilized by school officials for disciplinary purposes. However, please note these recordings are subject to the same confidentiality requirements under FERPA as other student records.

## **1.5 NOTIFICATION OF RIGHTS UNDER HIPPA**

**WCSB Duties** – WCSB is required by law to maintain the privacy of protected health information that belongs to your child enrolled in Walton County Schools. This Notice of Privacy Practices tells you how your child's protected health information may be used and how WCSB keeps your information private and confidential. This notice explains the legal duties and practices relating to your child's protected health information. As part of WCSB's legal duties, this Notice of Privacy Practices must be given to you. WCSB is required to follow the terms of the Notice of Privacy Practices currently in effect.

**Uses and Disclosures of Your Protected Health Information** – Protected health information includes demographic and medical information that concerns the past, present, or future physical or mental health of an individual. Demographic information could include your name, address, telephone number, social security number, and any other means of identifying you as a specific person. Protected health information contains specific information that identifies a person or can be used to identify a person. Protected health information is health information created or received by a health care provider, health plan, employer, or health care clearinghouse. This medical information is used in many ways while performing normal business activities.

Your child's protected health information may be used or disclosed by WCSB for purposes of treatment, payment, and health care operations. Health care professionals use medical information in the clinics or hospitals that take care of your child.

Your child's protected health information may be shared, with or without your consent, with another health care provider for purposes of his/her treatment. WCSB may use or disclose your child's health information for case management and services (such as ESE services). WCSB may send the medical information to insurance companies, Medicaid, or community agencies to pay for the services provided to your child.

Your child's information may be used by certain WCSB personnel to improve the operations of WCSB's health care components. Personnel may send your child appointment reminders, information about treatment options, or other health related benefits and services. Some protected health information can be disclosed without your written authorization as allowed by law.

### **Those circumstances include:**

- a) reporting abuse of children, adults, or disabled persons;
- b) investigations related to a missing child;
- c) internal investigations and audits by WCSB's divisions, bureaus and offices; and,
- d) investigations and audits by the state's Inspector General and protected health information.

### **This summary does not include:**

- a) disclosures made to you;
- b) disclosures to individuals involved with your care;
- c) disclosures authorized to you;
- d) disclosures made to carry out treatment, payment, and health care operations;
- e) disclosures for public health;
- f) disclosures to health professional regulatory purposes;
- g) disclosures to report abuse of children, adults, or disabled; and
- h) disclosures prior to April 14, 2003.

### **This summary does include:**

- a) purposes of research, other than you authorized in writing; and
- b) responses to court orders, subpoenas, or warrants.

You may request a summary of disclosures for not more than a 6-year period from the date of your request.

## **1.6 STUDENT INFORMATION & RECORDS**

Confidentiality of student records shall be maintained in accordance with FERPA. The school or District shall provide information related to student achievement, behavior, and attendance history on juvenile offenders or juveniles at risk of becoming



# RIGHTS & RESPONSIBILITIES

offenders for the purpose of assessment or treatment under the terms and conditions set forth in School Board approved interagency agreements.

## **1.7 SEARCH AND SEIZURE BY SCHOOL PERSONNEL**

The School administrator is authorized to conduct searches in the presence of another witness when he or she has reasonable suspicion that prohibited, stolen or illegal items are possessed or stored by the student and threatens the health, safety or welfare of another person. While protecting the right of students to be free from unreasonable search, school officials may conduct a search of a person, bags, purses, boxes, clothing, articles, lockers, motor vehicles, or seized electronic devices. Metal detectors or law enforcement trained narcotics detection dogs may also be used under certain conditions. Administrators have the authority to remove students from the area(s) that are being searched.

## **1.8 INTERVIEWING OF STUDENTS**

The WCSD policy establishes guidelines for interviewing students by law enforcement agencies. By this notice, the policy will also serve as the guidelines used for interviews conducted by the Department of Children and Family Services (DCFS) with the exception of parent/guardian notification when that agency is investigating abuse/neglect complaints. The DCFS' employees will conduct all interviews with students in accordance with Florida Statutes.

If a student states he/she is experiencing suicidal thought or otherwise indicates an intention to harm himself/herself or others, the student will be referred to the School Resource Deputy (SRD). If the SRD determines the student meets requirements for involuntary placement under the Baker Act rules, the SRD will facilitate the transport to an appropriate facility. The SRD will be responsible for determining contact with the student's parents and/or guardians.

## **1.9 POSTIVE BEHAVIOR SUPPORT (PBS)**

PBS is a research-based, highly effective approach to creating, teaching and reinforcing students' social, emotional and academic learning skills that improves and sustains academic achievement and mental and emotional well-being.

## **2.0 PARENT/GUARDIAN RIGHTS**

Parents and Guardians are afforded numerous statutory rights including:

- a) the entitlement to a high quality education for their child through a uniform, safe, secure, efficient and high quality system;

- b) the opportunity to request and be granted permission for the absence of the student from school for religious instruction or religious holidays of the specific faith of the student;
- c) the opportunity to request exemptions related to certain health issues, including school entry health exams, immunizations, participation in biological experiments, reproductive health and disease education and contraceptive services, if offered by the school;
- d) timely notification of any verified substance abuse violation by the student;
- e) a good faith effort by the school district to notify the parent/guardian by telephone of the student's suspension, the reason, and a report in writing within 24 hours by U.S. mail;
- f) a written notification of a recommended expulsion including the charges against the student and a statement of the right of due process;
- g) victims and siblings of certain felony offenses by other students kept separate from the student offender both at school and during school transportation;
- h) access to all educational programs, activities and opportunities offered by the District without discrimination on the basis of race, ethnicity, national origin, sexual orientation, gender, disability, or marital status;
- i) notice and due process for parents/guardians of public school students with disabilities including an Individualized Educational Plan (IEP) or 504 Plan
- j) receipt of English for Speakers of Other Languages (ESOL) instruction and parental/guardian involvement for limited English proficient students;
- k) a written request to excuse a student from reciting the Pledge of Allegiance;
- l) access, waiver of access, challenge and hearing and privacy regarding student records of their children;
- m) an easy to read report card on a regular basis that clearly depicts and grades the student's academic performance in each class or course, the student's conduct, and the student's attendance;
- n) an appraisal at regular intervals of the academic progress and other needed information about their child; and
- o) notification in writing requiring written consent before a student may be transported in a privately owned vehicle to a school function.

# RIGHTS & RESPONSIBILITIES

## **2.1 PARENT/GUARDIAN RESPONSIBILITIES**

Parents and guardians can help their children with proper discipline in school by meeting the following responsibilities:

- a) encouraging respect for the authority of teachers, principals, and other school staff members;
- b) showing interest in their child's school progress;
- c) working with school personnel to solve disciplinary and academic problems;
- d) getting to know their child's school, staff, programs, and activities;
- e) attending parent/guardian/teacher conferences and school/parent/guardian functions, such as PTO and/or School Advisory Committee meetings, and volunteering to help in the classroom;
- f) teaching their child to be clean, well groomed, and wear clothes which are appropriate for school;
- g) making sure their child gets to school on time every day, unless their child is ill or has a contagious disease;
- h) keeping up-to-date information at the school, including home, work, and emergency telephone numbers, addresses, and health data;
- i) contacting the school to explain why their child is absent;
- j) teaching their child by word and example respect for law and the authority of the school; and
- k) the rights and property of others.

## **2.2 RESIDENCY**

Children have the right to attend school in the county in which the parent and/or legal guardian resides. It is the responsibility of the parent/guardian to provide proper and accurate documentation to the school to prove residency. The school shall have the right to verify any information that is provided.

Controlled Open Enrollment, as required by law, allows a parent from any district in Florida to enroll and transport his or her student to any public school that has not reached capacity. Certain students, such as dependents of active duty military whose move resulted from military orders or students relocated due to foster care placement, receive priority for seat assignments within a school. Parents must submit applications for enrollment for a school outside their student's transportation zone. (See Controlled Open Enrollment Policy at [www.walton.k12.fl.us](http://www.walton.k12.fl.us))

Transportation is provided by bus for children residing in the school community or transportation

zone. If a student attends a school outside the transportation zone, the parent/guardian is required to provide such transportation.

## **2.3 SUBMISSION OF FRAUDULENT DOCUMENTATION**

Any parent/guardian who submits fraudulent documentation to register a student gives cause for such student to be withdrawn immediately and referred for enrollment in the appropriate bounded school.

## **2.4 NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records.

### **Parents/guardians and eligible students have:**

**The right to inspect and review** the student's education records within 45 days of the day the school receives a request for access. Parents/guardians or eligible students should submit to the school principal (or appropriate school official) a written or electronic request that identifies the record(s) they wish to inspect. The school officials will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.

**The right to request the amendment** of the student's education records that the parent/guardian or eligible student believes are inaccurate. Parents/guardians or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it is inaccurate.

**The right to consent to disclosures** of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or

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grievance committee, or assisting another school official in performing his or her tasks.

**The right to request a restriction on access** to directory information for a student by making a written request to the school principal at any time. "Directory information" includes the student's name, address, telephone number if it is a listed number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

**The right to file a complaint** with the U.S. Department of Education concerning alleged failures by Walton County Schools to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

**Student Privacy Policy Office  
400 Maryland Avenue, SW  
U.S. Department of Education  
Washington, D.C. 20202-4605**

If you believe your privacy rights or health rights have been violated, you may file a complaint with the WCSB by contacting the **Equity Officer (see back cover for information)**.

## **3.0 STUDENT RULES OF CONDUCT**

### **3.1 EXPECTATIONS:**

The School Board and our community hold the highest expectations for the conduct of the students in Walton County Schools. Violence in the schools shall not be tolerated and students who engage in violent criminal acts on school property, on school sponsored transportation, or during school sponsored activities will receive the most severe consequences provided for by this policy.

- 1. Students are expected to be in school and learning every day.**
- 2. Students are expected to demonstrate appropriate and responsible behavior at all times.**
- 3. Students are expected to demonstrate quality and pride in their academic work and co-curricular activities.**
- 4. Students are expected to refrain from any conduct which interferes with another student's opportunity to learn.**
- 5. Students are expected to contribute to a safe and orderly learning environment by respecting themselves and others, their property, and school rules and regulations.**

Failure to meet the above expectations, in-school misconduct, or other inappropriate behavior on the part of the students shall require interventions and, when necessary, informal or formal consequences.

### **3.2 STUDENTS HAVE A RESPONSIBILITY TO:**

- a) make an effort to learn;
- b) come to class prepared with required books and materials;
- c) complete all assignments;
- d) ask questions, seek help, and make up missed work;
- e) become familiar with the Student Code of Conduct and the school student handbook;
- f) know and observe school rules and regulations related to conduct and behavior;
- g) express themselves in a manner which does not interfere with the orderly process of education, violate school rules, or infringe on the rights of others;
- h) conduct themselves and their activities consistently with the educational objectives of the school;
- i) not disrupt the educational process or endanger the health, safety, or welfare of other students or staff;
- j) not carry or conceal anything prohibited by law or that would detract from the educational process;
- k) abide by the rules for co-curricular or other school-sponsored activities;
- l) use the grievance procedures described within this Code and School Board Policy when a serious problem arises;
- m) treat others equitably, fairly, and with mutual respect;
- n) conduct themselves and their activities in such a manner that does not sexually harass or discriminate against others; and
- o) report occurrences of discrimination or sexual harassment to the principal or **District Equity Coordinator**.

### **3.3 STUDENTS HAVE A RIGHT TO:**

- a) an education appropriate to their needs;
- b) a positive learning climate free of disruption;
- c) a copy of clearly defined rules of student conduct and rules enforced fairly, without discrimination;
- d) express their viewpoints in appropriate ways;
- e) print and distribute publications within the guidelines provided by the school and District;
- f) meet together in accordance with school rules and scheduled use of facilities;

## RIGHTS & RESPONSIBILITIES

- g) participate in all eligible school programs and activities;
- h) be provided due process in all instances involving disciplinary actions or the exercise of their rights;
- i) attend a school where all students and adults are treated equitably without regard to race, color, religion, national origin, age, sex, sexual orientation, gender information, marital status, disability, perceived disability or record of disability as defined by the Americans with Disabilities Act; and
- j) participate and learn in an environment free from bullying, harassment, and sexual harassment because of race, national origin, and disability.

### **3.4 ELIGIBILITY STANDARDS FOR INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES**

Interscholastic athletic programs encompass all activities relating to competitive sport contests involving individual students or teams of students from one school against individual students or teams of students from another school. Such activities include, but are not limited to: tryouts, offseason conditioning, summer workouts, preseason conditioning, in-season practice and contests. Participation in interscholastic athletics by a student is a privilege, not a right. Students who participate are required to meet the standards established in Florida law, Florida High School Athletic Association, Inc. (FHSAA) regulations and by their respective schools. The school principal shall be responsible for determining each participant's eligibility in interscholastic extracurricular activities pursuant to the bylaws of the FHSAA, and the requirements for satisfactory conduct and academic grades according to Walton County School Board policies.

A student who is currently suspended from interscholastic activities, or suspended or expelled from school is not eligible to participate in interscholastic activities.

