



THE COLLEGIATE SCHOOL

FLORIDA STATE UNIVERSITY PANAMA CITY

Student Code of Conduct

The Collegiate School believes that school should be a place where teachers can teach and students can learn. Maintaining an optimal environment for learning is dependent upon all constituents of the school community fulfilling their responsibilities and realizing their rights. The intent of the **Code of Student Conduct** is to provide an effective teaching-learning process and the school's responsibilities for student health, safety, and welfare. This **Code of Student Conduct** is prescribed in Section 1006.07, Florida Statutes, and may be supplemented by the policies and regulations of FSU (Florida State University).

Student Responsibilities

- Students must know and obey the **Code of Student Conduct**.
- Students must obey state and local laws as well as all adults representing the school.
- Students must attend school/classes regularly.
- Students must treat themselves and others with respect.
- Students must report hazardous or dangerous situations to an adult in authority.
- Students on the TCS (The Collegiate School) campus must be under the supervision of an adult at all times.
- Students must adhere to all school, classroom, or general area rules.

Student Rights

- Students have the right to expect clear rules and professional explanation. *
- Students have the right to expect fair enforcement of rules without discrimination.
- Students have the right to expect a safe and orderly environment.
- Students have the right to expect to be treated with dignity and respect.

**TCS will provide annually a student explanation of the Code of Conduct to every student in a class setting, assembly, or similar manner.*

Progressive Discipline

The director or the director's designee shall determine consequence(s) to impose for a violation of the Code of Student Conduct which may include withdrawal of the student from TCS. When deciding what disciplinary action should be taken, the director or designee shall consider the student's age, exceptionality, previous conduct, probability of recurring violation, intent, attitude, and the severity of the offense. Whenever possible, disciplinary action shall be imposed in a progressive manner.

Zero Tolerance – Section 1006.13, Florida Statutes

Students who are found to have committed offenses that involve bringing a firearm or weapon (as defined in Chapter 790, FS) to school, a school function, or any school sponsored transportation, or possessing a firearm or weapon at school are subject to being expelled without continuing services for a period of not less than one (1) year. Students making a threat or false report involving school or school personnel's property, school transportation, or a school sponsored activity are subject to permanent withdrawal or formal expulsion.

Search and Seizure – Section 1006.09(9) Florida Statutes

School Administration, TCS SRO (School Resource Officer), and FSU Police, local law enforcement officials reserve the right to search any school property for suspected contraband (e.g., drugs, weapons, etc.). Students' clothing, persons, backpacks, and property may be searched when reasonable suspicion or evidence exists.

Violations of the Law

Students are subject to arrest and prosecution for committing violations of the Code of Student Conduct, which are also determined to be violations of civil or criminal law. The School Resource Officer (SRO) and other law enforcement officers have the power and authority to conduct investigations independent of those conducted by school, including family, staff, administration, and guidance personnel, for the same incident. Furthermore, the sanctions imposed by the school for misconduct are separate and distinct from the consequences that may be imposed following the arrest and prosecution of a student for a violation of the law originating from the same incident.

Consequences/Interventions

All members of the school are responsible for maintaining appropriate documentation of student misconduct. A **referral** is a written report to the school administration by school faculty or staff documenting student misconduct.

Consequences and/or interventions for such behaviors may include but are not limited to parent or student contract, behavior contract, last chance agreement, referral for counseling, out of school suspension, intervention with SRO, withdrawal of invitation, expulsion. Consequences for unacceptable behavior will be administered in accordance with the discipline matrix. More than one action may be taken for unacceptable behavior.

Students assigned to Out-of-School Suspension will receive all missed assignments and be awarded credit for work turned in to the teacher. The work missed is due upon the student's return to school, in accordance with the Attendance Procedures. The Director or designee may intervene in extenuating circumstances. Any student who is assigned to in or Out-of-School Suspension is prohibited from attending any school function during the time they are serving the consequence. Any student who received two or more referrals in a semester will NOT attend field trips and/or extra-curricular events in that semester.

The Discipline Committee is composed of the director or designee, school resource officer, teacher from representatives, and the student services coordinator. Subcommittees of the Discipline Committee may be convened as appropriate.

