

# SECONDARY CODE OF STUDENT CONDUCT

2023-2024

## INTRODUCTION

A goal of the Okaloosa County School District is to encourage and to assist each student in developing his/her individual talents. In order to accomplish these purposes, it is necessary that the school environment be free of disruptions that interfere with teaching and learning activities. The student's conduct determines, to a great extent, his/her potential. The purpose of this document, which is required by § 1006.07(2) F.S., is to assist students, parents, teachers and school administrators.

## STUDENT'S PLEDGE

In order to receive maximum benefit from the educational opportunities afforded to them, each student shall pledge the following:

1. To attend all classes daily and on time
2. Be prepared for class with proper materials
3. Be respectful to all individuals and property
4. Conduct himself/herself in a safe and responsible manner
5. Be well-groomed and clean
6. Be responsible for his/her own work
7. Abide by all rules and regulations set forth by the school and individual classroom teacher

## STUDENT RIGHTS AND RESPONSIBILITIES

While student rights and responsibilities allow for growth and development of the individual, nowhere is it stated or even implied in this document, that the school relinquishes its authority and responsibility. Within every school, the principal has the responsibility and authority for maintaining an orderly educational process. Students have rights and responsibilities relative to the knowledge and observation of school and School Board rules; the right to learn; attendance; respect for persons and property; assembly and free speech; student publications; and participation in school programs and activities.

## PARENT/GUARDIAN RESPONSIBILITIES

1. Maintain regular communication with the school concerning their child's conduct and progress
2. Make efforts to ensure that their child is in daily attendance; report and explain absence to the school
3. Provide their child with the resources needed to complete class work
4. Assist their child in being well-groomed and clean
5. Bring to the attention of school authorities any problem or condition which affects their child in the school or community
6. Discuss report cards and work assignments with their child
7. Care for their child's physical well-being

## SCHOOL/STAFF RESPONSIBILITIES

1. Maintain an atmosphere conducive to learning
2. Exhibit an attitude of respect for students and parents
3. Plan a flexible curriculum to meet the needs of all students
4. Maintain an open line of communication between themselves, students and parents

## SAFE SCHOOL ENVIRONMENT

The Okaloosa County School District is committed to encouraging and assisting each student in developing his/her individual talents. In order to accomplish these purposes, it is necessary that the school climate be free of disruptions that interfere with teaching and learning activities. All students and employees are entitled to a safe, secure, and equitable environment free from harassment, bullying and dating violence of any kind.

## INFORMAL DISCIPLINARY ACTIONS

Teachers and administrators strive to use a variety of informal disciplinary steps prior to formal disciplinary action. Of course, it

must be understood that the type of disciplinary action taken depends upon the offense committed.

## REMOVAL BY TEACHER

§ 1003.32 (4) F.S.

A teacher may remove a student from class:

1. Who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn, or
2. Whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.

## PROCEDURES TO BE FOLLOWED IN DISCIPLINARY ACTIONS

In application of disciplinary actions, it is important to note that students have the right to:

1. Know what the charges are against them
2. Give an explanation in their own defense
3. Be informed of the discipline they will receive for the misconduct or violations of the Code of Student Conduct

All formal disciplinary actions by a teacher and/or an administrator will be logged. Any disciplinary action taken depends greatly upon the offense committed.

## DISCIPLINARY CONSEQUENCES

**This is not an all-inclusive list of possible disciplinary consequences.**

**Time Out** – A student who is constantly disruptive within the classroom may be excluded from an individual class for a short period of time by the classroom teacher or principal.

**Detention** – A school may elect to provide detention for certain conduct. A maximum of ten (10) days of detention may be assigned for any one conduct problem. It should be noted that because of problems with transportation, detention might not be offered in all schools. Transportation will be the responsibility of the student/parent.

**Saturday Detention** – A school may elect to provide detention on Saturday for certain conduct infractions. This will not be offered at all schools. Saturday detention will be held for up to a three (3) hour period. Transportation will be the responsibility of the student/parent.

