

Post-Secondary Code of Student Conduct



**Co-enrolled and dual enrolled students will follow
procedures as specified in the Code of Student
Conduct (Secondary)
Board Rule 6Gx13- 5D-1.081**

**District/School Operations
Board Rule 6Gx13- 6C-1.031**

**THE SCHOOL BOARD
MIAMI-DADE COUNTY, FLORIDA**

Perla Tabares Hantman, Chair
Dr. Lawrence S. Feldman, Vice-Chair
Dr. Dorothy Bendross-Minidingall
Carlos L. Curbelo
Renier Diaz de la Portilla
Dr. Wilbert “Tee” Holloway
Dr. Martin S. Karp
Dr. Marta Pérez
Raquel A. Regalado

Superintendent of Schools
Alberto M. Carvalho

District / School Operations
Freddie Woodson



Acknowledgment of Responsibility

*(Students **under 18** years of age)*

Each parent/guardian of a student and each student enrolled in Miami-Dade County Public Schools must sign and return this page to the student's school to acknowledge receipt of the **Post-Secondary Code of Student Conduct**. Each school will maintain records of such signed statements.

I acknowledge receipt of the **Post-Secondary Code of Student Conduct** and I have read and discussed it with my child.

Parent's/Guardian's Signature

Date

I acknowledge receipt of the **Post-Secondary Code of Student Conduct** and I have read and discussed it with my parent/guardian.

Student's Name

Date

Student's Date of Birth (DOB)

Student ID Number

 **RETURN TO STUDENT'S SCHOOL
WITHIN THREE DAYS
UPON RECEIPT OF THE CODE.** 

Acknowledgment of Responsibility

*(Students **over 18** years of age)*

Each student enrolled in Miami-Dade County Public Schools must sign and return this page to the student's school to acknowledge receipt of the **Post-Secondary Code of Student Conduct**. Each school will maintain records of such signed statements.

I acknowledge receipt of the **Post-Secondary Code of Student Conduct** and I have read it.

Student's Name

Date

Student's Date of Birth (DOB)

Student ID Number



**RETURN TO STUDENT'S SCHOOL
WITHIN THREE DAYS
UPON RECEIPT OF THE CODE.**



TABLE OF CONTENTS

Introduction.....	3
CHAPTER I – POST-SECONDARY CODE OF STUDENT CONDUCT BEHAVIORS AND RANGE OF CORRECTIVE STRATEGIES	5
<i>Level I: Disruptive Behaviors</i>	7
<i>Plan I</i>	7
<i>Level II: Seriously Disruptive Behaviors</i>	8
<i>Plan II</i>	8
<i>Level III: Offensive/Harmful Behaviors</i>	9
<i>Plan III</i>	9
<i>Level IV: Serious, Dangerous and/or Violent Behaviors</i>	10
<i>Plan IV</i>	10
Safeguards: Protecting the Rights of Students and Parents/Guardians.....	11
Due Process Procedures	11
CHAPTER II – STUDENT RIGHTS AND RESPONSIBILITIES.....	13
Student Rights and Responsibilities.....	15
<i>Right to Learn</i>	16
<i>Knowledge and Observation of Rules of Conduct</i>	16
<i>Respect for Persons and Property</i>	17
<i>Participation in School Programs and Activities</i>	17
<i>Counseling Services</i>	18
<i>Student Records</i>	18
<i>Attendance</i>	19
<i>Grades</i>	19
<i>Free Speech, Expression and Assembly</i>	20
<i>Student Publications</i>	20
<i>Search and Seizure</i>	21
<i>Complaint Procedures</i>	22

This page has been intentionally left blank.

Introduction

The primary objective of the Miami-Dade County Public Post-Secondary/Career Technical Educational programs is to develop each student's potential for learning and to foster positive interpersonal relationships. If this is to be accomplished, it is necessary that the school environment be free of disruptions which interfere with teaching and learning activities. The student's conduct determines to a great extent the full development of his/her potential for learning and the development of positive relationships.

