

Equity, Diversity and School Climate

Policy 5090 (5.8) – Code of Student Conduct **Policy 5100 (5006) – Suspension and** **Expulsion**

Veda Hudge, Executive Director of Student Services

**Jodi Washington, Director of Equity, Diversity and School
Climate**

Introduction

2022-2027 Strategic Plan

Guardrail 1 – Safety:

The Superintendent may not allow breach of safety policies and procedures that result in an increase in threatening or unsafe circumstances for students and staff.

Guardrail 2 – Equity:

The Superintendent may not allow resources to be allocated without firm evidence of their equitable distribution.

Purpose

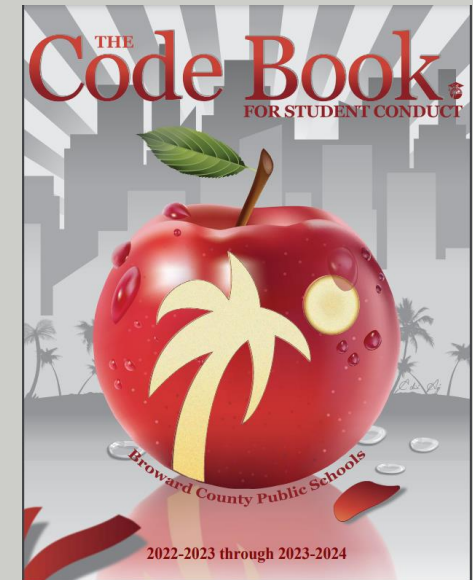
- Repeal previous iterations of policies 5.8 and 5006, including all procedural guides/handbooks.
- Present policies 5090 (5.8) – Code of Student Conduct with recommended revisions to align with Rule 6A-1.0017 F.A.C.
- Present policy 5100 (5006) – Suspensions and Expulsions with recommended revisions to align with Rule 6A-1.0017 F.A.C.

Request for School Board

- Approve Policy 5090 on 6/13/23.
- Approve Policy 5100 on 6/13/23 .

Alignment to State Statutes and Board of Education Rules:

Statutes and Board of Education rules are outlined on throughout the policy.



Policy #	Policy (Rule) Title
5.8	<u>Code of Student Conduct 2012-2013</u>
5.8	<u>Code of Student Conduct (2013-2016) With Revisions for 2014-15</u>
5.8	<u>Code of Student Conduct (2013-2016) with HIPAA Revisions</u>
5.8(07-08)	<u>Code of Student Conduct 2007-2008</u>
5.8(08-09)	<u>Code of Student Conduct 2008-2009</u>
5.8(09-11)	<u>Code of Student Conduct 2009-2011</u>
5.8(10-11)	<u>Code of Student Conduct 2010-2011</u>
5.8(16-17)	<u>Code of Student Conduct 2016-2017</u>
5.8(19-22)	<u>Code of Student Conduct 2019-2022</u>
5.8(21-24)	<u>Code of Student Conduct 2021-2024</u>
5.8A (16-17)	<u>The Code Book for Student Conduct</u>
5.8A	<u>Code of Student Conduct Handbook 2017-2020</u>
5.8A(19-22)	<u>Code of Student Conduct Handbook 2019-2022</u>
5.8A(21-24)	<u>Code of Student Conduct Handbook 2021-2024</u>
5.8A.(12-13)	<u>Code of Student Conduct Handbook 2012-2013</u>
5006	<u>Discipline Policy: Suspensions and Expulsions 2017-2020</u>
5006(19-22)	<u>Discipline Policy: Suspensions and Expulsions 2019-2022</u>
5006(21-24)	<u>Suspension and Expulsion 2021-2024</u>
5.8	<u>Code of Student Conduct 2012-2013</u>
5.8	<u>Code of Student Conduct (2013-2016) With Revisions for 2014-15</u>
5.8	<u>Code of Student Conduct (2013-2016) with HIPAA Revisions</u>



Policies will be moved offline in the archives for public and department view.



