

Florida Virtual School (FLVS) Code of Conduct

School Year 2024-25

I. FLVS Student Conduct Philosophy

Florida Virtual School expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The FLVS school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for FLVS and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

II. FLVS Code of Conduct Overview

FLVS staff members seek to maintain orderly conduct among Kindergarten-12 students in all FLVS programs in an effort to create a safe and positive learning environment. Although most programs are delivered online, from time to time school-sponsored events are planned; therefore, a comprehensive Code of Conduct was written to address the behavioral expectations for students in both virtual and face-to-face settings. This Code of Conduct operates in conjunction with the FLVS Student/Parent Handbook and provides information that both parents/guardians and students should read when entering an FLVS program and review annually.

Four levels of behavioral offenses and possible disciplinary responses are set forth in this Code of Conduct, and this Code of Conduct includes additional policies regarding student behavioral expectations. FLVS reserves the right to determine appropriate consequences to be imposed upon a student for any infraction of the Code of Conduct, including misconduct not specifically listed. FLVS will comply with discipline regulations for students with disabilities in compliance with Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act (IDEA).

This student Code of Conduct implements the requirements set forth in FLVS Board of Trustees Policy 5500 *Student Conduct*, including, but not limited to, the following:

- A. review of a decision to suspend or expel a student consistent with Florida Statute (F.S.) 1006.07;
- B. criteria for recommending to law enforcement that a student who commits a criminal offense to be allowed to participate in a civil citation or similar pre-arrest diversion program as an alternative to expulsion or arrest (all civil citation or similar pre-arrest diversion programs must comply with F.S. 985.12);
- C. criteria for assigning a student who commits a petty act of misconduct to a school-based intervention program. If a student's assignment is based on a noncriminal offense, the student's participation in a school-based intervention program may not be entered into the Juvenile Justice Information System Prevention Web.

Furthermore, if FLVS learns that a student enrolled in FLVS has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in F.S. 1006.13(6)(a), then FLVS shall, pursuant to State law, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense or a sibling of the victim. FLVS may also make referrals to, and consult with, law enforcement as needed to implement this requirement.

The principal/instructional leader shall notify all school personnel as to their responsibilities regarding incident reporting, and that acts which pose a threat to school safety and crimes are properly reported to the principal/instructional leader, and that the disposition of the incident is properly documented.

The student Code of Conduct also contains provisions for the assignment of violent or disruptive students to an alternative educational program and/or referral of such students to mental health services identified by FLVS.

III. FLVS Board of Trustees Policies

The FLVS Board of Trustees adopts additional policies concerning student conduct. Listed below are Board-adopted policies relating to student conduct, which are referenced and included in this Code of Conduct. Each link directs readers to the FLVS Board Policy home page, which includes instructions for accessing individual policies.

[Policy 5136 Wireless Communication Devices](#)

[Policy 5500 Student Conduct](#)

[Policy 5511 Dress and Grooming](#)

[Policy 5513 Care of School Property](#)

[Policy 5516 Student Hazing](#)

[Policy 5517 Anti-Harassment](#)

[Policy 5517.01 Bullying and Harassment](#)

[Policy 5517.03 Dating Violence and Abuse](#)

[Policy 5520 Disorder and Demonstration](#)

[Policy 5540 Schools and Investigations Involving Students](#)

[Policy 5600 Student Discipline](#)

[Policy 5605 Suspension/Expulsion of Disabled Students](#)

[Policy 5610 Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students](#)

[Policy 5610.05 Participation in Extra-Curricular Activities](#)

[Policy 5611 Due Process Rights](#)

[Policy 5771 Search and Seizure](#)

[Policy 5772 Weapons](#)

[Policy 5780 Student/Parent Rights](#)

[Policy 5850 School Social Events](#)

[Policy 7241 Restroom and Changing Facilities](#)

[Policy 7540 Acceptable Use Policy](#)

IV. Expectations of Student Behavior

Florida Virtual School expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment. FLVS will not tolerate any form of violence, disruptive, or inappropriate behavior.

This student Code of Conduct outlines the behavioral expectations and possible disciplinary actions for students in both virtual and face-to-face settings while attending school and/or an FLVS sponsored event. Students may be subject to discipline for violation of the student Code of Conduct even if that conduct occurs on property not owned or controlled by FLVS but that is connected to activities or incidents that have occurred on property owned or controlled by FLVS, or conduct that, regardless of where it occurs, is directed at an FLVS official or employee, or the property of such official or employee. Students and parents are required to acknowledge that they have received the student Code of Conduct during the enrollment process.

FLVS requires students to conform to reasonable standards of socially acceptable behavior and respect the person and property of others. Students are required to preserve the degree of order necessary to obtain the educational program in which they are engaged.

V. Civility Code

The education of a child happens only through partnership, and among partners must be the child, the school faculty and staff, the parent(s) or guardian(s), the community, and district office employees. Partnership is an active state that includes sharing responsibilities, meaningful communication, and welcomed participation. When people who are working together agree, the partnership runs smoothly. But no two people will always agree and that can make partnership difficult. The partnership is most powerful - as children are educated to reach their potential - when we agree on how to disagree. We must be civil in our discourse.

Civility is often described by its absence. We hear of harmful actions such as road rage, physical confrontation, ethnic stereotypes, and slurs. But civility is not just an absence of harm. It is the affirmation of what is best about each of us individually and collectively. It is more than saying "please" and "thank you." It is reflecting our respect for others in our behavior, regardless of whether we know or like them. It also is not simply being politically correct and is not to be used to stifle criticism or comment. It is being truthful and kind and is each of us taking responsibility for our own actions rather than blaming others.

Students should act according to the following civility code:

1. **Treat each other with courtesy and respect at all times.** This means that:
 - We listen carefully and respectfully as others express opinions that may be different from ours.
 - We share our opinions and concerns without loud or offensive language, gestures, or profanity.
2. **Treat each other with kindness.** This means that:
 - We treat each other as we would like to be treated.
 - We do not threaten or cause physical or bodily harm to another.
 - We do not threaten or cause damage to the property of another.
 - We do not bully, belittle, or tease another and we do not allow others to do so in our presence.
 - We do not demean and are not abusive or obscene in any of our communications.
3. **Take responsibility for our own actions.** This means that:
 - We share information honestly.
 - We refrain from displays of temper.
 - We do not disrupt or attempt to interfere with the operation of a classroom or any other work or public area of a school or school facility.
4. **Cooperate with one another.** This means that:
 - We obey school rules for access and visitation.
 - We respect the legitimate obligations and time constraints we each face.
 - We respond when asked for assistance.
 - We notify each other when we have information that might help reach our common goal. This will include information about safety issues, academic progress, changes that might impact a student's work, or events in the community that might impact the school.
 - We understand that we do not always get our way.

Authority and Enforcement of the Code of Civility

Authority and enforcement of this code for civil conduct ultimately depends on the facts surrounding the infraction for the determination by FLVS of the level of offense committed. Any violation of the Code of Civility shall be reported according to the type and/or level of offense committed as set forth in this student Code of Conduct.

FLVS does not condone a lack of civility by anyone. Students need to know how to respond to uncivil behavior and how such behavior will be responded to. Therefore, a student who believes that he/she has not been treated in a manner reflective of the Code of Civility should report such behavior to the appropriate school administrator.

VI. Zero Tolerance for School-Related Violent Crime

The FLVS Board of Trustees adopted Policy 5500 *Student Conduct*, which sets forth zero tolerance policies and defines petty acts of misconduct. The following zero tolerance policy applies equally to all students for conduct that poses a threat to school safety and does not apply to petty acts of misconduct.