**Withdrawing Privileges** – A school may elect to suspend privileges to participate in extracurricular activities, including ceremonies, for a definite period of time. Parents must be notified of this action.

**Student Training Program (S.T.P.)** – A student may be excluded from class for a set period of time. This method of discipline may be used in place of out-of-school suspension, if the school provides this option. The student reports to school each day and goes to a specified assigned area. The student will earn credit for work that is completed and complete a behavior learning module.

**Suspension (Out-of-School)** – A principal may elect to disallow a student to attend school for a period of time (not to exceed ten days per offense). While a student is suspended out-of-school, he/she may not be on school property or attend any school functions and will not receive credit for work missed.

**Alternative Placement** – A principal may elect to refer a student to an alternative educational setting for serious and/or multiple violations of the Code of Student Conduct. An alternative placement

may be assigned for a period of no longer than the current semester plus one additional semester.

**Expulsion** – Expulsion is the removal of the right to attend public school, with or without continuing educational services. Expulsion can be for the remainder of the present school year plus the ensuing school year. Any principal who feels that expulsion of a student is required shall so recommend to the Superintendent in writing, stating the charges against the student in detail. The statement shall include information contained within the student’s disciplinary record while enrolled in the Okaloosa County School System. Upon receipt of such recommendation, the Superintendent shall:

1. Give written notice of the charges (which if proven, would justify expulsion under the regulations of the Board) to the parent or guardian by certified mail, return receipt requested.
2. Give written notice of a hearing date that will provide sufficient time for the student to prepare and present his/her defense against the charges and/or be represented by legal counsel. Before the expulsion of any student, the Superintendent’s representative must prepare a written recommendation for the expulsion of the student. This recommendation must be submitted to the Superintendent prior to the School Board meeting.

**Behavior Expectation Agreement** – This is a written agreement between a student, their parent/guardian and the school that is intended to improve a student’s behavior. The principal or the principal’s designee uses the following guidelines in making decisions to issue a Student Behavior Expectation Agreement:

1. When a student is assigned Out of School Suspension.
2. When a student commits violent offenses or other Zero Tolerance Policy violations.
3. Chronic disciplinary violations under the school’s Disciplinary Matrix.
4. Upon student’s return to a District school from an alternative school placement.

*\*\*Corporal punishment is prohibited in Okaloosa County public schools.*

#### **CIVIL CITATIONS/PRE-ARREST DIVERSION PROGRAMS**

Unless otherwise provided in School Board Policy, the school district defers to law enforcement in regard to those student delinquent acts that may involve misdemeanor offenses to determine the appropriate law enforcement response which, based on the nature of the offense, may include the issuance of a civil citation or other pre-arrest diversion program referral in accordance with the criteria as established in the first judicial circuit in Okaloosa County, Florida, as authorized under § 985.12, F.S.

#### **GROUNDS FOR DISCIPLINARY ACTIONS**

All procedures outlined in this code apply to all students. Specific grounds for disciplinary action are as follows:

##### **General Infractions**

1. General school or classroom disruptions (misconduct which is detrimental to the ongoing process of education)
2. Tardiness, skipping, truancy
3. Misconduct on the school bus
4. Disobedience or disrespect toward school staff or officials
5. Use of inappropriate language
6. Violation of dress code
7. Gambling
8. Defacing school property

9. Inappropriate use of wireless communication Devices

10. Simulating a firearm or weapon while playing, or wearing clothing or accessories that depict a firearm or weapon or express an opinion regarding a right guaranteed by the Second Amendment to the United States Constitution, only if such conduct substantially disrupts student learning, causes bodily harm to another person, or places another person in reasonable fear of bodily harm, or

11. Willfully entering a restroom or changing facility on school district property designated for the opposite sex and refusing to depart when asked to do so by school instructional personnel, administrators or the school SRO, unless such entry was for the purpose of intervening in an emergency situation where the health or safety of another person is at risk or in the event that the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex. For the purposes of this Code “sex” means the classification of a person as either male or female at birth in accordance with Florida law.