Physical Acts of Aggression

Incidents of pushing, shoving, tapping, hitting, kicking, punching, fighting, etc., are all categorized as physical acts of aggression. In determining the consequences applicable to the situation, all parties are

considered to be responsible for their actions. Physical acts of aggression will result in an out of school suspension or withdrawal from the school.

Cellular and Wireless Devices

In accordance with state law, students may possess cellular phones and other wireless communication devices on school property and school-sponsored transportation, as long as the students adhere to the restrictions provided by the school. Any unauthorized use of cellular phones and other wireless communication devices during the instructional school day, while on school-sponsored transportation, or Code of Student Conduct at such times as not authorized by the Director or designee, is prohibited as it disrupts the instructional program or distracts from the educational environment.

Possession of Cellular Devices

Students may possess cellular phones and other wireless communication devices on school property and school-sponsored transportation, provided such cellular phones and other wireless communication devices are not visible, used or activated, and are kept in the "off" position during instructional times any periods designated for non-use by the school. Students must keep their cellular phones and other wireless communication devices stored in a purse, backpack, or other non-visible secure location. The director or director's designee may modify the instructional school day to establish other authorized times of use in addition to when students are waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day, including the designation of areas of the school campus for such use.

Unauthorized Use of Devices

A student's possession, display or use of a cellular phone and other wireless communication devices on school property contrary to the provisions of these procedures shall be viewed as the unauthorized use of the cellular phone or other wireless communication devices when such possession, display or use of such devices results in conduct which includes, but is not limited to:

- A. Interference with or disruption of the instructional or educational environment.
- B. Use which violates academic integrity, as the reproduction of images of tests, communication of test or examination contents or answers, to provide access to unauthorized school information or assistance to students in any aspect of their instructional program in a manner that violates the Student Code of Conduct.
- C. The communication of the marks or grades assigned to students resulting from evaluation or the actual contents, or parts thereof, of any evaluation activity being completed by an individual(s).
- D. Use to commit a crime, under federal or state law.
- E. Violation of a student's or other person's reasonable expectation of privacy, by using such devices with photographic capabilities in school spaces, restrooms, any other student changing areas, or the classroom, whether such use occurs during the instructional school day or on school property. Cellular phones and other wireless communication devices may not be utilized to take "photographs" or "videos" while on school property, while on school-sponsored transportation, or while a student is engaged in school-sponsored activities.
- F. Use in a manner that is profane, indecent, obscene, threatening, discriminatory, bullying, or harassing language, pictures or gestures. Cellular phones and other wireless communication devices which have the capability to take "photographs" or "moving pictures" shall not be used

for such purposes while on school property, while on school-sponsored transportation, or while a student is engaged in school-sponsored activities.

Other Acceptable Uses

Cellular phones and other wireless communication devices are permissible in circumstances such as instructional or educational purposes, documented plans such as an IEP (Individual Educational Plan) or 504, management of a healthcare plan, and other instances designed by instructional staff and school administrators.

Consequences

An offense shall occur each time these procedures are violated regardless of the specific device or devices involved. However, the possession of multiple devices at one time shall be regarded as one offense. Any cellular phone or wireless communication device possessed or used in violation of these procedures shall be confiscated by school personnel, absent compelling and unusual circumstances, and returned to the student's parent or guardian or another adult designated by the parent or guardian. If a cellular phone or wireless communication device is confiscated, the device shall be taken to the school's main office to be identified and placed in a secure area. Students will be disciplined as provided in these procedures. The application of discipline for violations will be progressive except for those instances where there are additional aggravating factors, as outlined in the exclusive listing in paragraph 4 of this document. Any additional aggravating factors may subject the student to more stringent discipline consequences and /or reports to law enforcement agencies.

Responsibility/Liability

Any student who chooses to bring a cellular phone or another wireless communication device to school shall do so at his or her own risk and shall be personally responsible for the security of his or her cellular phone or wireless communication device. The school personnel will assume no responsibility or liability for loss, theft, damage or vandalism to a cellular phone or other wireless communication device brought onto school property, or for the unauthorized use of any such device.

Bullying and Harassment

Students and school employees at The Collegiate School are entitled to have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The district will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

The school district upholds that bullying or harassment of any student or school employee is prohibited:

1. During any education program or activity conducted by a public K-12 educational institution;
2. During any school-related or school-sponsored program or activity;
3. On a school bus of a public K-12 educational institution; or
4. Through data or computer software accessed through a computer, system, or computer network of a public K-12 education institution.