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic extracurricular activity has not reached its identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA or school district may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

A student may not participate in a sport if the student participated in the same sport at another

school during the school year unless the student meets one of the following criteria:

- a) dependent students of active duty military personnel whose move resulted from military orders;
- b) students who have been relocated due to a foster care placement in a different school zone;
- c) students who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent; and
- d) authorized for good cause in district or charter school policy.

Good cause is defined as, but not limited to the following:

- a) dependent students whose move was a result of a family relocation;
- b) dependent students whose move resulted from seeking educational opportunities not provided in previous school; and
- c) dependent students whose move resulted from seeking interscholastic extracurricular opportunities not provided in previous school.

Determination of whether any other request for good cause is granted is the responsibility of the Superintendent of Schools.

A student's eligibility to participate in any interscholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation.

Students who are not enrolled in a public school, but participate in interscholastic extracurricular activities for a public school are subject to the Walton County School District's Code of Student Conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

### **3.4.1 PARTICIPATION IN EXTRA CURRICULAR ACTIVITIES**

To participate in after school extracurricular activities, including sports, band, or clubs, students must be in attendance for at least half of the school day, unless the student is excused for participation in a non-school sponsored national or world class competition. Absence of more than half of the school day requires approval for participation by the principal or designee.

### **3.5 DUE PROCESS FOR NON-DISABLED STUDENTS**

A basic ingredient of due process of law is that one who is not satisfied with a decision may appeal it to a higher authority. Thus, the student may appeal a

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decision of a teacher to the principal and the principal's decision to the Superintendent. Before any punishment is issued for a disciplinary referral, the school administrator MUST afford all students involved in the incident the right to be heard. The decision for the appropriate punishment will be made by the administrator only after gathering all information regarding the incident. The administrator will document that due process was conducted in writing on the referral form and in the notice to the parent/guardian (if applicable).

The WCSD adheres to the guidelines established by the Florida Educational Equity Act. This act requires that each district of public education operate in a way that does not discriminate against students or employees on the basis of race, national origin, sex, disability, or marital status. The Walton County plan for ensuring that these requirements are met has been developed and implemented and approved by the State Department of Education. The WCSD's **Equity Officer** is Jaime Mitchell. **Contact information may be found on back cover.**

### **3.6 DISCRIMINATION/SEXUAL HARASSMENT**

No person shall, on the basis of gender, marital status, sexual orientation, race, religion, national origin, age, or disability be denied receipt of services, participation in school activities, or access to programs if qualified to receive such services. Any student who believes that he or she has been discriminated against may file a complaint in accordance with Section 2.70 of the WCSB Policy Manual to the **WCSB Equity Officer (see back cover for information)**.

The School Board Policy manual is posted on the District website at [www.walton.k12.fl.us](http://www.walton.k12.fl.us).

### **3.7 ATTENDANCE**

All students are expected to attend all classes each day that school is in session. Unexcused absences, including unexcused tardies will result in a disciplinary consequence. Determination of whether an absence or tardy is excused or unexcused is the responsibility of the site principal or designee. Attendance excuses, including physician's statements, are subject to verification and fraudulent documentation may be referred for criminal prosecution. No student may be excused from school during regular school hours in order to take private lessons or regularly participate in non-school events, except as provided herein (F.S. 1003.21(2)(b)(2) and recommended by the school principal for approval by the Superintendent or designee.

Please refer to the Student Progression Plan for the definition of credits for high school courses.

### **3.7.1 EXCUSED:**

The following absences may be excused with the proper submission of required documentation:

- a) brief student illness/injury;
- b) illness or medical care to include mental health services from a board certified professional - A principal shall require a physician's statement or other medical personnel before excusing student absences in excess of ten (10) days in any school year.;
- c) medical/dental appointments;
- d) therapy services for autism spectrum disorder
- e) death of an immediate family member;
- f) religious holiday of the specific faith of the student (principal approved);
- g) compelled absence (e.g., judicial);
- h) natural/major disaster that would justify absence (principal approved);
- i) school-sponsored/related activity (principal approved); and
- j) financial or other insurmountable conditions (principal approved).
- k) participation in national or world class competitions
- l) Students having or suspected of having a communicable disease or infestation that can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard. Examples of communicable diseases and infestations include, but are not limited to, fleas, bed bugs, head lice/nits, ringworm, impetigo, and scabies. Students excluded from school for head lice/nits will be allowed a maximum of three (3) school days excused absence for each occurrence. The student must be cleared upon return by the school nurse.

### **3.7.2 UNEXCUSED:**

- a) missing school bus/oversleeping
- b) shopping/pleasure
- c) excessive illness (without physician verification that medical condition justifies pattern)
- d) failure to communicate the reason for absence(s)
- e) voluntary or vacation travel that exceeds three (3) days per year without prior administrative approval

### **A. COMPULSORY ATTENDANCE**

Students aged six (6) to eighteen (18) are subject to mandatory school attendance unless those students aged sixteen (16) to eighteen (18) have filed

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with the district a formal statement of intent to withdraw from school which includes acknowledgements that terminating school enrollment is likely to reduce a student's earning potential and that driving privileges may be withheld or terminated. This statement must be signed by the student, parent or guardian, and school representative.

Any time that a student is absent from school during school hours, a written, dated statement explaining the absence should be signed by the parent or guardian and filed at the school within (3) three days of the absence.

When a doctor's note is required following a student's absence that is in excess of ten (10) days, the note must be submitted to the school within three (3) school days after the student returns. The school will not accept doctor's note after the three (3) school days have passed.

### B. TRUANCY — ALL DAY UNEXCUSED ABSENCE

Each **unexcused absence**, or absence for which the reason is unknown, the school shall attempt to contact the parent or guardian to determine the reason for the absence.

To maximize student performance by reducing the number of students classified as habitually truant, the designated school representative will investigate cases of non-enrollment and unexcused absences from school of all children subject to compulsory school attendance. After the fifth unexcused absence during a 30 calendar day period or ten (10) unexcused in a 90 day calendar period, the Superintendent or designee will notify the parent or guardian in writing of the unexcused absences.

Students who have developed a pattern of non-attendance shall be referred to the school's Multi-tiered System of Support (MTSS) team to determine if early patterns of truancy are developing. If the MTSS team finds that a pattern of non-attendance is developing, whether the absences are excused or not, a meeting with the parent/guardian must be scheduled to identify potential remedies. If an initial meeting does not resolve the problem, the MTSS team shall implement interventions that best address the problem. MTSS Team interventions may include, but need not be limited to:

- a) frequent communication between the teacher and the family;
- b) changes in the learning environment;
- c) mentoring;
- d) student counseling;
- e) tutoring, including peer tutoring;
- f) placement into different classes;
- g) evaluation for alternative education programs;
- h) attendance contracts;

- i) referral to other agencies for family services; or
- j) other interventions.

If the parent or guardian does not respond adequately to the MTSS team recommendations, the student **may** be reported to the District Attendance Officer. The Attendance Officer may file a truancy petition in circuit court. Additionally, the Attendance Officer will notify the Department of Highway Safety and Motor Vehicles to withhold or suspend driving privileges and/or license for student drivers.

**After the fifteenth (15th) unexcused absence** from school during school hours within ninety (90) calendar days, the student **will** be classified as a habitual truant, the truancy petition will be filed and the Department of Highway Safety and Motor Vehicles will be notified.

### 3.8 CHECK-OUT OF STUDENTS DURING SEVERE WEATHER CONDITIONS

During severe weather, the safety of our students and staff is of priority importance. When schools are directed by District or school administration, in conjunction with the National Weather Service, to initiate the severe weather procedure drill, students will not be allowed to be checked-out. When the threat of dangerous weather has passed, schools will resume normal check-out conditions.

### 3.9 DRESS AND GROOMING

A student's wearing apparel and grooming shall be the responsibility of the individual student and his or her parents or guardian. Dress and grooming shall be clean, healthy and safe and shall not be permitted to disrupt the teaching/learning environment.

Schools may choose to encourage students to wear appropriate shirts of the school color(s) to foster a healthy school environment and team spirit. In schools where the Board has approved uniform dress policies specific to the school, such policies will include the following dress and grooming policy.

**For students, appropriate and acceptable dress includes:**

#### Secondary Only

- a) **Pants**, jeans, long slacks, or capris (*below the knee*)
- b) **Shorts, skirts and dresses** that are at the knee
- c) **Approved shirts** include crew neck T-shirts, polo shirts, button-up shirts or shirts with rounded neckline. All shirts must have sleeves and cover the midriff. No V-neck shirts or zipper-front shirts are allowed. When layered shirts are worn, the first layer must meet the approved shirt definition.

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- d) **All** visible garments including layered garments must be in accordance with the dress code.
- e) **Shoes** will be worn at all times.
- f) **Sunglasses, hats and other sun-protective wear** will be allowed to be worn outside only.

### Elementary Only

- a) **Pants**, jeans, long slacks, or capris (below the knee)
- b) **Shorts, skirts and dresses** that are at the knee
- c) **Shirts** that cover the midriff, but **no spaghetti straps, halters or backless shirts allowed**
- d) **All** visible garments including layered garments, must be in accordance with the dress code.
- e) **Shoes** will be worn at all times. No heels or platform shoes greater than one inch
- f) **Sunglasses, hats and other sun-protective wear** will be allowed to be worn outside only.

### SECONDARY AND ELEMENTARY

The following are **NOT** appropriate for the school environment and are **NOT** acceptable:

- a) Pants that drop below the waist
- b) Holes in garments above the knees which expose the flesh
- c) Heelies (shoes with wheels), shoes with cleats or bedroom shoes
- d) Hats in the school building
- e) Items that worn together are indicative of gang membership
- f) Garments containing a message that is obscene, racist, or promotes illegal activities, drugs, alcohol, or tobacco products
- g) Pajamas (pants or tops)
- h) Leggings, spandex, or tights are not permitted unless worn with an outer garment that complies with dress code requirements, and is at the knee.
- i) The wearing of any clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment.

Students enrolled in special programs, such as on the job vocational training, or participating in school activities which require additional standards of dress or grooming shall comply with such additional standards.

### FL STATUTE 1006.07(1) AS AMENDED BY SB 228 ON 06/02/11 STIPULATES THAT:

Any student who violates the dress code policy described in FL Statute 1006.07(2)(2) is subject to the following disciplinary actions:

1st Offense	Verbal Warning	Parent/guardian Called by Administration
2nd Offense	Student is in-eligible to participate in any extra-curricular activity for a period not to exceed five (5) days	Parent/guardian is Notified
3 <sup>rd</sup> or subsequent offense	Student shall receive ISS for a period not to exceed three (3) days, and is in-eligible for participation for extra-curricular for a period not to exceed 30 days.	A written letter of explanation will be sent to the parent/guardian.

### 3.10 REVIEW OF STUDENT RECORDS

1. Parents/guardians and adult students (18 and older) have the right to inspect and review all of their student's educational records.
2. Parents/guardians and adult students have a right of access to these records and the right of privacy of these records, both of which they may choose to waive.
3. Directory or public information about a student may be restricted by a written request from the parent/guardian or adult student to the school principal.
4. Parents/guardians and adult students have the right to file a complaint concerning noncompliance with the law to the Family Education Rights and Privacy Act Office, HEW, 330 Independence Avenue, S.W., Washington, D.C. 20201.

### 3.11 ALCOHOL, TOBACCO, DRUGS, PRESCRIPTION AND NON-PRESCRIPTION MEDICATION INFRACTIONS

The use, possession, delivery, or sale of alcohol, tobacco or other drugs including counterfeit or synthetic drugs, and prescription and non-prescription medication, whether on school property or at a school function, will not be tolerated.

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### **Tobacco**

It is unlawful for anyone under the age of 18 to smoke tobacco in, or on or within 1,000 feet of a public or private elementary, middle or secondary school between the hours of 6:00 a.m. and midnight. If a student is found to have violated this provision, the parents or guardian and law enforcement will be notified and civil penalties may be imposed (F.S. 569.11).

All use of tobacco products and e-cigarettes in any form are prohibited in school buildings, on school property, or at any school sponsored activity by persons of any age. A student under the age of 18 who commits non-criminal tobacco violations (possessing or using tobacco in any form, including e-cigarettes or vaping) and fails to comply with corresponding sanctions is subject to mandatory revocation or suspension of, or delay of eligibility for a driver's license. Tobacco-like nicotine or other smoking devices are addressed under 5.3 Major Infractions Requiring Formal Consequences.

### **Alcohol**

Students are prohibited from using, possessing, delivering, selling or being under the influence of alcoholic beverages on school property, on a school bus or school-approved transportation, or at any school-related function or activity.

### **Drugs**

"Drugs" shall include any unlawful drug, narcotic or controlled substance (including prescription medications of any category, except as provided in Section 3.11, and any substance (including household products) represented to be such a drug, narcotic or controlled substance. Students are prohibited from using, possessing, delivering, receiving, selling, intending to sell, or being under the influence of drugs on school property, on a school bus or school-approved transportation, or at any school-related function or activity. They are likewise prohibited from possession of drug paraphernalia, which includes devices, products and things used or intended to be used for the ingestion of drugs.