The purpose of this document is to assist Post-Secondary students, teachers and school administrators in the consistent maintenance of an environment which will enhance the achievement of this objective. To enhance its effectiveness, this Post-Secondary Code of Student Conduct addresses not only the role of the students, and the school, but also addresses:

- Grounds for disciplinary action;
- Procedures for taking disciplinary action; and
- Responsibilities and rights of students

Those individuals governed by this document are Post-Secondary students, 16 years of age and older who no longer participate in the SECONDARY educational program.

Students who continue to participate in the SECONDARY educational program are governed by the procedures as specified in the **Code of Student Conduct (Secondary)** Board Rule 6Gx13-5D-1.081. Any infraction occurring during their attendance in the adult education and/or post-secondary program will be reported to the Home School SECONDARY principal or designee and notification provided to the parent/guardian.

A secondary student who has been suspended by their **Home School** for a violation of the Secondary Code of Conduct will be considered suspended from the adult education and/or post-secondary program for the duration of the suspension period. It is the responsibility of the **Home School** principal or designee to notify the adult education school principal or designee of any student who has been suspended. The student will not be permitted on campus until the suspension has been served.

You are encouraged to read this booklet and develop a thorough understanding of the details presented in this publication.

This page has been intentionally left blank.

CHAPTER I

**POST-SECONDARY
CODE OF STUDENT CONDUCT**

**BEHAVIORS
AND
RANGE OF CORRECTIVE STRATEGIES**

This page has been intentionally left blank.

BEHAVIORS AND RANGE OF CORRECTIVE STRATEGIES

BEHAVIORS	RANGE OF CORRECTIVE STRATEGIES
<p>LEVEL I Behaviors are acts that disrupt the orderly operation of the classroom, school function, and extracurricular activities or approved transportation.</p> <p style="text-align: center;">LEVEL I</p> <p style="text-align: center;"><u>Disruptive Behaviors</u></p> <ul style="list-style-type: none"> • Unauthorized location • Confrontation with another student • Disruptive behavior • Failure to comply with class and/or school rules • Possession of items or materials that are inappropriate for an educational setting * • Unauthorized use of electronic devices • Repeated use of profane or crude language (general, or not directed at someone) 	<p>The principal or designee <u>may</u> select at <u>any</u> of the following strategies from PLAN I. Principal or designee may authorize use of PLAN II for repeated, serious or habitual Level I infractions.</p> <p style="text-align: center;">PLAN I</p> <p style="text-align: center;"><u>Corrective Strategies</u></p> <ul style="list-style-type: none"> • Parent/guardian contact (<i>Students under18</i>) ** • Reprimand • Student contract • Replacement or payment for any damaged property (if appropriate) • Participation in an informal counseling session related to the infraction • Behavior Plan
<p style="text-align: center;"><u>Special Notes</u></p> <p>* See Sexual Offenses (Other), Level IV, for obscene or lewd material.</p> <ul style="list-style-type: none"> ➤ Administrators must contact Miami-Dade Schools Police for any criminal conduct regardless of whether Schools Police Automated Reporting (SPAR) is indicated. ➤ If the victim of a crime requests a police report, the principal or designee must report the incident to the Miami-Dade Schools Police. 	<p style="text-align: center;"><u>Special Notes</u></p> <p>** Good faith attempt must be made immediately to contact parent/guardian by telephone. (<i>Students under 18</i>).</p> <ul style="list-style-type: none"> • Send written notice to student and or parent/guardian within 72 hours via U.S. mail. (FM-5341)