Florida law requires that students found to have committed one of the following offenses be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one full year and will be referred to mental health services identified by FLVS and to the criminal justice system. Zero tolerance offenses are:

- A. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school-sponsored transportation, or possessing a firearm at school; or
- B. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school or school personnel's property, school transportation, or a school-sponsored activity.

Students who are expelled in accordance with the zero tolerance policy are referred to local mental health services identified by FLVS and to the criminal justice or juvenile justice system.

Policy 5610 *Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students*, sets forth the procedures for expulsions. Policy 5605 *Suspension/Expulsion of Disabled Students* sets forth the procedures if a student committing either of the offenses enumerated above is a student who has a disability (including FLVS complying with applicable State Board of Education rules for the discipline of such students).

VII. Law Enforcement Notification

FLVS has procedures so that acts that pose a threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction.

Those acts that pose a threat to school safety include, but are not limited to:

- A. Possession of firearms or other weapons
- B. Placing, discharging, or throwing an explosive item or noxious substance or making threats to do so
- C. Arson
- D. Felony assault
- E. Threats of unsafe and potentially harmful, dangerous, violent, or criminal activities

Petty acts of misconduct that are not a threat to school safety do not require consultation with law enforcement.

The following are typically considered petty acts of misconduct, although each act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement:

- A. Disorderly conduct
- B. Disrupting a school function
- C. Simple assault or battery
- D. Verbal abuse or use of profanity
- E. Cheating
- F. Theft of less than \$300, trespassing, and vandalism of less than \$1,000
- G. Possession or use of tobacco

Assault/Battery of an FLVS Employee

Notwithstanding any other provision of Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any appointed official of FLVS, teacher, administrator, or other FLVS personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate.

Further, upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

VIII. Offenses and Disciplinary Responses

In addition to the FLVS Board of Trustees policies described above, the following sets forth certain offenses and disciplinary responses in this student Code of Conduct. For purposes of this student Code of Conduct, the term “school event” means any event conducted by FLVS (whether online or in person).

Level 1 Offenses

Level 1 offenses are acts of misconduct that interfere with the orderly operation of the school or school function. Below are the steps taken to address Level 1 offenses. The teacher or staff member who is initially aware of a Level 1 offense will be the first to address the misconduct. The student may be referred to the principal/instructional leader for disciplinary action if the misconduct is repeated or becomes more severe. The principal/instructional leader will conduct the investigation, including discussing the incident with the staff member who reported the same, and discussing with the student and parent/guardian. The principal/instructional leader will determine the appropriate disciplinary response and/or intervention and the student and parent/guardian will be notified via phone or email.

Appropriate responses and consequences may include but are not limited to the following:

- Student warning and reminder of expectations
- Parent/Guardian contact
- Documentation of the incident in VSA
- Loss of live lesson tools
- Loss of privileges, such as school events or clubs
- Behavioral agreement (written and/or verbal)
- Referral to other staff members (such as counselor, lead or resource teacher, school psychologist, etc.)
- Apology letter
- Temporary removal from course (s) (not to exceed 10 days)
- Other consequence deemed appropriate by administration

Level 1 Offenses	
Academic Integrity (1st offense)	1st academic integrity infractions that are considered minor. Refer to Academic Integrity Policy section of the Code of Conduct.
Disrespect	A lack of courtesy, or respect, or causing embarrassment or insult to a staff member, student, or guest. See also the Code of Civility above.
Disruptions	Interrupting the learning environment or causing disruption during a school event. See also Board Policy 5520 <i>Disorder and Demonstration</i> .
Dress Code Violation	Not following standards set for attire at a school event. See also Board Policy 5511 <i>Dress and Grooming</i> .
Other Misconduct	Any minor act of misconduct that interferes with the orderly operation of the school or a school event. This includes use of inappropriate communication (including but not limited to a violation of Board Policy 7540 <i>Acceptable Use Policy</i> and/or Board Policy 5136 <i>Wireless Communication Devices</i> set forth below) or a violation of Board Policy 7421 <i>Restrooms and Changing Facilities</i> .

Level 2 Offenses

Level 2 offenses are more severe or repeated acts of misconduct that interfere with the orderly operation of the school or school function. Level 2 offenses do not directly or seriously endanger the health or safety of others.

Any FLVS staff member who believes they may have witnessed a Level 2 offense must report the infraction to the principal/instructional leader. Once reported, the principal/instructional leader will conduct an investigation, including discussing the incident with the staff member who reported the same, and providing opportunities for other FLVS staff to provide written and oral statements regarding the incident as well as written and oral statement opportunities for the parent and/or guardian.

During the investigative process, a student could be placed in Contact Instructor (CI) for a period not to exceed 10 days. To temporarily remove a student from the Learning Management System, the teacher will place the student in Contact Instructor in VSA and list the reason as discipline or academic integrity.

The student and parent/guardian will be notified via phone or email once the investigation has concluded so they are aware of any potential consequences. Level 2 disciplinary actions which may include but are not limited to:

- Any appropriate response from Level 1
- Parent Conference
- Student Conference
- FLVS behavior program referral
- Disciplinary Placement (duration varies by case not to exceed 10 days)
- Mental Health Referral
- Threat Management Team Referral
- Student Success Team Referral
- Law Enforcement Involvement
- Alternative Classroom Placement
- Payment for damaged property
- Removal from a course (temporary or permanent)
- Behavioral Contract
- Any other disciplinary consequence deemed appropriate by the principal/instructional leader

Level 2 Offenses	
Academic Integrity (2nd offense)	2nd academic integrity infraction. Refer to Academic Integrity Policy section of the Code of Conduct.
Attempting/Threatening Harm	While at a school event, attempting to fight or threatening to physically harm another.
Disrespect	Repeated lack of courtesy, or respect, or causing embarrassment or insult to a staff member, student, or guest. See also the Code of Civility above.
Misleading/False Information	Intentionally providing false information to a staff member.
Open Defiance	Verbal or actual refusal to follow school or class rules, laws, behavior agreement, or the directions of a staff member.
Theft (under \$300)	The unauthorized taking, carrying, riding away with, or concealing property of another person without threat, violence, or bodily harm.
Vandalism (under \$100)	The intentional destruction, damage, or defacement of school property or the property of another without consent of the owner or the person having custody or control of the property. See also Board Policy 5513 <i>Care of School Property</i> .
Other Serious Misconduct	Any serious act of misconduct that interferes with the safe and orderly operation of the school or a school event. This includes a more serious use of inappropriate communication (including but not limited to a violation of Board Policy 7540 <i>Acceptable Use Policy</i> and Board Policy 5136 <i>Wireless Communication Devices</i> set forth below).
Repeated Misconduct	Any Level 1 offenses that are repeated may be considered as Level 2.

Level 3 Offenses

Level 3 offenses are major acts of misconduct that include repeated serious disruptions of school order, threats to the health, safety, and property of others, and other acts of serious misconduct.

Any FLVS staff member who believes they may have witnessed a Level 3 offense must report the infraction to the principal/instructional leader. Once reported, the principal/instructional leader may engage the Discipline Team for fact-finding in order to conduct an investigation which includes opportunities for FLVS staff to provide written and oral statements regarding the incident as well as written and oral statement opportunities for the parent and/or guardian.

During the investigative process, a student could be placed in Contact Instructor (CI) for a period not to exceed 10 days. To temporarily remove a student from the Learning Management System, the teacher will place the student in Contact Instructor in VSA and list the reason as discipline or academic integrity.