The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal 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 district and community property on the part of students, staff, and community members. Since 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.

All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, conforming to reasonable standards of socially acceptable behavior, respecting the person, property, and rights of others, obeying constituted authority, responding to those who hold that authority, self-discipline, good citizenship, and academic success, as seen in the required school plan to address positive school culture and behavior.

Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction, at least, annually on the district's policies and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as how to effectively identify and respond to bullying in schools.

Definition of Bullying and Harassment

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

1. Teasing
2. Social Exclusion
3. Threat

4. Intimidation
5. Stalking
6. Cyber-stalking
7. Cyber-bullying
8. Physical violence
9. Theft
10. Sexual, religious, gender, ethnic or racial harassment
11. Harassment of any kind involving sexual orientation, socio-economic status, or family background
12. Public humiliation
13. Destruction of property
14. Rumor or spreading of falsehoods

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 school employee that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property and/or has the effect of substantially interfering with a student's educational performance.

Bullying and **harassment** also encompass retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

- Incitement or coercion.
- Accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the district school system's scope.
- Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Cyber-stalking as defined in s. 784.048(1)(d), F.S., 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.

Cyber-bullying is defined as the willful and repeated harassment and intimidation of another person or persons through the use of digital technologies, including but not limited to email, blogs, social websites, chat rooms, instant messaging, text messaging, digital pictures or images, cellular telephone communications, and defamatory websites, regardless of whether such acts are committed on or off school property and with or without school resources. For off-campus conduct, the school will be responsive in cases where the off-campus conduct causes or threatens to cause a substantial disruption at school or interference with the rights of students to be safe and secure.

Reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act is as follows:

- The Director or the Director's designee is responsible for receiving complaints alleging violations of

these procedures. All school employees are required to report alleged violations of these procedures to the Director or the Director's designee. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of these procedures, anonymously or in-person, to the Director or Director's designee.

- A school employee, school volunteer, student, parent/legal guardian, or other persons who promptly report 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 by the district, 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.

- Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously but formal disciplinary action may not be based solely on the basis of an anonymous report.

Procedure for Prompt Investigation

1. The Director or designee selects a designee(s), employed by the school, trained in investigative procedures to initiate the investigation. The designee(s) may not be the accused perpetrator (harasser or bully) or victim.
2. Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately, and at no time will the alleged perpetrator and victim be interviewed together.
3. The investigator shall collect and evaluate the facts including, but not limited to:
 - Description of incident(s) including nature of the behavior, the context in which the alleged incident(s) occurred, etc.
 - How often the conduct occurred.
 - Whether there were past incidents or past continuing patterns of behavior.
 - The relationship between the parties involved.
 - The characteristics of parties involved (i.e., grade, age, etc.).
 - The identity and number of individuals who participated in bullying or harassing behavior.
 - Where the alleged incident(s) occurred.
 - Whether the conduct adversely affected the student's education or educational environment.
 - Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident.
 - The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
4. Whether a particular action or incident constitutes a violation of these procedures requires a determination based on all the facts and surrounding circumstances and includes:
 - a. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and a written final report to the Director.

- b. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment, and the investigative procedures that follow. Students who commit acts of bullying or harassment may be suspended, withdrawn, or expelled, as outlined in the Code of Student Conduct.
- c. A Director or designee will assign a designee(s) that is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the school district.
- d. The trained designee(s) will provide a report on the results of the investigation with recommendations for the Director to make a determination if an act of bullying or harassment falls within the scope of the district.
 - If it is within the scope of the district, move to Procedures for Investigating Bullying and/or Harassment.
 - If it is outside the scope of the district and determined to be a criminal act, refer to appropriate law enforcement.
 - If it is outside the scope of the district and determined not to be a criminal act, inform parents/legal guardians of all students involved.

Procedure for Notifying Parents and Legal Guardians

1. The Director, or designee, shall promptly **report via telephone, personal conference and/or in writing, the occurrence of any incident of bullying or harassment, as defined by these procedures, to the parent or legal guardian of all students involved** on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA (Family Educational Rights and Privacy Act)).
2. If the bullying incident results in the perpetrator being charged with a crime, the Director, or designee, shall, by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states "...a student 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."
3. Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

Procedure for regularly reporting to a victim's parents/legal guardians the actions taken to protect the victim

The Director or designee shall, by telephone and/or in writing, report the occurrence of any incident of bullying as defined by these procedures to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the

Family Educational Rights and Privacy Act of 1974 (FERPA).