SESIR Definition Changes



Changes to the Rule

Clarification of 16 SESIR definitions:

- Aggravated Battery
- Alcohol
- Bullying
- Drug Sale/Distribution
- Harassment
- Kidnapping
- ~~Larceny~~/Grand Theft
- ~~Physical Attack~~
Simple Battery
- Robbery
- Sexual Assault
- Sexual Harassment
- Threat/Intimidation
- Tobacco
- Trespassing
- ~~Vandalism~~ Criminal Mischief
- Weapons Possession



Summary of SESIR-Related Changes

Changed to Adopt SESIR Definitions	Additional Changes
Aggravated Battery	Alcohol
Bullying	Drugs
Kidnapping	Simple Battery
Grand Theft	Threat/Intimidation
Harassment	
Robbery	
Sexual Assault	
Sexual Harassment	
Tobacco	
Trespassing	
Vandalism	
Weapons Possession	
<i>*See appendix for updated definitions.</i>	



Recommended Actions for Alcohol-Related Definitions

Alcohol (ALC) - Level IV

(possession, use, or sale) Possession, sale, purchase, distribution, or use of alcoholic beverages. 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. Alcohol incidents cannot be Drug-related.

Committee Recommendations for Updates to Alcohol-Related Definitions:

- Move the word “purchase” from the Alcohol Sale/Attempted Sale/Transmittal definition to the Alcohol Use/Possession definition.
- This action allows the behavior of purchasing to be treated the same as possession/use because these actions are indicative of a potential substance abuse concern.



Recommended Actions for Drug-Related Definitions

Drug Sale/Distribution Excluding Alcohol (DRD) - Level II

(illegal sale or distribution of drugs) The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.

Drug Use/Possession Excluding Alcohol (DRU) - Level III

(illegal drug possession or use) The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.

Committee Recommendations for Updates to Drug-Related Definitions:

- Create additional definitions for purchase.
- Mirror the consequences for purchase with the consequences for possession/use.



New Drug-Related Definitions

Drug Sale/Distribution Excluding Alcohol (DRD) - Level II

(illegal sale or distribution of drugs) The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.

- Drug – Purchase of Unauthorized Substance: Purchase of any narcotic, controlled substance, or when said drug/substance is used for chemical intoxication. Purchase means the person is caught in the act of purchasing, admits to purchasing or is discovered to have purchased an unauthorized substance on campus in the course of an investigation.
- Drug – Purchase of Leaf Marijuana (Less than 20g): Purchase of leaf marijuana less than 20 grams. Purchase means the person is caught in the act of purchasing, admits to the purchasing or is discovered to have purchased marijuana on campus in the course of an investigation.
- Drug – Purchase of Other Mood-Altering Substances: Purchase of any substance that is or may be detrimental to the user, including, but not limited to, hallucinogens/ chemical intoxicants, inhalants, and over-the-counter medication. Note: “Over-the-counter (OTC) medications” are medications that may be sold directly to a consumer without a prescription from a physician or licensed healthcare provider.



Recommended Actions for Simple Battery Definition

Simple Battery ~~Physical Attack~~ (PHA) - Level II

An actual and intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.

Committee Recommendations for Updates to Simple Battery:

- Insert the word “touch” into the local definition for **Battery – Low Level**, as follows:
To intentionally use physical force, violence or touch against another resulting in no injury/harm (may include SBBC employee). The act must include all of the following elements: 1. Contact must be intentional and not incidental and not accidental 2. The contact must be without the consent of the victim 3. The contact must result in no injury or harm to the intended victim.
- Adopt SESIR title change from **Physical Attack to Simple Battery** to address the actual and intentional striking of another person against his or her will, or the intentional causing of bodily harm to an individual.
- Align consequences for Simple Battery for Grades 6-8 to the consequences for Grades 9-12. In addition to the current interventions, students in grades 6-8 would receive an alternative probationary contract on their first offense and a recommendation for expulsion on their second offense.



Discussed Actions for Threat/Intimidation Definitions

Threat/Intimidation (TRE) - Level III

(instilling fear in others) An incident where there was no physical contact between the offender and victim, but the victim ~~felt~~ reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.

Staff Recommendations for Updates to Threat/Intimidation Definitions:

- Adopt the above SESIR definition to remove the word “felt” and replace it with “reasonably believed.”
- Change the name of the threat/intimidation discipline codes to enhance clarity for school administrators between Behavioral Threat Assessment outcomes and disciplinary actions.