The student and parent/guardian will be notified via phone or email once the investigation has concluded so they are aware of any potential consequences.

Level 3 disciplinary actions may include but are not limited to:

- Any appropriate response from Level 1 or Level 2
- Parent/guardian contact (Mandatory)
- Confiscation of items in violation of policies with or without possible return of item
- Suspension (Policy 5610 *Removal, Out-of-School Suspension, Disciplinary Placement, Expulsion*)*
- Manifestation Determination Review (If ESE or 504)
- Disciplinary Placement (not to exceed 10 days)
- Temporarily prevent future enrollment for a designated period of time, up to one year
- Expulsion from Florida Virtual School (mandatory for zero tolerance offenses)
- Referral to law enforcement
- Any required SESIR reporting
- Any other disciplinary consequence deemed appropriate by the principal/instructional leader

*Prior to a suspension, except in emergency situations that require immediate suspension, a good faith effort will be made to employ parental assistance or determine alternative methods of resolving the situation.

Level 3 Offenses	
Serious Academic Integrity Violation	Refer to Academic Integrity Policy section of the Code of Conduct.
Bullying (SESIR Level IV)	Refer to Bullying, Hazing, and Harassment section of the Code of Conduct, and Board Policy 5517.01 <i>Bullying and Harassment</i> .
Threat/Intimidation (SESIR Level III)	An incident where there was no physical contact between the offender and the victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats (e.g., brandishing a weapon) and verbal threats of physical harm that are made in person, electronically, or through any other means. See also Board Policy 5517 <i>Anti-Harassment</i> and Board Policy 5517.01 <i>Bullying and Harassment</i> . The Threat Management Team process will occur for these types of offenses.
Simple Battery (SESIR Level II)	An actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual, with or without causing injury. This section does not include injury that is a result of fighting if students are mutual combatants.
Vandalism (\$100 to \$999)	The intentional destruction, damage, or defacement of school property or the property of another without consent of the owner or the person having custody or control of the property. See also Board Policy 5513 <i>Care of School Property</i> .
Disrespect	Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration. This may include but is not limited to language and/or gestures that are profane or abusive to others. See also the Code of Civility above.

Larceny/Theft (Below \$750)	The unauthorized taking, carrying, riding away with, or concealing the property of another person.
Fighting (SESIR Level III)	When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medication addition. (Lower-level fights, including pushing shoving, or altercations that stop on verbal comment are not required to be reported in SESIR)
Possession of Fireworks	Unauthorized possession and/or igniting of fireworks or firecrackers on FLVS property or during a school sponsored event. This includes setting off stink bombs.
Smoking/Tobacco Products (SESIR Level IV)	The possession, use, distribution, or sale of tobacco or nicotine products, or items represented to be of said nature during school events. This includes, but is not limited to electronic cigarettes, vapors, and hookah pens. See also Board Policy 7434 <i>Tobacco-Free Environment</i> .
Physical Aggression on Employee	Willful use of force upon an employee or contracted personnel that does not result in bodily injury.
Contraband Possession	Possession of contraband material (other than weapons or firearms) that are forbidden. This may include but is not limited to pocketknives, table or kitchen knife, matches, lighter, lasers, etc. at an FLVS sponsored event.
Trespassing (Level III)	To enter or remain at an FLVS facility or attendance to a school sponsored event without authorization, without an invitation, or after being directed by an administrator not to attend, with no lawful purpose for entry.
Electronic Device Violation	Any violation of Board Policy 7540 <i>Acceptable Use Policy</i> and/or Board Policy 5136 <i>Wireless Communication Devices</i> .
Other Serious Misconduct	Any extreme act of misconduct that interferes with the safe and orderly operation of the school or a school event (more severe than Level 2). This includes extremely inappropriate communication (including but not limited to a violation of Board Policy 7540 <i>Acceptable Use Policy</i> and/or Board Policy 5136 <i>Wireless Communication Devices</i> set forth below).
Repeated Misconduct	Repeated misconduct of a more serious nature. Level 2 offenses that are repeated may be considered as Level 3.

Level 4 Offenses

Level 4 offenses are major and serious acts of misconduct that include repeated serious disruptions of school order, threats to the health, safety, and property of others, and other acts of serious misconduct.

Any FLVS staff member who believes they may have witnessed a Level 4 offense must report the infraction to the principal/instructional leader. Once reported, the principal/instructional leader will engage the Discipline Team for fact-finding in order to conduct an investigation which includes opportunities for FLVS staff to provide written and oral statements regarding the incident as well as written and oral statement opportunities for the parent and/or guardian.

During the investigative process, a student could be placed in Contact Instructor (CI) for a period not to exceed 10 days. To temporarily remove a student from the Learning Management System, the teacher will place the student in Contact Instructor in VSA and list the reason as discipline or academic integrity.

The student and parent/guardian will be notified via phone or email once the investigation has concluded so they are aware of any potential consequences.

Level 4 disciplinary actions may include but are not limited to:

- Any appropriate response from Level 1, Level 2, or Level 3
- Parent/guardian contact (Mandatory)
- Confiscation of items in violation of policies with or without possible return of item
- Suspension (Policy 5610 *Removal, Out-of-School Suspension, Disciplinary Placement, Expulsion*)*
- Manifestation Determination Review (If ESE or 504)
- Disciplinary Placement

- Temporarily prevent future enrollment for a designated period of time, up to one year (Flex)
- Expulsion from Florida Virtual School (mandatory for zero tolerance offenses)
- Referral to law enforcement
- Any required SESIR reporting
- Any other disciplinary consequence deemed appropriate by principal/instructional leader

*Prior to a suspension, except in emergency situations that require immediate suspension, a good faith effort will be made to employ parental assistance or determine alternative methods of resolving the situation.

Level 4 Offenses	
Extreme Academic Integrity Violation	Refer to the Academic Integrity Policy section of the Code of Conduct.
Alcohol (SESIR Level IV)	Possession, sale, purchase, or use of alcoholic beverages. Use means the person is caught in the act of using, admits using or is discovered to have used in the course of an investigation.
Weapons Possession (SESIR Level II)	Possession of a firearm, knife, boxcutter, razorblade, explosive, taser, chemical weapon, pepper spray, or any other item that can be used to cause serious bodily harm on another person or that can place a person in reasonable fear of serious harm, on the property of FLVS or during a school sponsored event. See also Board Policy 5772 <i>Weapons</i> .
Aggravated Battery (SESIR Level I)	A battery where the attacker intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.
Drug Use or Possession (SESIR Level III)	The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. Use means the person is caught in the act of using, admits using, or is discovered to have used in the course of an investigation.
Drug Sale or Distribution (SESIR Level II)	The manufacture, cultivation, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.
Technology Violation	Unauthorized access to programs and/or files not expected or intended for student use on an FLVS issued and/or personal device; use of another's username and password; or any use that violates local, state, and/or federal laws and regulations. This also includes manipulating computer data that the student is not permitted to access and/or adjust. See also Board Policy 7540 <i>Acceptable Use Policy</i> .
Arson (SESIR Level I)	To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.
Robbery (SESIR Level II)	The taking, or attempted taking, of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force, or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that robbery involves violence, a threat of violence or assault, and putting the victim in fear. This includes using force to take something from another.
Burglary (SESIR Level II)	Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.
Larceny/Grand Theft (\$750 or greater) (SESIR Level III)	The unauthorized taking, carrying, riding away with, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm.
Vandalism (over \$1000) (SESIR Level III)	The intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of the property. See also Board Policy 5513 <i>Care of School Property</i> .
Extortion	Willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, items of material worth, or to cause fear.
False Accusation	Falsely accusing an employee of something that may jeopardize his/her certification,