Students are also prohibited from possessing, using, delivering, receiving, selling, or intending to sell any counterfeit drug, which is a substance that (i) is represented to be, (ii) is represented to contain, or (iii) appears to be (looks like) a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, intoxicant or controlled substance of any kind, on school property, on a school bus or school approved

transportation, or at any school-related function or activity

While on school property, school bus, or school-approved transportation, or at any school-related function or activity, students are prohibited from planning, intending or committing any act in furtherance of the possession, use, delivery, receiving, purchase, or sale of drugs, counterfeit drugs or drug paraphernalia.

### **Use of Alcohol and Drugs**

A student who is under the influence of alcohol or drugs on school property, on a school bus or school-approved transportation, or at any school-related function or activity shall be deemed to have used and possessed alcohol or drugs. Evidence of such use of alcohol or drugs includes, but is not limited to a student's admission of use of alcohol or drugs on or off campus; witness statements; a positive Portable Breath Test result indicating use of alcohol; red and/or glassy eyes; drooping eyelids, odor of alcohol or drugs; difficulty communicating, walking or standing; difficulty with other motor skills; or other impaired faculties.

Students who violate the District's alcohol and drug use policies are subject to the penalties provided for in Major Infractions/Offenses Requiring Severe Consequences. In addition, the principal may revoke the student's privilege of participating in non-academic school activities including, but not limited to, extracurricular activities, athletics, school trips, prom and graduation exercise, and/or the revocation of school privileges, including, but not limited to, driving privileges.

### **Delivery, Receipt, Sale or Intending to Sell Alcohol or Drugs**

Delivery, receipt, or sale of alcohol or drugs, or intent to deliver, receive or sell alcohol or drugs, is a more serious offense than use and possession of drugs or alcohol and shall result in a more serious penalty as addressed in Offenses Requiring Severe Consequences.

### **Prescription and Non-Prescription Medicine**

Students are prohibited from possessing prescription medication on school property, on a school bus, or school-approved transportation, or at any school-related function or activity unless such medication is prescribed by a current prescription and the prescription is documented by a note from the prescribing physician filed with the school before the student brings the medication on campus.



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Unauthorized possession of prescription medication without a valid, current prescription constitutes possession of a drug and is a Major Infraction.

No prescription medication may be self-administered or administered by school personnel without a dated, authorizing permission slip signed by the parent or guardian on file with the school. Non-prescription medication or prescription medication, including asthma inhaler, Epi-pen (epinephrine), pancreatic enzymes, and diabetic supplements (FL Statutes 1002.20), may not be kept on a student's person without a physician's written order on file with the school.

No student shall possess, distribute or share any prescription or non-prescription medication with any other student. The school will not assist in administering any non-prescription medication without a written physician or parent/guardian order on file with the school. Misuse of non-prescription medication is a Minor offense. Misuse of non-prescription medication includes (i) the delivery or sharing of non-prescription medication or (ii) any use inconsistent with the manufacturer's directions or generally accepted guidelines.

Aggravated misuse of non-prescription medication is the sale of non-prescription medication for any purpose or its delivery with the intended or actual effect of modifying mood or behavior, or inducing physical, emotional or behavioral changes, rather than for its intended purpose. The aggravated misuse of non-prescription medication is a Major Infraction.

### **3.12 TRESPASSING**

Non-students are required to report to the school office immediately upon entering the school premises. Failure to report to the office or any act that interferes with the orderly operation of the school will be grounds for trespass prosecution. Students may not enter the premises or grounds of another school from one hour before to one hour after the school hours without permission. Exceptions include waiting for a bus transfer, escorting a younger student, or participating in volunteer or service projects. Students who are suspended or expelled from a school may not enter the premises or grounds of any school at any time of the day, or attend any school sponsored activity.

### **3.13 POSSESSION**

Any provision in this Code of Conduct that provides that possession of any specified item upon school property or at a school function is grounds for disciplinary action means possession of the item by the student, whether or not the student has knowledge of his/her possession of the item, and

knowledge by the student of such possession is not required. When knowledgeable of the likely risk of physical violence in the schools, the school district shall take reasonable steps to ensure that teachers, other school staff, and students are not at undue risk of violence or harm.

### **3.14 DANGEROUS ITEMS**

Florida Statute does not include the common pocket knife or BB/Pellet Guns in the definition of a "weapon"; however, the School Board of Walton County recognizes the inherent danger of such items on school grounds, and classifies the common pocket knife and BB/Pellet Guns as "dangerous items", which have no pedagogical purpose to the student during school activity hours. Therefore, possession of a dangerous item as defined will constitute a serious breach of conduct requiring administrative disciplinary action and will include suspension or expulsion.

### **3.15 WIRELESS COMMUNICATION**

Students may carry an electronic communication device to school and school sponsored activities. Students may use such devices while being transported on district vehicles. However, the use of wireless communication is not allowed during the school day or anywhere on the school campus at any time. All communication devices shall be turned completely off and kept out of sight.

1. It is the student's responsibility to ensure that their wireless communication devices are turned off and out of sight. Students who violate the district policy shall be deemed to have created a disruption to the instructional environment and are subject to disciplinary action including ISS, suspension, expulsion, as well as confiscation and return of the device to the student's parents or guardians after the end of the school day. Distracting behavior that creates an unsafe environment will not be tolerated.
2. Students shall be personally and solely responsible for the security of their wireless communication devices. The WCSD shall not assume responsibility for the theft, loss, or damage of a device, or unauthorized calls made on a cell phone.
3. Students may not have cellular telephones or other personal electronic devices in their possession during testing, including state testing, as it may invalidate test results.
4. Emergency calls to students will still be made through school's office.
5. Use of a wireless communication device in a criminal act may result in the imposition of criminal penalties.

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6. Students should use electronic devices for acceptable educational activities. The use of electronic devices to display or utilize apps, which show unsuitable material or materials that cause disruptive behavior, is not appropriate. Students who misuse apps will be subject to disciplinary action.
7. The school administration reserves the right to search seized electronic devices if there is reasonable suspicion that the student was using the device in violation of school policy or law.

### **3.16 WIRELESS COMMUNICATION FOR BRING YOUR OWN DEVICE PILOT SCHOOLS: WEST DEFUNIAK ELEMENTARY, AND ALL 6-8 MIDDLE AND 9-12 HIGH SCHOOLS, FREEPORT MIDDLE 5-8, PAXTON 6-12, AND EMERALD COAST TECHNICAL COLLEGE**

Students may carry an electronic communication device to school and school sponsored activities. Students may use such devices while being transported on district vehicles. However, the use of wireless communication is not allowed during the school day or anywhere on the school campus at any time unless prior approval is given by the teacher and/or administrator. All communication devices shall be turned completely off and kept out of sight unless prior approval is given by the teacher and/or administrator.

1. Unless the classroom teacher or administrator allows the use of devices for a particular lesson or activity, it is the student's responsibility to ensure that their wireless communication devices are turned off and out of sight. Students who violate the district policy shall be deemed to have created a disruption to the instructional environment and are subject to disciplinary action including ISS, suspension, expulsion, as well as confiscation and return of the device to the student's parents or guardians after the end of the school day. Distracting behavior that creates an unsafe environment will not be tolerated.
2. Students shall be personally and solely responsible for the security of their wireless communication devices. The WCSD shall not assume responsibility for the theft, loss, or damage of a device, or unauthorized calls made on a cell phone.
3. Students may not have cellular telephones or other personal electronic devices in their possession during testing, including state testing, as it may invalidate test results.
4. Emergency calls to students will still be made through school's office.

5. Use of a wireless communication device in a criminal act may result in the imposition of criminal penalties.
6. Students should use electronic devices for acceptable educational activities. The use of electronic devices to display or utilize apps, which show unsuitable material or materials that cause disruptive behavior, is not appropriate. Students who misuse apps will be subject to disciplinary action.
7. The school administration reserves the right to search seized electronic devices if there is reasonable suspicion that the student was using the device in violation of school policy or law.

### **CONSEQUENCES OF VIOLATION OF WIRELESS ELECTRONIC DEVICE USAGE WHEN USAGE IS NOT FOR INSTRUCTIONAL PURPOSES**

1st Offense	Verbal warning	Parent/Guardian Must Pick up Phone/Device
2nd Offense	Written warning/ODR	Parent/Guardian Must Pick up Phone/Device
3rd Offense	1 day ISS or 3 day detention	Parent/Guardian Must Pick up Phone/Device
4th Offense	1 day OSS	Parent/Guardian Must Pick up Phone/Device
5th Offense	3 days OSS	Parent/Guardian Must Pick up Phone/Device
6th Offense	See Major Infractions Requiring Formal Consequences Section	Parent/Guardian Must Pick up Phone/Device

### **3.17 BUS RULES OF CONDUCT**

1. **Students shall obey the following bus rules:**
  - a) Be on time and stand off the roadway while waiting for the bus. Students must report to their bus stops at least 15 minutes prior to the normal arrival time of the bus.
  - b) When crossing the roadway, be sure that the road is clear of traffic in both directions.

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Students shall cross the roadway ten (10) feet in front of the bus so that the driver can observe the student at all times.

- c) Follow all directions given by the driver.
- d) Remain in the seat at all times until departure at an assigned stop. The bus driver may assign seats when necessary to maintain order.
- e) Use ordinary quiet conversation and classroom conduct. Silence on the bus shall prevail while the bus is stopped for railroad crossings.
- f) Do not talk to or distract the driver while the bus is in operation.
- g) Refrain from foul language or racial slurs.
- h) Keep hands, feet, arms and head to yourself and inside windows at all times.
- i) Do not throw waste paper or other rubbish on the floor or otherwise litter, mark, deface or damage any part of the bus.
- j) Do not throw any objects from the bus.
- k) Do not tamper with the emergency exit and do not use for ordinary boarding.

### 2. Prohibited on the school bus are:

- a) Gum chewing, eating, drinking or use of any tobacco products.
- b) Animals or pets.
- c) Small objects or toys that are loose and that could get underfoot and cause passengers to trip or fall.
- d) Any object larger than that which can be held by the student or secured so that it does not constitute a hazard.
3. **The driver shall be in full charge of the bus and pupils at all times and his or her directions shall be obeyed.**
4. **The driver shall have the authority to assign pupils to certain seats if necessary to promote order on the bus.**
5. **The driver may issue verbal warnings, contact parents or guardians and issue written referrals for violations of these rules.**
6. **The principal or his designee shall consider the bus driver's recommendation for discipline when making a decision regarding a student referral.**
7. **The principal or his designee may suspend a student from riding the bus for serious rule violations or repeated minor violations.**

### STEPS OF SCHOOL BUS PROGRESSIVE DISCIPLINE

**Step 1: First Bus Referral\*\*** - The bus driver will have a conference with the parent/guardian and will

provide documentation or will have a parent/guardian conference with the principal or assistant principal of the student's school.

**Step 2: Second Bus Referral\*\*** - The school administrator shall administer an "in-school" punishment that is appropriate.

**Step 3: Third Bus Referral\*\*** - The school administrator shall suspend the student from the bus for a period of three (3) to five (5) days.

**Step 4: Fourth and Fifth Bus Referrals\*\*** - The school administrator shall suspend the student from the bus for a period of five (5) to ten (10) days.

**Step 5: Sixth Bus Referral\*\*** - The school administrator may recommend bus expulsion.

School administrators are not required to follow the progressive discipline steps, if in their opinion, the misbehavior is severe enough to bypass progressive discipline. Acts of violence and acts that endanger the safety of others warrant the bypassing of progressive discipline and may result in criminal penalties being imposed.

**\*\*School administrators have the discretion to repeat Step 1 and Step 2 with students in grades PK, K, and 1 due to the age and level of understanding of these students.**

The school bus driver shall have authority to control student behavior at bus stops while the school bus is present at the stop.

### 3.18 PARKING ON SCHOOL FACILITIES

Students and parent/guardian visitors may park only in designated spaces during regular school hours. The site administrator may restrict student vehicle parking on school property by grade level or other equitable means. Illegally parked vehicles are subject to being towed at the owner's expense. As a condition to park a vehicle on any school campus or other school district property, ALL students waive any right they may have to carry a firearm in a vehicle while the vehicle is on any school district property, pursuant to Sections 790.115 and 790.25(5), Florida Statutes. The purpose of this provision is to specifically waive the exemption provided in Section 790.115(2)(a) 3, Florida Statutes.

### 3.19 INSTRUCTIONAL TECHNOLOGY ACCEPTABLE USE POLICY

#### 1. Access

The Walton County School District provides access to network resources including Internet. The use of the network and Internet must support the educational and professional activities that are consistent with the goals and policies of the School Board of Walton County. Superintendent or designee may examine files to determine if a user is acting in

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violation of any district policies, including the Student Code of Conduct. Failure to comply with these policies may result in disciplinary action, legal action and/or cancellation of access.

## 2. Information and Uses

While the School District recognizes the importance of technology in our society and the importance of integrating technology into our classrooms, the School District also requires students to use technology in an appropriate and responsible way. Misuse of any electronic devices will be handled with strict enforcement. At all times, users are responsible for following District policies and procedures.