.12. Other inappropriate behavior.

This list is not all-inclusive and, as such, a student committing an act of misconduct not listed, or other violations of School Board Policy, will nevertheless be subject to the discretionary authority of the principal or his/her designee. Certain actions may require involvement of law enforcement agencies.

##### **Serious Infractions**

A principal may suspend a student for serious breach of conduct. In accordance with School Board Policy and state law, offenses listed below may also warrant a recommendation for alternative placement and/or expulsion coupled with a referral to mental health services identified by the school district pursuant to § 1012.584(4), F.S. It should be pointed out that this list is not all-inclusive, and as such, a student committing an act of misconduct not listed, or other violations of School Board Policy, will nevertheless be subject to the discretionary authority of the principal and/or designee. Certain misconduct may also result in criminal penalties.

1. Fighting
2. Extortion or stealing
3. Possession and/or use of tobacco products
4. Possession and/or use or under the influence of alcoholic beverages, controlled substances (drugs), counterfeit controlled substances, or any prescription drug which is not prescribed for the student, or any substance when used for chemical intoxication or impairment, and/or inhalants, or drug paraphernalia
5. Weapons offenses as defined by School Board Policy
6. Threatening students or school staff
7. Violence against school personnel or other students
8. Violation of sexual harassment policy
9. Violation of transportation policies
10. Initiating a false fire alarm
11. Tampering with or using the AED in an inappropriate manner
12. Willful disobedience
13. Open defiance of authority
14. Vandalism
15. Disruptive behavior on school grounds or property or at school-sponsored events or

- activities
- 16. Bullying
- 17. Inappropriate use of wireless communication devices
- 18. Violation of dress code
- 19. Possession and/or use of electronic cigarettes
- 20. Hazing

**PETTY ACTS OF MISCONDUCT**

In accordance with the provisions of § 1006.13(2), F.S., petty acts of misconduct which are not a threat to school safety and which do not require consultation with law enforcement are defined as those delinquent acts which are not a threat to property, which do not disrupt a school function, and which do not seriously endanger the health and safety of others for which the school Principal, in his/her discretion, believes it is in the best interests of the child, staff, and other students to have the matter handled by school personnel only. In making this decision, the Principal shall consider: the personal or property rights of others that were or may be affected by the child's actions; the child's propensity to recommit the delinquent act; previous misconduct by the child; the laws of this state; the policies and goals of the School Board; the wishes of a victim or victim's parents; and any other mitigating circumstances that the Principal recognizes. Each incident or delinquent act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety. Offenses involving weapons on school premises generally do not meet this criterion. In the event such petty acts are committed by a student, school officials may elect to exercise discretion afforded through the provisions of § 1006.13, F.S. The school officials' election to exercise said discretion does not negate the otherwise imposed duty of the Sheriff if the delinquent act or activity is brought to its attention by individuals other than school officials.

**ALTERNATIVE EDUCATIONAL SETTING**

Students may be assigned to an alternative education placement under the following circumstances:

1. Student has been expelled or incarcerated and is returning to school
2. Student has been referred by a public school principal or the Superintendent's representative for serious or multiple violations of the Code of Student Conduct
3. Student has been charged with a felony offense and has been referred by the school principal or the Superintendent's representative
4. Student has been unable to benefit from alternative strategies and continues to be disruptive
5. Student has been previously served at an alternative school

**ZERO TOLERANCE GROUNDS FOR EXPULSION**

Students found to have committed the following offenses on school property, on school-sponsored transportation, or during a school-sponsored activity or trip will receive a ten-day suspension and a recommendation for expulsion and will be reported to the local law enforcement agency and referred to mental health services identified by the school district pursuant to § 1012.584(4), F.S.:

1. Homicide (murder, manslaughter)
2. Sexual battery
3. Armed robbery

4. Aggravated assault
5. Assault or aggravated assault on a teacher or other school personnel
6. Aggravated battery
7. Battery or aggravated battery on a teacher or other school personnel
8. Kidnapping or abduction
9. Arson
10. Possession, use, or sale of any explosive/destructive device or weapon of mass destruction as defined in Chapter 790, F.S.
11. Making a destructive device/bomb threat as defined in § 790.001 F.S.
12. Distribution, intent to distribute, sale, or multiple offenses of possession, use or under the influence of a controlled substance, or counterfeit controlled substances or any prescription drug which is not prescribed for the student, or any substance when used for chemical intoxication or impairment (School Board Policy 04-33 (F); § 893.03 and § 893.13 F.S.), and /or inhalants and drug paraphernalia.
13. Making a false report or threat as defined by § 790.162 and § 790.163 F.S.
14. Possession, use, or sale of any firearm as defined in Chapter 790, F.S.\*

\***The Gun-Free Schools Act of 1994, Public Law 103-382**, mandates a minimum expulsion of one full calendar year for any student who brings a weapon to school, to any school function, or onto any school-sponsored transportation, or who has possession of a firearm at school.

**DRESS CODE**

The dress code for students is established in School Board Policy 04-31. Pursuant to the provisions of §1006.07, F.S., students are hereby notified of the following specific provisions of School Board Policy 04-31 (C) and (E):

“(C) Students are prohibited, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment.”

“(E) Any student who violates the dress policy described in paragraph (C) is subject to the following disciplinary actions:

- (1) For a first offense, the student shall be given a verbal warning and the school principal shall call the student's parent or guardian.
- (2) For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal shall meet with the student's parent or guardian.
- (3) For a third or subsequent offense, a Student shall receive an in-school suspension pursuant to § 1003.01(5) F.S. for a period not to exceed 3 days, the student is ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities.”

### **DATING VIOLENCE**

The Okaloosa County School District prohibits acts of dating violence on school property, during school sponsored activities, or during school sponsored transportation. 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, threats, 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. Any student who is a victim of or is aware of an act of dating violence on school property, during school sponsored activities, or during school sponsored transportation shall report it to the school's administration.

### **BULLYING**

Bullying, including cyberbullying, means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, electronic or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; or may involve but is not limited to:

1. Unwanted teasing
2. Social Exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, or racial harassment
9. Public or private humiliation
10. Destruction of property
11. Cyberstalking
12. Cyberbullying
13. Other, as determined by School Board

The Okaloosa County School District Bullying Policy (04-43) may be viewed online at [okaloosaschools.com](http://okaloosaschools.com) at the [Parents](#) or [Students](#) link. Parents who would like a print version of the Bullying Policy may request a copy from their child's school. Parents or students who would like a print version of the Bullying Policy may request a copy from the principal's office of their child's school.

### **WIRELESS COMMUNICATION DEVICES**

#### **Reference § 1006.07 (2) (f) F.S. and S.B. Policy 04-12**

In accordance with the provisions of Florida law, a student may be in possession of wireless communication devices while he or she is on school property or in attendance at a school function. For the purposes of this code, wireless communications devices include beepers, electronic telephone pagers, cellular telephones, electronic tablets, e-readers, or other similar wireless communications devices.

The acceptable use of wireless communications devices by students will be determined by the school principal and during instructional time by the classroom teacher.

Students are prohibited from using wireless communications devices to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member or other person in

the school or while attending a school related activity during the school day, without express prior notice to such individual(s) and explicit consent from the school principal or his/her designee for the capture, recording or transmission of such words or images. Using a wireless communications device to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted.

Students are prohibited from using wireless communications devices in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Students are prohibited from using wireless communications devices to capture and/or transmit test information or any other information in a manner constituting fraud, cheating, or academic dishonesty. Likewise, students are prohibited from using wireless communication devices to receive such information.

No expectation of confidentiality will exist in the use of wireless communications devices on school district property or in attendance at school functions.