	reputation, and/or employment.
Harassment (SESIR Level IV)	Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property; has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school, including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. See also Board Policy 5517 <i>Anti-Harassment</i> and Board Policy 5517.01 <i>Bullying and Harassment</i> .
Hazing (SESIR Level III)	Any action or situation that endangers the mental or physical health or safety of a student at a school for purposes of initiation or admission into or affiliation with any school-sanctioned organization. Hazing includes, but is not limited to pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements. See also Board Policy 5516 <i>Student Hazing</i> .
Sexual Harassment (SESIR Level III)	Any slur, innuendo, gesture, image or other written, verbal, or physical contact reflecting on an individual's gender which has the purpose of creating an intimidating, hostile, or offensive educational environment. This includes indecent exposure using electronic devices, such as, but not limited to email or webcams. See also Board Policy 5517 <i>Anti-Harassment</i> , Board Policy 5517.01 <i>Bullying and Harassment</i> , and Board Policy 5517.03 <i>Dating Violence and Abuse</i> .
Sexual Offenses (SESIR Level III)	Any willful act or behavior intended to result in sexual gratification without force or threat and where the victim is able to give consent. This includes indecent exposure (in a face-to-face or virtual environment) and obscenity, which includes but is not limited to inappropriate sexual communications, such as creating, requesting, possessing, purchasing, or distributing of pornographic materials. See also Board Policy 5517 <i>Anti-Harassment</i> , Board Policy 5517.01 <i>Bullying and Harassment</i> , and Board Policy 5517.03 <i>Dating Violence and Abuse</i> .
Sexual Assault (SESIR Level II)	An incident that includes attempted or threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault. See also Board Policy 5517 <i>Anti-Harassment</i> , Board Policy 5517.01 <i>Bullying and Harassment</i> , and Board Policy 5517.03 <i>Dating Violence and Abuse</i> .
Sexual Battery (SESIR Level I)	An incident that includes rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual battery. See also Board Policy 5517 <i>Anti-Harassment</i> , Board Policy 5517.01 <i>Bullying and Harassment</i> , and Board Policy 5517.03 <i>Dating Violence and Abuse</i> .
Homicide (SESIR Level I)	The unjustified killing of one human being by another.
Kidnapping (SESIR Level I)	Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.
False Report of Destructive Event	A false report of a bomb, explosive, mass shooting, or other harmful event occurring at an FLVS property or school sponsored event. See also Board Policy 5500 <i>Student Conduct</i> .
Other Major Disruption (SESIR Level III)	An act that significantly disrupts the orderly school environment, harms others, and/or any other case in which an extremely severe act of misconduct takes place at an FLVS property or at a school sponsored event. This may include hate crimes, shootings, explosions, and/or severe indecent exposure through use of electronic devices, such as, but not limited to email and webcams, bomb threats, inciting a riot, or initiating a false alarm. This includes extreme offenses that may not be listed.
Other Major Incidents (SESIR Level III)	Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified.
Repeated Misconduct	Repeated misconduct of a more serious nature. Level 3 offenses that are repeated may be considered as Level 4.

IX. School Environmental Safety Incident Reporting (SESIR)

The School Environmental Safety Incident Reporting (SESIR) system was initiated to enable schools to track incidents and analyze patterns of violent, criminal or disruptive activity. The intent is to collect complete and objective data from which to design interventions to improve the learning environment. SESIR operates at the school, district, and state levels. FLVS sends data to the Florida Department of Education (FLDOE) where it is compiled into an annual report. This report presents the frequency of the SESIR incidents by each school district and for the state as a whole.

The School Environmental Safety Incident Reporting System collects data on specified incidents of crime, violence, and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school-sponsored events, during any 24-hour period, 365 days per year. Incidents are reported by districts to the FLDOE.

FLVS must report the following SESIR incidents, as defined in Rule 6A-1.0017, F.A.C., to law enforcement:

- Aggravated Battery
- Alcohol
- Arson
- Burglary
- Criminal Mischief (Felony Vandalism – \$1,000 threshold)
- Disruption On Campus – Major
- Drug Sale or Distribution
- Drug Use or Possession
- Fighting
- Grand Theft (\$750 threshold)
- Hazing
- Homicide
- Kidnapping
- Other Major Incidents
- Robbery
- Sexual Assault
- Sexual Battery
- Sexual Offenses (Other)
- Simple Battery
- Threat/Intimidation
- Bullying/Harassment/Hazing
- Trespassing
- Weapons Possession

Required Reporting to Law Enforcement

School districts must report all SESIR incidents to law enforcement, except for Bullying, Harassment, Sexual Harassment, and Tobacco. School districts must report all SESIR incidents to law enforcement where the incident includes one or more of the following related elements as defined Rule 6A-1.0017, F.A.C.:

- Alcohol-related
- Drug-related
- Gang-related
- Hate crime-related
- Hazing-related
- Injury-related, if the injuries are reported as more serious
- Weapon-related

As permitted by DOE rules, FLVS reserves the right to report other incidents to law enforcement that are not listed above.

Diversion Programs

F.S. 1006.13 provides authority, but does not mandate, school districts to implement diversion programs for conduct that rises to the level of criminal activity. The goals of the civil citation or similar pre-arrest diversion process are to divert youth prior to arrest, hold youth accountable for delinquent behavior, involve parents in the sanctioning of youth, and prevent the youth's further involvement in the juvenile justice system. If a crime committed by a student is deemed as an eligible misdemeanor offense, authorized under F.S. 985.12, the principal/instructional leader may recommend that the student be allowed to participate in a civil citation or similar pre-arrest diversion program as an alternative to arrest or full expulsion.

FLVS may use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to school safety. The final determination of whether a law enforcement officer will issue a civil citation or pre-arrest diversion program rests solely with law enforcement and does not exempt the student from receiving other forms of discipline interventions from the school. This recommendation cannot be made for certain offenses, which includes, but is not limited to, the following: felonies, threats to the school, and any zero tolerance offenses (such as possession/use of a firearm or weapon, or making a threat or a false report).

Creating a culture and climate of safety is essential to the prevention of violence in school. Prevention and intervention are part of a comprehensive strategy to increase the safety and security of students at Florida Virtual School. Students referred to the diversion program from school-based administrative teams, will meet with Student Services Administrator, Director and School Safety Specialist to specifically address the individual needs of the student prior to law enforcement involvement.

X. Academic Integrity

Student academic integrity is a core value and universal expectation at Florida Virtual School. Academic integrity is one of the core values at Florida Virtual School and its County Virtual Schools. When academic integrity is maintained, students will make decisions based on values that will prepare them to be productive, meaningful, and ethical citizens.

What is Academic Integrity?

Academic integrity means that all work a student submits is created by him/her and is an original representation of his/her work. It means that what students submit is their own work.

According to The School for Ethical Education academic integrity can be defined by honest academic work where:

1. The ideas and the writing of others are properly cited.
2. Students submit their own work for tests and assignments without unauthorized assistance.
3. Students do not provide unauthorized assistance to others; and
4. Students report their research or accomplishments accurately.

Academic Integrity: An Overview

Florida Virtual School takes the integrity and authenticity of student work very seriously. Students should not cut, copy, or plagiarize internet content or the work of their online classmates. FLVS instructors utilize technologies to check for authenticity. Copying, knowingly allowing others to copy from a student, and/or misusing the internet content could result in the student's removal from a course.

Academic integrity is the cornerstone of learning at FLVS. Because of its preeminence in all our instruction, there are a variety of tools that are used in ensuring the integrity of student work.