## 3. Parents/guardians are encouraged to assist with the implementation of this policy.

Students have the privilege of using school/district computers, which include the internet, unless said privilege has been revoked in writing by parental/guardian opt-out form or suspension of privileges for violations of Student Code of Conduct. Access to and the use of school/district computers shall be under the direction of a school staff member and monitored as an educational activity. Although a conscious effort is made to deter access to materials that are inappropriate in the school environment through the use of internet filters, no safeguard is foolproof. Students are responsible for avoiding access to inappropriate material and reporting incidents should they occur. Disciplinary action shall consist of any combination of consequences as listed in the Student Code of Conduct Section of each individual school sites Student Handbook under Internet and Technology: Acceptable Use Policy (AUP) for the WCSD Network and Internet.

### **3.20 INTERNET & TECHNOLOGY**

#### **Acceptable Use Policy (AUP) for the WCSD Network and Internet**

The Walton County School District (WCSD) is providing computer network and Internet access for its students and employees. This service allows employees and students to share information, create and maintain school-based websites, research diverse subjects, and learn new concepts.

The WCSD has adopted this Acceptable Use Policy (AUP) to set guidelines for accessing the computer network or the Internet service provided by the School District. Every year, students and employees who want network and Internet access for that upcoming school year need to sign and submit this agreement to the WCSD. Students who are under 18 also must have their parents or guardians sign this agreement. By signing this agreement, the student,

employee, and parent or guardian agree to follow the rules set forth in this Policy and to report any misuse of the network or Internet to a teacher or supervisor. Parties agreeing to this policy also understand the WCSD may revise the Internet AUP, as it deems necessary. The School District will provide notice of any changes either by posting such a revised version of the Policy on its website or by providing written notice to the students, employees and parents or guardians.

This AUP must accompany any request for a WCSD network account that provides e-mail, access to the Internet or to any WCSD network and use of a school district supplied computer. The student or employee is required to change their password the first time he or she uses the account and routinely thereafter. Passwords for each account should be kept in a secure location and should not be shared with other users.

The account may only be used during the time the user is a student or employee of the WCSD. Anyone who receives an account is responsible for making sure it is used properly.

The account provided by the WCSD should be used only for educational or professional purposes. Staff may use the Internet for personal use only if such use is incidental, has received prior supervisor approval, occurs during their duty-free time, and follows the AUP.

The use of technology resources and Internet access is to support education, research, and to extend the resources of WCSD. All use of technology must be in support of education, research, or enrichment and be consistent with the intended purposes. All users are required to follow all standards, policies, and procedures related to the use of technology in the WCSD. If a user is uncertain about whether a particular use of the network, a computer, or the Internet is appropriate, he or she should consult a teacher, supervisor, administrator, or Instructional Technology Department. The user is ultimately responsible for his or her actions and activities involving the network. Students, teachers, and staff members will be informed of issues regarding network etiquette, security, and vandalism with the understanding that any violation of the policy is unethical and may constitute a criminal offense or violation of the Acceptable Use Policy.

#### **3.21 Inappropriate Uses of the WCSD Network, Internet, and WCSD supplied computers**

The following uses of the Account provided by the WCSD are unacceptable:

1. **Uses that violate any state or federal law or municipal ordinance are unacceptable.**

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**Unacceptable uses include, but are not limited to the following:**

- a) selling or purchasing any illegal substance;
- b) accessing, transmitting, or downloading child or adult pornography, obscene depictions, harmful materials, or materials that encourage others to violate the law; or
- c) transmitting or downloading confidential information or materials that violate Federal copyright laws.

**2. Uses that involve the accessing, transmitting, or downloading of inappropriate matters on the Internet, as determined by the WCSB, local educational agency or other related authority.**

- a) Unauthorized Instant Messaging clients.
- b) Peer-to-Peer (P2P) software used to download unauthorized music, video, or content.

**3. Uses that involve obtaining and/or using unauthorized free e-mail sites as defined by the WCSD Internet filtering solution.**

**4. Uses that cause harm to others or damage to their property are unacceptable. Unacceptable uses include, but are not limited to the following:**

- a) deleting, copying, modifying, or forging other users' e-mails, files, or data;
- b) accessing another user's e-mail without his/her permission, and as a result of that access, reading, or forwarding the other user's e-mails or files without that user's permission;
- c) damaging computer equipment, files, data, or the network;
- d) circumventing security configurations (accessing proxy sites for the purpose of bypassing authorized content filter solutions), modifying setup policies, modifying settings on machines, attaching unauthorized devices, or modifying infrastructure;
- e) using profane, abusive, or impolite language;
- f) disguising one's identity, impersonating other users, or sending anonymous e-mail messages;
- g) threatening, harassing, or making defamatory or false statements about others;
- h) accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
- i) accessing, transmitting or downloading computer viruses or other harmful files or programs, or in any way degrading or

disrupting any computer system performance;

- j) accessing, transmitting or downloading large files, including "chain letters" or any type of "pyramid schemes";
- k) using any district computer to pursue "hacking," internal or external to the district, or attempting to access information that is protected by privacy laws; or
- l) using the network while access privileges are suspended or revoked.

**5. Uses that jeopardize access or lead to unauthorized access into accounts or other computer networks are unacceptable. Unacceptable uses include, but are not limited to, the following:**

- a) using other user's account passwords or identifiers;
- b) disclosing one's account password to other users or allowing other users to use one's accounts;
- c) getting unauthorized access into other user's accounts or other computer networks; or
- d) interfering with other user's ability to access their accounts.

**6 Commercial uses are unacceptable. Unacceptable uses include, but are not limited to the following:**

- a) selling or buying anything over the Internet for personal financial gain;
- b) using the Internet for advertising, promotion, or financial gain; or
- c) conducting for-profit business activities and engaging in non-government related fundraising or public relations activities, such as solicitation for religious purposes, lobbying for political purposes, or soliciting votes.

6. Connecting personal network devices (wired or wireless) to the WCSD Network is unacceptable. As participants in the Walton County School District BRING YOUR OWN TECHNOLOGY pilot program, students at the following schools are exempt from this rule: West DeFuniak Elementary, all 6-8 middle and 9-12 high schools, Freeport Middle School 5-8, Paxton School 6-12 and Emerald Coast Technical College. Unacceptable devices include, but are not limited to the following:

- a) personal laptops/workstations;
- b) personal MP3 devices (iPod, etc.);
- c) personal network enabled cellular phones (iPhone, Blackberry, etc.);

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- d) personal gaming consoles (Wii, PS3, X-Box 360, etc.); or
- e) personal network devices (routers, printers, access points, switches, etc.).

### **3.22 INTERNET SAFETY**

In compliance with the Children's Internet Protection Act ("CIPA"), the WCSD will implement a technology protection measure through filtering and/or blocking software to restrict access to Internet sites containing child pornography, obscene depictions, or other materials considered to be harmful. The software will work by scanning for objectionable words or concepts, as determined by the WCSD. (Note: CIPA does not enumerate any actual words or concepts that should be filtered or blocked. Thus, CIPA necessarily requires that the WCSD determine which words or concepts are objectionable. The WCSD currently blocks the categories of Adults Only, Alcohol, Chat, Drugs, Free Mail, Free Pages, Gambling, Hate/Discrimination, Illegal, Lingerie, Murder/Suicide, Nudity, Pornography, Profanity, School Cheating Information, Search Terms, Sex, Tasteless/Gross, Tobacco, Violence, and Weapons.) However, no software is foolproof, and there is still a risk an Internet user may be exposed to a site containing such materials. An account user who incidentally connects to such a site must immediately disconnect from the site and notify a teacher or supervisor. **If an account user sees another user is accessing inappropriate sites, he or she should notify a teacher or supervisor immediately.**

In compliance with CIPA, the WCSD and its representatives will implement a mechanism to monitor all minors' on-line activities, including website browsing, e-mail use, chat room participation, and other forms of electronic communications. Such a mechanism may lead to discovering a user has violated or may be violating District Policy. If this is found to be the case appropriate disciplinary actions may/will be taken including notification to appropriate law enforcement agencies if necessary. Monitoring is designed to enforce the Acceptable Use Policy on the Internet as determined by the WCSB, local educational agency, or other related authority. The WCSD reserves the right to monitor all online activities and to access, review, copy or store any electronic communications or files.

All users must understand and practice proper ethical use of the internet. Authorized personnel will supervise the use of computers and the internet. All students and staff must have training regarding procedures, ethics, and security involving the use of the internet and district resources prior to receiving access to the system.

**The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of this privilege.** Disciplinary actions will be tailored to meet specific concerns related to violations and will be designed to assist the student or staff member in gaining the self-discipline necessary to behave appropriately on an electronic network. If the alleged violation also involves the violation of other provisions in WCSB policies, the violation will be handled in accordance with the general disciplinary policies and procedures. The WCSD and its employees will cooperate fully with local, state, and federal officials in any investigation concerning or relating to any illegal activities conducted through the WCSD Internet system. Staff members should become familiar with this policy when their duties include supervision of students using the Internet and WCSD Internet resources. When, in the course of their duties, staff members become aware of a student violation of this policy, they should correct the student and address the matter in accordance with the WCSD's general disciplinary policies and procedures.

**Users shall not reveal on the Internet personal information** about themselves or about other persons. For example, account users should not reveal their full names, home addresses, telephone numbers, school addresses, or parents/guardians' names on the Internet. **Account users who are under the age of 18 shall not meet in person anyone they have met on the Internet without their parents/guardians' permission.** Account users will abide by all school district security policies.

**Privacy Policy**—The System Administrators and Technology Information Officer have the authority to monitor all accounts, including e-mail and other materials transmitted through the District network. Parents/guardians and community members who wish to view District emails should submit a request to the WCSD.

**Storage Capacity**— To ensure that account users remain within the allocated network storage, users should delete files or data that take up excessive storage space and files not related to professional activities and responsibilities.

**Student Information**—Student information shall be posted in accordance with the Family Educational Rights and Privacy Act (FERPA, p47).

### **3.23 PENALTIES FOR IMPROPER USE**

**The use of the account is a privilege, not a right, and inappropriate use will result in the restriction or cancellation of the account.** Inappropriate use may lead to any disciplinary and/or legal action, including but not limited to, suspension, expulsion, dismissal from employment from the

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WCSD, or criminal prosecution by government authorities. The WCSD will attempt to tailor any disciplinary action to meet the specific concerns related to each violation.

### **3.24 NETWORK ETIQUETTE FOR E-MAIL**

Good citizenship on the network or Internet requires “netiquette” in sending e-mail to individuals or groups. On-line rules include the following:

- use descriptive subject heading for e-mail;
- begin with a salutation and end with a signature and an e-mail address;
- restate the issue or question being addressed.
- choose words carefully to avoid misunderstandings;
- avoid all capital letters (SHOUTING) and inflammatory messages; and
- avoid cute graphics, long quotes, cartoons and chain letters.

### **3.25 CYBER-BULLYING – CYBER-STALKING**

Cyber-bullying is defined as Bullying or harassment of any student through the use of data or computer software that is accessed through a computer, computer system, or computer network to systematically and chronically inflict physical hurt or psychological distress on one or more students using any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee - all in accordance with “Jeffrey Johnston Stand Up for All Students Act”.

Cyber-stalking is defined as an engagement 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.

### **3.26 PROHIBITED USES**

Users should take precautions to protect access to their account(s) and must not compromise the privacy of their password by giving it to others or exposing it to public view. All security issues should be reported to school staff immediately.

Prohibited use includes, but is not limited to:

1. Taking, sending, forwarding or receiving pictures of a sexual nature via an electronic device is against the law and could get an employee/student into serious trouble. Students must report receiving pornographic materials to the school's administration.
2. Any **laser device**, not authorized for use as a learning tool, is **strictly** prohibited on school

grounds or school buses and possession of such device will result in confiscation and possible disciplinary action.

3. Use of the Internet or network for financial gain or illegal activity of any description.
4. Unauthorized use of another individual's network access including use of another individual's network username and password.
5. Consuming large amounts of bandwidth, resulting in disruption of the network, including but not limited to:
  - a) Network/Internet games
  - b) Streaming video and audio
  - c) Non-educational teleconferencing
  - d) Downloading very large files without prior approval of technology staff
6. Hacking or any attempt to gain access to networks, including but not limited to:
  - a) Browsing networks to obtain IP addresses and other network information
  - b) Accessing the networks without prior authorization
  - c) Using network resources or other resources with the intent of preventing or interfering with the transmission of voice, data, pictures, or anything that can be transmitted over the network
  - d) Accessing files or folders on the network without permission is prohibited
  - e) Circumventing proxy servers, firewalls or other filtering software
7. It is expected that students using the internet will **ONLY** access it through the WCSD network.

**Note:** If a communication device is used in a criminal act while the employee or student is on District/school property or in attendance at a school function, there is a possibility of disciplinary action by the school or criminal penalties by a court of law. (Florida Statute 1006.07(2)(e))

**Note:** The WCSD is not financially responsible for electronic or wireless devices that are lost or stolen on campus. The WCSD is not responsible for any data lost while connected to our network. The WCSD maintains the right to disable any device connected to the network.

### **3.27 ELECTRONIC COMMUNICATION**

Student use of cellular phones or other wireless devices is strictly prohibited at any time once the school day begins unless specific permission is granted by a teacher or administrator or is specific to an IEP or 504 Plan. Cellular phones or other communication devices used during the school day or on the school bus without specific permission will be

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confiscated. Confiscated devices will be released only to the parent/guardian at the end of the academic day that the incident occurs, or before or after school in the days following. Repeated misuse may result in loss of privileges as determined by the principal or his/her designee.