**Note that quorum was not present when the Threat/Intimidation discussion took place; therefore, there are no committee recommendations. The language above is reflective of the discussion that took place during the meeting with members of the Discipline Committee present and reflects recommendations from staff to be compliant with SESIR updates and to provide additional clarity.*



Discussed Actions for Threat/Intimidation Definitions

Staff Recommendations for Updates to Threat/Intimidation Definitions:

- Change Threat/Intimidation (Low Level/Non-Criminal) to **Low-Level/Transient Threat** (Internal Suspension) – Example: In the heat of the moment, a student says, “touch me again and I’m going to hit you.” The student is easily de-escalated and doesn’t continue to be angry.
- Change Threat/Intimidation (Transient) to **Medium-Level Threat** (4–5-day suspension) – Example: Student tells another “I’m going to beat you up third period in the gym by the bleachers.” The threat includes the elements of intent, capability, and reasonable fear in the intended target.
- Change Threat/Intimidation (Serious Substantive) to **High-Level Threat** (6-9-day suspension) – Example: For this type of threat, the student has intent, capability, and instills fear in the victim(s) to cause serious bodily injury as defined in the definition for aggravated battery.
- Change Threat/Intimidation (Very Serious Substantive) to **Very High-Level Threat** (10-day suspension and recommendation for expulsion with workback option) Example: For this type of threat, the student has intent, capability, and instills fear in the victim(s) to cause serious bodily injury and/or death AND involves a weapon.
- No change to **Threat to Kill/Mass Shooting** (10-day suspension and recommendation for expulsion with NO workback option)

**Note that quorum was not present when the Threat/Intimidation discussion took place; therefore, there are no committee recommendations. The language above is reflective of the discussion that took place during the meeting with members of the Discipline Committee present and reflects recommendations from staff to be compliant with SESIR updates and to provide additional clarity.*



Recommendations for Updates to Dress Code

RULE - All students are expected to honor their responsibilities and dress in a way that respects the rights of others. Consequences for failure to adhere to the District's Face Covering policy (Policy 2170) should only be considered for intentional actions on the part of a student, and not those which are accidental, incidental, or related to a student's disability. This is applicable to students while on school campus, on school transportation or at a school-sponsored event.

Committee Recommendations for Updates to Dress Code:

- Remove language from the "Rule" above.
- Add the following language to the Rights portion of the Dress Code section.

"Students have a right to wear an approved face covering to promote personal health and safety. Approved face coverings cover the mouth and nose and are made of medical grade fabric and/or cloth."



Recommended Language to Clarify Electronic Device Use To Report Safety/Security Concerns

WIRELESS ELECTRONIC COMMUNICATION DEVICES

Students will not be subject to disciplinary action for the use of wireless communication devices when used to properly report ~~any potentially dangerous~~ situation that can compromise the safety of students, staff, or property. In such an event, proper reporting means the photographs and/or videos are reported immediately to district and/or school administration using the District's See Something, Say Something reporting mechanisms which can be found online at browardschools.com/securitytips. In addition to calling or emailing the school's administration directly, situations can be reported by calling the District Security Operations Center (DSOC), 24 hours a day, 7 days a week at 754-321-3500, sending an email to securitytips@browardschools.com, submitting a tip online via FortifyFL at GetFortifyFL.com, and/or through SaferWatch at www.saferwatch.com/browardschools/. Simply sharing the information via electronic means not outlined above (i.e., social media posting, text messaging between friends) is not considered a means to properly report and solely sharing in this manner may result in disciplinary action. ~~any recordation/information shall be shared with administrative staff as soon as possible.~~



Discussed Action to Provide Additional Clarification

Staff recommendations for updates to inform stakeholders of Policy 2010: Use of Handheld Metal Detectors within the Code of Student Conduct:

- Insert the following language into the Code of Student Conduct Section II – Respect for Persons and Property:

RULE - It is important for students to know their rights and responsibilities, which include obeying teachers and all other school employees, obeying each individual rule as defined by the school, and obeying bus drivers. This also includes adherence to all SBBC Policies, including, but not limited to SBBC Policy 2010 – Use of Handheld Metal Detectors. The rationale, procedures, and rules for Use of Handheld Metal Detectors on School District Property are contained in SBBC Policy 2010. SBBC Policy 2010 applies to all students. Students are subject to disciplinary consequences inclusive of confiscation, suspension, expulsion, and consultation with law enforcement in accordance with the Discipline Matrix for items found to be in their possession which violate the Code of Student Conduct.