Procedure for Counseling Referral for Victims and Perpetrators

The procedure is outlined as follows:

1. The teacher or parent/legal guardian may request informal consultation with school staff (specialty staff, e.g., school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern (the involved students' parents or legal guardian may be included).
2. Referral process to provide professional assistance or services that includes:
 - A. School personnel or parent/legal 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 or legal guardian involvement is required at this point.)
 - B. If a formal discipline report or formal complaint is made, the Director or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. (Parent or legal guardian involvement is required at this point.)
3. A school-based component to address intervention and assistance as determined appropriate by the intervention team that includes:
 - A. Counseling and support to address the needs of the victims of bullying or harassment.
 - B. Research-based counseling/interventions to address the behavior of the students who bully and harass others (e.g., empathy training, anger management).
 - C. Research-based counseling/interventions which includes assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

Consequences for Bullying or Harassment

Consequences for a student of a public K-12 educational institution who commits an act of bullying or harassment:

- Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension, withdrawal, or expulsion, as outlined in the discipline matrix.

Consequences for a student of a public K-12 educational institution who is found to have **wrongfully and intentionally accused** another of an act of bullying or harassment:

- Consequences and appropriate remedial action for a student found to have wrongfully and intentionally accused another as a means of bullying or harassment range from positive behavioral interventions up to and including suspension, withdrawal, or expulsion, as outlined in the discipline matrix.

Reporting of School Safety and Discipline Data

The school district will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes **bullying/harassment** as an incident code, as well as **bullying related** as a related element code. The SESIR definition of bullying/harassment is 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. If a bullying and/or harassment incident occurs, then it will be reported in SESIR with the **bullying/harassment** code. If the

bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code AND the related element code entitled **bullying-related** code. Those incidents are:

- Alcohol
- Aggravated Battery
- Arson
- Battery
- Breaking and Entering
- Bullying
- Burglary
- Disruption on Campus
- Drug Sale/Distribution of Alcohol
- Drug Use/Possession Excluding Alcohol
- Fighting
- Harassment
- Hazing
- Homicide
- Kidnapping
- Larceny/Theft
- Robbery
- Sexual Assault
- Sexual Battery
- Sexual Harassment
- Sexual Offenses
- Threat/Intimidation
- Vandalism
- Weapons Possession
- Other Major (Other major incidents that do not fit within the other definitions)

Discipline and referral data will be recorded in the Student Discipline/Referral Action Report and FOCUS. The district will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested through Survey 5 from Education Information and Accountability Services and at designated dates provided by the Department.

Discipline for Students eligible for services under the Individuals with Disabilities Education Act (“IDEA”)

Statutes and Rules

The discipline of all students with disabilities (“ESE”) is governed by federal statutes and regulations under the Individuals with Disabilities Education Act (“IDEA”) as well as Florida Statutes.

If the district knows or should know that a student may be eligible for special education and related services but has not yet determined such eligibility, that student may assert all or any of the protections stated within these procedures.

Suspension

Suspension is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, for a period not to exceed ten (10) cumulative school days per year. Any removal from school, even if the necessary paperwork for a formal suspension is not initiated or completed, counts toward the 10-day rule. Every day a student with a disability spends out of school because of school action, whether formal or informal, apply towards the 10-day limit.

The Director or a designee may remove a student eligible for services under the IDEA (Individuals with Disabilities Education Act) for up to **ten (10) cumulative school days per calendar year** for disciplinary infraction(s). The IEP team must meet no later than the tenth (10th) day of the cumulative suspension to determine if the student's behavior is a manifestation of the student's disability.

Expulsion

Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the board, for a period not to exceed the remainder of the term or school year and one additional year of attendance.

Expulsion cannot be considered for students eligible for services under the IDEA because it would end educational services for that time.

A Manifestation Determination Review (MDR).