Electronic Communication includes, but is not limited to, email, blogs, podcasts, discussion boards, web sites, video conferencing, virtual classrooms, and any other online collaboration tools.

Sharing of student information, including but not limited to, home address(es), phone number(s), social security number, full name of family members, or other personal information is prohibited.

Inappropriate use includes, but is not limited to:

- a) the creation and exchange of offensive, harassing, obscene, or threatening communication;
- b) the creation and exchange of communication that uses impolite, abusive, or objectionable language;
- c) the exchange of privileged, confidential, or sensitive information outside of the organization or outside the defined privileged group;
- d) the creation and exchange of advertisements, solicitations, chain letters, SPAM and other unsolicited e-mail;
- e) the creation, storage, or exchange of information in violation of copyright laws;
- f) reading or sending communication from another user's account, except under proper delegate arrangements;
- g) altering or copying a communication or attachment belonging to another user without the permission of the originator;
- h) using electronic communication in ways that violate WCSB policies, the Student Code of Conduct, or district procedures;
- i) activities which cause congestion of the network or otherwise interfere with the work of others;
- j) impersonating any other person, entity, or organization or misrepresenting your affiliation with any other person, entity, or organization; and
- k) representing personal views as those of the WCSB.

### **Responsibility**

School staff must be notified immediately of any unauthorized use of your account or any other breach of security. Unauthorized use resulting from negligence in maintaining security will be the responsibility of the user.

### **Delivery**

All minors will receive instruction on appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response. Instruction may take several formats depending on age level appropriateness and content. In addition, informational resources will be available on the district's website.

**Disclaimer**—The WCSB makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from the unauthorized use of the network. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of the WCSB, its affiliates, or employees. Users are responsible for any losses sustained by the WCSB or its affiliates resulting from the account user's intentional misuse of the accounts.

**Exception of Terms and Conditions**—All terms and conditions as stated in this document are applicable to all users of the network. These terms and conditions reflect an agreement of the parties and shall be governed and interpreted in accordance with the laws of the State of Florida and the United States. All users will sign and abide by the provisions of appropriate contract (Educator, Parent/Guardian, Student, and Site).

### **4.0 STUDENTS WITH DISABILITIES: DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES (SWD)**

Disciplinary procedures must be consistent with Rule 6A-6.03312, Florida Administrative Code. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the requirements and procedures in this rule, is appropriate for a student with a disability (SWD) who violates a Code of Student Conduct.

### **Change of Placement Because of Disciplinary Removals**

For the purposes of removing a SWD from the student's current educational placement as specified in the student's Individual Education Plan (IEP), a change of placement occurs when:

1. The removal is for more than ten (10) consecutive school days; or
2. The student has been subjected to a series of removals that constitutes a pattern that is a change of placement because the removals cumulate to more than ten (10) school days in a school year. (A school district determines on a



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case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.)

- On the date the decision is made to make a removal that constitutes a change of placement for SWD because of a violation of a code of student conduct, the school district must:
1. notify the parent/guardian of the removal decision; and,
  2. provide the parent/guardian with a copy of Part B Procedural Safeguards as referenced in 6A-6.03312, [www.fldoe.org/ese/pdf/procedural.pdf](http://www.fldoe.org/ese/pdf/procedural.pdf). This document outlines the due process and rights of appeal regarding a change of placement for SWD.

### **Manifestation Determination**

A manifestation determination, consistent with the following requirements, must be made within ten (10) days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct. In conducting the review, the school district, the parent/guardian, and relevant members of the IEP Team (as determined by the parent/guardian and the school district) must review all relevant information in the student's file, including any information supplied by the parents/guardians of the student, any teacher observations of the student, and the student's current IEP. Through this process, the IEP team determines whether the conduct in question was caused by, or had a direct and substantial relationship to the student's disability, or whether the conduct in question was the direct result of the school district's failure to implement the IEP. If the conduct is determined by the team to be a manifestation of the student's disability, the IEP Team must either:

1. Conduct a functional behavioral assessment (FBA) unless the school district has conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the student; or
2. Review an existing functional behavioral assessment and modify it, as necessary, to address the behavior.

School personnel may remove a student to an Interim Alternative Educational Setting (IAES) for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability under special circumstances enumerated in 6A-6.03312(6) relating to weapons, drugs, and serious bodily injury.

Students with disabilities who are suspended or expelled from school or placed in an IAES must continue to receive educational services, including homework assignments in accordance with Section 1003.01, Florida Statutes, so as to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

For disciplinary changes of placement, if the behavior is determined not to be a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration in which they would be applied to students without disabilities, except that services consistent with subsection (5) of 6A-6.03312, FAC, must be provided to the student with a disability.

After a student with a disability has been removed from the current placement for ten (10) school days in the school year, if the current removal is not more than ten (10) consecutive school days and is not a change of placement, school personnel, in consultation with at least one of the student's special education teacher(s), shall determine the extent to which services are needed to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP. A school district is not required to provide services to a student with a disability during removals totaling ten (10) school days or less in that school year, if services are not provided to students without disabilities who are similarly removed.

### **4.1 STUDENT RECORDS IN DISCIPLINARY PROCEDURES**

School districts shall ensure that the special education and disciplinary records of students with disabilities are transmitted, consistent with the provisions of Section 1002.22, Florida Statutes, and Rule 6A-1.0955, FAC.

School districts shall include in the records of students with disabilities a statement of any current or previous disciplinary action that has been taken against the student and transmit the statement to the same extent that the disciplinary information is included in, and transmitted with, the student records of nondisabled students.

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## **4.2 REPORTING CRIMES COMMITTED BY SWD**

A school district is not prohibited from reporting a crime committed by a student with a disability to appropriate authorities or preventing state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a student with a disability.

## **4.3 SUSPENSION AND EXPULSION RATES**

The Florida Department of Education will examine data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of students with disabilities.

## **4.4 PROCEDURAL SAFEGUARDS AND DUE PROCESS PROCEDURES**

Each school district must establish, maintain, and implement procedural safeguards that meet the requirement of 6A-6.0331, Florida Administrative Code. Notice of Procedural Safeguards is made available at least one time a school year, and in each of the following instances:

- a) Upon initial referral or your request for an evaluation
- b) In accordance with the discipline procedures when a change in placement occurs
- c) Upon receipt of the first State complaint in a school year
- d) Upon the receipt of the first request for a due process hearing in a school year
- e) Upon your request to receive a copy

A copy of these parent/guardian rights may be obtained at Department of Exceptional Student Education, **555 Walton Road, DeFuniak Springs, 32433**. Procedural Safeguards may also be accessed through [www.walton.k12.fl.us](http://www.walton.k12.fl.us) or [www.fldoe.org/ese/pdf/procedural.pdf](http://www.fldoe.org/ese/pdf/procedural.pdf).

## **4.5 SECTION 504 VOCATIONAL REHABILITATION ACT OF 1973**

It is the policy of the WCSB to provide a free and appropriate public education to each student/person with a disability within its jurisdiction, regardless of the nature or severity of the impairment. It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with equal access to educational programs. Students may be eligible under Section 504 even though they are not eligible to receive special education or related services pursuant to the Individuals with Disabilities Education Act (IDEA). Due process rights of eligible students and their parent/guardians under Section 504 will be enforced.

The school district's 504 Coordinator is responsible for ensuring compliance with Section 504 activities.

## **4.6 PROCEDURAL SAFEGUARDS, GRIEVANCE PROCEDURES, AND HEARING**

Parent/guardians must be advised of their rights with respect to Section 504 of the Rehabilitation Act of 1973. They should also receive written notice when their child is evaluated, identified, or is involved in a significant change of placement. All decisions made about a student should be based on information acquired from a variety of sources and provided by individuals knowledgeable about the student, the evaluation data, and the placement options. Parent/guardians also have the right to examine all relevant records relating to decisions involving identification, evaluation and placement. Parent/guardians have the right to file a local grievance or a due process hearing to resolve issues relating to the identification, evaluation or placement of their child. These three complaint processes are separate, distinct, and voluntary.

## **4.7 MEDIATION REQUEST**

When parent/guardians request mediation with respect to the decisions of the School-based Intervention Team (SBIT) considering their child for Section 504 eligibility and/or the recommended accommodations, the request should be given in writing to the school principal who will attempt to resolve the issue within ten (10) school days of the receipt of the written grievance. The school principal will consult with the 504 Coordinator to help resolve complaints.

## **4.8 DISTRICT GRIEVANCE**

Should an attempt to mediate prove unsuccessful, parents or guardians have the right to a district-level grievance process accomplished by filing a complaint under School Board policy. Use of this procedure is not a prerequisite to the pursuit of other remedies and use of this procedure does not extend any filing deadline related to the pursuit of other remedies. A person who wishes to avail himself/herself of this procedure may do so by filing a complaint with the School Board Equity Officer and follow the procedures as outlined in School Board policy. WCSB Equity Officer information on back cover.

## **4.9 DUE PROCESS HEARING**

Parents or guardians also have the right to voluntarily request an impartial due process hearing at any time. Pursuing a complaint or grievance through the district's grievance procedures and participating in mediation do not constitute a

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prerequisite for requesting a due process hearing. Questions regarding procedural safeguards, grievance procedures, or hearing should be directed to the district's Section 504 Coordinator, (850) 892-1100.

To obtain a due process hearing, a written request is made to the Section 504 Coordinator.

Upon receipt of the request for due process, the District will contract with the Division of Administrative Hearings (DOAH) to appoint an Administrative Law Judge as a Due Process Hearing Officer. The Administrative Law Judge will schedule a prehearing conference and a subsequent hearing. Parents or guardians and the school district have the right to examine all relevant educational records of the student, call and examine witnesses, provide testimony and be advised by legal counsel. Procedures governing the hearing process such as discovery, subpoenas and evidence will follow DOAH's Uniform Rules of Procedure at 28-106.201 to 28-106.216. These rules may be accessed at its website at [www.doah.state.fl.us](http://www.doah.state.fl.us). The Administrative Law Judge will render a decision, which becomes the final administrative decision. (Because Section 504 requires the decision to be impartial, it is not subject to changes by a party.) Any party aggrieved by the findings and decision in the hearing may obtain review by bringing a civil action in any state court of competent jurisdiction or in a district court of the United States.

Parent/guardians may at any time also request mediation or involvement by the Office for Civil Rights, the federal agency charged with the enforcement responsibility for Section 504. Efforts should be made to assist parent/guardians to resolve disputes on a local level as a first priority. The Office for Civil Rights may be contacted at: United States Department of Education, Office for Civil Rights, 61 Forsyth Street, SW, Suite 19T70, Atlanta, Georgia 30303, Phone (404) 974-9396, FAX (404) 974-9471.

### **4.10 DISCIPLINE UNDER SECTION 504**

The administration of student discipline for Section 504 students is the same as that for students with disabilities who receive such services through exceptional student education programs under IDEA. If proposed, disciplinary action will cause a significant change in placement, the student is reevaluated. In a disciplinary context, this means it must be determined whether the misconduct is related to the student's disability.

Suspension for more than 10 days in a school year (cumulative, or consecutive) is as a "significant change of placement" and warrants a review of the student's placement and services. The school should convene a SBIT meeting with a group of people

knowledgeable about the student and determine whether the student's inappropriate behavior was a manifestation of the student's disability. If the behavior is determined to not be related to the student's disability, typical discipline rules that apply to students who are not disabled may be implemented.

If the behavior is determined to be a manifestation of the disability or if the student's accommodation plan was insufficient to address the behavior, then change of placement should be addressed through revision of existing Accommodation Plan to include a Positive Behavior Intervention Plan (PBIP). Section 504 does not mandate functional behavior assessment; however, such an assessment would provide important information for development of PBIP.

After the PBIP is developed and implemented, further out of school suspension or other change of placements would need to be considered in light of the requirements of the PBIP. The PBIP supersedes the Code of Student Conduct in areas where the two documents may conflict (e.g. consequences for inappropriate behavior). Should a Section 504 student be appropriately suspended for more than 10 days, the district is not obligated to provide accommodations to them unless accommodations would be provided to a non-disabled student in a similar situation.

### **4.11 MANIFESTATION DETERMINATION**

If a Section 504 student is subjected to a change of placement due to disciplinary action, a manifestation determination must be conducted. This meeting should take place before suspending a Section 504 student for a period that, when considered with prior suspensions during the school year, exceeds the tenth cumulative day.

### **4.12 SUBSTANCE USE/POSSESSION OFFENSES**

SWD who is currently engaged in the illegal use of drugs or alcohol, is subject to any disciplinary measure pertaining to the use or possession of illegal drugs or use of alcohol as is taken for students without disabilities. No manifestation determination or due process procedures are required. However, a student with a disability who is not currently engaged in the illegal use of drugs or alcohol who commits a drug/alcohol offense, such as possession, sale, or distribution of drugs or alcohol, is afforded Section 504 and ADA protection, including the right to an evaluation of whether the behavior is related to the disability and the right to due process. For example, a student with a disability is entitled to procedural protection when illegal drugs are found in his locker if it is determined that the student is not currently using

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the drugs. The Office for Civil Rights (OCR) defines "current use of drugs" as "illegal use of drugs that occurred recently enough to justify a reasonable belief that a person's drug use is current or that continuing use is a real and ongoing problem". Thus if it is known that the student with the drugs in his locker has been consistently using illegal drugs but happened not to be using them that day, the student may not be protected because he could still be a current user.