Students are expected to honor their responsibilities and behave in ways that respect the rights of all. Consequences for unacceptable behaviors are found in the *Discipline Matrix* – see Appendix A.

**Note that quorum was not present when the discussion of including this language took place; therefore, there are no committee recommendations. The language above is reflective of the discussion that took place during the meeting with members of the Discipline Committee present and reflects recommendations of staff.*



Discussed Actions for PROMISE

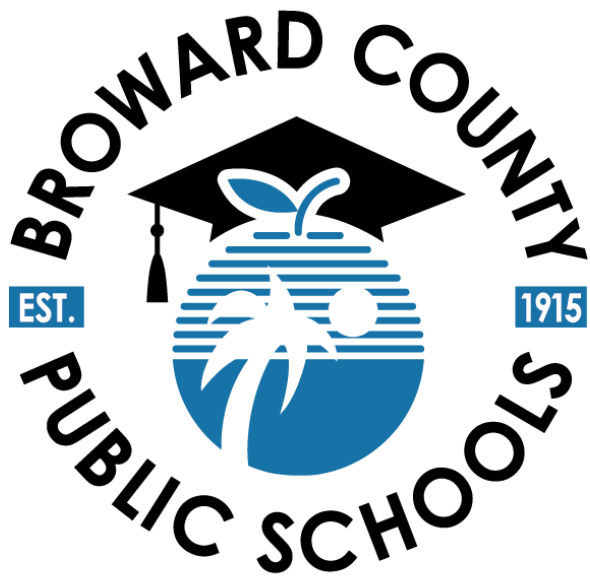
Staff Recommendations for Updates to PROMISE:

- Remove PROMISE as a District-based prearrest diversion program.
- Change the consequences for PROMISE infractions to External Suspension (Assign AES).
- Leverage the PROMISE interventions to support students serving AES, expulsion abeyance, and Behavior Intervention Program assignments.

For additional information about PROMISE, see appendix, slides 30-32.

**Note that quorum was not present when the PROMISE discussion took place; therefore, there are no committee recommendations. The language above is reflective of the discussion that took place during the meeting with members of the Discipline Committee present and reflects recommendations from staff based on current data and the presence of a same/similar pre-arrest diversion program available in the 17th Judicial circuit.*





Board Discussion and Guidance





Lori Alhadeff, Chair
Debra Hixon, Vice Chair

Torey Alston
Brenda Fam, Esq.
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Dr. Jeff Holness
Sarah Leonardi
Nora Rupert
Dr. Allen Zeman

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Interim Superintendent of Schools

The School Board of Broward County, Florida, prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, genetic information, marital status, national origin, race, religion, sex or sexual orientation. The School Board also provides equal access to the Boy Scouts and other designated youth groups. Individuals who wish to file a discrimination and/or harassment complaint may call the Director, Equal Educational Opportunities/ADA Compliance Department & District's Equity Coordinator/Title IX Coordinator at 754-321-2150 or Teletype Machine (TTY) 754-321-2158.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act Amendments Act of 2008, (ADAAA) may call Equal Educational Opportunities/ADA Compliance Department at 754-321-2150 or Teletype Machine (TTY) 754-321-2158.

browardschools.com



Appendix



Recommended Actions for Aggravated Battery Definition

Aggravated Battery (BAT) - Level I

(intentional great bodily harm) A battery where the attacker intentionally or knowingly causes more serious injury as defined in Rule 6A-1.0017(8)(g), such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.

Committee Recommendations for Updates to Aggravated Battery Definition:

- Adopt the insertion of Rule 6A-1.0017(8)(g) in the definition.



Recommended Actions for Bullying Definition

Bullying (BUL) - Level IV

(intimidating behaviors that are repeated, intentional, and involve a power imbalance) Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees ~~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.~~ Bullying includes instances of cyberbullying, as defined in Section 1006.147(3)(b), F.S. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment.

Committee Recommendations for Updates to Bullying:

- Adopt the SESIR definition for Bullying.
- Maintain the “Note” at the bottom of BCPS definition which reads, “Bullying must meet the RIP criteria – (Repeated, Imbalance of Power and Purposeful). This incident requires that a bullying investigation be conducted, documented in the BMS and yield a substantiated/founded outcome prior to issuing discipline for this incident type and processing it via the DMS.”



