

Mrs. Valtena G. Brown, Deputy Superintendent/Chief Operating Officer
School Operations

**SUBJECT: PROPOSED AMENDMENT TO SCHOOL BOARD POLICY:
 FINAL READING 5500, *STUDENT CONDUCT AND DISCIPLINE***

COMMITTEE: PERSONNEL, STUDENT, SCHOOL AND COMMUNITY SUPPORT

**LINK TO STRATEGIC
BLUEPRINT: SAFE, HEALTHY AND SUPPORTIVE LEARNING ENVIRONMENT**

At its meeting of October 10, 2018, the School Board approved Agenda Item D-66 (Proposed Amendment to School Board Policy: Initial Reading 5500, *Student Conduct and Discipline*), directing the Superintendent to initiate rulemaking to amend Board Policy 5500, *Student Conduct and Discipline* and also amend the pages to the documents, *Code of Student Conduct Elementary* and *Code of Student Conduct Secondary*, which are incorporated by reference and a part of the policy.

It should be noted that months prior to the initial reading a Code of Student Conduct (COSC) Review Committee was convened comprised of internal and external stakeholders including, but not limited to representatives such as principals, district staff, community stakeholders, students, United Teachers of Dade, State Attorney's Office (SAO), Public Defender's Office, Department of Juvenile Justice, Miami-Dade County Juvenile Services Department, and Parent Teacher Student Association (PTSA) representatives. The stakeholders' meetings met over the past year and a half to discuss recommendations for the revision of the Codes of Student Conduct.

Furthermore, the proposed amendments to School Board Policy 5500, *Student Conduct and Discipline*, have been aligned with the most updated statutory requirements, including those required by SB 7026. Additional revisions incorporated some of the following recommendations from the above-mentioned committee, including descriptions of the various types of alternative educational settings (AES) currently being used by the District (e.g. alternatives to outdoor suspension), inclusion of computer related crimes and changes to glossary definitions.

The Notice of Intended Action was published in the *Miami Daily Business Review* on October 15, 2018 and posted in various places for public information and mailed to various organizations representing persons affected by the amended Policies and to individuals requesting notification. The time to request a hearing or protest the adoption of this amendment has elapsed.

Attached is the Notice of Intended Action, the proposed amendment to the policy, and the proposed amended pages to the documents, *Code of Student Conduct Elementary* and *Code of Student Conduct Secondary*. Changes from the current policy are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

D-66

The pages to be amended can be found at the following links:

Code of Student Conduct - Elementary School

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=OC8QqUXnIV7NKwx7zDVqUml2DTThHLaYrY9asNcYZ97hwiKxmJqLtLpQvve3qw7Ud/nFLEI~!od2UyycX8aLZGUUpFxWgbE2o&app=AttachmentManager>

Code of Student Conduct - Secondary School

<http://attachmentManagerFiles.dadeschools.net/getFile.ashx?id=OC8QqUXnIV7NKwx7zDVqUml2DTThHLaYrY9asNcYZ95cBZATo5BalukXR1wsDx/bJcco2uD3GaUasZQWfJo4RpHIAungBVqc&app=AttachmentManager>

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, adopt the proposed amendments to Board Policy 5500, *Student Conduct and Discipline*, and pages to the documents, *Code of Student Conduct Elementary* and *Code of Student Conduct Secondary*, and authorize the Superintendent to file the amended policy with The School Board of Miami-Dade County, Florida to be effective November 20, 2018.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced October 10, 2018, its intention to amend Board Policy 5500, *Student Conduct and Discipline*, and the *Code of Student Conduct Elementary* and *Code of Student Conduct Secondary*, which are incorporated by reference and made part of this policy, at its meeting of November 20, 2018.

PURPOSE AND EFFECT: To amend Board Policy 5500, *Student Conduct and Discipline*, *Code of Student Conduct Elementary* and *Code of Student Conduct Secondary*.

SUMMARY: The proposed amendments to School Board Policy 5500, *Student Conduct and Discipline*, have been aligned with the most updated statutory requirements, including those required by SB 7026. Additional revisions incorporated some of the following recommendations from the above-mentioned committee, including descriptions of the various types of alternative educational settings (AES) currently being used by the District (e.g. alternatives to outdoor suspension), inclusion of computer related crimes and changes to glossary definitions. This item is submitted for consideration by the Board to amend Board Policy 5500, *Student Conduct and Discipline*, and the documents, *Code of Student Conduct Elementary* and *Code of Student Conduct Secondary*, which are incorporated by reference and a part of this policy.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Sections 1001.41(1)(2); 1001.42(8)(15); 1001.43(1), 1006.07(1)(2) F.S.

LAW IMPLEMENTED INTERPRETED, OR MADE SPECIFIC: Sections 810.097; 827.071; 831.31; 893; 1001.42(8)(15); 1002.20(1)(4); 1003.01(5)(6); 1003.02(1)(b)(c); 1003.04; 1003.31; 1003.32(8); 1003.44(1); 1006.09; 1006.10; 1006.15 F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING of November 20, 2018, 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 5, 2018, 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, F.S).

A COPY OF THE PROPOSED AMENDED POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.