SWD who formerly used drugs illegally is protected under Section 504 and ADA, if not currently engaging in illegal use of drugs. The person is protected if the individual has successfully completed a supervised rehabilitation program and is no longer engaging in drug use, the person is participating in a supervised rehabilitation program and is not engaging in such use, or the person is erroneously regarded as engaging in such use.

### **4.13 INTERIM ALTERNATIVE EDUCATIONAL SETTING**

There is no clear guidance from OCR on determining placement in an interim alternative educational setting (IAES). However, the 45-day placement for firearms (the Jefford's Amendment) clearly applies to Section 504 students. IAES placement must be made by a duly constituted 504 team.

Definition: The IAES is a change in placement for up to 45 calendar days that may be appropriate for a student with a disability who:

- a) Possesses or uses illegal drugs at school or at a school function
- b) Sells or solicits controlled substances at school or at a school function
- c) Carries or possesses a weapon to or at school, on school premises, or to or at a school function. The penalty for a Section 504 student must be commensurate with that of a non-disabled student.

### **4.14 NOTICE OF PARENT/GUARDIAN/STUDENT RIGHTS AFFORDED BY SECTION 504 OF THE REHABILITATION ACT OF 1973**

The following is a description of the rights granted by Federal Law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

- a) have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disabling condition(s).

- b) have the school district advise you of your rights under Federal Law.
- c) receive notice with respect to identification, evaluation or placement of your child.
- d) have your child receive a free appropriate public education.
- e) have your child receive services and be educated in facilities which are comparable to those provided to non-disabled students.
- f) have evaluation, education and placement decisions made, based on a variety of information sources and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
- g) have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district at no greater cost to you than would be incurred if the student was placed in a program operated by the district).
- h) have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
- i) examine all relevant records relating to decisions regarding your child's identification, evaluation and placement.
- j) request mediation, file a complaint pursuant to the Florida Administrative Procedure Act (F.S. Chapter 120), or request an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and your child may take part in the hearing and be represented by counsel. Hearing requests must be made in writing to the 504 Coordinator, 145 Park Street, DeFuniak Springs, FL 32435, (850-892-1100). You may elect to contact the Office for Civil Rights at any time. These complaint resolution activities are voluntary, separate and distinct. In addition parents/guardians may also exercise any other rights available under School Board Policy.
- k) request an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. Hearing requests must be made in writing to the District 504 Coordinator, identified below. You and your child may take part in the hearing and be represented by counsel. The hearing is conducted by an Administrative Law Judge of the Division of Administrative Hearings.

## RIGHTS & RESPONSIBILITIES

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DOAH's Uniform Rules of Procedure, which may be accessed at its website at [www.doah.state.fl.us](http://www.doah.state.fl.us), is used to conduct the hearing. The Administrative Law Judge will render a decision, which is the final administrative decision. Because Section 504 requires the decision to be impartial, it may not be subject to changes by a party. Any party aggrieved by the findings and decision in the hearing may obtain review by bringing a civil action in any State court of competent jurisdiction or in a District Court of the United States.

**Parent request for outside provider to provide counseling, behavioral services or OT/PT services at school:**

Parents must make a written request to the principal or designee for permission for any services provided during the school day.

**Recording of meetings:** F.S. 934.03 states it is a crime to record a conversation with another person without first obtaining their consent to do so. Therefore, any request to record a meeting should be made in writing to school principal or designee. Refusal to allow the recording of an IEP or 504 meeting does not deny a student FAPE, and does not impede or affect a parent's ability to meaningfully participate in an IEP or 504 meeting, or exercise their rights under IDEA.

## **INFRACTIONS AND CONSEQUENCES**

## INFRACTIONS AND CONSEQUENCES – MINOR & INFORMAL

### **5.0 Minor Infractions Requiring Informal Consequences**

Minor infractions involving informal consequences are those which, whenever possible, should be dealt with by the classroom or supervising teacher or administrator on an individual basis without invoking formal discipline procedures. If repetition of these offenses occur, or if they are of a more severe nature, formal referral and discipline may be considered necessary. Repetition is defined as FIVE or more minor infraction referrals. Examples of in-school misconduct include, but are not limited to, the following:

- a) tardiness (refer to the MTSS process described in the Truancy section of this document)
- b) failure to follow instructions
- c) failure to have required materials or equipment
- d) cheating, plagiarism or lying
- e) unauthorized use or loss of school property, including textbooks, or intentional damage to or defacement of school property of a minor nature
- f) failure to report to class or leaving class without permission
- g) committing petit or misdemeanor theft as defined in Florida Statutes (less than \$300.00)
- h) violation of school parking regulations
- i) disrespect for staff
- j) targeted behaviors in an ESE student's Individual Education Plan (IEP) or 504 student's Accommodation Plan
- k) violation of school bus rules of conduct
- l) teasing or horseplay which does not involve injury
- m) use of abusive, obscene language (profanity) or libelous statements
- n) harassment of students or staff
- o) failure to follow WCSD medication policy for prescription or non-prescription medication (ex. Tylenol, Motrin, etc...)
- p) unauthorized assembly or unauthorized distribution of materials
- q) minor disruption of a school class or activity
- r) violation of the WCSD's internet policy including students in virtual programs
- s) refusal to do classroom work or assignments (including homework)
- t) violation of district dress code
- u) inappropriate use of wireless communication as described on page 12.

- v) public display of affection in a manner which is inappropriate in a school setting in the judgment and discretion of the principal or designee.

### **5.1 Informal Consequences**

In addition to informal teacher interventions, examples of informal consequences include, but are not limited to, the following:

- a) Conference with the student/parents/guardians or direct discussion with student and/or parents/guardians, in order to resolve a problem. In cases where it is appropriate, verbal warnings should be issued to the student as the primary intervention.
- b) A written warning or reprimand to a student and parent/guardian from the teacher, or if deemed necessary, from the principal or his designee.
- c) In-class behavior management interventions to include work details, behavior management plans, and positive re-enforcement for good behavior as examples.
- d) Voluntary community service (minimum of five hours) with a recognized community organization or club, church, school or social services agency. Principal must designate and approve hours and the activity prior to implementation. Students must have a community service form signed and dated by the group's representative with the number of hours and activity performed documented. This community service option MUST be completed within one (1) week of the infraction. Students and their parents/guardians assume full responsibility and liability for this option. If not completed within the specified time-frame, the administrator may assign another form of discipline.
- e) After-school detention may be imposed, when provided at the school site, for a limited period of time with a maximum of one hour a day. A period of detention may not begin without one day's notice to the student and parents/guardians and a student shall be detained only under the supervision of school personnel. Transportation is the responsibility of the parent/guardian.
- f) Lunch detention may be imposed when provided at the school site. Students will be monitored by school staff at all times in a designated area. Lunch may not be withheld from any student given lunch detention.

## INFRACTIONS AND CONSEQUENCES – MINOR & INFORMAL

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- g) Saturday school may be imposed where funded and provided. Transportation is the responsibility of the parent/guardian/student.
- h) School privileges may be withdrawn by the principal or his designee. These may involve co-curricular activities, school government and school social events as well as other functions as determined by the principal. This includes driving privileges for older students.
- i. In-school suspension may be imposed in lieu of out-of-school suspension. Additionally, students may be required to complete daily work, additional behavior modification assignments, in-class behavior management interventions to include work details, behavior management plans, and positive reinforcement for good behavior.
- j. Written or verbal apologies.
- k. Replacement of property or reimbursement.
- l. A grade of zero may be assigned by the teacher for work not submitted or in instances of cheating.
- m. Confiscation of cell phone, tape/CD/MP3 player or similar items causing a disruption. Parents/guardians will be required to pick up the confiscated items from the administrative office of the school. The principal will determine appropriate consequences.
- n. Change of clothing to comply with district dress code.
- o. The full purchase price of a lost, destroyed, or unnecessarily damaged textbook must be collected or, after a reasonable effort to collect the required amount, the principal may suspend the student from extracurricular activities or the student may satisfy the debt through community service.

**Repeated or severe misbehavior may result in a recommendation to the Superintendent of Schools for alternative placement.**



## INFRACTIONS AND CONSEQUENCES – MAJOR & FORMAL

### **5.2 Major Infractions Requiring Formal Consequences**

Suspension, expulsion and exclusion are formal consequences usually employed after parental/guardian assistance and all available school and support services have been unsuccessful in dealing with the student misconduct, or when student conduct or conditions are disruptive, dangerous or of an emergency nature. These infractions include, but are not limited to, the following:

- a) disruption or obstruction of the orderly educational process
- b) defacement or destruction of school property
- c) disrespect or disobedience of school officials acting pursuant to their official responsibilities, which results in a disruptive effect upon the education of other students
- d) interference with or intimidation of school personnel by force or violence or creating a hostile environment that includes bullying/harassment or violation of bullying/harassment policy
- e) interference with or intimidation of other students by force, violence or violation of district bullying/harassment policy. This includes any form of bullying.
- f) behavior which is inappropriate or detrimental to the welfare or safety of other students including fighting on school grounds or on a school bus, at a school bus stop or while participating in a school sponsored function or activity
- g) interference with, or disruption or obstruction of the operation of a school bus or severe infractions at a school bus stop
- h) failure to correct repeated misconduct as described under infractions requiring informal consequences. Students must have accrued FIVE MINOR referrals.
- i) participation in secret societies or gang activities
- j) theft or larceny (\$750.00 or more)
- k) burglary
- l) extortion
- m) use of a wireless communications device in a criminal act or causing a major disruption to the education process
- n) possession of a self-defense spray (such as mace or pepper gas) that is not displayed in a threatening manner or used as a weapon
- o) indecent exposure or sexual misconduct
- p) malicious mischief including intentional damage to personal property or vandalism
- q) robbery
- r) trespass
- s) leading or participating in a riot on school grounds
- t) possession/use (including e-cigarettes or vaping devices and/or their related components) of tobacco or tobacco products (\$25.00 fine may also be levied)
- u) possession of drug paraphernalia
- v) making false representation of any item as a drug
- w) falsely reporting an incidence such as bullying or sexual assault that disrupts the school environment
- x) intentionally making false accusations that jeopardize the professional reputation, employment, or professional certification of a teacher or other member of the school staff
- y) creating a hostile environment that includes harassing physical, verbal, graphic or written conduct that is sufficiently severe, pervasive or persistent as to interfere with an individual's ability to participate in or benefit from school activities. This includes all forms of sexual, racial, national origin, disability, cultural or other forms of discrimination or harassment prohibited by School Board policies.
- z) hazing
- aa) aggravated misuse of non-prescription medication violations as described on page 13
- bb) possession of a common pocket knife
- cc) possession of cannabis shake or residue only
- dd) possession of alcohol
- ee) unauthorized use, or under the influence of alcohol, controlled substance or illegal drugs without exhibiting inappropriate, abnormal or hostile behavior that disrupts the school environment.

Students committing infractions pertaining to possession of cannabis shake or residue, alcohol or unauthorized use, or under the influence of alcohol, a controlled substance or illegal drugs may be required to complete drug or alcohol counseling and are subject to any other consequence imposed by the school administration, including, but not limited to: suspension from all extracurricular/nonacademic activities, athletics, school trips, prom and graduation exercise, revocation of school privileges such as driving privileges, Saturday school, in-school suspension, out-of-school suspension, or a recommendation to the Superintendent of Schools for expulsion or alternative placement.

**Repeated or severe misbehavior of any item addressed in Major Infractions may result in a recommendation to the Superintendent of**

## INFRACTIONS AND CONSEQUENCES – MAJOR & FORMAL

**Schools for alternative placement or a recommendation for expulsion. Violent or disruptive students may be assigned to an alternative educational program and/or referred to mental health services identified by the district.**

### **5.3 OFF CAMPUS INCIDENTS**

In compliance with State Board Rule 6A-1.0956, when a student is formally charged with a felony by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, but which incident is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled, the principal shall, in accordance with Section 1006.09(2), Florida Statutes, conduct an administrative hearing for the purpose of determining whether or not the student should be suspended pending disposition of the charge. The following procedures shall be followed by the principal in instituting and conducting the administrative hearing; provided, however, that a school board may, upon written approval of the Commissioner, utilize its own hearing policy in lieu of this rule.

1. Upon receiving proper notice that a student has been formally charged with a felony, the principal shall immediately notify the parent or guardian of the student, in writing, of the specific charges against the student and of the right to a hearing prior to disciplinary action being instituted under the provisions of Section 1006.09(2), Florida Statutes.
2. Such notice shall stipulate a date for hearing which shall be not less than two (2) school days nor more than five (5) school days from postmarked date, or delivery, of the notice and shall also advise the parent/guardian of the conditions under which a waiver of suspension may be granted, as prescribed in subsections (2) and (3) of Section 1006.09, Florida Statutes. Pending such hearing, the student may be temporarily suspended by the principal.
3. The hearing shall be conducted by the principal, or designee, and may be attended by the student, the parent or guardian, the student's representative or counsel, and any witnesses requested by the student, the parent or guardian, or the principal.
4. The student may speak in his or her own defense, may present any evidence indicating his or her eligibility for a waiver of disciplinary action, and may be questioned on his or her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.