Recommended Actions for Harassment Definition

Harassment (HAR) - Level IV

(one-time, insulting behaviors) Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his 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 including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related.

Committee Recommendation for Updates to Harassment:

- Incorporate the underlined language of the SESIR definition into the current BCPS definition of Harassment.



Recommended Actions for Kidnapping Definition

Kidnapping (KID) - Level I

(abduction of an individual) Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.

Committee Recommendation for Updates to Kidnapping:

- Adopt the SESIR definition by adding the word “secretly” to the current BCPS definition.



Recommended Actions for Larceny/Grand Theft Definition

Larceny/ Grand Theft (STL) - Level III

(taking of property from a person, building, or a vehicle) (\$750 threshold) The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery.

Committee Recommendation for Updates to Grand Theft:

- Remove the word Larceny from the infraction name.
- Adopt the underlined language for Grand Theft.



Recommended Actions for Robbery Definition

Robbery (ROB) - Level II

(using force to take something from another) The taking or attempted taking of money or other property from the person or custody of another ~~anything of value that is owned by another person or organization,~~ with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.

Committee Recommendation for Updates to Robbery:

- Remove the word “attempted” from the title of the current BCPS infraction.
- Adopt the updated definition for Robbery, which includes the word “attempted.”



Recommended Actions for Sexual Assault Definition

Sexual Assault (SXA) - Level II

An incident that includes fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault.

Committee Recommendation for Updates to Sexual Assault:

- Adopt the updated SESIR definition which changes the location of “threatened rape” to the end of the sentence to clarify that “threatened” doesn’t apply to fondling, indecent liberties, or child molestation.



Recommended Actions for Sexual Harassment Definition

Sexual Harassment (SXH) - Level III

(undesired sexual behavior) Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties. ~~Unwanted verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation or unreasonably interfere with the individual's school performance or participation~~ ([GA-19.008 SBE Rule](#)).

Committee Recommendation for Updates to Sexual Harassment:

- Adopt the underlined language as the definition.



Recommended Actions for Tobacco-Related Definitions

Tobacco (TBC) - Level IV

(cigarettes or other forms of tobacco/nicotine) The possession, sale, purchase, distribution, or use; distribution, or sale of tobacco *or nicotine* products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related.

Committee Recommendation for Updates to Tobacco:

- Add the word “purchase” to each definition to read:
 - Tobacco – Use/Possession/Sale/Transmittal of Tobacco and/or Tobacco Related Products – The possession, use, distribution, transmittal, purchase or sale of tobacco products on school grounds, at school-sponsored events, or on school transportation. Tobacco incidents cannot be identified, treated, or coded as drug-related.
 - Tobacco – Use/Possession/Sale/Transmittal of Nicotine, Vapor Devices of Nicotine, Vapor Devices and/or Components of E-Cigarettes; Vapor Devices or Similar: The possession, use, distribution, transmittal, purchase, or sale of nicotine, ecigarettes, vapor devices and/or components of e-cigarettes, vapor devices or similar products on school grounds, at school-sponsored events, or on school transportation. Tobacco incidents cannot be identified, treated, or coded as drug-related. It must be reported as vaping-related.



Recommended Actions for Trespassing Definition

Trespassing (TRS) - Level III

(illegal entry onto campus) 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. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass are required to be reported in SESIR. Trespass incidents that did not have a prior official warning, did not result in arrest, or did not involve students under suspension or expulsion should be reported as locally defined incidents according to district policies.

Committee Recommendations for Updates to Trespassing Definition:

- Add the underlined language.



Recommended Actions for Vandalism Definition

Criminal Mischief Vandalism (VAN) - Level III

(destruction, damage, or defacement of school or personal property) (\$1,000 threshold) Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. ~~The intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of it.~~ Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.

Committee Recommendations for Updates to Vandalism:

- Change the name of the infraction to Criminal Mischief.
- Adopt the updated SESIR definition for Criminal Mischief.



