

Rudolph F. Crew, Ed.D., Superintendent of Schools

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE:
INITIAL READING 6Gx13- 5D-1.08, MAINTENANCE OF
APPROPRIATE STUDENT BEHAVIOR**

**PROMULGATION OF NEW SCHOOL BOARD RULE:
INITIAL READING 6Gx13- 5D-1.081, STANDARDS FOR
STUDENT CONDUCT**

**COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY
ENGAGEMENT**

**LINK TO DISTRICT
STRATEGIC PLAN: IMPROVE STUDENT SOCIAL AND PROFESSIONAL
SKILLS**

This item is submitted for consideration by the Board to amend School Board Rule 6Gx13- 5D-1.08, Maintenance of Appropriate Student Behavior. This proposed amendment will streamline the rule and delete references to other School Board rules which may create potential conflicts pertaining to outdated language. In addition, consideration is requested to repeal the documents, **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**, currently under School Board rule 6Gx13- 5D-1.08, in order to promulgate a new document under a new rule.

The proposed new School Board Rule 6Gx13- 5D-1.081, Standards of Student Behavior, will provide a positive and more strategic focus for model students. Model students emulate core values as delineated in the new Codes of Student Conduct. The new **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary** will be incorporated in this newly promulgated rule and made a part thereof. These new documents will serve to:

- set new standards for model student behavior;
- align Standards of Behavior for Model Students to the M-DCPS Core Values;
- focus on re-culturing schools by instituting systemic positive feedback to students utilizing the *SPOTsuccess* system;
- incorporate lessons to be used as a teaching tool;
- provide resolutions for undesirable behaviors;
- reflect actions of the Florida Legislature; and
- clarify language.

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Attached are the Notice of Intended Action, the rule proposed for amendment and the proposed new rule. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Copies of the proposed repealed documents, **Code of Student Conduct Elementary** and the **Code of Student Conduct Secondary**, which are incorporated by reference and are a part of School Board rule 6Gx13- 5D-1.08, and the new documents, **Code of Student Conduct Elementary** and the **Code of Student Conduct Secondary**, to be incorporated by reference and made part of the new rule, will be forwarded to the School Board Members under separate cover and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of School Board Rule 6Gx13- 5D-1.08, Maintenance of Appropriate Student Behavior and promulgation of new School Board Rule 6Gx13- 5D-1.081, Standards for Student Conduct.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to:

1. amend School Board Rule 6Gx13- 5D-1.08, Maintenance of Appropriate Student Behavior;
2. repeal the **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**, which are incorporated by reference and are a part of this rule; and
3. promulgate new School Board Rule 6Gx13- 5D-1.081, Standards for Student Conduct, and the documents **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary** which will be incorporated by reference and made part of this rule.

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NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced October 17, 2007, its intention to amend School Board Rule, 6Gx13- 5D-1.08, Maintenance of Appropriate Student Behavior, and repeal the documents, **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**, which are incorporated by reference and are a part of this rule, at its meeting of November 20, 2007.

PURPOSE AND EFFECT: To amend School Board Rule 6Gx13- 5D-1.08, Maintenance of Appropriate Student Behavior and to repeal the documents, **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**, which will be incorporated and made part of School Board rule 6Gx13- 5D-1.081, Standards for Student Behavior.

SUMMARY: This proposed amendment will streamline the rule and delete references to other School Board rules which may create potential conflicts pertaining to outdated language.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(23); 1001.43(10), F.S.

LAW IMPLEMENTED INTERPRETED, OR MADE SPECIFIC:

39.201; 39.201(2)(a); 39.301(16); 39.401; 39.401(1)(a); 119.07(1)(3)(h); 120; 322.091; 561.01(4); 741.24; 775.082; 775.083; 775.084; 775.21; 790.001(13); 790.115; 790.161; 790.162; 790.163; 794.011; 794.024; 794.03; 806.13(2); 810.097; 827.03; 827.04; 827.071; 831.31; 893; 893.02; 893.03; 893.13; 901.15(3); 985.04(7); 985.101; 1000.04; 1001.31; 1001.42(6); 1001.43(1)(6); 1003.01; 1003.02(1)(c)(2); 1003.04; 1003.31; 1003.32; 1003.53; 1006.07; 1006.08; 1006.09; 1006.10 and 1006.13 F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING of November 20, 2007, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by November 13, 2007, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is based (Section 286.0105, Florida Statutes).