5. In conducting the hearing, the principal or designee shall not be bound by rules of evidence or any other courtroom procedure and no transcript of testimony shall be required.
6. Following the hearing, the principal, within five (5) school days shall provide the student and parent/guardian with a decision, in writing, as to whether or not suspension will be made. In arriving at this decision, the principal shall consider the conditions prescribed by subsections (2) and (3) of Section 1006.09, Florida Statutes, under which a waiver of suspension may be granted, and may grant such a waiver when he or she determines such action to be in the best interests of the school and the student. Provided, however, that any suspension pending adjudication of guilt shall be made only upon a finding, based upon conclusive evidence, the felony charge has been formally filed against the student by a proper prosecuting attorney. The principal shall have authority to modify the decision to either grant or deny a waiver, at any time prior to adjudication of the student's guilt by a court, provided that any such modification adverse to the student shall be made only following a hearing conducted in accordance with this rule.
7. The Superintendent may assign or reassign a student to any school or program in the District if in the judgment of the Superintendent, such assignment is in the best interest of the student, another student, staff, or the District in general.
8. No student shall be eligible to participate in any extra-curricular activity if the student is being supervised by either the Florida Department of Juvenile Justice or the Florida Department of Corrections. This supervision includes, but is not limited to pre or post-trial (or plea) supervision.

### **5.4 SUSPENSION & EXPULSION**

**Suspended or expelled students cannot be on School grounds anytime during the school day or when a school activity is being held.**

#### **Suspension**

Suspension from the regular program of the WCSD is defined as removal of a student from all classes or instruction on public school grounds and all other school sponsored activities for no more than (10) school days, unless extended by the Superintendent of Schools until the next regular or special meeting of the WCSB or by the WCSB to a date certain. This includes suspension from school, from riding a school bus, and/or from participating in any school function. The student receiving an out-of-school suspension shall be remanded to the custody

## INFRACTIONS AND CONSEQUENCES – MAJOR & FORMAL

of the student's parent or guardian with special homework assignments for the student to complete if requested by the parent/guardian. Parent/guardian attendance with a child may be substituted for a portion or all of a suspension when offered as an alternative and approved by the principal or his/her designee. The parent/guardian must agree to attend school, shadowing their child, throughout the entire school day.

### **Conditions of Suspension**

1. When a child is suspended from riding a school bus due to misconduct, his absence from school is unexcused. The parent or guardian is expected to provide transportation during the time the student is excluded from the bus. For a student with disabilities with transportation listed as a related service on the IEP or accommodation plan, an alternative mode of transportation must be provided by the District if cumulative suspensions have exceeded ten (10) days.
2. Absence due to an out-of-school suspension shall be considered an excused absence, and will be coded with an "O". A student may make up any work missed and can receive a passing grade of no more than 70-%. Assignments will be provided upon parent/guardian request.
3. For suspensions of 10 days or less, the decision of the principal shall be final if all due process procedures of this Code are followed.

### **Expulsions**

Expulsion is a denial of access to the WCSD. Violent crimes on school grounds, school transportation, or at school functions and serious and/or repeated misconduct may be cause for expulsion. Expulsion may be affected and rescinded only by the School Board. The length of the expulsion shall not exceed the end of that school year during which it was effected and one additional year of attendance. The School Board may honor all expulsions from other Florida public or charter schools and may, upon the Superintendent's recommendation to the school administrator, honor suspensions and expulsions from a non-public and out-of-state schools.

### **5.5 BULLYING, HARASSMENT, OR TEEN DATING VIOLENCE**

It is the policy of WCSB that all of its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The WCSD will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

**5.5.1 BULLYING** is defined as systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.

May involve but is not limited to:

- Unwanted teasing
- Threat
- Stalking
- Physical violence
- Cyberbullying
- Sexual, religious, or racial harassment
- Social Exclusion
- Intimidation
- Theft
- Public humiliation
- Destruction of property

Bullying may also occur:

- a) Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of a public K-12 educational institution; or
- b) Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any non-school-related activity, function, or program.
- c) "Within the scope of a public K-12 educational institution" means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity.
- d) "**Cyberbullying**" means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the

## INFRACTIONS AND CONSEQUENCES – MAJOR & FORMAL

creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

### **5.5.2 HARASSMENT**

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

- a) Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
- b) Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- c) 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; or
- d) **Cyberstalking** as defined in s.784.048(d), FS, 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.

### **Bullying and harassment also encompass:**

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
  - a) Incitement or coercion
  - b) Accessing or knowingly and willingly causing or providing access to data or computer software through a computer,

computer system, or computer network within the scope of the district school system

- c) Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

### **5.5.3 TEEN DATING VIOLENCE**

It is the policy of the WCSB that all of its students have an educational setting that is safe, secure, and free from dating violence or abuse of any kind.

Teen dating violence is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past dating relationship to exert power and control over another when one or both of the partners is a teenager. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threat and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. This may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, and harassment through a third party, and may be physical, mental, or both.

Consistent with the intent and requirements of Section 1006.148, Florida Statutes, the WCSB upholds that dating violence by any student is prohibited:

- on school property;
- during any school-related or school-sponsored program or activity; or
- during school-sponsored transportation.

### **To report or make a complaint of bullying, harassment, or teen dating violence:**

A written (see form in back of Code) report will be made to the school's principal or district designee. Nothing prevents a report from being made directly to the district's designee, or safety officer.

Upon receipt of a report or complaint:

1. The district designee shall notify the parent/guardian of the alleged victim and perpetrator that an investigation has been initiated.
2. The school principal or his/her designee will conduct an investigation documenting interviews with the victim, alleged perpetrator, and witnesses. Interviews will be conducted privately, separately, and shall be confidential. This investigation will be conducted within ten (10) days of receipt of the complaint. Parents/guardians of both victim and alleged perpetrator will be notified.

## INFRACTIONS AND CONSEQUENCES – MAJOR & FORMAL

3. The principal shall complete a written, final report including all facts and shall include whether the actions constitute a violation of this policy. Parents/guardians of both victim and alleged perpetrator will be notified of this finding.
4. The principal shall recommend to the parents/guardians remedial steps necessary to stop the bullying/harassing behavior.
5. If resolution is not achieved through school based intervention, the district safety officer will conduct an independent investigation. A continued pattern of bullying/harassing behavior will be considered a major infraction of WCSB policy.
6. The district may refer victims and perpetrators to counseling through the guidance department and may require parent/legal guardian involvement.

The WCSD will take action against any student or staff member who retaliates against any person who reports an incident of alleged bullying or harassment or violence, or any person who testifies, assists or participates in a proceeding, investigation or hearing relating to such bullying/harassment or violence. Submission of a good faith report of bullying or harassment of any kind will not affect employment, future employment, grades, learning or working environment or work assignments. All students and employees shall be allowed to learn and work in an environment free from bullying or harassment.

Any person who witnesses bullying, harassment, or teen dating violence is required to report it to the proper authorities. Violation of the WCSD's bullying, harassment, or teen dating violence policy may result in an in-school suspension, out-of-school suspension, expulsion or other disciplinary or criminal penalties being imposed. Any student who believes he or she has been placed in a hostile environment or harassed by another student or any other person in the school, on a school bus, or while participating in a school activity may file a complaint utilizing the procedure above to the school principal.

### **5.6 HAZING**

No student, employee or volunteer of the WCSD shall plan, direct or encourage hazing of any type.

Hazing is defined as: pressuring, coercing or forcing a student into violating state or federal law; consuming any food, liquor, drug or other substance; or participating in physical activity that could adversely affect the health or safety of the student. Hazing also includes any brutality of a physical nature such as whipping, beating, branding or exposure to the elements.

An act is still considered hazing even if consent of the victim had been obtained, the activity was not part of an official organizational event or sanctioned

or the act was not done as a condition of membership to an organization.

In addition to school-level punishment, Florida Statutes recognize hazing as a 1st degree misdemeanor if the person knew or should have known it would create a potential risk of physical injury or death and a 3<sup>rd</sup> degree felony if the person knew or should have known the act would result in serious bodily injury or death.

### **5.7 TOBACCO PRODUCTS**

Tobacco products are defined to include any lighted or unlighted cigarette, cigar, pipe, cigarillo and any other smoking product, and any smokeless or spitless tobacco known as dip, chew, snuff or electronic cigarette in any form. Students are prohibited from possessing, using, distributing or selling tobacco products anywhere on school grounds, on school buses or while participating in school activities. Civil citations may be issued and are punishable by Florida law (s.386.212FS). This may include a fine and/or community service. Community agencies or local health department may offer smoking cessation classes which may be helpful to the student.

### **5.8 VANDALISM**

A student and his or her parent or guardian shall be financially responsible for willful or malicious damage to WCSD property caused by the student. The principal may impose disciplinary consequences in addition to a requirement for restitution.

## ZERO TOLERANCE & CONSEQUENCES

### 6.0 OFFENSES REQUIRING SEVERE CONSEQUENCES

Students who have been found to have committed the following offenses on school grounds, a school bus, school-sponsored transportation or at a school bus stop, or during a school sponsored function or activity **shall be recommended for expulsion by the school administrator**, receive the most severe consequences provided for by School Board Policy, and be referred to the appropriate law enforcement agency:

- (a) **Homicide** (murder or manslaughter).
- (b) **Sexual battery.**
- (c) **Armed robbery.**
- (d) **Aggravated battery.**
- (e) **Battery or aggravated battery on a teacher or other school personnel.**
- (f) **Kidnapping or abduction.**
- (g) **Arson**
- (h) **Distribution, sell, or intent to sell drugs**, including any alcoholic beverage or any substance controlled under Chapter 893, Florida Statutes while the student is upon school property or in attendance at a school function on or off campus. This infraction may also result in criminal penalties being imposed. Self-referral or court-ordered referral to a state-licensed drug abuse program, and successful completion thereof; or voluntarily disclosing unlawful possession of controlled substances prior to arrest; or divulging information leading to the arrest and conviction of the person(s) who supplied the controlled substance may constitute sufficient grounds for a suspension of the expulsion for illegal possession or use only. Students who are accused of drug/alcohol use have the option to have a drug or alcohol test performed within 12 hours of the infraction at a State of Florida certified laboratory. The parent/guardian must request the Drug/Alcohol Screening form from the Superintendent's office and indicate their intent to challenge the referral for expulsion. The student will remain under suspension until the results are sent to the District Office. The parent/guardian/student will assume all costs associated with the screening and "chain of custody" (verification) process.
- (i) **Possession of illegal drugs or controlled substances listed under Chapter 893, Florida Statutes.**
- (j) **Being under the influence of controlled substances or illegal drugs or any other substance (ex: chemical fumes, glue, or adhesives intentionally used as a drug to alter mental or physical state) which causes the**

student to behave inappropriately, abnormally or hostile. An exception would include proof of a prescribed medication which would cause similar symptoms when taken by the student. Such evidence of proof would include a prescription medication bottle bearing the student's name or a doctor's statement verifying the prescription for the student on the physician's letterhead.

- (k) **Any student who is determined to have brought a firearm or weapon including a box cutter or razorblade**, (as defined in Chapter 790 of Florida Statutes) to school, on school grounds, to any school function or activity, on a school bus, or at a school bus stop commits a felony of the third degree and **shall be expelled** for not less than one (1) full year, and referred to the Criminal Justice or Juvenile Justice System. **The use of any object which is displayed in an intimidating or threatening manner which could cause harm or injury to others will be considered a weapon.**
- (l) **Any student who is determined to have made a threat or false report** as defined by FS.790.162 and FS. 790.163 involving school or school personnel's property, school transportation, or a school sponsored activity **shall be expelled**, with or without continuing education services, from the student's regular school for a period of not less than one (1) full calendar year and referred for criminal prosecution. The School Board may recommend enrollment of the student to a disciplinary program or alternative educational setting for the purpose of continuing educational services during the period of expulsion. This may include voluntary home education by the parent or guardian.

**The Superintendent may consider the one year expulsion requirement of section (k) and (l) on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system. However, any student bringing a firearm or weapon to school, or any student who makes a threat or false report will be referred to mental health services identified by the school district. If a student committing any of the offenses in this subsection is a student with a disability, the district school board shall comply with applicable State Board of Education rules.**

# ZERO TOLERANCE & CONSEQUENCES

## **6.1 FIREARM SIMULATION**

Simulating a firearm or weapon while playing or wearing clothing that depicts a firearm or weapon or expresses an opinion regarding the Second Amendment is not grounds for disciplinary action or referral to a law enforcement agency. Simulating a firearm includes, but is not limited to:

- a) Brandishing a partially-consumed pastry or other food item
- b) Possessing a toy firearm or weapon less than two inches in length
- c) Possessing a toy firearm or weapon made of plastic snap-together building blocks
- d) Using a finger or hand to simulate a firearm or weapon
- e) Vocalizing sounds of an imaginary firearm or weapon
- f) Drawing or possessing an image of a firearm or weapon
- g) Using a pencil, pen or other utensil to simulate a firearm or weapon

Students may be subject to disciplinary action if any of the above substantially disrupts student learning; causes bodily harm or places another person in reasonable fear of bodily harm. The severity of the consequences must be proportionate to the severity of the infraction.