BEHAVIORS AND RANGE OF CORRECTIVE STRATEGIES

BEHAVIORS	RANGE OF CORRECTIVE STRATEGIES
<p>Level II Behaviors are more serious than Level I because they significantly interfere with learning and/or the well-being of others.</p> <p style="text-align: center;">LEVEL II <u>Seriously Disruptive Behaviors</u></p> <ul style="list-style-type: none"> • Cheating/Misrepresentation • Confrontation with a staff member • Defiance of school personnel • Distribution of items or materials that are inappropriate for an educational setting • Failure to comply with previously prescribed corrective strategies • Fighting (minor) • Harassment (non-sexual or isolated) * • Libel/Slander • Petty theft (under \$300.00) • Use of profane or provocative language directed at someone • Use of tobacco products in undesignated areas • Vandalism (minor) 	<p>The principal or designee may select any of the following strategies from PLAN II. The use of appropriate strategies from the previous PLAN may be used <u>in conjunction with</u> this PLAN. Principal or designee may authorize the use of PLAN III for repeated, serious or habitual Level II infractions.</p> <p style="text-align: center;">PLAN II <u>Corrective Strategies</u></p> <ul style="list-style-type: none"> • Parent/guardian contact (<i>Students under 18</i>) * * • Temporary removal from class • Suspension from school (to be determined by principal or designee)
<p style="text-align: center;"><u>Special Notes</u></p> <p>* Harassment Civil Rights and Sexual Harassment do not require a SPAR, but must be reported to the Miami-Dade County Public Schools Office of Civil Rights Compliance at 305-995-1580.</p> <p>➤ All Level III, and IV infractions, unless otherwise noted, require Schools Police Automated Reporting (SPAR). Administrators must contact Miami-Dade Schools Police.</p>	<p style="text-align: center;"><u>Special Notes</u></p> <p>** Good Faith attempt must be made immediately to contact parent/guardian by telephone. (<i>Students under 18</i>).</p> <ul style="list-style-type: none"> • Send written notice to student and or parent/guardian within 72 hours via U.S. mail. (FM-5341)

BEHAVIORS AND RANGE OF CORRECTIVE STRATEGIES

BEHAVIORS	RANGE OF CORRECTIVE STRATEGIES
<p>LEVEL III Behaviors are more serious than Level II because they endanger health and safety, damage property, and/or cause serious disruptions to the learning environment.</p> <p style="text-align: center;">LEVEL III <u>Offensive/Harmful Behaviors</u></p> <ul style="list-style-type: none"> • Assault • Breaking and Entering/Burglary • Bullying (repeated harassment)* • Disruption on campus/Disorderly conduct • Fighting (serious) • Harassment (Civil Rights)* • Possession or use of alcohol and/or controlled substances • Possession of simulated weapons • Sexual harassment* (Sexting) • Trespassing • Vandalism (major) 	<p>The principal or designee may select any of the following strategies from PLAN III. The use of appropriate strategies from previous PLANS may also be used <u>in conjunction with</u> this PLAN. Principal or designee may authorize the use of PLAN IV for repeated, serious or habitual Level III infractions.</p> <p style="text-align: center;">PLAN III <u>Corrective Strategies</u></p> <ul style="list-style-type: none"> • Parent/guardian contact (<i>Students under 18</i>) * * • Suspension from school (to be determined by principal or designee) • Permanent removal from class • Recommendation for dismissal
<p style="text-align: center;"><u>Special Notes</u></p> <p>* Harassment Civil Rights and Sexual Harassment do not require a SPAR, but must be reported to the Miami-Dade County Public Schools Office of Civil Rights Compliance at 305-995-1580.</p> <p>➤ All Level III, and IV infractions, unless otherwise noted, require Schools Police Automated Reporting (SPAR). Administrators must contact Miami-Dade Schools Police.</p>	<p style="text-align: center;"><u>Special Notes</u></p> <p>** Good Faith attempt must be made immediately to contact parent/guardian by telephone. (<i>Students under 18</i>).</p> <ul style="list-style-type: none"> • Send written notice to student and or parent/guardian within 72 hours via U.S. mail. (FM-5341)