Recommended Actions for Weapons Possession Definition

Weapons Possession (WPO) - Level II

(possession of firearms and other instruments which can cause harm) Possession of a firearm or any instrument or object as defined by Section 790.001(6) and (13), F.S., ~~or district code of conduct~~ that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

Committee Recommendation for Updates to Class A Weapons:

- Remove “or district code of conduct” to clarify that Class A weapons are those defined by Section 790.001(6) and (13), F.S.
- Add Section (13) to the reference to 790.001(6) and (13) to align with SESIR definition for Weapons Possession.

(6) “Firearm” means any weapon (including a starter gun) 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. The term “firearm” does not include an antique firearm unless the antique firearm is used in the commission of a crime.

(13) “Weapon” means any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon except a firearm or a common pocketknife, plastic knife, or blunt-bladed table knife.



Discussed Actions for PROMISE

PROMISE in 2014

“The PROMISE program is an intervention program designed to address the unique needs of students (Grades K-12), who have committed a specific non-violent misdemeanor that might normally lead to a juvenile delinquency arrest and, therefore, entry into the juvenile justice system. In addition, it serves students who have committed behavior infractions related to bullying and harassment.”

PROMISE Today

“PROMISE is a school-based prearrest/diversion program designed to correct student behavior that violates this policy (5.8) or Policy 5006: Suspension and Expulsion through a comprehensive set of supports and education. PROMISE is designed to address eligible policy violations that may rise to the level of entrance into the delinquency system.

PROMISE is a mandatory program assignment for eligible students of at least 11 years of age and/or enrolled in a District 6-12 school program. PROMISE incidents for said students shall accrue through 12th grade with a maximum of three (3) referral assignments to the program, and participation documented in the Juvenile Information System (JJIS) Prevention Web.”



Discussed Actions for PROMISE

Civil Citation & Other Alternatives to Arrest by Agency

Jan 2022 - Dec 2022

Law Enforcement Agency	Eligible Youth	% Issued Alternative to Arr..	Issued Alternative to Arrest
Total	1,791	89%	1,590
Broward County School Board Police Department	1,213	100%	1,213
Broward County Sheriffs Office	156	69%	108
Coral Springs Police Department	63	41%	26
Hollywood Police Department	55	93%	51
Pembroke Pines Police Department	44	68%	30
Plantation Police Department	43	91%	39
Miramar Police Department	35	71%	25
Sunrise Police Department	34	62%	21
Fort Lauderdale Police Department	31	68%	21
Davie Police Department	28	61%	17
State Attorneys Office	27	100%	27
Coconut Creek Police Department	21	5%	1
Lauderhill Police Department	20	35%	7
Margate Police Department	14	14%	2
Hallandale Police Department	6	33%	2
Wilton Manors Police Department	1	0%	0

*Note: Staff from the Equity, Diversity and School Climate Department enter civil citations into the Juvenile Justice Information System (JJIS) based on incidents coded by school-based administrators as PROMISE-eligible. The numbers above listed for the Broward County School Board Police Department are reflective of this process and do not involve staff from the District's Special Investigative Unit (SIU).



Office of Safe Schools Letter and Response



FLORIDA DEPARTMENT OF
EDUCATION
fldoe.org

State Board of Education

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Ben Gibson, Vice Chair
Members
Monesia Brown
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Grazie Pozo Christie
Ryan Petty
Joe York

Manny Diaz, Jr.
Commissioner of Education

March 13, 2023

Dr. Earlean C. Smiley, Superintendent
Broward County Public Schools
600 S.E. Third Avenue, FL 10
Fort Lauderdale, Florida 33301-3125

Dear Superintendent Smiley:

Section 1001.212(17), Florida Statute (F.S.), requires the Office of Safe Schools (OSS) to “[m]aintain a current directory of public school-based diversion programs.” In complying with Florida law, OSS contacted your district during the week of February 13-17, 2023, to inquire if your district had its own school-based diversion program.

Based on your response, this communication confirms that your school district *does* have a school-based diversion program that operates as an independent civil citation or similar prearrest diversion program. More importantly, the state attorney in your district has determined that the “independent program is substantially similar to the civil citation or similar prearrest diversion program developed” in the circuit. See section 985.12(2)(c), F.S. Please contact our office immediately if this information is incorrect.

We kindly ask that you provide OSS with a copy of your district’s school-based diversion program, including proof that the state attorney determined that your district’s school-based diversion program is “substantially similar to the civil citation or similar prearrest diversion program developed” in the circuit within 10 days of receipt of this letter.

