

2022-2023 IMO-IMHS STUDENT CODE OF CONDUCT



Introduction

Restorative practices encourage student development while reducing exclusionary and punitive discipline practices. Often traditional discipline practices in schools disproportionately impact economically disadvantaged students, black students, students of color, and students with disabilities (Osher, Cantor, Berg, Steyer, & Rose, 2018; Kupchik & Ward, 2014). Restorative practices focus on increasing student reflection, communication, community building, and making amends when harm occurs, in place of punishment. A range of research suggests that restorative practices result in fewer suspensions and expulsions, fewer disciplinary referrals, improved school climate, high-quality teacher-student relationships, and improved academic achievement across elementary and secondary classrooms (Darling-Hammond, Flook, Cook-Harvey, Barron, & Osher, 2019). Contrary, no study has ever shown that students who came back from suspension or punitive discipline measures were more engaged and ready to learn. Students who spend more time out of the classroom enter a cycle of more misbehavior and disengagement, as punishment, coercion, and exclusion result in weakened relationships with teachers and peers, falling behind in course content, and failure to graduate.

At Innovation Montessori, we acknowledge that “discipline” means to educate, not to punish. Therefore, **we have identified and implemented restorative justice practices as our core disciplinary model.** This model aims to guide students as they reflect and acknowledge the impact their actions have on others, and, when needed, take steps to repair relationships and build new skills. This inclusive approach deepens relationships by asking students to consider how they impact their community and participate in reflective conversations with adults and peers. Overall, RJ supports the ongoing healthy development of students as they seek to change their behavior and contribute to the well-being of their school community.

We thank you for your support as we work to shift the narrative at Innovation Montessori around discipline in school settings.

Sincerely,

Administration

Please note that this Discipline policy is a living document and will be amended and adapted as we learn and grow as a school community. This policy shall apply to Innovation Montessori Ocoee and Innovation Montessori High School. This policy is intended to interface with OCPS code of Conduct.

School Culture

Restorative practices create a learning community where there is an experience of deep belonging, respect, and commitment to practicing common values. This community framework is laced with intention into all facets of the learning curriculum at Innovation Montessori. The objective of this restorative discipline policy is to effectively address wrongdoing while keeping everyone connected to their learning community. Our goal is to ensure everyone feels welcomed and accepted as whole human beings. While no harmful behavior is condoned, we affirm the innate value that everyone brings, even in the moments when their behavior does not reflect that value. Inherently, Innovation Montessori holds on to 7 core assumptions that guide us in our disciplinary efforts. Those core assumptions are that we believe our community of students, staff & families are:

- Good, Wise, & Powerful
- Interconnected,
- Relationship driven,
- Gifted,
- Capable,
- Holistic
- What we practice.

**These assumptions as most restorative practices are, derive from Indigenous teachings and other wisdom traditions.*

In addition, the values that drive our effort include equity, respect, compassion, self-determination, and the acceptance of multiple truths. Thus, Innovation Montessori strives to develop and to implement approaches to learning and discipline that will:

- Ensure parental confidence in the ability of Innovation Montessori to provide a safe and orderly learning environment.
- Help administrators, teachers, and other staff provide effective teaching and learning environments.
- Assure students can learn in a restorative atmosphere and be treated in an equitable, consistent, and nondiscriminatory manner.

Community guidelines

Community guidelines are expected be upheld by all members of our community.

As a result, power struggles occur less frequently.

- Students share the responsibility for making school a safe, orderly, and enjoyable place where education takes place effectively.
- Parents and legal guardians understand that the school community is expected to hold students accountable for behavior while at school and during school-sponsored activities.
- We seek to create a partnership with parents/guardians- Such partnership is a two-way, cooperative process.
- Students are expected to follow the guidance of adults regarding choices in behavior.
- Teachers and staff are expected to use a consistent, common-sense approach to handling repetitive misconduct.

- Behavior management includes positive guidance, redirection, and setting appropriate boundaries to foster the student’s ability to become self-disciplined.
- Staff members will guide students to develop self-control and positive conduct in their relationships with peers and adults.
- Within reason, staff members will show children positive alternatives rather than simply telling students "no."
- Staff members will address the behavior or situation rather than label the character of the student.
- Staff members will respond quickly and calmly to minimize students from harming each other.
- Students will experience teachers and staff who are compassionate and who understand their limitations
- Students are allowed to appropriately express their feelings, i.e. anger, hurt, frustration, etc.

Montessori & Restorative Justice

In direct alignment with the Seven Core Assumptions, Maria Montessori believed education should value the human spirit and development of the whole child (physical, social, emotional, and cognitive). Restorative practices also seek to balance all parts of who we are: emotional (our feelings), mental (our thoughts), spiritual (our values), and physical (our bodies). Combined, Montessori and restorative practices contain shared values and connections to promote community building and healing.

Throughout the Innovation Montessori community, we recognize that Montessori can only benefit students as described above when it moves beyond philosophy and takes a practical application. This involves the careful preparation of teachers as guides, the classroom environment, and an established restorative school culture and climate. We also understand the importance of not relying solely on restorative practices as an approach to the "back end" of school culture—what we do when things go wrong. Instead, **Innovation Montessori focuses on proactive measures to create a community that practices PEACE whenever possible.** Our emphasis on Peace Education (see below) is a centerfold of Montessori’s philosophy. In combination with restorative justice, we create a basis for maintaining a school culture that is equipped with community members who learn self-control through an understanding of personal needs, the use of problem-solving skills, and an expectation that children and adults can make amends – restitution – for the harm that they cause.

Proactive Approaches to Disciple in the Innovation Montessori environment

At Innovation Montessori we engage in the following proactive measures to establish an environment where Montessori intertwined with restorative practices and PEACE ed is the framework for interactions amongst our students, staff and community. The following proactive practices are foundational to the discipline procedures found in our discipline policy.

Peaceful Classroom Environments:

The aim of the Montessori classroom is to radiate harmony and respect. Members are encouraged to communicate with one another using a deep sense of empathy. Students and staff move and speak with grace and courtesy. Each classroom is equipped with a “peace space” to allow students an opportunity to reflect & rest without guilt. Students work together as stewards of their environment. They take turns caring for the classroom environment and engaging in interdependence; how to live in a community, to learn independently, to think constructively and creatively; these are the lessons of the Montessori

classroom that remain with students as they make their way in the world and that assist them in times of conflict.

Ethic of Care

Within the prepared environment, children develop at their own pace and adults guide that development with quiet respect for the needs of the children and their emerging capacities as learners. Through carefully orchestrated experiences guided by physical and mental order, children acquire the inner discipline necessary to persist at their chosen tasks, to interact with the world respectfully, and to participate confidently in an increasingly complex world. At all times we aspire to model good manners and sociable interactions. Social emotional learning through Peer Counseling (7th-8th grade), peaceful practices taught through Peace Ed curriculum (PK-12) and problem solving/community building efforts through restorative justice philosophy (K-12) are a regular part of the curriculum.

PEACE Education Curriculum

Peace education curriculum focuses on being intentional about the practice of PEACE in our daily lives. In Primary, lower EL, and upper EL, students participate in a bead ceremony that allows them to identify the parts of peace that they have experienced throughout the Week. In middle school, the bead ceremony takes place twice a month, while in high school the bead ceremony takes place once a month and focuses on the parts of peace students can identify both in their immediate and global community.

The parts of PEACE include:

(P)roblem Solving
(E)ffort
(A)cceptance
(C)are
(E)njoyment

**The bead ceremony is a symbolic visual representation of how PEACE has been practiced within the community. The product is a strand of beads that tell an ongoing story about the peace we practice in our lives.*

Social Emotional Learning

(SEL) is the process of developing the self-awareness, self-control/management, interpersonal skills and responsible decision making that are vital for school, work, and life success. At Innovation Montessori SEL is a framework of the Montessori academic curriculum for grades K-12. In grades 7-8, students engage in a peer counseling course that allows them to build SEL skills alongside peers and campus social workers. Each year the social work department utilizes Panorama's SEL assessment tool to measure and support students' soft skills like growth mindset, self-efficacy, social awareness, and self-management. Innovation Montessori then uses the results from Panorama to build more positive, equitable, and supportive environments for student learning and support when there are concerns around behavior.

Mental Health and Restorative Justice

Mental health & wellness refer to a continuum of emotional support available to students & staff. The goal of support is to create a learning environment where students feel they have choice, feel empowered to maximize their connections with peers and adults and are able build trusting and meaningful relationships.

Restorative Justice (RJ) Philosophy/Practices

In a restorative approach, the inherent worth of each individual is recognized while seeking to strengthen the essential ties that bind us to one another. Using restorative framework, Innovation Montessori aims to create safe and supportive spaces for our community where members of the school learn to bravely engage in community and learn from honest and sometimes difficult conversations. When relationships break down – as they will, Innovation Montessori works to have a fair responsive process in place in which everyone can share their stories, hear the impact of their actions, repair the relational harm and figure out the best way forward, together. The overarching framework of RJ allows us to build capacity in students and in adults to live in, understand and embrace the real world, with all its contradictions and complexities.

While RJ practices act as a tool for addressing harm, restorative justice is most potent when used proactively as it builds and nurtures trust, meaningful and just relationships, and a strong sense of community. These are foundational traits for addressing harm & challenging behavior effectively.

Common terms and RJ practices

- *Circles-A literal and symbolic space where members of a community come together to restore, repair or relate (may be formal or informal, can be used for academics, community building, and restoring community etc.,) i.e. academic circle, community-building circle, restorative-circle or healing circles. (Circles are utilized in PK-12 at least once a week)
- Circle Norms- A setting of structure that defines how the circle will run.
- Talking Piece- A chosen object used in most circles that symbolize power by granting each participant an equal voice in the circle.
- Restorative conversations-conversations to discuss less serious incidents or conflicts within a relationship. Usually takes place one-to-one or in a small group setting.
- Restorative conferences- Structured discussions designed to address more serious, or long-term, ongoing conflicts within a relationship.
- COSA- Circle of support and accountability put in place as a welcoming tool to reintegrate students to the school community after a need for separation has been met. Can also be used as a tool to help students reestablish their presence in the classroom even if an absence/separation has not occurred.

*Circles used in restorative discipline are often referred to as healing, peacemaking or talking circles and serve a specific purpose. This practice originated with indigenous and aboriginal people. The circle members include the person who committed the harm, those who were harmed or impacted, family and friends of both, and support personnel (such as teachers, administration student service/staff specialist). Members take turns discussing the event to understand what happened and collectively identify the steps needed to heal the affected persons and prevent future harm.

Restorative Discipline in the Montessori Environment

Discipline in the Montessori environment is not something that is done to the child; nor is it a technique for controlling behavior. Thus, our concern is with the development of the internal locus of control which promotes discipline through liberty.

Our aim when guiding students toward self-discipline, is ultimately a degree of self-respect in which a child/adolescent desires to respect the rights and needs of others alongside their own. This in return allows all students to learn and grow freely in the security of a community of respectful individuals.

Maria Montessori distinguished between the “active discipline” typical of happily engaged, and productive students and adult-centered strategies for maintain extrinsic “control” of students. Self-control is a foundational skill for all subsequent learning. Building self-control is an important aspect of all our programs, where focus, concentration, persistence, and an awareness of the needs of others take root with adults setting limits through example. This is identified in Montessori’s philosophy of education as the concept of freedom within limitations. Thus, we seek to clear a path that affords students the liberty to choose (reference unacceptable behaviors).

When setting limits, adults seek to direct with positive rather than negative guidance and patience, restraint, and respect for the student’s need for sensitive intervention acts as a framework for adult interaction with students.

In restorative justice schools, when there are breaches of cultural norms and behavioral expectations, students are held accountable for repairing the harm their actions cause. Likewise, when students have difficulty making respectful and safe choices and instead engage in distracting, destructive or dangerous behavior, a series of actions may be taken depending on the nature of the behavior.

**While Innovation Montessori works closely in collaboration with OCPS discipline initiatives, utilizing RJ practices to address disciplinary concerns is our primary aim. Thus, each student incident is treated individually. In addition, discipline records are maintained and reported as required under Charter Contract and Florida Law. Similarly, Innovation Montessori uses an internal data base to track and monitor disciplinary records via incident reports, witness statements and restorative action plans etc.,*

Addressing Behavior Restoratively at IMO

In Class Responses: As issues of challenging behavior arise in the classroom, teachers/assistants will work to handle the challenging behavior by reminding students of their need to adhere to school guidelines and offer students a choice to redirect. If students choose to correct their behavior, the incident will be considered resolved. If the incident involves a single student, the classroom teacher will invite the student to discuss the issue in a one-to-one conversation with the student at an agreed upon time by both individuals. If the challenging behavior involves a group of students or the entire class, the classroom teacher or TA will handle the issue in class using an appropriate method, such as a class circle.

Please note students reserve the right to decline a restorative conversation, forfeiting this right

In addition to the above restorative practices for minor incidents, the following disciplinary actions/responses may occur:

- Request student(s) to separate from peers/group for a designated amount of time
- Assign seating near the teacher or in a different area of the classroom for a short time
- Work with student(s) to identify logical consequences to address harmful behavior. (Logical consequences should be related to behavior, respectful-does not cause blame or shame, reasonable-from perspective of guide & student(s), helpful-does not cause more harm)
- Develop a Restorative Action plan- Student(s) document what needs to happen for things to be made right & who oversees meeting those needs
- Communication to parents sent home via email, incident report and/or phone call

Common in class issues might include:

- Minor disruptive or inappropriate behavior in class such as talking and disturbing friends
- Unkind words/name calling or inappropriate language
- Non-serious inappropriate physical contact.
- Failure to complete responsibilities
- Minor disrespect towards guides and/or other students
- Excessive playfulness in class that results in disruption or potential physical harm
- Academic dishonesty
- Minor dress code violations
- Failure to follow procedures for maneuvering around campus
- Raising one's voice in a verbal conflict

Out of class Responses: There are times when issues need to be addressed out of the classroom. These behavior challenges are considered more serious in nature and require the assistance of the Dean of students, administration or student support staff such as a campus social worker.

Behavior that warrants out of class assistance may include but is not limited to responding to staff in a disrespectful or defiant manner, not following safety procedures, leaving a classroom/campus without permission, unsafe use of objects, etc.)

In the instance that a challenging behavior needs to be addressed outside of the classroom, Teachers/Assistant's will request out of class support by making a phone call to the front office. An Administrator, Dean, or Support staff will work with the student to determine if the student behavior is social-emotional, academic, or discipline related. To address the challenging behavior, the following restorative plan will be followed:

- The Dean, Administrator or Support Staff will work with student to discuss the incident and acknowledge that when a person does harm, it affects the persons they hurt, the community and themselves.
- The Dean, Administrator or Support Staff will guide the student to identify self-control techniques through an understanding of personal needs, the use of problem-solving skills and the community expectation that when harm takes place, amends can be made.
- Student(s) is given the opportunity to participate in a restorative process as a means of making things right for the person(s) harmed and the school community.
- An attempt is made to repair the harm caused by one person to another and to the community so that order is restored for everyone.

- This may include conferencing circles –formal conversation among people affected by behavior to explore the harm and how individuals were affected and how to repair the harm with a plan of action.
- Peace making circles – group of individuals acknowledge & address the issue using parts of PEACE
- Restorative meeting(s) – wrongdoing occurs; individual(s) or classroom discusses impact on fellow students and school community and discuss repair.

In addition to the above restorative practices to address harm that requires out of classroom support, the following disciplinary actions/responses may occur

- Engagement with on campus social worker or student support team
- Student is required to take a break from the classroom environment for an established period (in school or out of school)
- Outside assistance from school personnel (social worker, principal, SRO, etc.)
- Parent phone call/conference
- Miss recess or lunch in the office as a logical consequence
- COSA-The Student’s Support Team meet to discuss the student’s behavior and develop a shared agreement (behavior plan) to support a positive and peaceful environment.
- Development of Restorative Action plan for student, parent and guide
- No contact agreement/Behavior agreement plan initiated by Dean, Administrators and or Student support team.
- Restitution in the form of in school community service or financial compensation

Unacceptable Behaviors

Experimental behavior often communicates a need and is found in every developmentally aged child. At Innovation Montessori, we work to offer students grace as they formulate self-awareness through identifying individual needs. However, because the community lies at the center of our approach to learning, any individual action that disrupts the safety or well-being of the community is considered unacceptable.

As a result, Innovation Montessori cannot allow the following:

- Language or behaviors that expresses disrespect for another person based on race, gender, sexual orientation, religion etc., or that is dehumanizing in nature.
- Verbal, or written gestures that express aggression, character attacks or ridicule.
- Violent behavior such as hitting, kicking, biting, shoving or throwing objects
- Vandalism of school property or the property of others
- Violent role-playing that is one-sided, including pretend gunplay or stabbing
- Possession of weapons, or illegal substance
- Bullying: threatening, harassing, or intimidating other members of the school community in person, through online, cell phone, and/or through a third party.
- Repeated failure to follow instructions or community expectations

Each of the above incidents will be shared and analyzed with our student services team and administration and followed up with appropriate conversations and consequences. Incidents involving violence, weapons, bullying or sexual harassment will be handled as outlined in the IMO/IMHS policy in combination with restorative practices. In the event of repeated or serious behaviors that endanger the health and safety of others, the School Resource Officer will be involved, and the student may be sent home. A COSA will be required before the student is readmitted to class.

NOTE: Although it is the philosophy and policy of Innovation Montessori to exhaust behavior challenges using restorative practices, if a student's behavior disrupts the learning environment such that neither they, nor other students can learn, then Innovation Montessori will consider using the following discipline measures to assist the student in learning positive behavior.

- **Behavior contracts (If previous attempts to learn positive behavior has not been successful). The teacher will draft the behavior contract, ideally with the involvement of the parent and student.**
- **Discipline referrals tied to short-term suspension, long-term suspension, or recommendation for expulsion from school may be used, if previous methods are not effective or if the circumstances warrant.**

Executive Director or Principal's Authority: The Executive Director or Principal has the final authority to impose suspensions and dismissals as well as authority to recommend expulsion to the Orange County Public Schools. The Executive Director, Principal, or their designee, will conduct an inquiry of the harm that was caused, including consulting the student and those affected. The Executive Director, Principal (or designee) will reserve the use of suspension, dismissal, and recommendation for expulsion for repetitive or serious infractions and safety issues and will be used only as a last resort.

Suspension: If the Executive Director, Principal (or designee) determines that consideration of suspension is warranted, they have the discretion to impose a suspension directly, if they determine it is appropriate. The Executive Director, Principal (or designee) shall provide notice to the student's parents and/or guardians of their determination in writing, including reasons for the suspension and the length of the suspension. The Executive Director's, Principal's (or designee's) notification to the parents/guardians shall also include information about due process rights regarding the determination. Academic make-up work is required. Return to school may be contingent upon the student addressing the issue at hand and stating how the student intends to move forward. Parents will be notified in writing of the reasons for suspension and shall be provided with an opportunity for a conference by the end of the next school day following the decision.

Dismissal: After imposition of a suspension following the procedures listed above, if behavior infractions continue and the Executive Director, Principal (or designee) determines that consideration of dismissal is warranted, they will consider evidence and/or testimony as appropriate and will render a decision that shall be in the best interests of the student and the school. The Executive Director, Principal (or designee) shall inform the student's parents and/or guardians of their determination in writing, including the reasons for dismissal. The Executive Director, Principal (or designee)'s written notification to the parents/guardians shall also include information about due process regarding the determination. Involuntary dismissals will only be utilized in severe cases and in accordance with Innovation Montessori's Charter Contracts and applicable laws

“Manifestation Determination Review” is the evaluation of the relationship between a student’s disability and act of misconduct that must be undertaken when a school proposes to change the student’s placement by imposing disciplinary removals. Students that have an IEP or 504 Plan have a right to a manifestation determination review.

This determination is made prior to implementing a disciplinary removal up to 10 consecutive school days or a pattern of short-term removals that cumulate up to 10 school days in a school year that would constitute a significant change of placement. Innovation Montessori will conduct manifestation determination reviews for eligible students.

Cell phone/Technology Resource policy:

Misuse in technology is defined as a violation in policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources. Highlighted in the tech agreement form & in addition to the tech policy signed by students/parents, students should refrain from the following

- Attempting to access or bypass passwords or other security-related information of the school, students, or employees, or upload or create computer viruses.
- Attempting to alter, destroy, or disable school wide technology infrastructure.
- Use the Internet or other electronic communications to threaten or harass others
- Sending, posting, delivering, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation.
- Using the Internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety,
- *Taking photos* of other students at school or posting confidential or sensitive information about other students on the internet unless authorized to do so.

Electronic Devices, Cell phones, and personal electronic use is restricted to before and after school for middle school students, unless authorized by the teacher as part of the instructional process. High school students are permitted to use devices for texting during passing periods, lunchtime, and outside of instruction time.

Responses to Technology Based Infractions:

A Restorative process is put in place to discuss the nature of the tech violation. Teachers are asked to communicate any tech violations in the accountability spreadsheet to notify administration of a tech violation. Should continuous violations occur, a student may receive limited network and/or Internet access, or loss of tech privileges. Alternative instructional materials will be provided. See tech agreement for acceptable tech behavior.

Failure to follow cell-phone procedures will result in the cellphone being housed in the office for the remainder of the day. Should there be a recurrence in cellphone violation, parents will be contacted and will be asked that student refrains from bringing the cell phone to school.

Bullying, Threats and Harassment Policy

Innovation Montessori believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation/threats, or bullying supports a learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. Therefore, harassment, intimidation/threats, discrimination or bullying are forms of dangerous and disrespectful behavior that will not be tolerated

The following policy ensures that all students, employees, and volunteers learn and work in an environment that is safe, secure, and free from harassment and bullying of any kind.

The policy defines the following:

Bullying-Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees and may involve but is not limited to: teasing, social exclusion, threat, intimidation, stalking including cyberstalking, physical violence, theft, sexual, religious, or racial harassment, public humiliation, and destruction of property.

Harassment- Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or employee that: places a student or employee in reasonable fear of harm to his or her person or damage to his or 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.

Threats- a communication of intent to harm that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act

Incidents of alleged bullying, threats or harassment should be reported to administration immediately.

Upon receiving allegations, administration will notify the parent or guardian of a student who commits a verified act of harassment, bullying, or threat as well as the investigation process, and consequences that may result from further acts.

*According to the level of infraction, parents/legal guardians will be notified 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). Thus, the right to confidentiality of students involved will be maintained consistent with applicable laws.

The investigation process- Administration will appropriately and promptly investigate all reports of harassment, threats and bullying. In determining whether the alleged conduct constitutes bullying, harassment, or a threat, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated.

Thus, Administration will make every effort to inform the parents/guardians of the target and the subject of any report of harassment, bullying or threat.

Investigation procedures shall consist of personal interviews with the target, the subject(s) and others who may have knowledge of the alleged incident(s) or circumstance(s). The investigation may also consist of other methods or documents deemed relevant, including referral to the school's threat assessment team.

Consequences: Verified acts of bullying, threats or harassment shall result in intervention by administration and the social work team. Interventions are intended to ensure that the deterrence against this behavior is enforced. Behaviors of bullying, threats, or harassment can take many forms and can vary dramatically in how serious it is, and what impact it has on the targeted individual and other students. While conduct that rises to the level of "bullying" "threatening" or "harassing" as defined above will generally warrant disciplinary action against the subject, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, or expulsion) is a matter for the collective professional discretion of the Administration, and Dean of Students.

Search of Person or Property

Physical Searches – Search of a student's person or property may be conducted only where there is reasonable suspicion that the student being search engaged in a breach of the disciplinary code.

Minimally Intrusive Searches – Searches such as emptying of pockets, searches of student backpacks, removal of hats, socks, and shoes may be conducted by any certified school employee.

More Intrusive Searches – Searches such as pat downs, and frisks will be conducted by a trained staff member of the student's choosing.

Review of Discipline Data

At least twice a year Administration and the Dean of Student's will review discipline data to analyze and make necessary changes to school discipline policies and practices, address and resolve disproportionalities in student discipline data as well as restorative justice practices.

Distribution of Policy

This policy will be available for access on the school website, as well as readily available in hard copy form in the main office.

Record keeping

In addition to internal record keeping, maintenance and reporting discipline incidents as required under the Charter Contracts, Innovation Montessori reports SESIR incidents pursuant to Section 1006.07(9), Florida Statutes, and Rule 6A-1.0017, Florida Administrative Code. In determining whether to report an incident as a SESIR offense, consideration will be given to developmentally age-appropriate behavior and to any factors that may be indicated on a student's Individual Educational Plan (IEP) or 504 Plan and the other factors set forth in Rule 6A-1.0017(3), Florida Administrative Code.

Appendix

School Discipline

Innovation Montessori engages in the practice of progressive discipline in addition to restorative discipline practices. Progressive discipline is a whole-school approach that employs a range of interventions, provisions and consequences to address inappropriate student behavior and build upon strategies that promote positive behavior. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and restorative.

Progressive discipline is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline and that the previous disciplinary history of the student and all other relevant factors will be considered.

The following pages act as a tool for administrators to assign interventions and/or consequences for student misconduct and thus does not necessarily apply to classroom management as assigned by the teacher. **Innovation Montessori's discipline policy interfaces with the OCPS code of conduct. Thus, the definitions and offense levels and potential consequences have been taken directly from the OCPS code of conduct** and is designed to offer consistency so that students are disciplined fairly when their behavior requires responses outside the classroom. Each incident type contains interventions or consequences for each violation. Two types of action, either mandatory (*must) or potential (possible), can be taken by administration depending upon circumstances. It is important to note that **school administrators have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the chart if they determine that there are mitigating or aggravating circumstances**. Repeated instances of the same behavior may result in more severe consequences. Administration will make every effort to contact parents/guardians regarding all disciplinary matters resulting in an out of class consequence. Parent contact can be used as an intervention, a consequence, or as a result of a disciplinary issue. In matters relating to the disciplining of students with disabilities, the Board and the District shall abide by Federal and State laws regarding suspensions and expulsion.

Notes:

1. Repeated instances of the same behavior may result in more severe consequences.
2. Unless required by law, school principals have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the Discipline Chart they determine that there are mitigating or aggravating circumstances.
3. SRO and/or Schools Police are also available to discuss responses to incidents should the need arise.
4. Administration will make every effort to contact parents/guardians regarding all disciplinary matters. Parent Contact can be used as an intervention, a consequence, or as a result of a disciplinary issue.
5. In matters relating to the disciplining of students with disabilities, the Board and the District shall abide by Federal and State laws regarding suspensions and expulsion.
6. Innovation Montessori recognizes discipline from OCPS and participates in the DTM (Discipline Team Meeting) process for level IV offenses.

Level infraction- Each incident of misconduct may be associated with a level offense for record keeping purposes within the range outlined below:

- Level I infractions are minor acts of misconduct that interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program
- Level II infractions are more serious acts of misconduct than Level I offenses. Level II includes repeated acts of misconduct from Level I and acts directed against people or property that do not seriously endanger the health or safety of others.
- Level III infractions are major acts of misconduct that disrupt the orderly operation of the school, school function, or approved transportation that threatens the health, safety, and property of others.
- Level IV infractions are the most serious acts of misconduct and may result in expulsion.

LEVEL I: OFFENSES

A. Cheating willful or deliberate unauthorized use of the work of another person for academic purposes, or unauthorized use of notes or other material in the completion of an academic assignment or test. In addition to disciplinary responses, the student may receive no credit for the assignment, test, or exam at the discretion of the teacher.

C. Disorderly Conduct or behavior that interferes with or disrupts the orderly process of the teaching/learning process, school environment, a school function, or extracurricular/co-curricular activity.

D. Disrespect Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, IMO/IMHS employee, volunteer, or contracted personnel. This offense may include, but is not limited to, speech or behavior that is insulting or rude.

E. Dress Code Non-conformity to established dress code.

F. Failure to Report for Detention Failure to report for assigned discipline.

G. False and/or Misleading Information Intentionally providing false or misleading information to, or withholding valid from an IMO/IMHS employee, contracted personnel, or volunteer, which does not cause a disruption to the school environment.

J. Profane, Obscene, or Abusive Language/Materials The use of either oral or written language, or gestures, which are disrespectful or socially unacceptable and are not directed at another person. This section does not include threatening or intimidating language.

KK. Electronic Device Violation The misuse of wireless communication devices, which is not educational in nature, and may include, but is not limited to, cellphones, smartphones, smart watches, MP3 players, iPods, e-readers, tablets, laptops, and other electronic devices.

L. Tardiness Repeated late arrival to class, not to school.

M. Unauthorized Absence from School or Class A student arrives at school and then leaves campus, has temporary unauthorized absences from classes, or fails to attend specific classes.

N. Other Misconduct Any other minor act of misconduct which interferes with the orderly operation of the classroom, the school program, a school function or activity, an extracurricular/co-curricular program, or approved transportation and cannot be coded as another Level I offense.

O. Unsubstantiated Bullying After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under the definition of bullying as listed in the Jeffery Johnston Stand Up for ALL Students Act (Section 1006.147, Florida Statutes).

P. Unsubstantiated Harassment After a complete investigation and follow up of a reported harassment incident, the investigator determines that there is not enough evidence to substantiate that the incident meets criteria of a prohibited act under the definition of harassment as listed in the Jeffery Johnston Stand Up for ALL Students Act (Section 1006.147, Florida Statutes).

Q. Harassment Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an IMO/IMHS 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, and/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. This offense may include, but is not limited to, teasing, name calling, gossiping, spreading or starting rumors, and/or purposefully embarrassing or humiliating another person.

R. Horseplay Any rough uncontrolled play or prank that involves two or more students.

LEVEL I: CONSEQUENCES

1. Parent/guardian contact mandatory* **M**
2. Counseling and direction* **M**
3. Verbal reprimand **P**
4. Restorative Practice **P**
5. Special work assignment **P**
6. Withdrawal of privileges **P**
7. Return of property **P**
8. Detention **P**
9. Referral to intervention program **P**
10. Confiscation of unauthorized materials, objects, or contraband **P**
11. Assigned seat **P**
12. Safety plan **P**
13. SAFE/Guidance referral **P**
14. Schedule change **P**
15. No contact contract **P**
16. Referral to mental health services **P**

17. Warning of referral to Level II P

*Required Administrator Responsibilities (M)

Level II: Discipline Response Code

Level II infractions are more serious acts of misconduct than Level I offenses. Level II includes repeated acts of misconduct from Level I and acts directed against people or property that do not seriously endanger the health or safety of others.

The misconduct must be reported to the appropriate school administrator for further investigation. After hearing the student's explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will follow the procedure designated for Level II violations in investigating the matter and deciding on the progressive disciplinary action. Out of school suspension is not an available disciplinary response for Level II violations.

LEVEL II: OFFENSES

A. Destruction of Property/ Vandalism (under \$100) The willful or malicious destruction of school property or the property of others.

B. Disrespect Repeated conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, IMO/IMHS employee, volunteer, or contracted personnel. This offense may include, but is not limited to, inappropriate language directed towards another that is not profane.

C. Fighting Minor physical contact between two or more students such as pushing, shoving, or altercation that stops upon verbal command.

D. Forgery (Non-criminal) To create or reproduce the signature or document of another for fraudulent purposes. This offense may include, but is not limited to, signing a document with your parent's signature without permission.

E. Gambling Any unlawful participation in games (or activities) of chance for money and/or other things of value.

F. Insubordination/Open Defiance Verbal or non-verbal refusal to comply with school rules or directions from an IMO/IMHS employee, contracted personnel, or volunteer without causing a disruption or committing any further acts.

G. Intimidation/ Threats Any direct or indirect threat to do harm to the property of another student, IMO/IMHS employee, contracted vendor, or IMO/IMHS volunteer. Or any direct or indirect harm to hit, fight, or beat up another student or a threat to another student's life if the threat to life is vague, said out of anger or frustration, an expression of humor or rhetoric and can be easily resolved. The content of the threat suggests the person is unlikely to carry it out. This section does not include threats made to IMO/IMHS employees, contracted vendors, or IMO/IMHS volunteers; these threats are a Level III or IV.

J. Stealing (under §375) Taking the property of another without permission of the person.

K. Unauthorized Assembly Publications, etc., Demonstrations and/or petitions by students, or possession and/or distribution of unauthorized publications, including misuse of electronic messages or computers which interfere with the orderly process of the school environment, a school function, or extracurricular/co-curricular activity.

L. Bullying A bullying offense includes repeatedly being cruel to other students, IMO/IMHS employees, volunteers, or contracted personnel, on or off IMO/IMHS property if it adversely impacts the educational environment at school for students or staff. This offense may include, but is not limited to, repeated teasing, name calling, and/or minor physical contact.

M. Other Serious Misconduct Any other intermediate act of misconduct or any more serious, harmful, or disruptive example of any of the offenses described in Level I, which interferes with the orderly operation of the school or school function and cannot be coded as another Level II offense.

N. Gang Related The possession, use, or displaying of items associated with gang activity that include, but is not limited to, clothing and accessories, gang related insignias, writings, signs, or symbols that promote gang affiliation and/or involvement.

O. Harassment Any threatening, insulting, dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an IMO/IMHS student or school employee in reasonable fear or 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, and 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. This offense may include, but is not limited to, name calling with profanity, and/or minor physical contact.

Q. Electronic Device Violation The repeated misuse of wireless communication devices, which is not educational in nature and Violation may include, but is not limited to, cellphones, smartphones, smart watches, MP3 players, iPods, e-readers, tablets, laptops, and other electronic devices.

R. Sexual Harassment Any minor slur, innuendo, gesture, or other written or verbal conduct reflecting on an individual's gender which has the purpose of creating an offensive educational environment. This offense may include, but is not limited to, unpleasant distasteful comments, jokes, or gestures that are sexual in nature; however, this does not include acts involving physical contact.

S. Horseplay Any rough uncontrolled play or prank that involves two or more students and there is risk of injury as a result of the horseplay.

T. Dress Code Non-conformity to the dress code (second and subsequent offenses).

LEVEL II: CONSEQUENCES

1. Parent/guardian contact mandatory* **M**

2. Counseling and direction* **M**
3. Behavior plan/contract **P**
4. Restorative Practice **P**
5. P.A.S.S. (1-10 days) **P**
6. Special work assignment **P**
7. Detention **P**
8. SAFE/Guidance referral **P**
9. Confiscation of unauthorized materials **P**
10. Return of property **P**
11. Suspension from bus (1-10 days) **P**
12. Referral to intervention program **P**
13. Alternative Classroom **P**
14. Safety plan **P**
15. Schedule change **P**
16. No contact contract **P**
17. Temporary removal or participation in extracurricular/co-curricular programs or activities **P**
18. Referral to mental health services **P**
19. Warning of referral to Level III **P**

*Required Administrator Responsibilities (**M**)

Level III: Discipline Response Code

Level III infractions are major acts of misconduct that disrupt the orderly operation of the school, school function, or approved transportation that threatens the health, safety, and property of others.

The misconduct must be reported right away to the school administrator for further investigation. After hearing the student's explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will follow the procedure designated for Level III violations in investigating the matter and deciding on the progressive disciplinary action, which may result in the removal of the student from the school or activity immediately.

LEVEL III: OFFENSES

A. Physical Attack An actual and intentional striking of another student against his/her will, without injury. This section does not include injury that is a result of fighting if students are mutual combatants.

C. Destruction of Property/ Vandalism (\$100 to \$999) The willful or malicious destruction of IMO/IMHS property or the property of others.

D. Disrespect Conduct or behavior that lacks regard, civility, politeness, and/or courteous consideration towards a student, IMO/IMHS employee, volunteer, or contracted personnel. This offense may include, but is not limited to, language and/or gestures that are abusive and/or profane directed towards another person.

E. Extortion/Blackmail The 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, or items of material worth.

This offense may include, but is not limited to, threatening to accuse another of a minor offense or crime in order to obtain lunch money.

F. Fighting When two or more persons mutually participate in the use of force or physical violence that requires: (1) physical intervention; or (2) results in injury requiring first aid or medical attention. Note: Self-defense is described as an action taken to restrain or block an attack by another person or to shield oneself from being hit by another person. Retaliating by hitting a person back is not self-defense and will be considered as fighting.

G. Firecrackers/ Fireworks Unauthorized possession, sale, or storage of unlit fireworks or firecrackers on IMO/iMHS property, at a school function, or extracurricular/co-curricular activity.

H. Gross Insubordination/Open Defiance Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order; challenging the authority of an IMO/IMHS employee, contracted personnel, or volunteer in the presence of others which causes a disruption.

I. Illegal Organizations Establishing or participating in a secret society on IMO/IMHS property, at a school function, or at an extracurricular activity.

J. Possession of Contraband Material Possession, use, and/or distribution of materials or items, other than weapons or firearms, which are forbidden. The parent/guardian will make arrangements to pick up the object from the school, if applicable. At no time shall IMO/IMHS be responsible for theft, loss or damage to contraband items brought onto its property.

L. Smoking/Vaping and Other Use of Tobacco/Nicotine Products The possession or use of tobacco/vaping nicotine products, or items represented to be of said nature. This offense may include, but is not limited to, electronic cigarettes, CBD oil, Juuls, pods, vapors and hookah pens that do not contain THC or any other illegal controlled substance.

M. Stealing (\$375 to \$749) The taking of the property of another without the permission of the person.

N. Trespassing To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus, without authorization or invitation and with no lawful purpose for entry.

O. Violation of Curfew Breaking of curfew regulations during an extracurricular/co-curricular activity.

P. Bullying The offense must include repeatedly inflicting physical hurt or psychological distress on one or more IMO/IMHS students, employees, volunteers, or contracted personnel that is severe or pervasive enough to create an intimidating, hostile, or offensive environment, or unreasonably interfere with the individual's school performance or participation, on or off IMO/IMHS property if it adversely impacts the educational environment at school for students or staff. This offense may include, but is not limited to, repeated name calling with threat, physical contact with minor injury, distribution or sharing of written texts/pictures/video to multiple recipients.

Q. Other Serious Misconduct Any other major act of misconduct which seriously disrupts the orderly operation of the school program, or any school activity which threatens the health, safety or property of self or of others, or behavior not specifically described above which substantially disrupts the orderly conduct of a school, school function, or an extracurricular/co-curricular activity and cannot be coded as another Level III offense. This offense may include, but is not limited to, providing false/misleading information to staff members which causes a disruption to the school, language intended or reasonably calculated to insult and/or incite another person; or the activation of a fire alarm that was not the result of a willful or malicious act.

RR. Physical Aggression on an Employee or Contracted Personnel The willful use of force upon an employee or contracted personnel that does not result in bodily injury.

S. Sexual Harassment Any slur, innuendo, gestures, 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. These acts are sexual in nature and may include, but are not limited to, mooning, sharing/sending/showing images or video that have no bodily exposure but are taken in a private area, and/or minor physical contact that is sexual in nature.

T. Intimidation/ Threats to a Person Repeated Level II threats or any direct or indirect threat to another student's life if the threat has some details and information obtained suggests that some thought was given to how the threat will be carried out, but there is no clear indication that the student has taken preparatory steps. This section also includes threats of harm or violence towards an IMO/IMHS employee, contracted vendor or IMO/IMHS volunteer without any further acts of aggression or where there is no intent to carry out the threat.

U. Gang Related Conduct or behavior that tends to promote gang activity, provoke violence, or seriously disrupt the orderly operation of the school program, any school activity or transportation services, including but not limited to the possession, use or displaying of gang paraphernalia, jewelry, tattoos, clothing, or other insignias and writings that promote gang affiliation/involvement/the use of gang related signs or symbols or any other gang associated behavior.

V. Harassment Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an IMO/IMHS 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 and 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. This offense may include, but is not limited to, name calling with threat, physical contact with minor injury, distribution or sharing of written texts/pictures/video to multiple recipients.

W. Hazing Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. This offense may include, but is not limited to, false imprisonment not resulting in medical attention, verbal or physical behavior resulting in minor injury, or any other act that creates a substantial risk of physical injury.

Y. Electronic Device Violation The continual misuse of wireless communication devices, which is not educational in nature, and may include, but is not limited to, cellphones, smartphones, smart watches, MP3 players, iPods, e-readers, tablets, laptops, and other electronic devices.

Z. District Technology Violation Unauthorized modification of software/hardware configuration on a district issued device (i.e. factory reset); unauthorized access to programs and/or files not expected or intended for student use on a district issued and/or personal device (i.e. gaming); sharing another person's username and password; or providing access to another person to use the student's device while the student is logged in.

AA. Horseplay Any rough uncontrolled play or prank that involves two or more students and there is injury as a result of the horseplay. Any horseplay that results in serious injury where medical attention is needed may result in a Level IV offense.

LEVEL III: CONSEQUENCES

1. Parent/guardian contact mandatory* **M**
2. Counseling and direction* **M**
3. Behavior plan/contract **P**
4. Restorative Practice **P**
5. Return of property **P**
6. P.A.S.S. (1-10 days)
7. Suspension from bus (1-10 days) **P**
8. Suspension from school (1-10 days) **P**
9. Detention **P**
10. Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities **P**
11. Referral to intervention program **P**
12. Confiscation of unauthorized materials, objects, or contraband **P**
13. Schedule change **P**
14. Safety plan **P**
15. No contact contract **P**
16. SAFE/Guidance referral **P**
17. Referral to mental health services **P**
18. Warning of referral to Level IV **P**

*Required Administrator Responsibilities (**M**)

Level IV: Discipline Response Code

Level IV infractions are the most serious acts of misconduct and are grounds for expulsion. Any Level IV act shall result in a 10-day suspension with a potential recommendation for expulsion.

Major acts of misconduct must be reported right away to the school administrator for further investigation. After hearing the student's explanation, consulting with staff members and other students, and doing any other investigation necessary, the administrator will follow the procedure designated for

Level IV violations in investigating the matter and refer the Level IV to District personnel for further review.

Students who commit a Level IV offense may be referred to local authorities for further investigation.

LEVEL IV: OFFENSES

A. Alcohol The possession, use, distribution, transmission, sale, purchase, solicitation, or being under the influence of alcoholic beverages. Distribution or transmission of alcohol is defined as delivery of alcohol to another person without the intent of communal or collective consumption. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.

B. Arson The willful and/or malicious burning of or attempt to burn IMO/IMHS property, contents in or on the property, or personal property of others.

C. Intimidation/ Threats to a Person Repeated Level III threats. Or any direct or indirect threat to hit, fight or beat up an IMO/IMHS a Person employee, contracted vendor, or IMO/IMHS volunteer with an aggressive act to carry out the threat. Or any direct or indirect threat which threatens the life of another student, IMO/IMHS employee, contracted vendor, or IMO/IMHS volunteer and the threat to life appears to pose an imminent or a serious danger to the safety of others. The threat is specific, detailed and plausible. Information obtained suggests steps may have been taken to carry out the threat, and/or there is a strong concern about the student's potential to act. This offense includes, but is not limited to, threats made verbally or nonverbally by act, through social media, or by text.

D. Battery An actual or intentional touching or striking of a student, IMO/IMHS employee, contracted personnel, or volunteer against his/her will, causing more serious injury, such as great bodily harm; permanent disfigurement; permanent disability; use of a deadly weapon; or where the attacker knew or should have known the victim was pregnant. The harm must be documented through medical evaluation. The attack must be serious enough to warrant reporting to law enforcement. This section does not include injury that is a result of fighting if the students are mutual combatants. This section includes the actual use of a weapon, firearm, or other dangerous object as defined under Level IV H and Level IV K.

E. Threats to the School Any direct or indirect threat that may harm the school or may disrupt the function of the school campus or school sponsored activity including, but not limited to, threats made verbally or nonverbally by act, through social media, or by text. All threats are taken seriously, regardless of intent.

Threats to the school may include, but are not limited to, bomb threats, threats to use firearms in a violent manner, and/or threats to conduct a mass shooting or an act of terrorism. Threats to the school are deemed zero tolerance by Sections 1006.07 and 1006.13, Florida Statutes.

F. Drugs/Possession/Use The possession, solicitation, use or being under the influence of any drugs, narcotics, controlled substances, or any other substance when used for chemical intoxication, or the possession or use of any substance represented to be of said nature. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. The possession, solicitation, use, or being under the influence of over-the-counter medication or prescription medication

in excess of the manufacturer's prescribed limits are included in this section. Also included in this section is any amount of THC oil.

H. Firearms/ Weapons The possession or control of any firearm or weapon (operable or inoperable, loaded or Possession unloaded) as defined in Chapter 790, Florida Statutes. This section also includes the attempted use of any object that can be used to inflict serious harm on another person or places a person in a reasonable fear of serious harm. Firearms/Weapons are deemed zero tolerance by Sections 1006.07 and 1006.13, Florida Statutes. A firearm means any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. A weapon means any dirk, knife (blade length is 2.5 inches or more), metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon.

I. Major Disruption on Campus Major disruption of all or a significant portion of campus activities, school-sponsored events, Campus and/or school bus transportation. Disruptive behavior that poses a serious threat to the learning environment, or the health, safety, or welfare of others. This offense may include, but is not limited to, inciting a riot, initiating a false fire alarm, incidents that result in closing the cafeteria, and/or incidents that prevent students from proceeding to the next class.

J. Larceny/Theft (\$750 or over) The act, participating in the act, or attempted act of taking, carrying, riding away with, or concealing of property from the possession or constructive possession of another person, including motor vehicle, without threat of violence or bodily harm. This offense may include, but is not limited to, pocket picking, theft from a building, theft from a motor vehicle, theft from a vending machine, theft of a golf cart, motor vehicle, or anything that is self-propelled or motorized.

K. Other Dangerous Objects The possession, sale, or control of any instrument or object, other than a firearm or weapon as defined under a Level IV H offense, which could be used to inflict harm on another person or to intimidate any person. The actual use of a dangerous object shall be coded as a Level IV D. The attempted use of a dangerous object shall be coded as a Level IV H. This offense includes, but is not limited to, BB guns or pellet guns, air soft guns, paintball guns and replicas of any gun or weapon, common pocket knives (blade length is less than 2.5 inches), chains, pipes, common household tools, razor blades, box cutter/utility knife, ice picks, other pointed instruments, nun chucks, Chinese stars, pepper spray, Taser, ammunition, firearm clips, firearm cartridges. This offense also includes igniting fireworks/firecrackers.

L. Repeated Misconduct of a More Serious Nature Repeated misconduct which tends to substantially disrupt the orderly conduct of a school, school function, or extracurricular/co-curricular program or activity. Recommendations for expulsion relative to repeated misconduct must be based on documented referrals and a variety of intervention strategies.

M. Robbery/Extortion The taking, participation in taking, or attempting to take anything of value that is owned by another person or organization, under the confrontational circumstances of force, or threat of force or violence and/or by putting the victim in fear. This offense may include the taking of objects such as purses, phones, clothing etc.

N. Sexual Battery Any sexual act or attempt directed against another person, forcibly, and/or against the person's will. The category includes rape, indecent liberties, child molestation, and sodomy.

O. Sexual Harassment Unwanted verbal or physical behavior with sexual connotations 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. These acts are sexual in nature and may include, but are not limited to, sharing/sending/showing/taking images or video that have bodily exposure, fondling or groping of another against their will.

P. Sexual Offenses Any willful and/or deliberate act, behavior, or conduct intended to result in sexual gratification or furthering acts lewd or lascivious in nature. This offense includes, but is not limited to, consensual sexual acts, and/or exposure of nude body parts in the presence of others or by sending through electronic means.

Q. Violation of Early Re-entry Plan Any act or series of acts which violates or has the practical effect of violating an early re-entry plan from full exclusion/expulsion.

S. Vandalism (\$1000 or over) The willful or malicious destruction, damage, or defacement of public or private property including the act of defacing with graffiti, keying, or scratching a car or trashing a room resulting in damages.

T. Other Any other intentional or wanton act which is clearly beyond the bounds of acceptable and tolerable student conduct in the community, which cannot be coded in another Level IV offense. This offense may include, but is not limited to, hate crimes; any false accusation made by a student that jeopardizes the professional reputation, employment, or professional certification of any IMO/IMHS employee; any speech on the basis of race, sex, national origin, religion, or disability that does or would be likely to cause a substantial disruption to the educational environment; dating violence; human trafficking; possession/sale of drug paraphernalia; or felony forgery.

U. Drugs/Transmission/ Distribution/ Selling/Buying The manufacture, cultivation, transmission, distribution, buying, selling or intending to sell any drug, narcotic, controlled substance or any substance represented to be a drug, narcotic, or controlled substance. This includes any form of payment for any drug or contraband substance.

V. Bullying Repeatedly inflicting physical hurt, or psychological distress on one or more students, IMO/IMHS employees, volunteers, or contracted personnel, that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation on or off IMO/IMHS property if it adversely impacts the educational environment at school for students or staff. This offense may include, but is not limited to, repeated name calling with threats, stalking/cyber stalking, distribution or sharing of written texts, picture/video to multiple recipients, posting picture or video to social media for public view, and/or physical contact with serious bodily injury.

W. Harassment Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places an IMO/IMHS 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 and 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. This offense may include, but is not limited to, stalking/cyber stalking, placing another in reasonable fear of death or serious injury.

X. Hazing Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. This offense may include, but is not limited to, false imprisonment resulting in medical attention, verbal or physical behavior resulting in injury that requires medical attention, forcing indecent exposure of another, or any other act that creates a substantial risk of death or serious injury.

Y. Physical Attack An actual and intentional striking of a student, IMO/IMHS employee, volunteer, or contracted personnel against his/her will, resulting in less serious bodily harm. Less serious bodily harm does not include a substantial risk of death, extreme physical pain, permanent disfigurement, or permanent disability. The injury must be documented. This section does not include injury that is a result of fighting if the students are mutual combatants.

Z. Sexual Assault An incident that includes a threat of rape, fondling, indecent liberties, or child molestation. Both male and female students can be victims of sexual assault.

AA. District Technology Violation Use of unauthorized access to programs and/or files not expected or intended for student use on Violation a district issued and/or personal device; or any use that violates Board policies, local, state, and/or federal laws and regulations. This offense may include, but is not limited to, gaining access to the IMO/IMHS mainframe with intent to do harm or alter records.

CC. Burglary Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein or cause damage. This offense is more severe than trespassing.

DD. Homicide The unjustified killing of one human being by another.

EE. Kidnapping Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.

FF. Tobacco/Vaping/Nicotine Selling/Distribution The distribution or sale, or intention of selling, tobacco/vaping nicotine products, or items represented to be of said nature. This offense may include, but is not limited to, electronic cigarettes, CBD oil, Juuls, pods, vapors and hookah pens that do not contain THC or any other illegal controlled substance.

LEVEL IV: CONSEQUENCES

1. Parent/guardian contact mandatory* **M**
2. Counseling and direction* **M**
3. Up to a 10-day suspension with a recommendation for expulsion (mandatory) **P**
4. Expulsion from the school district **P**
5. Assignment to an alternative school **P**
6. Referral to an intervention program
7. Bus expulsion **P**

8. Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities, e.g., to include, but not limited to, senior graduation **P**
9. Restorative Practice **P**
10. Schedule change **P**
11. Safety plan **P**
12. No contact contract **P**
13. SAFE/Guidance referral **P**
14. Referral to mental health services **P**

*Required Administrator Responsibilities (**M**)

LEVELS I-III PROCEDURES

A student accused of misconduct for a Level I-III offense, shall be afforded the following procedures. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for the procedural safeguards.

Please note, these procedures should be used in conjunction with the procedures set forth herein which align with Title IX of the Education Amendments Act of 1972 and the Board Policy JB, entitled, "Equal Educational Opportunities."

Step 1: The student must be told by the principal or designee of the reason(s) for the referral.

Step 2: The student must be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to present witnesses to the incident.

Step 3: The principal/designee shall make a determination as to whether the evidence supports the offense. If so, the principal/designee determines the appropriate discipline response according to the Code. The student shall be informed of the disciplinary response.

Step 4: The principal/designee shall report each suspension in writing to the student's parent/guardian and to the area superintendent or designee. This report shall be mailed, or delivery initiated within 24 hours of the start of the suspension or on the next regular workday. Reasonable efforts shall be made to contact the parent/guardian prior to the start of the suspension. If the parent/guardian cannot be reached prior to the start of the suspension, the principal or his designee may determine that the suspension will start without the prior contact with the parent/guardian but continued reasonable efforts to contact the parent/guardian shall be made.

Step 5: After the discipline investigation is complete, the parent/guardian may request a copy of all documentary evidence upon which the proposed disciplinary consequence is based; however, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed, a copy will not be provided.

Step 6: The student and parent/guardian have a right to request a conference with the principal or designee upon request of the parent/guardian to appeal the discipline imposed. All such requests must be made within three (3) school days of the first notification of a discipline referral. The principal shall have the discretion to adjust the discipline response.

Step 7: A meeting should be held each time any student with disabilities is subject to being suspended/ removed from school or from classroom or transportation for up to ten (10) days cumulative during a school year. The purpose is to determine if the placement is appropriate and if any changes need to be made in order to more effectively deal with the student's behavior concern.

Step 8: At the discretion of the principal, a written behavior contract or safety plan may be required upon return of the student.

Step 9: If the parent/guardian feel that procedural safeguards were not provided, they may appeal by contacting an area administrator. The area administrator shall discuss the matter with the parent/guardian, and if appropriate, schedule a meeting between the principal, the area administrator, and the parent/guardian to further discuss the matter.

Step 10: The area administrator will make a recommendation to the principal's supervisor to either uphold the principal's decision or modify the decision based on the specific facts and charges upon which the consequences are based. The principal's supervisor has the final decision-making authority for these types of appeals.

A student accused of a violation of the Code which, in the opinion of the principal or designee, may require expulsion from school or transportation, shall be afforded the procedural safeguards described below. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for these procedural safeguards.

Please note, these procedures should be used in conjunction with the procedures set forth herein which align with Title IX of the Education Amendments Act of 1972 and the Board Policy JB, entitled, "Equal Educational Opportunities."

LEVEL IV PROCEDURES

A student accused of a violation of the Code which, in the opinion of the principal or designee, may require expulsion from school or transportation, shall be afforded the procedural safeguards described below. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for these procedural safeguards.

Please note, these procedures should be used in conjunction with the procedures set forth herein which align with [Title IX of the Education Amendments Act of 1972](#) and the Board [Policy JB, entitled, "Equal Educational Opportunities."](#)

Step 1: The principal or designee must inform the student of the reason(s) for consideration of expulsion.

Step 2: The student shall be given the opportunity to present his/her side of the matter either verbally or in writing and must have the opportunity to offer witnesses to the incident.

Step 3: The principal or designee shall make a determination in writing as to whether the evidence supports the offense. If so, the principal/designee determines the appropriate discipline response

according to the Code. The student shall be informed of the Level IV offense. If the principal/designee determines that there are sufficient grounds for expulsion, then the principal/designee shall inform the student that he or she is being suspended from school for ten (10) days and a recommendation that the student be expelled is being considered.

Step 4: The principal shall report in writing to the student's parent/guardian and the district that the student has been suspended for ten (10) days and a recommendation that the student be expelled from school is being considered. The report shall be mailed or delivery initiated within 24 hours of the start of the initial ten (10) day suspension or on the next regular school day. Reasonable effort shall be made to contact the parent/guardian prior to the start of the suspension. If the parent/guardian cannot be reached prior to the start of the suspension, the principal or a designee may determine that the suspension will start without the prior contact with the parent/guardian.

Step 5: The student and parent/guardian have a right to request a conference with the principal or designee to review the Level IV offense. All such requests must be made within three (3) school days of the first notification of suspension that the parent/guardian receives.

Step 6: After the discipline investigation is complete, the parent/guardian may request a copy of all documentary evidence upon which the proposed expulsion is based; however, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed, a copy will not be provided.

Step 7: The area administrator shall convene a Discipline Team Meeting (DTM) as soon as possible. The IMO/IMHS employees present at the DTM shall include the area administrator, principal or designee and other appropriate personnel, including, but not limited to, a counselor, school psychologist, administrative dean, or Positive Pathways Transition Center staff. The school will also request that the parent/guardian and student attend the DTM.

The purpose of the DTM is to:

Review all documentary evidence upon which the proposed expulsion is based;
Ensure the student received due process during the investigation;
Provide the student and parent/guardian the opportunity to present new information and/or explain the student's involvement; and Determine whether a referral will be made to an alternative program/school or expulsion.

Step 8: No later than one (1) school day prior to the DTM, parents/guardian/students must notify the school principal or designee of all parties that will attend the DTM on behalf of the student. The parent/guardian/student may elect to bring parties to the DTM of their choosing. If the parent/guardian retains legal counsel the Office of Legal Services must be notified prior to the DTM at (407) 317-3411.

Step 9: If the decision is made by the area administrator to verify the Level IV and the consequence is a full exclusion, without continuing educational services, the Superintendent may invoke Section 1006.08, Florida Statutes, and either extend the student's suspension or temporarily administratively place a student in an alternative setting pending the final decision of expulsion from the Board.

If a decision is made by the area administrator to verify the Level IV and the consequence is an alternative placement, Section 1006.08, Florida Statutes, will be invoked and the student will be administratively placed at the alternative school within Orange County. It is important to note, once the

student is withdrawn from their home school the only OCPS school the student may attend is the school designated by the area administrator at the DTM, however, the parent/guardian may instead elect to enroll their child in home school, or Florida Virtual School, private school, or another county, if permissible.

Step 10: If the decision is made by the area administrator to verify the Level IV and the parent/guardian believes the student is entitled to further procedural safeguards or would like to dispute documentary evidence upon which the proposed expulsion is based, the parent/guardian may request an administrative hearing by providing notice of such request to the applicable area administrator or designee. Failure of the parent/guardian to request an administrative hearing from the applicable area administrator or his/her designee within fourteen (14) days after the Discipline Team meeting shall be deemed a waiver of any challenge to the procedures utilized by the Discipline Team in making its decision. Administrative hearings shall be granted or denied within fifteen (15) days from the time they are requested unless an extension is agreed upon in writing. The area administrator and the principal or designee may attend the administrative hearing. The parent/guardian shall notify the applicable area administrator of all parties attending the administrative hearing on behalf of the student no later than three (3) school days prior to the administrative hearing. If the parent/guardian retains legal counsel the Office of Legal Services must be notified prior to the Administrative Hearing at (407) 317-3411. If the student is recommended for a full exclusion without educational services, the administrative hearing will be governed by the provisions in Sections 120.569 and 120.57(2), Florida Statutes.

Step 11: The Administrative Hearing Officer will either recommend to uphold the DTM decision or recommend to overturn the decision based on the specific facts and charges upon which the proposed consequence is based. Both the principal or designee and the parent/guardian shall have the right, but not obligation, to submit a recommended order to the Administrative Hearing Officer containing proposed findings of facts and conclusions of law. The Administrative Hearing Officer may, in his/her discretion, use a proposed order submitted by either the principal/designee or the parent/guardian; provided however, the Administrative Officer may reject both proposed orders and issue his/her own order.

Step 12: If the recommendation of the Administrative Hearing Officer is to uphold the Level IV, the student/parent/guardian may request a meeting with the principal's supervisor to discuss the recommendation of the area administrator and Administrative Hearing Officer. The principal's supervisor will review the documentary evidence and procedural safeguards and provide a recommendation to the Superintendent for review. The Superintendent shall then review the principal's supervisor's recommendation and shall have the authority to recommend to the Board that the student be expelled or take whatever action he/she deems appropriate. The Superintendent shall notify the parent/guardian and the principal or designee prior to the Board meeting at which the Board will consider his/her recommendation.

Step 13: The parent/guardian shall have the right to appear before the Board. Factual evidence which was not properly presented either at the DTM or the Administrative Hearing may not be presented to the Board. The parent/guardian/student is limited to challenging whether the facts as found at the DTM may appropriately lead to the consequence under the Code.

Title IX

A student accused of sexual harassment pursuant to [Title IX of the Education Amendments Act of 1972 \(Title IX\)](#) definition and Board [Policy JB, entitled "Equal Educational Opportunities,"](#) shall be afforded the following procedures. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for the procedural safeguards.

These procedures must be implemented for sexual harassment claims if they meet the definition under Title

IX and/or Board Policy JB before any discipline consequence is given to the respondent, unless an emergency removal of the respondent is required due to an immediate threat of physical health or safety to others. The definition for “sexual harassment” as outlined in Title IX and Board Policy JB includes: (1) an IMO/IMHS, OCPs employee conditioning the provision of an aid, benefit, or service of the school on an individual’s participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity; or (3) sexual assault as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

The initiation of these procedures does not prohibit the school from implementing supportive measures which are designed to protect the safety of all parties and/or the educational environment.

The student discipline investigation as detailed throughout this Code shall be conducted after these Title IX procedures have been completed. Nothing in the section prohibits the school from implementing discipline consequences if the respondent is found to have committed an offense in the Code through the discipline investigation, regardless of whether the Title IX complaint was dismissed.

For reference, as used in this section, the “complainant” is the individual who is the alleged victim and the “respondent” is the individual who has been reported to be the perpetrator of the conduct.

TITLE IX PROCEDURES

Step 1: A school must follow these procedures within twenty-four (24) hours or no more than two (2) school days when the school has actual knowledge of sexual harassment occurring in an IMO/IMHS education program or activity. Education activity or program includes location, events, or circumstances over which IMO/IMHS has exercised substantial control over both the respondent and the context in which the sexual harassment occurred. A report may be made by any person with knowledge of sexual harassment incidents occurring. If the school believes the alleged sexual harassment constitutes a crime, the matter shall be immediately reported to the School Resource Officer or appropriate law enforcement agency. If the alleged sexual harassment may constitute child abuse it shall be immediately reported to the Florida Department of Children and Families (DCF). If the alleged sexual harassment is against an IMO/IMHS employee, the Title IX Coordinator or school administrator shall immediately notify IMO/IMHS Professional Standards.

Step 2: The school-based Title IX Coordinator must promptly notify the complainant of available supportive measures and explain the process for filing a formal complaint. If there is an immediate threat to the physical health or safety to others, then the respondent shall be removed from the school under the emergency removal provisions in Title IX Policy.

Step 3: The complainant or parent/guardian of the complainant must file a formal written complaint with the school alleging sexual harassment against a respondent and requesting an investigation of the allegations within ten (10) school days of the alleged misconduct occurring. The school-based Title IX Coordinator may also file the formal written complaint on behalf of the complainant if a written complaint is not received from the complainant or parent/guardian. At the time of filing the complaint t must be participating in or attempting to participate in the educational program or activity of the school where he/she is filing the complaint in order for the school to investigate under Title IX Policy; however, this provision does not prohibit the school from continuing with a discipline investigation.

Step 4: If a formal complaint is filed, the school must immediately determine if: (1) the allegations meet the definition of sexual harassment under Title IX policy (2) the conduct occurred in an IMO/IMHS education program or activity; and (3) the allegation is against a person in the United States. If the allegations meet the above criteria the school shall continue with the following procedures as detailed herein and provided in the Title IX Policy. If the allegations do not meet the above criteria the school shall dismiss the formal complaint and conduct a discipline investigation as detailed in the Code of Conduct. The complainant must be notified of the dismissal within twenty-four (24) hours or no more than two (2) school days. The complainant may request an appeal from the decision of the school to dismiss the formal complaint as outlined under Title IX

policy, The request for an appeal should be provided to the Title IX coordinator within two (2) school days of notice of the dismissal. Failure to request an appeal within two (2) school days shall be deemed a waiver of the appeal.

Step 5: If the complaint is not dismissed, then the school must provide the respondent and complainant and his/her parent/guardian written notice of the allegations against the respondent upon the receipt of the sexual harassment complaint within two (2) school days. The respondent and complainant may elect to have an advisor of their choice to assist them throughout the Title IX process. The advisor may be an attorney but is not required to be.

Step 6: The respondent shall be afforded the opportunity to prepare a response regarding the complaint and provide that response during the initial interview. The respondent shall have no less than two (2) school days from the date of the written notice to prepare a response and conduct the initial interview; the time to provide the response and conduct the initial interview shall not exceed five (5) school days. This time may be modified for good cause as outlined in Title IX Policy.

Step 7: The Title IX Coordinator/Investigator must conduct a Title IX investigation into the allegations of the sexual harassment. Both the respondent and complainant will be given an equal opportunity to: present witnesses; present evidence; and inspect and review all evidence related to the investigation once the investigation is complete. The investigation must be completed and evidence provided to the respondent and complainant within five (5) school days of the initial interviews with the complainant and respondent, whichever interview is later.

Step 8: After the evidence is provided, the respondent and complainant will be given five (5) school days to review and submit a written response to the evidence for the Title IX Coordinator/Investigator to consider before the Title IX Coordinator/investigator completes his/her investigative report. If a response is not received within five (5) days, the Title IX Coordinator/Investigator will deem the non-response as a waiver and continue with his/her investigative report.

Step 9: After reviewing the evidence and responses, the Title IX Coordinator/Investigator shall create an investigative report summarizing his/her findings. The investigative report will be provided to the respondent and complainant for review. Both the respondent and complainant will have no more than two (2) school days to provide written relevant questions to the Title IX Coordinator/investigator to be asked of any party or witness. The party or witness has no more than two (2) school days to respond to the questions. Responses will be provided to the complainant and respondent by the Title IX Coordinator/Investigator. The respondent and complainant will then have no more than two (2) school days to provide no more than three (3) written relevant follow-up questions. The party or witness has no more than two (2) school days to respond to the follow-up questions. The respondent and complainant will have five (5) days from receipt of the investigative report to provide a written response to the investigative report.

Step 10: The investigative report and written responses will be provided to the Principal/Decision-maker. If a response is not received within five (5) days, the Principal/Decision-maker will deem the non-response as a waiver and continue with his/her determination of responsibility.

Step 11: The Principal/Decision-maker shall issue a written determination regarding the responsibility of the respondent to the respondent and complainant within three (3) school days. The Principal/Decision-maker shall apply the preponderance of the evidence standard when making his/her determination. The school-based Title IX Coordinator will be responsible for the implementation of all remedies stated in the written determination. The determination of responsibility will become final after two (2) school days if an appeal of the determination is not requested.

Step 12: If either the respondent or complainant do not agree with the Principal/Decision-maker's determination, either party may appeal the decision in writing to the Principal/Decision-maker. A request for an appeal must be made within two (2) school days of issuance of the determination of responsibility. An appeal will be granted if: (1) procedural issues affected the outcome; (2) there is new evidence that becomes available that could affect the outcome; or (3) there was a conflict of interest or bias by the Title IX

Coordinator/Investigator or Principal/Decision-maker against the respondent or complainant. The respondent and complainant shall have three (3) school days to submit a written statement challenging or supporting the determination of responsibility issued by the Principal/Decision-maker. If a statement is not received within three (3) school days, the appeals decision-maker will deem the non-response as a waiver and continue with his/her decision regarding the appeal. The appeals decision-maker will review the statements, if available, the investigative report, and the determination of responsibility before submitting his/her written decision to the respondent and complainant. The written appeals determination describing the result and rationale for the decision must be provided simultaneously to the complainant and respondent and his/her parent/guardian within five (5) school days. The decision of the appeals decision-maker will become final upon issuance.

Additional Guidelines

1. No recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
2. Intimidation, threats, coercion, or discrimination, including charges against an individual for Code of Student Conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.
3. Schools are required to keep confidential the identity of the following individuals: any individual who makes a report or complaint of sex discrimination; any individual who makes a report or filed a formal complaint of sexual harassment; any complainant; any respondent; any individual reported to be the perpetrator of sex discrimination; and any witness. Disclosure of the aforementioned individuals may be permitted according to the FERPA or as required by law.
4. A Code of Student Conduct violation for making a materially false statement in bad faith during the course of the grievance process does not constitute retaliation. A determination regarding responsibility alone is insufficient to conclude that any party made a materially false statement in bad faith.

References

- Darling-Hammond, L., Flook, L., Cook-Harvey, C., Barron, B., & Osher, D. (2019). Implications for educational practice of the science of learning and development. *Applied Developmental Science*, 1–44. <https://doi.org/10.1080/10888691.2018.1537791>
- Kupchik, A., & Ward, G. (2014). Race, poverty, and exclusionary school security: An empirical analysis of U.S. elementary, middle, and high schools. *Youth Violence and Juvenile Justice*, 12, 332–354. doi:10.1177/1541204013503890
- Osher, D., Cantor, P., Berg, J., Steyer, L., & Rose, T. (2018). Drivers of human development: How relationships and context shape learning and development. *Applied Developmental Science*, 1–31. <https://doi.org/10.1080/10888691.2017.139865>