BEHAVIORS AND RANGE OF CORRECTIVE STRATEGIES

BEHAVIORS	RANGE OF CORRECTIVE STRATEGIES
<p>LEVEL IV Behaviors are serious acts of unacceptable behavior than Level III. They are serious acts of misconduct and violent actions that endanger the health and well-being of others and/or damage property and actions that threaten life.</p> <p style="text-align: center;"><u>LEVEL IV</u> <u>Serious, Dangerous, and/or Violent Behaviors</u></p> <ul style="list-style-type: none"> • Battery/ Aggravated battery • Grand theft (over \$300.00) • Hate crime • Motor vehicle theft • Other major crimes/incidents • Sale and/or distribution of alcohol and/or controlled substances • Sex offense • Aggravated assault • Arson • Sexual battery • Possession, use, sale, or distribution of firearms, explosives, destructive devices, and other weapons. <hr style="border-top: 1px dashed black;"/> <p style="text-align: center;">Special Notes</p> <p>➤ All Level III, and IV infractions, unless otherwise noted, require Schools Police Automated Reporting (SPAR). Administrators must contact Miami-Dade Schools Police.</p>	<p>The principal or designee may use any of the following strategies from PLAN IV. The use of appropriate strategies from previous PLANS may also be used <u>in conjunction with</u> this PLAN.</p> <p style="text-align: center;"><u>PLAN IV</u> <u>Corrective Strategies</u></p> <ul style="list-style-type: none"> • Parent/guardian contact (<i>Students under 18</i>) ** • Permanent removal from class • Suspension from school (to be determined by principal or designee) • Recommendation for dismissal <hr style="border-top: 1px dashed black;"/> <p style="text-align: center;">Special Notes</p> <p>** Good Faith attempt must be made immediately to contact parent/guardian by telephone. (<i>Students under 18</i>).</p> <ul style="list-style-type: none"> • Send written notice to student and or parent/guardian within 72 hours via U.S. mail. (FM-5341)

SAFEGUARDS: PROTECTING THE RIGHTS OF STUDENTS AND/OR PARENTS/GUARDIANS FOR STUDENT UNDER THE AGE OF 18

All corrective strategies used by school-site administrators/or designee must be in compliance with School Board rules and policies. Inherent in these rules and policies is the philosophy of fairness and consideration for actions that are in the best interest of students.

When confronted with an act that may require the imposition of corrective strategies by the school, the student and all other appropriate persons should be given the opportunity to explain the circumstances of the incident.

Students shall not be subjected to any corrective strategies for using a language other than English or because of a disability.

School administrators or designee should communicate with the student or parents/guardians when corrective strategies must be taken against a student ***under the age of 18.***

DUE PROCESS PROCEDURES

In order to ensure that each student receives fair treatment consistent with the fundamental requirements of due process, student suspensions and suspensions with recommendation for dismissal (*FM-5341*) shall be made in accordance with the following procedures.

Notice of Suspension to Students: The principal or designee shall deliver by hand or mail a copy of the written notice of the suspension to the student within seventy-two hours (72) of suspension. Failure of the student to receive formal written notice of the suspension shall not affect the validity of the suspension or any other proceedings herein.

Notice of Suspension to parents/guardians of a minor student (under 18):, the principal or designee shall immediately attempt to notify the parent/guardian by telephone and shall document the fact of such notice or diligent effort to give such notice.

The principal or designee shall deliver by hand or mail a copy of the written Notice of the Suspension to the minor student within seventy-two hours (72) of suspension. Failure of the student to receive formal written notice of the suspension shall not affect the validity of the suspension or any other proceedings herein.

Appeal of Suspension: If a student or the parent/guardian of minor wishes to appeal the due process procedures implemented in the suspension process, the appeal shall be submitted to the principal or designee in writing prior to the termination date of the suspension. The principal or designee shall arrange a conference with the student or parent/guardian. The conference will take place at the school site and overseen by principal or designee. The principal or designee shall notify the student or parent in writing of his/her final decision within five (5) days of hearing the appeal.

Dismissal: Statutory authority for dismissal is provided in Florida Statutes 1001.42(6) and 1002.21(3).

Initiation of the Dismissal Process: The principal or designee shall submit a Dismissal Request- Adult Student (FM 7458), to the District office containing information of the charges against the student and a detail description of the incident. The District will make the final decision on the dismissal request.

Subsequent to a student's suspension and the pending decision on the recommendation for dismissal from an adult education and/or post-secondary program, the student will not be able to enroll in any Miami-Dade County Public School or visit any school campus during the suspension period, unless authorized by the principal or designee.

Notice to parent/guardian of a minor student (under 18): The principal or designee shall send a letter to the parent/guardian advising of the District's decision for student dismissal from the program.

Appeal of Suspension with Recommendation for Dismissal: If a student or the parent/guardian of a minor wishes to appeal the recommendation for dismissal, the request for an appeal hearing shall be made within 10 business days of receiving the Notice of Suspension and Recommendation for Dismissal (FM 5341).