Among these tools are:

1. Plagiarism Detection Tool
This internet tool compares student work against a variety of databases. The FLVS Learning Management System is now integrated with Turnitin.com and most work is automatically uploaded to the system. This database determines the possibility that work was written by artificial intelligence, compares students' work against other students' work, as well as work found on the internet.
2. Academic Integrity Database

FLVS maintains its own database of student integrity incidents. This database is used to monitor the number of student integrity issues.

3. Teacher Expertise

FLVS instructors have extensive classroom experience. Their expertise is often a guide in identifying the level of originality in student work.

4. Discussion-based Assessments

As a means of ensuring comprehension and integrity, each course contains built-in assignments that are designated to be completed verbally during a discussion between a teacher and student. A student who does not complete and pass every discussion-based assessment in the course is ineligible for course credit. Additional discussions may be conducted randomly throughout the course to assess mastery of content and authenticity of student work. To ensure integrity, it may be required that discussion-based assessments be completed using a video application.

5. Proctored Exams

FLVS may, at its discretion, require a proctored segment exam for any student on a situational basis. Academic Integrity proctored exams must be successfully passed (grade of 59.5% or higher) on the first attempt for a student to be eligible for course credit.

6. Random Proctored Exams

Students are randomly chosen to take a proctored segment exam. For more information, please visit <http://www.flvs.net/myFLVS/student-handbook/Pages/AcademicIntegrity.aspx>.

7. Academic Integrity Hotline/Email

Community members, school counselors, parents, and students can call or email to report any academic integrity related issue anonymously.

Student Broker

F.S. 1002.321(5), states that it is unlawful for any person to knowingly and willfully take an online course or examination on behalf of another person for compensation. Violators commit a misdemeanor of the second degree, punishable by a term of imprisonment for up to 60 days or a fine of \$500.

Academic Integrity Consequences

A variety of consequences will be administered if a student fails to maintain academic integrity in his/her course. These consequences range from a reduced score on an assignment up to expulsion from FLVS coursework for up to one year. Additionally, final grades may be rescinded if a student is found to have copied or plagiarized after the grade has been posted to his/her transcript. See the FLVS Academic Integrity Matrix below.

Failure to identify an academic integrity violation early in a course does not preclude the student from advanced consequences which could include retaking proctored final exams for the original grade to remain on transcript.

FLVS Academic Integrity Matrix

	Web Source <i>Copying (partially or fully) work from a published Internet, print resource or artificial intelligence sources without the proper credit.</i>					Sharing of Work <i>Copying or allowing others to copy information from someone else's work (including uploading coursework to third party vendor)</i>					Student Academic Broker <i>Completing online coursework on behalf of another student, allowing any person to complete coursework, or selling coursework from another person or technological resource</i>	Discussion Based Assessments (DBA) Concerns <i>DBA performance not meeting the level of performance on other assessments or receiving help during a DBA.</i>				
	1st	2nd	3rd	4th	5th	1st	2nd	3rd	4th	5th	Any	1st	2nd	3rd	4th	5th
Learning Intervention <i>(Example: Academic Integrity Module)</i>	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X
Parent Contact by Teacher	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Resubmit for Full Credit	X											X	X	X		
Resubmit for 75% Credit		X				X										
Resubmit for 50% Credit			X				X								X	
Automatic Zero				X	X			X	X	X	X					X
Possible Parent Contact by Academic Integrity Dept.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Possible IL Involvement / Notification					X				X	X	X					X
Approved Proctored Exam	X	X	X	X		X	X				X	X	X			
Mandated Proctored Exam					X			X	X	X	X			X	X	X
Approved F Grade for Segment	X	X	X	X	X	X	X	X	X	X	X					
DBA Performed on Video						X	X	X	X	X	X	X	X	X	X	X
Approved Expulsion from FLVS										X	X					
Approved Removal of Completed Course Grade if AI Issue Determined Retroactively			X	X	X	X	X	X	X	X	X					
Possible Involvement of Director(s) of Instruction					X					X	X					X
Other as Designated by AI Manager	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

*The FLVS Academic Integrity Matrix applies to all programs and instructional models under the Florida Virtual School umbrella. This includes, but is not limited to FLVS Flex, FLVS Full Time, FLVS County Virtual Schools, FlexPoint Virtual School, and FLVS Elementary programs.

Academic Integrity: Roles and Responsibilities

Students

The student's role at Florida Virtual School is to learn to the best of his/her ability. Therefore, students should expect to take age-appropriate individual responsibility for their own learning, such as: applying themselves to their studies in a focused and serious manner, working hard, becoming engaged in the lessons and activities, asking questions, exploring their personal interests, improving areas of academic weaknesses, capitalizing on strengths, and always completing their own work and upholding the principles of the FLVS Academic Integrity Policy.

Students are responsible for submitting and protecting their own, original work.

FLVS students will maintain academic integrity in their FLVS classroom by:

- Reading and signing the academic integrity statement and completing an academic integrity module as part of the enrollment process.
- Participating in a welcome call that includes components of our academic integrity program.
- Participating in discussion-based assessments and following the required FLVS protocol as part of each course. FLVS protocol stipulates discussion-based assessments are completed between student and instructor only, free of outside influence, assistance or disruptions.
- Asking questions regarding academic integrity if they are unsure.
- Safeguarding their own work. Responsibilities include but are not limited to:
 - Students will not share work with any other student.
 - Students will not upload their FLVS coursework to a third-party vendor.
 - Students will not share their username and/or password.
 - Students will utilize a USB drive to save work instead of a shared computer.
- Taking a proctored segment exam when asked to do so.

Parents/Guardians

Parents/Guardians are partners in supporting student learning and play a key role in their student's success in any learning environment, but even more so at FLVS. Parents/guardians are responsible for monitoring student work to ensure compliance with the FLVS Academic Integrity Policy.

Parents/Guardians of FLVS students will help maintain academic integrity in the FLVS classroom by:

- Reviewing and signing the academic integrity statement as part of the enrollment process
- Participating in a welcome call that includes components of our academic integrity program.
- Ensuring that their student's work is authentic and original.
- Ensuring that FLVS protocol regarding discussion-based assessments is adhered to.
- Understanding the student's proctored segment exam requirements. Failure of a student to take and pass a segment exam with a proctor will result in removal of course with a failing grade.

Teachers

The subject-specific teacher is the primary contact for students and parents/guardians regarding subject-specific questions. These teachers are qualified to provide instructional intervention strategies as needed and to handle the following instructional questions:

- Curriculum or materials
- Course scope and sequence
- Modification of assessments for students with documented special needs
- Testing
- Grading and progress reports
- Help with a particular assessment or concept

Teachers proactively monitor each student's progress using our Student Information System (VSA), Learning Management System (Educator) and through regular contact via phone, texting, email, and synchronous Live Lessons. Teachers score assessments and provide feedback on the student's performance through formal means (assessment grades, comments, and regular progress reports) as well as informal means (phone calls and online communication). Depending on a student's needs and grade level, teachers provide instruction in different ways. Generally, students will have a different subject-specific teacher for each course.

FLVS Teachers will uphold academic integrity in their classroom by:

- Acting as a resource for student questions
- Submitting various assignments in the plagiarism detection tool
- Submitting FLVS academic integrity incidents when applicable
- Collaborating with the Academic Integrity team member and/or principal/instructional leader for any academic integrity concerns
- Verifying student mastery of content through discussion-based assessments and authentic assessments
- Participating in required trainings or staff development.
- Including academic integrity resources on announcement pages and in welcome calls

Instructional Leaders

The principal/instructional leader (IL) is responsible for the administration of the school and for ensuring that students are provided with the support and assistance they need, in accordance with FLVS standards of excellence. For any concerns or comments, principal/instructional leader's contact information can be found on the front page of a course website.