Any violation of the conditions and requirements of this policy will result in confiscation of the wireless communications device by school officials, and may result in other disciplinary actions depending upon severity of violation and whether or not the violation is of a repeated nature by the same student. The confiscated wireless communications device will be returned to the student at the end of the regular school day after the first violation and in the event of subsequent violations by the same student, the wireless communications device will be returned to the student's parents/guardians only. The use of a wireless communication device in a criminal act may result in criminal penalties against the user.

Any student who chooses to bring a wireless communications device to school shall do so at his or her own risk. Neither the School Board nor school officials shall be responsible for the loss, damage or theft of wireless communications devices brought onto school property or to school functions.

Notwithstanding any provisions of School Board policy to the contrary, while on District transportation students may, subject to the acceptable use provisions of School Board policy, use their personal mobile devices for non-disruptive activities such as completing school work, reading, privately listening to music with earphones or ear buds, texting or playing games. Students are prohibited from using wireless communications devices to capture, record or transmit words (i.e., audio) and/or images (i.e., pictures or video) of any student, staff member or other person while on District transportation, without express prior notice to such individual(s) and explicit consent from the bus driver for the capture, recording or transmission of such words or images. Using a wireless communications device to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted. The proper use of personal mobile devices is under the direction of the bus driver and/or bus assistant. Failure of a student to comply with directions given by the bus driver and/or bus assistant may result in disciplinary consequences as set forth in School Board policy.

### **SEARCH AND SEIZURES**

A student's locker, vehicle, purse, backpack, and other personal possessions can be searched if there is a reasonable belief any of them contain drugs, weapons, contraband, or other items not permitted on campus. Trained sniff-screening dogs are allowed in the schools to

prevent drugs and weapons at school. The routine checks by the dogs are not considered a search by law. They are safety preventions to give students a safe and healthy school in which to learn.

**VICTIMIZATION OF STUDENTS**

**§ 1006.13 (6) F.S.; S.B. Policy 04-33 (C)**

Students who have pleaded “guilty” or nolo contendere, or who have been adjudicated guilty or delinquent, or found to have committed certain felonies, regardless of whether adjudication was withheld, are prohibited from attending the same school or riding the same school bus with the victim or sibling of the victim of the felony offense.

**OFF CAMPUS FELONY**

**§ 1006.09 (2) F.S.**

Suspension proceedings may be initiated against any student enrolled as a student who is formally charged with a felony, or with a delinquent act that would be a felony if committed by an adult, by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, if that incident is shown to have an adverse impact on the education program, discipline or welfare in the school in which the student is enrolled.

**PARENT/GUARDIAN RESPONSIBILITIES REGARDING SCHOOL**

**BUS TRANSPORTATION**

**F.A.C. 6A-3.0121**

1. Parents/guardians are responsible to ensure the safe travel of their students during the portions of each trip to and from school and home when the students are not under the custody and control of the school district, including during each trip to and from home and the assigned bus stop when the school district provides bus transportation.
2. Parents/guardians are responsible to ensure that students ride only in their assigned buses and get off only at assigned bus stops, except when the district has provided alternative buses or arrangements.
3. Parents/guardians are responsible to ensure students are aware of and follow the district adopted Code of Student Conduct while the students are at school bus stops and to provide necessary supervision during times when the bus is not present.
4. Parents/guardians are responsible to ensure that, when the physical disability of the student renders the student unable to get on and off the bus without assistance, the parent or guardian provide the necessary assistance to help the student get on and off at the bus stop, as required by district policy or the student’s individual education plan.

**CONDUCT ON SCHOOL BUSES**

**§ 1006.10 F.S.**

Violation of School Board transportation policies, including disruptive behavior on a school bus is grounds for suspension of the student’s privilege of riding on a school bus and may be grounds for disciplinary action by the school and may also result in criminal penalties being imposed. The principal shall assume responsibility for student behavior on the school bus. Bus rules are posted in each bus.