The Administrative Director or designee shall schedule a hearing and notify the student or parent/guardian of the hearing date and time. The final decision regarding the appeal will be made by the Administrative Director or designee.

CHAPTER II

POST-SECONDARY CODE OF STUDENT CONDUCT

STUDENT RIGHTS AND RESPONSIBILITIES

This page has been intentionally left blank.

w,
nd
ed
y.

ild
he
rly
de

DE
SH

Right to Learn

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right of access to clear curriculum descriptions that will help them make more informed choices. • Students have the right to participate in challenging, creative, academic programs at all levels in elementary, middle, and senior high schools. • Students have the right to study all subjects under qualified instructors in an atmosphere free from bias and prejudice. • Secondary students have the right to representation on committees that participate in textbook selection and curriculum planning from individual school councils to district level. • Students have the right of equal access to any extracurricular activity. • Students with disabilities may be entitled to special services. 	<ul style="list-style-type: none"> • Students have the responsibility to seek clarification, if necessary, from informed persons in the school. • Students have the responsibility to strive for academic growth by participating to their utmost ability. • Students have the responsibility to contribute to the development of a positive climate in the school that is conducive to wholesome learning and living. • Students have the responsibility to respect the rights of others who have differing viewpoints, and become informed and knowledgeable about controversial issues. • Students have the responsibility to involve themselves in committees and enrich their classes through participation in implementation and evaluation. • Students have the responsibility to request participation in any extracurricular activity.

Knowledge and Observation of Rules of Conduct

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to a clear explanation of the Code of Student Conduct in understandable language. They have the right to know the consequences of their misconduct. 	<ul style="list-style-type: none"> • Students have the responsibility to become familiar with the Code of Student Conduct and to observe all school and classroom rules.

Respect for Persons and Property

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to be treated with courtesy and respect. • Students have the right to an environment where public or private property rights are respected. • Students have the right to expect safe conditions at school, at bus stops, on the school bus and during school-sponsored activities. • Students have the right to an environment free of harassment. 	<ul style="list-style-type: none"> • Students have the responsibility to show respect and courtesy to fellow students, all School Board personnel and campus visitors. • Students have the responsibility for neither taking nor damaging the property of fellow students, school personnel or the school. • Students have the responsibility to respect the privacy and property of persons living in areas surrounding schools and bus stops. Additionally, students have the responsibility to contribute to a safe learning environment by reporting criminal acts and potentially harmful or dangerous situations to an adult. • Students have the responsibility not to harass other students.

Participation in School Programs and Activities

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to organize and participate in associations and extracurricular activities within the school that are organized for any proper and lawful purposes. Group membership cannot be denied any student because of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy or disability. • Students have the right to have an elected representative student council appropriate to the school's level, and to take an active part in student activities designed to help make rules that affect their lives in school. 	<ul style="list-style-type: none"> • Students have the responsibility to seek prior and proper consent from administrators and other designated school personnel before organizing student associations and for meeting approved criteria for membership in clubs and organizations. • Student council officers and representatives have the responsibility to be aware of school needs and concerns of the student body and to work toward meeting those needs. • Students have the responsibility to participate regularly in their respective organizations, to conduct themselves in an appropriate manner, and to operate according to School Board policies and individual school requirements.

Counseling Services

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to appropriate counseling that addresses their personal and educational needs within a reasonable period of time. • Students have the right of access to counselors who can assist by allocating the time, attention, and assistance without interruptions or cancellation of appointments. • Students have the right to be accurately informed, in a language they can understand, of all support programs available. • Students have the right to request a change of counselor. 	<ul style="list-style-type: none"> • Students have the responsibility to schedule appointments in advance unless their problem or concern is an emergency. • Students have the responsibility to keep scheduled appointments in a timely manner and to respect the rights of others in accessing the counselor's services. • Students have the responsibility to use these services for their educational, career, and personal development. • Students have the responsibility to work cooperatively with the administration in seeking this change.