Parents must be notified if a student is disciplined for such conduct.

## **6.2 VICTIMIZING**

The Walton County Schools shall take all steps necessary to protect the victim of any violent crime from any further victimization. When a student, staff or volunteer has been the victim of a violent crime perpetrated by a student who attends the same school, the principal shall make full and effective use of his or her statutory authority to take steps to protect the victim of any such crime. These steps shall include, but not be limited to, in-school suspension of the offender or rescheduling of classes, lunch or other school activities of the victim and the offender, so as not to coincide. A reassignment request for the offender or the victim will also be considered. ESE students shall require an IEP review to determine an appropriate placement and, if applicable, continuation of services required by law.

Any student who is attending a Walton County School and in felony violation of:

1. Chapter 762, relating to homicide;
2. Chapter 784, relating to assault, battery, and culpable negligence;

3. Chapter 787, relating to kidnapping, false imprisonment, luring or enticing a child, and custody offenses;
4. Chapter 794, relating to sexual battery;
5. Chapter 800, relating to lewdness and indecent exposure;
6. Chapter 827, relating to abuse of children
7. Section 812.13, relating to robbery;
8. Section 812.131, relating to robbery by sudden snatching;
9. Section 812.133, relating to carjacking;
10. Section 812.135, relating to home-invasion robbery

and the offender was attending a school attended by the victim or a sibling of the victim of the offense, the Department of Juvenile Justice shall notify the appropriate WCSD. Schools must take all steps necessary to protect the victim of any violent crime from any further victimization whenever and wherever students are under the jurisdiction of the school district. When a student has been the victim of a violent crime perpetrated by another student who attends the same school, the principal shall assume responsibility for reporting and taking certain actions pursuant to 1006.13(5) of the Florida Statute. Any offender described above shall not attend any school attended by the victim or sibling of the victim of the offense or ride on a school bus on which the victim or sibling is riding, except as provided pursuant to a written disposition order under S.985.23(1)(d).

## **6.3 SAFE HARBOR PROVISIONS**

A student may approach a school official and voluntarily surrender an object, the possession of which is prohibited by the Code of Student Conduct. Unless an investigation by school officials regarding the possession of this particular object has already commenced, if a student approaches a school official and voluntarily surrenders such an object, then the student will not be subject to disciplinary action. The student's parent/guardian will make arrangements to pick up the object from the school, if applicable. If a student discovers an illegal item such as drugs, a weapon, or other contraband on school property, including on a school bus, the student may approach a school official and report the discovery. A student shall not be in violation of the Code of Student Conduct solely by making such a report. School officials shall adhere to policies and procedures concerning further investigation of the report.



**FORM FOR REPORTING**

- **Reports or Complaints of Bullying, Sexual Harassment, Teen Dating Violence, or Harassment Because of Race, National Origin, and Disability**

**FORMS TO BE COMPLETED AND RETURNED TO SCHOOL**

- **Student and Parent Receipt and Understanding of the Code of Conduct and Student/Parent Acceptable Use Policy Agreement**
- **Possession of Wireless Communication Devices**
- **Student Technology Opt-out Form**
- **FERPA Notice**



WALTON COUNTY SCHOOL DISTRICT FORMS

REPORTS OR COMPLAINTS OF BULLYING, SEXUAL HARASSMENT, TEEN DATING VIOLENCE, OR HARASSMENT BECAUSE OF RACE, NATIONAL ORIGIN, AND DISABILITY

Complainant \_\_\_\_\_

Home Address \_\_\_\_\_

Work Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Date(s) of alleged incident(s) \_\_\_\_\_

Did the incidents involve bullying \_\_\_\_\_ sexual harassment \_\_\_\_\_ racial harassment \_\_\_\_\_

harassment because of national origin \_\_\_\_\_ harassment because of disability \_\_\_\_\_

Teen dating violence \_\_\_\_\_ (check all that apply)

Name of person(s) you believe harassed or bullied you or another person: \_\_\_\_\_

If the alleged harassment/bullying was toward another person, identify that other person \_\_\_\_\_

Describe the relationship between the parties involved \_\_\_\_\_

Characteristics/Ages of parties involved \_\_\_\_\_

Describe the incident as clearly as possible, including such things as what force, if any, was used, any verbal statements, number of incidents, how often has this occurred, (i.e. threats, requests, demands, etc.), what, if any physical contact was involved. Attach additional pages as necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When and where did the incident occur? \_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_

The complaint is based upon my honest belief that \_\_\_\_\_ has harassed/bullied me or another person. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
(complainant's signature) (date)

\_\_\_\_\_  
(received by) (date)

Do you wish to remain anonymous in making this report?

Yes \_\_\_\_\_ No \_\_\_\_\_

The Walton County School Board does not discriminate on the basis of race, color, religion, gender, age, ethnicity, national origin, marital status, sexual orientation, disability, political or religious beliefs, genetic information or any other basis prohibited by law in its educational programs, services or activities or in its hiring or employment practices. Retaliation against an employee for engaging in a protected activity is prohibited



# WALTON COUNTY SCHOOL DISTRICT FORM

## NOTICE OF RECEIPT and UNDERSTANDING OF THE WALTON COUNTY STUDENT CODE OF CONDUCT

Teacher: \_\_\_\_\_  
Grade: \_\_\_\_\_

I have received and read the WCSD's Student Code of Conduct and District Internet Policies. My signature indicates my understanding of these policies.

\_\_\_\_\_  
Student Name (Please Print)

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Legal Guardian (Please Print)

\_\_\_\_\_  
Parent/Legal Guardian Signature

\_\_\_\_\_  
Date

### STUDENT AND PARENT AGREEMENT For use of Walton County School District Network and Internet

**All students and parents must read and sign in order to utilize school or personal technology devices.**

I have read, understand, and agree to abide by the provisions of the Acceptable Use Policy of the Walton County School District. I understand and agree in the event a third party makes a claim against the District as a result of my/my child's use of the computer network or the Internet provided by the District, the District reserves its right to respond to such a claim as it sees fit and to hold all offending parties, including my child/myself, responsible.

I release the District, its affiliates, and its employees from any claims or damages of any nature arising from my child's access or use of the computer network or the Internet provided by the District. I also agree not to hold the District responsible for materials improperly acquired on the system or for violations of copyright restrictions, users' mistakes or negligence, or any costs incurred by users.

This agreement shall be governed by and construed under the laws of the United States and the State of Florida.

\_\_\_\_\_  
Student Name (Please Print)

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Name (Please Print)

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

This form is to be kept at the school or office and kept on file by the school site administrator. It is required for all students that will be using a computer network and/or Internet access. It is to be renewed each year prior to any computer network or Internet usage.

**WALTON COUNTY SCHOOL DISTRICT FORM**

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# WALTON COUNTY SCHOOL DISTRICT FORM

## Possession of Wireless Communication Devices

Teacher: \_\_\_\_\_  
Grade: \_\_\_\_\_

### STUDENT AND PARENT CONTRACT

Should a student not have this signed contract on file, they he/she will lose the opportunity for a warning and have cell phone privileges revoked for the remainder of the school year.

Maintaining the integrity of the learning environment is the top priority. Students will be permitted to have cell phones in their possession throughout the school day and while being transported by school bus; however, during school hours, phones must be off and not visible.

Should a student be observed using a cell phone, or a cell phone rings during the school day, disciplinary action will include, but is not limited to, an office discipline referral and confiscation of the phone. The phone will only be returned when retrieved by a parent or guardian. Additionally, a student's repeated abuse of this policy will result in the student losing the privilege to be able to carry a cell phone permanently, or for a period of time as determined by an administrator.

During times of testing and other student evaluations, teachers will request that students remove their cell phone from their possession, either by returning to a locker, placing under a desk or placing on teacher's desk, thereby reducing the possibility of compromised test security.

Fire drills, assemblies, or other school evacuations are considered cell phone blackouts. During such contingencies, there will be absolute ZERO TOLERANCE on cell phone use. Usage of a cell phone during cell phone blackout periods will be considered a major infraction and result in formal consequences.

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### STUDENT/PARENT CONTRACT

I, \_\_\_\_\_ (student's printed name) understand that possession of a wireless communication device including a cellular telephone on school campus is a privilege, and that it may be revoked at any time by the administration for violating this school policy regarding such possession, which I have been provided with and read. Furthermore, I understand that the school and its employees are in no way responsible for any theft or damage of any communication device while on school grounds. The school is not obligated to investigate the loss or damage of any phone. Should my cell phone be confiscated, I understand that it will only be returned when a parent/guardian comes to the school to retrieve it.

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

# WALTON COUNTY SCHOOL DISTRICT FORM

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# WALTON COUNTY SCHOOL DISTRICT FORM

## Student Technology Opt-Out Form

Teacher: _____
Grade: _____

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Student Printed Last Name                      First Name                      MI                      Date of Birth

**Students will have the privileges listed below unless this Technology Opt-Out Form is signed and submitted by the Parent / Guardian.**

**Please place a check in the blank and sign below if you do NOT want your child to participate.**

The Walton County School District provides Internet filters and takes great care to block access to inappropriate material. Although a conscious effort is made to deter access to materials that are inappropriate in the school environment, no safeguard is foolproof. Students are responsible for avoiding access to inappropriate material.

By checking below, your child will **not** be able to access important and valuable educational resources such as the school / district online library card catalog, instructional software (*i.e.*, Accelerated Reader, BrainPop, Achieve 3000, Imagine Learning, Rosetta Stone, *etc.*) and resources for research.

\_\_\_\_\_ **My child does not have my permission to access the internet on school district provided computers or any other electronic device. However, I understand my child will be required to participate in local and state online assessments.**

Parent / Guardian Name

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(Please Print)      Last Name                      First Name                      MI

Parent/Guardian  
Signature(s) \_\_\_\_\_ Date: \_\_\_\_\_

**Form Must be Returned to School If Access Is To Be Denied**

**WALTON COUNTY SCHOOL DISTRICT FORM**

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# WALTON COUNTY SCHOOL DISTRICT FORM

## THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

### PARENT/GUARDIAN NOTICE

Dear Parent/Guardian:

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the Walton County School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School District may disclose appropriately designated directory information without written consent unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill showing your student's role in a drama production
- The yearbook
- Honor roll or recognition lists
- Graduation programs
- Sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can be disclosed to outside organizations without a parent's/guardian's prior written consent. Outside organizations include but are not limited to companies that manufacture class rings or publish yearbooks or with an educational purpose. In addition, two federal laws require local educational agencies (LEA's) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, on request, with three directory information categories – names, addresses and telephone listings-unless parents/guardians have advised the LEA that they do not want their student's information disclosed without their prior written consent.

WCSD has designated the following information as directory information:

Student's name, address, email and telephone listing	Photograph
Date and place of birth	Major field of study
Dates of attendance	Grade Level
Participation in officially recognized activities and sports	Weight and height of members of athletic teams
Most recent education agency or institution attended	Degrees, honors, and awards received
Digital Imaging	

**YOU MUST NOTIFY YOUR CHILD'S SCHOOL IN WRITING PRIOR TO AUGUST 31, USING THE FORM BELOW IF YOU DO NOT WANT THE DISTRICT TO DISCLOSE DIRECTORY INFORMATION FROM YOUR CHILD'S EDUCATION RECORDS WITHOUT YOUR PRIOR WRITTEN CONSENT.**

**Please complete, sign and return the bottom portion of this form if you are denying permission.**

### FERPA AGREEMENT

### PERMISSION DENIED

School: _____
Teacher: _____
Grade: _____

I deny permission for the WCSD to release directory information on my child without my written consent, unless the release is required by law.

**I realize that with this denial, my child's directory information and/or photos will not appear in school district media such as: yearbooks, school websites, school newspapers, class pictures, or other school communication tools.**

Name of Student \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF PARENT/GUARDIAN

\_\_\_\_\_  
DATE



## District Contact Numbers

<b>Walton County School District (main)</b>	<b>892-1100</b>
Curriculum & Instruction	892-1100, ext. 1521
Equity Officer	892-1100, ext. 1111
Exceptional Student Education	892-1100
Facilities	892-1100, ext. 1802
Food Services	892-1100, ext. 1361
Human Resources	892-1100, ext. 1306
Student Services	892-1100
Transportation	892-1100, ext. 7706

## Information Contact Numbers

State Abuse Hotline	1-800-962-2873
Chautauqua Healthcare Services - Drug/Substance Abuse	892-8045
24-Hour Help Line	892-4357 or 267-2220
Poison Information Center	1-800-222-1222
Bridgeway Center	1-850-833-7400

## School Telephone Numbers

Bay Elementary School	622-5050
Dune Lakes Elementary	622-5012
Emerald Coast Technical College	892-1240
Emerald Coast Middle School	622-5025
Freeport Elementary	892-1210
Freeport High School	892-1200
Freeport Middle School	892-1220
Maude Saunders Elementary	892-1260
Mossy Head School	892-1290
Paxton School	892-1230
Seaside School	231-0396
Seacoast Collegiate High School	200-4176
South Walton High	622-5020
Van R. Butler Elementary	622-5040
Walton Academy	892-3999
Walton High School	892-1270
Walton In10sity Magnet School	892-1130
Walton Middle School	892-1280
West DeFuniak Elementary	892-1250

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