**PARTICIPATION IN THE PLEDGE OF ALLEGIANCE**

**§ 1003.44 F.S.**

The Pledge of Allegiance to the Flag shall be recited at the beginning of the day in each elementary and secondary school. Students have the right not to participate in reciting the Pledge of Allegiance, including standing and placing the right hand over his or her heart, and will be exempted from participating upon the written request of

the student’s parent or guardian. An excused student has the right to remain quietly seated during the Pledge of Allegiance.

**ATHLETIC ELIGIBILITY STANDARDS FOR MIDDLE AND HIGH SCHOOL STUDENTS**

**§ 1006.195 F.S.**

1. A student not currently suspended from interscholastic or interscholastic extracurricular activities, or suspended or expelled from school, pursuant to the district school board’s suspension or expulsion powers provided in law, including §§ 1006.07, 1006.08, and 1006.09 F.S., is eligible to participate in interscholastic and interscholastic extracurricular activities.
2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in § 1006.15(3)(h) F.S.
3. A student’s eligibility to participate in any interscholastic or interscholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to § 1006.20(2) (b) F.S.
4. Pursuant to School Board Policy 04-32 (G), students enrolled in an alternative school, due to disciplinary reasons, shall not be permitted on any other School Board property and will not be allowed to participate in any school events or activities. Therefore, a student enrolled in an alternative school, due to disciplinary reasons, may not participate in interscholastic or interscholastic extracurricular activities.
5. All high school students who participate in extracurricular activities must maintain a cumulative 2.0 grade point average (GPA) on a 4.0 unweighted scale.
6. All middle school students who participate in extracurricular activities must maintain a minimum 2.0 grade point average (GPA) on a 4.0 scale or its equivalent and pass five (5) subjects for the grading period immediately preceding participation; **or**, student eligibility for the first grading period of each new school year shall be based on passing five (5) subjects and maintaining the required GPA for the previous school year. Elementary students initially entering middle school will have their eligibility determined by their first grading period.
7. High school students involved in activities governed by the Florida High School Activities Association (FHSAA) must meet all requirements for participation set forth by that organization.
8. Middle school students must meet the eligibility and participation guidelines set forth in School Board Policy 04-17.
9. Schools may elect to use more rigorous academic criteria for the selection and continued participation of students in any extracurricular activity including but not limited to athletics. Such additional criteria must be reviewed and approved by the School Advisory Council at each school on an annual basis.

**STUDENTS WITH DISABILITIES**

Policies and procedures regarding the discipline of students with disabilities are documented in the Special Programs and Procedures for Exceptional Students and the Section 504 procedures for Okaloosa County School District. Copies may be obtained from the *Okaloosa County School Board Central Administrative Complex, 202-A Hwy. 85 N., Niceville, Florida 32578, or at the okalooschools.com website.*

**EQUITY POLICY FOR STUDENTS**

**School Board Policy 04-34**

(A) It is the policy of the School Board of Okaloosa County to offer students the opportunity to participate in appropriate programs, services and activities without regard to race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, parenthood, pregnancy, disability, sexual orientation, or social and family background.

(B) Students, while they are in school or participating in school-related activities, are entitled to an environment free of discrimination and/or harassment by other students or adult employees or volunteers, or persons with whom the district contracts for services. Harassment includes, but is not limited to:

(1) Slurs or innuendos or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender or handicapping condition which has the purpose or effect of creating an intimidating, hostile or offensive educational environment; has the purpose or effect of unreasonably interfering with the individual's school performance or participation; or otherwise adversely affects an individual's educational opportunities.

(2) The denial or the provision of aid, benefits, grades, rewards, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors.

(3) Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's educational career; submission to or rejection of such conduct is used as a basis for educational decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile or offensive educational environment. Complaints alleging sexual harassment shall be reported and handled in accordance with the provisions of *School Board Policy 01-30*.