Student Records

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Parents/guardians and eligible students (18 years of age or attending a post-secondary institution) have the right to inspect, review, and challenge the information contained in records directly relating to the student. This access may not be denied because of failure to pay fees or book fines. • Parents/guardians and eligible students have the right to restrict the release of directory information. • Students have the right to be protected by legal provisions that prohibit the release of personally identifiable information to unauthorized persons without the consent of the parents/guardians or eligible student. 	<ul style="list-style-type: none"> • Parents/guardians and eligible students have the responsibility to provide the school with any information that may be useful in making appropriate educational decisions. Parents/guardians and eligible students have the responsibility to meet their financial obligations as it relates to school fees. • Parents/guardians and eligible students have the responsibility to release information to those persons or agencies who are working actively and constructively for the benefit of the student. • Parents/guardians and eligible students have the responsibility to notify the school of any change of address, telephone numbers, and other pertinent personal data.

Attendance

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to information on rules, policies and procedures that clearly define excused absences, unexcused absences, and tardies. • Students have the right not to be penalized in any way for excused absences. Participation in a school-sponsored activity shall be considered an excused absence. • Students have the right to make up classwork within three days of returning to school in the case of an excused absence or absence because of suspension. 	<ul style="list-style-type: none"> • Students have the responsibility to take advantage of their educational opportunity by attending all classes daily and on time, unless circumstances beyond their control prevent them from doing so. • Students have the responsibility to provide the school an adequate explanation for an absence with appropriate documentation. • Students have the responsibility to request the make-up assignments from their teachers for excused absences upon their return to school and to complete this work within three days.

Grades

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to be informed of the teacher's grading criteria, which is consistent with district guidelines, at the beginning of each grading period. • Students have the right to receive an academic grade that reflects their achievement. • Students have the right to be notified when they are performing unsatisfactorily. • Students have the right to receive a conduct and effort grade in each class consistent with their overall behavior and effort. • Students have the right to achieve academic success based upon their own initiative and ability without interference from others. 	<ul style="list-style-type: none"> • Students have the responsibility to ask teachers in advance of a graded assignment for an explanation of any grading criteria or practice they may question or that needs clarification. • Students have the responsibility to maintain reasonable standards of academic performance commensurate with their ability. • Students have the responsibility to make every effort to improve their performance upon receipt or notification of unsatisfactory performance. • Students have the responsibility to conduct themselves in each class in ways that are conducive to the learning process. • Students have the responsibility to earn grades based upon their performance while guarding against cheating by other students.

Free Speech, Expression and Assembly

Rights:	Responsibilities:
<ul style="list-style-type: none"> • The Pledge of Allegiance is a statement of American ideals, and students shall be protected in their right to affirm their identity with these ideals. However, students who, because of religious or other deeply-held personal convictions, do not wish to participate in the pledge may, upon written request of their parent/guardian, refrain from participation. • Students have the right to refrain from any activity that violates the precepts of their religion. • Students have the right to express themselves by speaking, writing, wearing, or displaying symbols of ethnic, cultural, or political values • Students have the right to petition and survey student opinion in accordance with the procedures established by the principal. • Students have the right to form and express their own opinions on controversial issues without jeopardizing relations with their teachers or the school. • Students have the right to assemble peacefully on school grounds or in school buildings. Exercise of this right shall be denied only on occasion when it substantially and directly endangers physical health or safety, damages property, or seriously and immediately disrupts the activities of others. 	<ul style="list-style-type: none"> • Students have the responsibility to act in a manner that preserves the dignity of the occasion. • Students have the responsibility to respect the religious beliefs of others. • Students have the responsibility to accept the rights of others to have differing viewpoints and to express themselves on those issues with which they disagree, in a manner that does not infringe upon the rights of others or interfere with the orderly educational process of the school. This should be done in a manner that is not obscene, libelous, or in violation of the school dress code. • Students initiating a petition or survey have the responsibility to ensure its reasonableness and accuracy. • Students have the responsibility to become informed and knowledgeable about controversial issues and to express their opinion respectfully and without disrupting the educational environment or violating school rules. • Students have the responsibility to plan, seek approval of, and conduct activities that are consistent with the educational objectives of the school.