FLVS Instructional Leaders will help maintain academic integrity in the FLVS classroom by:

- Supporting academic integrity in each course they oversee
- Ensuring that all teachers participate in academic integrity initiatives
- Supporting the administration of consequences
- Providing support to the Academic Integrity manager, investigator, and instructional staff

XI. Dress Code

When attending any meeting or student gathering affiliated with FLVS (virtual or face to face), Board Policy 5511 *Dress and Grooming* is applicable. The dress code policy prohibits attire that:

- Presents a hazard to the health or safety of the student himself/herself or to others;
- Materially interferes with schoolwork, create disorder, or disrupt the educational program;
- Prevents the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

In the event a student attends an FLVS virtual event in prohibited dress, the instructor will notify the student and request they remain off camera until they are able to adhere to the dress code. At a face-to-face event, the parent or guardian chaperone will be notified. Based on the circumstances, the student may be subject to additional discipline as set forth in this Code of Conduct.

All FLVS students are informed of the established dress code upon enrollment when acknowledging the adherence to the Student Code of Conduct.

XII. School Event Guidelines

When attending any meeting or student gathering affiliated with FLVS, adherence to the Dress Code Policy is required. Alcohol, drugs, tobacco products, firearms, fireworks/firecrackers, pornographic materials, and any other items that would place students in violation with the Code of Conduct based on the offenses listed in Levels 1-4 above are strictly prohibited during any FLVS sponsored face-to-face event.

In an effort for face-to-face events to be safe and meaningful for our students, as well as to maintain the positive reputation of FLVS, students and their families are expected to exhibit respectful behavior aligned with the expectations set forth by this Code of Conduct. FLVS reserves the right to exclude students from face-to-face events due to prior acts of misconduct or acts of misconduct occurring during a face-to-face event. FLVS reserves the right to ask students and their families to leave an event sponsored by FLVS if they are in violation of the Code of Conduct.

In order to attend face-to-face events, the parent/guardian must follow the steps in place set by the program. This may include, but is not limited to, ticket purchases and/or forms to complete and submit.

XIII. Acceptable Use Policy

It is important for students and parents to understand how to responsibly utilize technology for educational purposes while maintaining a safe and respectful online environment. Whether accessing the internet or FLVS information technology resources, or utilizing wireless communication devices (WCDs), adherence to the guidelines will ensure a safe virtual learning environment.

For the full text of the requirements, which are incorporated into this student Code of Conduct, please see Board Policy 7540 *Acceptable Use Policy* (which provides, among other things, for the acceptable use of FLVS information technology resources) and Board Policy 5136 *Wireless Communication Devices* (which provides, among other requirements, that students are prohibited from using WCDs during the school day, including while off-campus on a field trip, unless specifically authorized by a teacher, administrator, or IEP Team).

Prohibited Uses of WCDs

- Use on school property or at a school-sponsored activity to access and/or view internet websites that are otherwise blocked to students at the school.
- Downloading or accessing prohibited applications using internet access provided by FLVS.
- To transmit material in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated.
- To transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex (including sexual orientation/transgender identity), disability, age, religion, ancestry, or political beliefs.
- To engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, emails, or other materials of a sexual nature (i.e., sexting) in electronic or any other form. As set forth in State law (s. 847.0141, F.S., Sexting; prohibited acts; penalties) sexting is the knowing transmission or distribution to another minor by a computer or similar device any photograph or video of any person that depicts nudity and is harmful to minors. Sexting also includes possessing a photo of any person that was transmitted or distributed by another minor that depicts nudity and is harmful to minors. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.
- Using a WCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using WCDs to receive such information.
- The sending of unsolicited non-academic email to online classmates.
- Accessing social media platforms through the use of internet access or any devices provided by FLVS.

- Capturing, recording, or transmitting the words, sounds (audio), and/or images (pictures/video) of any student, staff member, or other individual without proper consent.

In the event a student is authorized to use WCDs to capture, record, or transmit audio or images, FLVS teachers, administrators, or ESE/504 designee will give express permission to do so. Instances where recording is authorized may include, but are not limited to, class participation and IEP/504 accommodations.

Acceptable Use of FLVS Information Technology Resources

Internet access is required for all FLVS students, but access must be used in a responsible, safe, efficient, ethical, and legal manner. With expanded access to electronic information, availability of inappropriate material is not uncommon. Some sites contain illegal, defamatory, inaccurate, or offensive information.

Although it is impossible to control such misuses, FLVS believes that with responsible use, the benefits of the internet as an educational tool outweigh the negatives. FLVS especially appreciates partnering with parents to teach responsible internet use. Please review the following netiquette rules and FLVS expectations carefully:

- Students are responsible for good behavior on the FLVS network, just as they are in a traditional school building. Always use a computer in a way that shows consideration and respect. It is illegal to use obscene, profane, threatening, or disrespectful language.
- Integrity and authenticity of student work is taken very seriously at FLVS. Students should not cut, copy, or plagiarize internet content or the work of their online classmates. FLVS instructors do utilize technologies to check for authenticity. Copying, knowingly allowing others to copy from students, and/or misusing internet content could result in removal from FLVS courses.
- Security is a high priority, especially when the system involves many users. If a security problem in the school's computers, network, or internet connection is identified, students should notify a system administrator.
- It is illegal to create harmful computer viruses. (s. 815.06, F.S., Offenses against users of computers, computer systems, computer networks and electronic devices.)
- Email is not private. Students should never say anything via email that they wouldn't mind seeing on the school bulletin board or in the local newspaper.
- Students should beware of emails from anyone, particularly adults they don't know, asking for personal information, attempting to arrange meetings, or engaging in personal contact. Students should alert their teacher or other Florida Virtual School employee of any message they receive that is inappropriate or makes them feel uncomfortable.
- Email with online classmates should be course related. It is prohibited to send unsolicited non-academic email to online classmates.
- Email addresses or Live Lesson login names that use profanity or may be construed as offensive, shall not be permitted for FLVS correspondence. FLVS administration reserves the right to determine if student email addresses are inappropriate. When necessary, students will be asked to use an alternative email address or may be refused participation in FLVS courses.
- Passwords should be protected. Students should keep it secret from anyone except their parents.
- Inappropriate texting/Messaging: Photographs or videos sent via computer, cell phone, or any other electronic device which depict nudity, or any other inappropriate content, are prohibited (s. 847.0141, F.S., Sexting; prohibited acts; penalties).
- FLVS assumes no responsibility for any phone charges, line costs, or usage fees for connectivity to the internet.
- Comply with the requirements of Policy 7540 *Acceptable Use Policy*.

Florida Virtual School administrators will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through internet access. In the event there is a claim that a student has violated this policy, he/she will be provided with notice of the suspected violation and have an opportunity to present an explanation.

Any violations by the student or parent/guardian may result in removal from FLVS course(s), as well as other disciplinary or legal action.

XIV. Search and Seizure

FLVS recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. Please refer to Board Policy 5771 *Search and Seizure*.

XV. Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students

The FLVS Board of Trustees adopted Policy 5610 *Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students*.

Suspension

When a student is suspended, he/she is temporarily removed from class (the Learning Management System) or a school-sponsored program or activity. The length of a suspension is determined by the school principal/instructional leader (not to exceed 10 days at a time). A suspension will be documented in writing.