(C) In determining whether alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The investigation may appropriately be expanded to include other acts whenever violation appears to exist based on information received during the investigation. Additionally, the period of investigation will cover as much time as necessary to obtain sufficient evidence to make a finding on the merits, or if the alleged violation could constitute a continuing violation or a pattern or practice of discrimination, and/or in order to determine the extent of a violation and fashion appropriate remedial relief.

(D) Students shall be informed of the appropriate procedure to report violations of this policy in the Code of Student Conduct and by school personnel.

(E) In any case which involves initial reporting of alleged sexual harassment, nothing in this policy or in any other policy or procedure shall require the individual alleging sexual harassment to present the matter to the person who is the subject of the complaint.

(F) Reporting harassment or discrimination will not affect the student's status, extra-curricular activities, future grades or work assignments with the exception of (I) below. Any form of retaliation against any individual involved in an investigation of alleged violations of Equity Policies or other Board Policies, including, but

not limited to complainants/grievants, charged parties, and witnesses, is strictly prohibited. Complaints of retaliation are filed via the process named herein.

(G) The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligation, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. The right to due process will be guarded for both the complainant and accused.

(H) A substantiated charge against a student shall subject that student to disciplinary action, including but not limited to suspension or expulsion.

(I) A substantiated case of a false claim in which a student willfully, intentionally, in bad faith wrongfully accuses another student or adult, shall result in disciplinary action.

(J) Implementing Procedures

(1) Students should promptly report complaints pertaining to the Okaloosa School District's Equity Policy to a teacher, the principal, or to the principal's administrative designee in charge of the school's discipline office. The District's Equity Coordinator will be immediately notified by the school's administrative staff when a complaint is filed.

(2) Students who do not think their complaints have been adequately resolved may file a formal complaint by completing an MIS 2083 Equity Complaint Form-Student in the school's discipline office. The Complaint Form must be filed within forty-five (45) calendar days of the date the student knew or should have known of the event(s) giving rise to the alleged violation.

(3) Each teacher who receives a complaint from a student pertaining to the district's Equity Policy shall forward that complaint to the principal or the principal's designee. If the principal is the subject of the complaint, the teacher shall report to the Superintendent or his/her designee.

(4) Except as otherwise provided in this Policy, the school's administrative staff, with the assistance of the District's Equity Coordinator, will investigate all complaints filed by students on the Equity Complaint form using the procedures set forth in Step I of School Board Policy 06-28.

The principal and equity coordinator may choose to select a committee to assist in the investigation of formal student-to-student complaints. The committee shall serve for a school year. Members may be added as the need arises. Training shall be provided for committee members.

(5) Formal complaints involving student-to-student include but are not necessarily limited to rape, attempted rape, threats of physical violence, repeated harassment or discrimination, or any complaint that cannot be resolved by the teacher.

(6) Formal complaints involving adult-to-student include any action of a sexual nature or any action that denies a student access to education opportunities on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, parenthood, pregnancy, disability, sexual orientation, or social and family background.

(7) If the complaint is not successfully resolved at the school level, the student or parent may file a written appeal to the Superintendent or his/her designee within ten (10) calendar days of receipt of the disposition by the administrative staff. The Superintendent or his/her

designee will follow the procedures set forth in Step II of School Board Policy 06-28.

### **EQUITY POLICY FOR ADULTS**

#### **Discrimination**

School Board Policy 06-26 prohibits discrimination against applicants, volunteers, employees or contractors on the basis of:

- Race
- Age
- Sex
- Religious Belief(s)
- Color
- Marital Status
- Disability
- National or Ethnic Origin

#### **Sexual Harassment**

Sexual harassment by an employee or student to another individual (student or adult) is strictly prohibited by School Board Policies 01-30, 04-34, and 06-27. Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the Okaloosa County School District conditioning the provision of an aid, benefit, or service of the Okaloosa County School District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Okaloosa County School District's education program or activity; or
3. Sexual assault, as defined in 20 U.S.C. 1092(f)(6)(A)(v), dating violence as defined in 34 U.S.C. 12291(a)(10), domestic violence as defined in 34 U.S.C. 12291(a)(8), or stalking as defined in 34 U.S.C. 12291(a)(30).