MDR is a process by which parents and the school meet to determine if the student is being subjected to a disciplinary change in placement for behavior that is a manifestation of his or her disability. Whenever a student with a disability is subjected to a disciplinary change of placement (e.g., suspension or expulsion), the school district must conduct an MDR within 10 days of the decision to remove the student from school.

In Cases of Drugs or Alcohol

These procedures for the discipline of students eligible for services under Section 504 is designed to comply with State Board of Education Rule 6A-6.0331(8), the Section 504 Regulations at 34 C.F.R. Part 104, and 29 U.S.C. § 794 ("Section 504"). The phrase "eligible for services under Section 504" refers to students with active Section 504 accommodation plans and students with disabilities who require Section 504 plans. However, if the student's sole impairment is drug or alcohol dependence, the student is not eligible for protection under Section 504 or the ADA if the student is currently a user of illegal drugs or alcohol. Such students may be disciplined in the same manner as other students for use or possession of illegal drugs or alcohol and will receive the same due process and substance- abuse assistance as other students under those Policies.

Definitions

The words suspension and expulsion of students eligible for services under Section 504 shall have the following meanings through these procedures:

- A. **Suspension.** Pursuant to Fla. Stat. § 1003.01(5) (a) suspension, also referred to as out-of-school suspension, is defined as the temporary removal of a student from all classes of instruction on public school grounds, except as authorized by the Director/designee, for a period up to ten

1. (10) cumulative school days and remanding of the student to the custody of the student's custodial parent with specific homework assignments for the student to complete. *Any removal from school, even if the necessary paperwork for a formal suspension is not initiated or completed, counts toward the 10-day rule. All days a student with a disability spends out of school because of school action, whether formal or informal, apply toward the 10-day limit.*

- B. Expulsion.** As defined in Fla. Stat. § 1003.01(6) expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the Board, and for a period of time not to exceed the remainder of the term or school year and one (1) additional year of attendance. Expulsions may be imposed with or without continuing educational services (subject to Section (4) (f) below) and shall be reported accordingly.
- C. Re-evaluation.** Students with active Section 504 accommodation plans who are recommended for suspension in excess of ten (10) days, or expulsion, must have a re-evaluation prior to a significant change in placement, as required by 34 C.F.R. § 104.35(d). Students with disabilities, suspected of being eligible for services under Section 504, who are recommended for suspension in excess of ten (10) days, or expulsion, must be evaluated prior to a significant change in placement, as required by 34 C.F.R. § 104.35(b).

Suspension of Students under Section 504/ADA

Unless otherwise indicated by their accommodation plans, students eligible for services under Section 504 are expected to follow the rules of the student conduct code. Students who are eligible for services under Section 504/ADA may be suspended for infractions as defined for all students in the Code of Conduct, with the following limitations:

- D. Suspension for Ten (10) Cumulative Days or Less.** Unless otherwise indicated by their accommodation plans, student suspension procedures will be followed for students eligible for services under Section 504/ADA and recommended for suspension for ten (10) cumulative days or less.
- E. Any Suspension beyond Ten (10) Cumulative Days.** No student eligible for services under Section 504/ADA shall be suspended beyond ten (10) cumulative days per school year, except through the following procedure. It is the responsibility of the Director or designee to monitor all serial/cumulative suspensions. **NOTE:** If a student has been referred for ESE (Exceptional Student Education) evaluation prior to or during the Section 504 manifestation determination, the student is then protected under the IDEA for discipline provisions. Therefore, the team must treat the student as an ESE student. The Director/designee shall notify the 504 Multi-Disciplinary Team immediately when a student who is or may be eligible for services under Section 504/ADA violates the student conduct code and will be considered for suspension for more than ten (10) cumulative days per school year.

Expulsion of Students under Section 504/ADA

Students eligible for services under Section 504/ADA may be recommended for expulsion as defined for all students. The Director or designee shall notify the 504 Multi-Disciplinary Team immediately when a student with a Section 504 plan is being recommended for expulsion. Within twenty-four (24) hours of the recommendation for expulsion, the Director or designee shall provide written notice to the custodial parent/guardian and the student of the proposed expulsion and the date and time of the scheduled 504 Multi-

Disciplinary Team meeting to determine manifestation of disability. The procedures for conducting an MDR and for ensuring parental participation set forth in the Code of Conduct above shall apply to proposals for expulsions.