Student Publications

Rights:	Responsibilities:
<ul style="list-style-type: none"> • Students have the right to possess, post and distribute any forms of literature that are not inherently substantially disruptive to the school program including, but not limited to, newspapers, magazines, leaflets and pamphlets. • Students have the right to be free from censorship of their publications except within the framework of guidelines previously agreed upon by current students and administrators. 	<ul style="list-style-type: none"> • Students have the responsibility to use only those bulletin boards or wall area designated for use by students and student organizations, to seek approval for distribution of materials, and to accept responsibility for the effect that the posting, publication, or distribution of this literature might have on the normal activities of the school. • Students have the responsibility to refrain from publishing libelous and obscene materials, to seek full information on the topics they write about, and to observe the normal rules for responsible journalism.
<p><i>Principals may restrict literature they consider primarily commercial in nature or disruptive to the orderly operation of the school.</i></p>	

Search and Seizure

Rights:	Responsibilities:
<ul style="list-style-type: none">• Students have the right to privacy regarding their personal possessions unless the principal has a reasonable suspicion that they are in possession of or concealing materials prohibited by law.• Students have the right to prior notification of any general search of lockers, except in emergency situations.• Students have the right to use authorized locks on school-owned lockers.• Students have the right to notice that they may be subject to search for weapons by metal detectors while on school grounds or at school functions at any time.*	<ul style="list-style-type: none">• Students have the responsibility not to carry or conceal any material prohibited by law or by the Code of Student Conduct.• Students are responsible for the contents of their lockers.• Students have the responsibility to adhere to policies governing the use of school lockers.
<p>* <i>School personnel and/or members of the Miami-Dade Schools Police Department have the right to search lockers if there are reasonable grounds for suspecting that the contents include weapons, stolen goods, contraband*, illegal controlled substances or mood modifiers.</i></p> <p><i>Signs that advise students and visitors that they are subject to search for weapons by metal detectors will be posted in prominent locations at each secondary school and adult vocational site.</i></p>	

Complaint Procedures

Rights:	Responsibilities:
<ul style="list-style-type: none">• Students have the right to a standard procedure for the resolution of formal complaints through a process that includes appropriate lines of communication, adherence to a time line, and a method of appeal.• Students have the right to expect that discrimination and formal complaints will be resolved in an expeditious, orderly, and equitable manner.• Formal complaint procedures with the office of Civil Rights Compliance apply to those situations in that students believe themselves to be victims of discrimination based on gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy or disability. Formal complaint procedures also apply in situations in which students believe themselves to be victims of harassment, including sexual harassment.*• Parents/guardians may request a hearing before an impartial hearing officer, in instances of recommendation for expulsion.	<ul style="list-style-type: none">• Students have the responsibility to discuss their complaints informally with the persons involved prior to invoking the formal complaint procedures, unless they feel they are unable to resolve the grievance at the school level.• Students have the responsibility to state the formal complaint clearly, to follow established procedures for resolving a formal complaint, and to accept the decision that is rendered and to file a timely appeal.
<p>* Harassment (Civil Rights) and Sexual Harassment do not require a SPAR, but must be reported to the Civil Rights Compliance Office at 305-995-1580.</p>	

This page has been intentionally left blank.

The School Board of Miami-Dade County, Florida adheres to a policy of nondiscrimination in educational programs/activities and employment and strives affirmatively to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin.

Title VII of the Civil Rights Act of 1964, as amended - prohibits discrimination in employment on the basis of race, color, religion, or national origin.

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of gender.

Age Discrimination in Employment Act of 1967 (ADEA), as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

The Equal Pay Act of 1963, as amended - prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled.

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations, and telecommunications.

The Family and Medical Leave Act of 1993 (FMLA) - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

The Pregnancy Discrimination Act of 1978 - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

Florida Educational Equity Act (FEEA) - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student, or employee.

Florida Civil Rights Act of 1992 - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

School Board Rules 6Gx13- 5D-1.10, 6Gx13- 4A-1.01, and 6Gx13- 4A-1.32 prohibit harassment and/or discrimination against a student or employee on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference or disability.

Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07, (Florida Statutes), which stipulates categorical preferences for employment.