During a period of suspension, a student's permission to log on to and/or use parts of the Student Information System and Learning Management System is restricted.

Student access to both systems may be revoked. In such cases where the student's access is completely revoked, the parent/guardian is responsible for logging on to the Learning Management System and obtaining the student's assignments, responding to email, and recording assessment responses for the student. The student should continue with his/her schoolwork during a suspension.

Disciplinary Placement:

Disciplinary placement means the involuntary separation of a student from the student's regular placement or traditional education setting and benefits attached to such placement to a separate disciplinary setting with continued educational services.

Restricted Enrollment:

Restricted enrollment means a student being excluded from enrolling or continuing attendance at FLVS for a specified duration or under conditions set forth by FLVS.

Expulsion

If a student enrolled in FLVS violates any provision of this student Code of Conduct, FLVS reserves the right to initiate pre-expulsion hearings to determine probable cause. Please refer to the process set forth in Policy 5610 *Removal, Out-of-School Suspension, Disciplinary Placement, and Expulsion of Students*.

When a student is expelled, he/she is separated from the school for an extended period of time, or permanently, for disciplinary reasons. An expulsion will be documented in writing.

Violations that may lead to expulsion include, but are not limited to, any behavior that indicates that a student is a serious threat to the safety of others, possession of firearms, dangerous weapons, bombs, or explosives, criminal behavior, arson, under the influence of or possession of, or sale of controlled substances or paraphernalia. Suspensions or expulsions for students designated as exceptional follow all appropriate state and federal policies, regulations, and laws.

Disciplinary Action for Students with Disabilities

The FLVS Board of Trustees adopted Policy 5605 *Suspension/Expulsion of Disabled Students*. Students with disabilities are not exempt from consequences for violations of the student Code of Conduct.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student who has a documented disability (IDEA or Section 504) and violates the code of student conduct. If it is determined that the behavior is in fact a manifestation (result) of the student's disability, the consequences outlined in the student Code of Conduct may be deemed inappropriate and consideration will be given to implementation of strategies and supports that will reduce the likelihood that inappropriate behavior occurs in the future and encourage more socially acceptable behaviors within the school setting.

In cases of severe violations of the student Code of Conduct, school personnel may remove and place such student in an interim alternative educational setting for not more than 45 school days, without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries a weapon to or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of the school district;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district.

XVI. Bullying and Harassment

The FLVS Board of Trustees adopted Policy 5517.01 *Bullying and Harassment*. Certain programs for staff and students vary from time to time. The text of Policy 5517.01 *Bullying and Harassment* is set forth below.

5517.01 - BULLYING AND HARASSMENT

FLVS is committed to providing an educational setting and workplace that is safe, secure, and free from bullying and harassment for all students and employees.

FLVS will not tolerate unlawful bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited:

- A. during any education program or activity conducted by FLVS;
- B. during any FLVS-related or FLVS-sponsored program or activity, or on FLVS-provided transportation (if any);
- C. through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of FLVS; or
- D. through the use of data or computer software that is accessed at a non-FLVS related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by FLVS, 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 FLVS or substantially disrupts the education process or orderly operation of FLVS. Notwithstanding the foregoing, this section does not require FLVS to staff or monitor any non-FLVS related activity, function, or program.

Pursuant to State law, FLVS students, parents, teachers, administrators, staff, volunteers, community representatives, and local law enforcement agencies shall be involved in the review of this policy every three (3) years.

The President and Chief Executive Officer (CEO) or designee shall develop a comprehensive plan intended to prevent bullying and harassment and to cultivate the school climate so as to appropriately identify, report, investigate, and respond to situations of bullying and harassment as they may occur on FLVS property, at FLVS-sponsored events, and through FLVS computer networks. Implementation of the plan by each principal/instructional leader will be ongoing throughout the school year and will be integrated with the school curriculum, the bullying and prevention program, FLVS disciplinary policies, and violence prevention efforts.

Definitions

Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one (1) or more students or employees. It is defined as any unwanted and repeated written, verbal, 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; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. physical violence;
- G. theft;
- H. sexual, religious, or racial harassment;
- I. public or private humiliation; or
- J. destruction of property; and
- K. social exclusion.

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, photo-electronic 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 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 (1) person or the posting of material on an electronic medium that may be accessed by one (1) or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Cyberstalking 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.

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

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/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 FLVS.

Bullying and **harassment** also encompass:

- A. Retaliation against a student or FLVS employee by another student or FLVS 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.
- B. Perpetuation of conduct listed in the definition of bullying and/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:
 - 1. incitement or coercion;
 - 2. 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 FLVS school system; or
 - 3. acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Harassment also means electronically transmitted acts (i.e., internet, email, cellular telephone, personal digital assistants (PDA), or wireless hand-held device) that a student(s) or a group of students exhibits toward another particular student(s) and the behavior both causes mental and physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

Sexual Cyberharassment

Pursuant to Florida law, sexual cyberharassment means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Sexual cyberharassment may be a form of sexual harassment.

Within the scope of FLVS means regardless of ownership, any computer, computer system, or computer network that is physically located on FLVS property or at a FLVS-related or FLVS-sponsored program or activity.

Expected Behavior

FLVS expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and FLVS staff, the educational purpose underlying all FLVS activities, and the care of FLVS facilities and equipment.

Such behavior is essential in maintaining an environment that provides each student the opportunity to obtain a high-quality education in a uniform, safe, secure, efficient, and high-quality system of education.

The standards for student behavior shall be set cooperatively through interaction among students, parents/guardians, staff, and community member, producing an atmosphere that encourages students to grow in self-discipline. The development of such an atmosphere requires respect for self and others, as well as for FLVS and community property on the part of students, staff, and community members. FLVS administrators, faculty, staff, and volunteers serve as role models for students and are expected to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying.

Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority.

Consequences

Consequences and appropriate remedial action for students who commit acts of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.

Consequences and appropriate remedial action for a school employee found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall include discipline in accordance with the adopted policies of the Board of Trustees (Board). Egregious acts of harassment by certified educators may result in a sanction against an educator's State-issued certificate. (See the *Principles of Professional Conduct of the Education Profession in Florida* - F.A.C. 6A-10.081)

Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment or found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

Procedure for Reporting

The principal/instructional leader is designated as the person responsible for receiving all alleged acts of bullying. Any student or student's parent/guardian who believes s/he has been or is the victim of bullying or harassment should immediately report the situation to the principal/instructional leader. Complaints against the principal/instructional leader should be filed with the CEO. Complaints against the CEO should be filed with the Board Chair.

All school employees are required to report alleged violations of this policy and alleged acts of bullying and harassment to the principal/instructional leader or as described above. The alleged violations and acts must be reported by school employees to the principal/instructional leader within twenty-four (24) hours.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal/instructional leader or as described above.

Written and oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The principal/instructional leader shall establish and prominently publicize to students, staff, volunteers, and parents the procedure for reporting bullying and how such a report will be acted upon. A victim of bullying and/or harassment, anyone who witnessed the act, and anyone who has credible information that an act of bullying and/or harassment has taken place may file a report.