A COPY OF THE PROPOSED AMENDED RULE is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Dr. Kathleen P. Caballero
Supervisor: Mr. Freddie Woodson
Date: October 3, 2007

Welfare**MAINTENANCE OF APPROPRIATE STUDENT BEHAVIOR**

The schools are established for the benefit of all students. The educational purposes of the schools are accomplished best in a climate of student behavior that is socially acceptable and conducive to the learning and teaching process. Student behavior that disrupts this process or that infringes upon the rights of other individuals will not be tolerated. The School Board endorses a zero tolerance policy toward school related violent crime.

The School Board reaffirms its support of the administrative staff and teachers in taking all necessary steps to enforce and implement all School Board rules pertaining to the maintenance of appropriate student behavior. Important among these rules are those in the areas of conduct, corporal punishment, suspensions and expulsions, and climate for learning.

~~The School Board directs that:~~

- ~~1. The Superintendent of Schools, through the Miami Dade Schools Police Department shall pursue the investigation and assist in the subsequent prosecution of any adults inciting students to perform violent and unlawful acts in the schools; and~~
- ~~2. Each individual teacher shall be granted full disciplinary authority over every student in his/her classroom, in accordance with Florida Statutes, Florida Board of Education rules, School Board rules, and administrative memoranda.~~

Guidelines

- i. Guidelines for assisting in the maintenance of appropriate student behavior are found in Florida Statutes, administrative memoranda and in the following School Board rules:

~~Board Rule No. Title~~

6Gx13-1A-1.07	Student Expression
6Gx13-1A-1.09	Communications from Outside Schools
6Gx13-1A-1.13	Appearances, Films, Performances
6Gx13-1A-1.16	Materials Distribution Through Students
6Gx13-1A-1.161	Materials Distribution Through Students
6Gx13-1D-1.06	Student Dances
6Gx13-1D-1.08	Flag and National Anthem
6Gx13-1E-1.02	Cooperation with Law Enforcement Agencies— General Policy

	Specific Procedures
6Gx13-3E-1.07	Insurance Program—District
6Gx13-3E-1.10	Transportation—Specific Procedures
6Gx13-3E-1.102	Transportation—Zero Tolerance
6Gx13-4A-1.21	Responsibilities and Duties
6Gx13-5A-1.04	Student Attendance—Specific Responsibilities
6Gx13-5A-1.062	Suspension, Board Approved Alternatives, Expulsions, and Referrals to Children and Families
6Gx13-5A-1.11	Foreign Student Registration
6Gx13-5B-1.04	Promotion, Placement, and Graduation—Grades K- 12 and Adult
6Gx13-5C-1.02	Conduct—Standards of Behavior
6Gx13-5C-1.031	Dress Code
6Gx13-5D-1.04	Student Safety and Health Protection
6Gx13-5D-1.05	Injuries to Students
6Gx13-5D-1.06	Student Accident Insurance
6Gx13-5D-1.07	Corporal Punishment—Prohibited
6Gx13-5D-1.08	Maintenance of Appropriate Student Behavior
6Gx13-5D-1.09	Student Case Management System
6Gx13-5D-1.10	Discrimination/Harassment: Complaint Procedures for Students
6Gx13-6A-1.06	Emergency Management Procedures
6Gx13-6A-1.08	Guidelines for Instruction Pertaining to the Flag and Pledge of Allegiance
6Gx13-6A-1.09	Climate for Learning—School Symbols
6Gx13-6A-1.14	Controversial Issues
6Gx13-6A-1.331	Procedures for Providing Special Education for Exceptional Students

These School Board rules are applicable to all students under the jurisdiction of Miami-Dade County Public Schools and are augmented by the ~~Code of Student Conduct Elementary, Code of Student Conduct Secondary, and the Procedures for Promoting and Maintaining a Safe Learning Environment~~, which are ~~is~~ incorporated by reference in this School Board Rule, and are ~~is~~ a part hereof. Copies of ~~this~~ these three documents are on file in the Office of Board Recording Secretary, and the Citizen Information Center, and shall be available in each school and special center.

- II. Additional guidelines for the maintenance of appropriate student behavior are issued by memorandum from the District administration.