Should you have any questions, please feel free to contact me by email at SafeSchools@fldoe.org or call 850-245-5171.

Thank you,

Scott R. Strauss
Vice Chancellor
Office of Safe Schools



HAROLD F. PRYOR
STATE ATTORNEY
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 S.E. SIXTH STREET
FORT LAUDERDALE, FLORIDA 33301-3360

PHONE (954) 831-6955

March 22, 2023

Ms. Jodi Washington, Director
Equity, Diversity and School Climate
Division of Student Services
Broward County Public Schools
1400 NW 14 Court
Fort Lauderdale, Florida 33311

Dear Ms. Washington:

Pursuant to Florida Statute 985.12, the State Attorney has determined that the PROMISE Program is substantially similar to the civil citation or prearrest diversion programs developed in the Seventeenth Judicial Circuit.

Should you require anything further, please do not hesitate to contact me.

Sincerely,

HAROLD F. PRYOR
State Attorney

HFP/kf



Clarification on the Hope Scholarship Program

Committee recommendation to add the following language for clarity:

“For purposes of continuity of educational choice, a Hope scholarship shall remain in force until the student returns to public school or graduates from high school, whichever occurs first. A scholarship student who enrolls in a public school or public school program is considered to have returned to a public school for the purpose of determining the end of the scholarship's term.”

THE HOPE SCHOLARSHIP PROGRAM

Pursuant to F.S. §1002.40, the Hope Scholarship Program was established to provide the parent of a public school student who was subjected to a specific incident an opportunity to transfer the student to another public school or to request a scholarship for the student to enroll in and attend an eligible private school.

Beginning with the 2018-2019 school year, contingent upon available funds, and on a first come, first-served basis, a student enrolled in a Florida public school in kindergarten through grade 12 is eligible for a scholarship under this program if the student has been subjected to an incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses; sexual harassment; sexual assault; sexual battery; threat or intimidation; or fighting at school.

In accordance with the State Board of Education adopted Emergency Rule 6AER21-02 COVID-19 Hope Scholarship Transfer Procedures. This Emergency Rule provides parents with a mechanism to transfer a child to a private school, request another public school in the district, or receive a transportation scholarship to another district under a Hope Scholarship when a student is subjected to harassment relating to, or as a result of, a school district's COVID-19 health protocols.



Recommended Updates to Right To Appeal

RIGHT TO APPEAL UNFAIR PENALTIES GRIEVANCE PROCEDURES for DISCRIMINATION, BULLYING and/or HARASSMENT OFFENSES, including SECTION 504 DISCRIMINATION

RIGHT TO AN APPEAL

Update Office of
Service Quality
to Regional Offices

There may be times when students believe they have been unfairly penalized. Most problems can

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be solved if students speak with the teacher or staff member who was involved. If students feel uncomfortable with this person, they may request a conference with the next level of authority. Students may also request the presence of a third party, such as a counselor, assistant principal, other staff person, translator, interpreter, or attorney. Parent(s) also have the right to be included.

If talking things over does not solve the problem, the following steps may be taken:

1. A written statement must be presented by the parent(s)/student to the principal within five (5) school days from the last notification/communication regarding the disciplinary consequence or incident. The statement must tell what happened, when it happened, who was involved, and how the parent/student would like the problem resolved. A copy of the statement must be filed and maintained as an educational record. The principal or the administrator with the most knowledge of the incident has 5 school days to respond in writing.
2. If the problem still has not been resolved within five (5) school days from receipt of the school's written response, the parent(s)/student may request in writing, an appointment with the Director/designee of the Office of Service Quality. The letter asking for the appointment must include a copy of the first written statement and the school's response, if one was received.
In the case of Charter Schools: If the problem has not been resolved within five (5) school days from receipt of the school's written response, the charter school parent(s) student may request, in writing, a meeting with the Governing Board.



Discipline Committee Membership

This year's discipline committee is comprised of individuals from the following groups:

- Parents
- Students
- Various District Advisory Committee Groups; including, but not limited to, DAC, ESE Advisory, ESOL Advisory, PTO
- Community Members
- School-based Staff
- Broward Teachers Union Designees
- School Principals
- District Staff (i.e., Student Services, BTA, SIU)