Procedure for Investigation

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. All complaints about bullying and/or harassment that may violate this policy shall be promptly investigated by an individual, designated by the principal/instructional leader, who is trained in investigative procedures. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the accused perpetrator or victim. At no time shall the accused perpetrator and victim be interviewed together. The investigator shall collect and evaluate the facts including, but not limited to, the following:

- A. a description of the incident, the nature of the behavior, and the context in which the incident occurred;
- B. how often the conduct occurred;
- C. whether there were past incidents or past continuing patterns of behavior;
- D. the relationship between the parties involved;
- E. the characteristics of the parties involved;
- F. the identity of the alleged perpetrator, including whether the individual was in a position of power over the individual allegedly subjected to bullying or harassment;
- G. the number of alleged bullies/harassers;
- H. the age of the alleged bully/harasser;
- I. where the bullying and/or harassment occurred;
- J. whether there have been other incidents in the school involving the same or other students;
- K. whether the conduct adversely affected the student's education or educational environment;
- L. the date, time, and method in which the parent(s) of all parties involved were contacted.

In accordance with State law, FLVS staff may monitor as part of any bullying or harassment investigation any non-school-related activity, function, or program.

If, during an investigation of reported acts of bullying and/or harassment, the principal/instructional leader or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on race, color, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information which are classes protected by State and/or Federal law (collectively protected classes), the principal/instructional leader or his/her designee will report the act of bullying and/or harassment to one (1) of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

Sexual harassment covered by Policy 2266 – *Nondiscrimination on the Basis of Sex in Education Programs or Activities* is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Upon the completion of the investigation to determine whether or not a particular action or incident constitutes a violation of the policy, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:

- A. a recommendation of remedial steps necessary to stop the bullying and/or harassing behavior; and

- B. a written report to the principal/instructional leader.

A maximum of ten (10) business days should be the limit for the completion of the investigative procedural steps and submission of the incident report. While ten (10) business days is the expectation for completion of the investigative procedural steps, more time may be needed based on the nature of the investigation and the circumstances affecting that investigation. The investigator shall document in his/her report the reasons for needing additional time beyond ten (10) business days. The highest level of confidentiality possible shall be provided regarding the submission of a complaint or a report of bullying and/or harassment and for the investigative procedures that are employed.

The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

Scope

The investigator will provide a report on the results of the investigation with recommendations for the principal/instructional leader to make a determination if an act of bullying or harassment falls within the scope of FLVS authority. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. If the action is within the scope of FLVS, then FLVS procedures for investigating bullying and/or harassment shall be followed. If the action is outside the scope of FLVS and believed to be a criminal act, the action shall be referred to the appropriate law enforcement agency. If the action is outside the scope of FLVS and believed not a criminal act, the principal/instructional leader shall inform parents/guardians of all minor parties.

Parent Notification

The principal/instructional leader shall report the occurrence of an incident of bullying as defined by Board policy to the parent/guardian of all students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone, email, personal conference, or by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the State Board of Education.

If the bullying incident results in the perpetrator being charged with a crime, the principal/instructional leader shall inform by first class mail or by telephone the parent/guardian of the identified victim(s) involved in the bullying incident about the Unsafe Schools Choice Option (Title VIII, Part F, Subpart 2, Section 8532 of Every Student Succeeds Act) that states, in pertinent part, as follows:

....a student attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.

Upon the completion of the investigation and if criminal charges are to be pursued against the perpetrator, the appropriate law enforcement agencies shall be notified by telephone and/or in writing.

Counseling Referral

FLVS shall provide a referral procedure for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure will include:

- A. a process by which the teacher or parent may request informal consultation with FLVS staff (e.g., school counselor, school psychologist, school social worker, etc.) to determine the severity of concern and appropriate steps to address the concern;
- B. a referral process to provide professional assistance or services that may include a process by which FLVS personnel or parent/guardian may refer a student to the school intervention team (or equivalent school-based team with a problem-solving focus) for consideration of appropriate services (parent/guardian involvement is required at this point); or

If a formal discipline report or formal complaint is made, the principal/instructional leader must refer the student(s) to the school intervention team for determination of counseling support and interventions (parent/guardian is required at this point).

- C. a school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
 - 1. counseling and support to address the needs of the victim(s) of bullying or harassment;
 - 2. interventions to address the behavior of students who bully and harass others (e.g., empathy training, anger management, etc.);
 - 3. interventions which include assistance and support for parents, as may be deemed necessary or appropriate.

Data Report

FLVS will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data as prescribed. If a bullying (including cyberbullying) and/or harassment incident occurs it will be reported in SESIR, coded appropriately using the relevant incident code and the related element code. Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System. In a separate section, FLVS shall include each alleged incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy with recommendations regarding such incidents.

FLVS will provide bullying incident, discipline, and referral data to the Florida Department of Education (FLDOE) in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race, or disability) noted in their student record.

Training and Instruction

Students, parents, teachers, school administrators, counseling staff, and school volunteers shall be provided training and instruction, at least annually, on FLVS's policy and administrative procedures regarding bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as information about how to effectively identify and respond to bullying in schools and in a virtual environment. Instruction regarding bullying, harassment, and FLVS's violence prevention and school safety efforts shall be integrated into FLVS curriculum at the appropriate grade levels. The training and instruction shall include recognizing behaviors that lead to bullying and harassment and taking appropriate preventative action based on those observations. FLVS provides the following authorized programs.

Programs for staff may include, but are not limited to:

- A. Bullying and Harassment in a Virtual Environment
- B. Recognizing Signs and Symptoms of Emotional Distress
- C. Community Trauma: Strategies for the Classroom
- D. Creating a Safe and Respectful Environment in the Classroom

Programs for students may include, but are not limited to:

- A. Social-emotional and early intervention program for cognitive, affective, and social functioning of young students
- B. Evidence-based program for life skills
- C. Mental and Emotional Health Education requirement
- D. Learning program for Pre-K through grade 6 students that fosters knowledge, skills, and attitudes for students to develop healthy relationships and to engage productively
- E. Evidence-based program to increase pro-social actions, decrease aggressive behaviors, and improve academic achievement
- F. Evidence-based, comprehensive model that builds leadership and life skills and creates a high-trust school culture

- G. Cognitive behavioral programs to teach self-regulation
- H. Age-appropriate videos and activities to teach students to be safe online
- I. Student Services Life Skills Lessons

Decisions to include additional instructional programs or activities, not previously listed within this policy, will be made on a case-by-case basis, and authorized by principals/instructional leaders.

Victim's Parent Reporting

The principal/instructional leader shall report the occurrence of an incident of bullying as defined herein to the parent/guardian of students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be by telephone and in writing by first-class mail and shall be consistent with the student privacy rights under applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). According to the level of infraction, the victim's parents will be notified by telephone and/or in writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident.

Policy Publication

At the beginning of each school year, school staff, parents/guardians/other persons responsible for the welfare of a student will be informed through written communication of FLVS's student safety and violence prevention policy.

FLVS shall provide notice to students and staff of this policy in the Code of Student Conduct, employee handbooks, and via FLVS's official website. All contractors will also be notified of this policy.

Each principal/instructional leader shall implement a process for discussing, at least annually, the Board policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages will be displayed, as appropriate, through FLVS platforms and at any FLVS facilities.

Immunity

Pursuant to F.S. 1006.147(5), a school employee, school volunteer, students, parent/guardian, or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in Board policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Such immunity from liability shall not apply to any FLVS employee, volunteer, student, parent/guardian, or other person determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

Privacy/Confidentiality

FLVS will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

Nothing in this policy shall be construed to abridge the rights of students or school employees that are protected by the First Amendment to the Constitution of the United States.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry under this policy is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Suspected retaliation should be reported in the same manner as aggressive behavior and/or bullying.

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Legal

F.S. 110.1221

F.S. 784.048

F.S. 1002.20

F.S. 1002.37

F.S. 1006.13

F.S. 1006.147

Florida Department of Education Revised Model Policy (April 2016)

Every Student Succeeds Act, Title VIII, Part F, Subpart 2, Section 9532