#### **Complaint Procedures**

If an adult needs to report an alleged violation of these policies, an informal Equity Complaint should be made to a principal or department director. If the situation cannot be resolved informally, a Formal Equity Grievance (MIS 5139), in compliance with School Board Policy 06-28, should be directed to the Superintendent's designee listed below. Employees have the option of filing a grievance through appropriate Master Contract procedures in lieu of the Formal Equity Grievance.

### **TITLE IX POLICY PROHIBITING SEXUAL HARASSMENT**

#### **Discrimination**

School Board Policy 01-30 prohibits discrimination on the basis of sex, including sexual harassment, in compliance with Title IX, 20 U.S.C. § 1581 and 34 C.F.R. part 106. The Okaloosa County School District will address all allegations of sexual harassment with a thorough investigation, ensuring due process for the complainant and respondent.

#### **Complaint Procedures**

All allegations of sexual harassment should be promptly reported to the Title IX Coordinator under School Board Policy 01-30. Any person may report sexual harassment in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's contact information as listed below and published on the Okaloosa County School District's website at [www.okaloosaschools.com](http://www.okaloosaschools.com). When the Title IX Coordinator receives a complaint, the Okaloosa County School District will follow its grievance process, as set forth in School Board Policy 01-30.

The Okaloosa County School District will address all allegations of sexual harassment occurring (1) at all Okaloosa County School District schools; (2) at all Okaloosa County School District events; and (3) under circumstances over which the Okaloosa County School District exercised substantial control over both the respondent and the

context in which the sexual harassment occurs. Complainants and respondents will be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent and by following the grievance process before imposing any disciplinary sanctions or other action, other than supportive measures, against the respondent.

### **SUPERINTENDENT'S DESIGNEES**

Steve Chatman (850) 682-9002

Specialist, Equity Office, and Title IX Coordinator  
461 West School Ave., Rm. 104, Crestview, FL 32536  
ChatmanS@OkaloosaSchools.com

Contact for information regarding Title IX and Equity Policies and Procedures. These policies are in accordance with the Florida Educational Equity Act (FEEA) and the Section 504 of the Rehabilitation Act of 1973, 20 U.S.C. § 1681 and C.F.R. part 106, and other applicable law and rules.

Tracey Lamb (850) 833-3108

Director I, Student Intervention Services  
202-A Hwy 85 N., Niceville, FL 32578  
LambT@OkaloosaSchools.com

Kathy Ard (850) 833-3164

Director, ESE & Student Intervention Services  
202-A Hwy 85 N., Niceville, FL 32578  
Arkd@OkaloosaSchools.com

Amy Bowles (850) 833-5866

Program Director, ESE  
202-A Hwy 85 N., Niceville, FL 32578  
BowlesA@OkaloosaSchools.com

Teri Schroeder (850) 833-3108

Program Director, Section 504  
202-A Hwy 85 N., Niceville, FL 32578  
Teresa.Schroeder@OkaloosaSchools.com

Brian Humphrey (850) 689-7198

Specialist, Discipline & Athletics  
202-A Hwy 85 N. Niceville, FL 32578  
HumphreyBr@OkaloosaSchools.com

### **RELATED SCHOOL BOARD POLICIES**

The rules adopted by the School Board, as well as administrative regulations which pertain to student control and discipline are found in the School Board Policy Handbook and are incorporated into this Code by reference. The School Board Policy Handbook is available in schools, district offices, and on the Okaloosa County School District website:

**[www.okaloosaschools.com](http://www.okaloosaschools.com)**

**School District Administration Building**

120 Lowery Place, SE  
Fort Walton Beach, FL 32548  
(850) 833-3100

**School District of Okaloosa County  
Carver-Hill Complex**

461 West School Avenue  
Crestview, FL 32536  
(850)689-7117