Specific Authority: 1001.41(1)(2); 1001.42(~~22~~) (23); 1001.43(10) F.S.
 Law Implemented, Interpreted, or Made Specific: 39.201; 39.201(2)(a); 39.301(16);
 39.401; 39.401(1)(a); 119.07(1)(3)(h); 120; 322.091; 561.01(4); 741.24; 775.082;
 775.083; 775.084; 775.21; ~~775.21(4)(b)(6)(7)(a)~~; 790.001(13); 790.115; 790.161;
 790.162; 790.163; ~~794~~; 794.011; 794.024; 794.03; ~~800~~; 806.13(2); 810.097; ~~827~~;
 827.03; 827.04; 827.071; 831.31; 893; 893.02; 893.03; 893.13; 901.15(3); 985.04(7);
985.101; ~~985.207(1)(b)~~; 1000.04; 1001.31; 1001.42(~~22~~)(6); 1001.43(1)(a)(b)(d)(e)(6);
 1003.01(5)(a)(b)(6)(7); 1003.02(1)(c)(2); 1003.04; 1003.31(1)(d)(2)(3)(a)(b)(e);
 1003.32(1)(a)(b)(c)(I)(II)(III)(IV)(~~6~~)(7)(8); 1003.53; 1006.07(1); 1006.08(1)(2);
 1006.09(1)(2)(3)(5)(7)(9); 1006.10(2)(7); and 1006.13(1)(2)(3)(4) F.S.

History:

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 11-25-75; 9-23-81; 9-22-82; 12-7-83; 9-19-84; 11-6-85; 2-19-86; 8-20-86; 12-17-86; 7-13-88; 9-7-88; 11-2-88; 6-27-90; 9-26-90; 10-20-93; 6-22-94; 9-21-94; 11-16-94; 9-6-95; 7-24-96; 8-28-96; 10-9-96; 8-27-97; 2-18-98; 8-22-01; 1-16-02; 10-22-03

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced October 17, 2007, its intention to promulgate new School Board Rule, 6Gx13- 5D-1.081, Standards for Student Behavior, and the documents, **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**, which are incorporated by reference and made part of this rule, at its meeting of November 20, 2007.

PURPOSE AND EFFECT: To promulgate new School Board Rule 6Gx13- 5D-1.081, Standards of Student Behavior, and the new documents, **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**. These new documents will serve to set new standards for model student behavior; align standards of behavior for model students to the M-DCPS Core Values; focus on re-culturing schools by instituting systemic positive feedback to students utilizing the SPOT Success system; provide resolutions for undesirable behaviors; reflect actions of the Florida Legislature; and clarify language.

SUMMARY: The proposed documents, **Code of Student Conduct Elementary** and **Code of Student Conduct Secondary**, reflect acceptable and unacceptable behavior for students to support the educational goal for a safe learning environment.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(23); 1001.43(10), F.S.

LAW IMPLEMENTED INTERPRETED, OR MADE SPECIFIC:

39.201; 39.201(2)(a); 39.301(16); 39.401; 39.401(1)(a); 119.07(1)(3)(h); 120; 322.091; 561.01(4); 741.24; 775.082; 775.083; 775.084; 775.21; 790.001(13); 790.115; 790.161; 790.162; 790.163; 794.011; 794.024; 794.03; 806.13(2); 810.097; 827.03; 827.04; 827.071; 831.31; 893; 893.02; 893.03; 893.13; 901.15(3); 985.04(7); 985.101; 1000.04; 1001.31; 1001.42(6); 1001.43(1)(6); 1003.01; 1003.02(1)(c)(2); 1003.04; 1003.31; 1003.32; 1006.07; 1006.08; 1006.09; 1006.10 and 1006.13 F.S.

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A COPY OF THE PROPOSED NEW RULE is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Dr. Kathleen P. Caballero
Supervisor: Mr. Freddie Woodson
Date: October 3, 2007

Welfare**STANDARDS FOR STUDENT CONDUCT**

A primary objective of Miami-Dade County Public Schools (M-DCPS) is to enhance students' potential for learning and to foster positive interpersonal relationships. M-DCPS embraces the concept that students who possess personal, academic, civic and occupational adequacies will become effective and productive citizens. Schools are charged to promote a positive school climate that supports academic achievement and emphasizes civility, fairness, mutual respect, and acceptance of diversity. Core values and model student behavior serve as a standard for all students.

- I. School Board rules are applicable to all students under the jurisdiction of Miami-Dade County Public Schools and are augmented by the **Code of Student Conduct Elementary** and the **Code of Student Conduct Secondary**, which are incorporated by reference in this School Board Rule, and are a part hereof. Copies of these documents are on file in the Office of Board Recording Secretary, and the Citizen Information Center, and shall be available in each school and special center.
- II. Additional guidelines for the maintenance of appropriate student behavior are issued by memorandum from the District administration.

Specific Authority: 1001.41(1)(2); 1001.42(23); 1001.43(10) F.S.

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History:

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: