POSTSECONDARY CODE OF STUDENT CONDUCT

2026-2027

Co-enrolled and dual enrollment students will follow procedures as specified in the Code of Student Conduct (Secondary)

Board Policy 5500

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MISSION

The mission of Miami-Dade County Public Schools Postsecondary Career Technical Education / Adult and Continuing Education Programs is to provide the highest quality education, so that all students are empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.

VISION

We are committed to providing educational excellence for all.

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INTRODUCTION

The primary objective of the Miami-Dade County Public Schools Postsecondary Career Technical Education / Adult and Continuing Education programs is to promote a safe, inclusive, and respectful school environment which empowers each student's potential for learning and fosters positive interpersonal relationships. A safe school provides a learning environment that enhances equal educational opportunities and academic excellence. To promote a safe, secure, and optimal learning environment, the Office of Postsecondary Career and Technical Education has established a Postsecondary Code of Student Conduct, incorporated by reference in School Board Policy 5500, Student Conduct and Discipline. Students enrolled in Postsecondary Career Technical Education / Adult and Continuing Education programs are expected to adhere to high standards of behavior and to conduct themselves in a manner consistent with a safe, productive and ethical educational environment.

To that end, the Office of Postsecondary Career and Technical Education espouses and promotes the following core values:

Core Values

Excellence

We pursue the highest standards in academic achievement and organizational performance.

Integrity

We build positive relationships through honesty, respect and compassion, which enhance the self-esteem, safety, and well-being of our students, families and staff.

Equity

We foster an environment that serves all students and aspires to eliminate the achievement gap.

Citizenship

We honor the diversity of our community by working as a team to ensure the educational success of all students, recognizing that our obligations extend beyond our professional responsibilities to promote democratic principles.

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SCOPE OF AUTHORITY

The Postsecondary Code of Student Conduct (Code) is designed to ensure a positive, supportive, and respectful educational environment where students can excel academically and personally. It emphasizes mutual respect, responsibility, and safety, aiming to foster a culture where students are encouraged to reach their fullest potential. The Code outlines the expectations for student behavior, emphasizing the highest standards of shared accountability and a commitment to diversity and collaboration.

The Code outlines the grounds for disciplinary action and the procedures for implementing corrective strategies when infractions occur. Students are expected to comply with School Board Policies and this Code of Student Conduct while on campus for instruction, while participating in a school-sponsored event on or off campus, including clinicals, internships, and apprenticeships (the rules and guidelines for the specified program apply in addition to this Code of Conduct while on site) and/or while on approved transportation for school-sponsored events. The Code applies to postsecondary students (16 years and older) who are no longer participating in the K-12 program.

Students who are co-enrolled in both postsecondary and K-12 programs are co-enrolled in both secondary and K-12 programs are subject to this Code, as well as the M-DCPS Code of Student Conduct – Board Policy 5500. Any violations while participating in the adult education and/or postsecondary program will be reported to the student's enrolled school principal/designee. Additionally, for students under 18, the parent or guardian shall be notified.

According to F.S. 877.13 (1), it is unlawful for any person to knowingly disrupt or interfere with the lawful administration or functions of any educational institution, school board, or activity on school board property in Florida. All provisions of state, county, and municipal criminal codes, as well as District policies and the Postsecondary Code of Student Conduct, apply to adult students while they are on campus under the authority of The School Board of Miami Dade County, Florida.

Violations of law may result in disciplinary actions by both the school and law enforcement authorities. Students may be subject to school/District level disciplinary actions, as well as civil and criminal sanctions. School Resource Officers and other law enforcement authorities may conduct investigations independent of those conducted by school administration. The sanctions imposed by the district for misconduct are separate and distinct from the consequences that may be imposed following the arrest and prosecution of a student for a violation of law.

The Code extends to off-campus conduct when it involves criminal behavior or actions that significantly disrupts the campus environment. Off-campus behavior that violates the Postsecondary Code of Student Conduct may be the basis for discipline if it is accomplished through electronic means and either interferes with or limits another person's ability to participate in or benefit from the district's program or substantially disrupts the educational process or orderly operation of a school. Conduct that poses a threat or danger to the safety of other students, staff, members of the district community, or school property, and that has a substantial adverse impact on the educational environment may result in disciplinary action up to and including dismissal from the Postsecondary program.

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Clinicals, Internships and Apprenticeships:

While engaged in clinicals, internships, or apprenticeships, the specific rules and guidelines of the host site or program will apply in addition to this Code. It is the student's responsibility to understand and adhere to these expectations.

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SAFEGUARDS

Students, faculty and staff are encouraged to review and adhere to the Postsecondary Code of Student Conduct and are expected to promote a safe and orderly learning environment. All corrective strategies implemented by school-site administrators/designees must be compliant with School Board rules and policies. Inherent in these rules and policies is the philosophy of fairness and consideration for actions that are in the best interest of students. When confronted with an act that may require the imposition of penalties by the school, the student and all other appropriate persons should be given the opportunity to explain the circumstances of the incident. Students shall not be subjected to any penalties for using a language other than English or for behavior that is a direct result of a disability. The school administrator or designee shall communicate with the adult student or with the parent/guardian when penalties must be taken against a student under the age of 18.

DUE PROCESS PROCEDURES

In alignment with F.S. 1006.60, the Postsecondary Code of Student Conduct provides due process protection to students and student organizations. Timely written notice of the student's or student organization's alleged violation of the Code will be provided with sufficient detail and time for preparation for any disciplinary proceeding. The written notice shall include the allegations to be investigated and must be provided via hand, mail, or in a mutually agreed upon manner, at least seven (7) business days before the disciplinary proceeding.

To ensure that each student receives due process, student suspensions, and suspensions with recommendation for dismissal, shall be made in accordance with the following procedures:

Notice of Suspension to Students: The Technical College Director/Principal or designee shall deliver by hand, mail, or in a mutually agreed upon manner, a copy of the written notice of suspension (FM-5342) to the student within twenty-four (24) hours of suspension. Failure of the student to receive formal written notice of suspension shall not affect the validity of the suspension or any other proceeding herein.

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

The principal or designee shall deliver by hand, mail, or in a mutually agreed upon manner, a copy of the written *Notice of the Suspension* to the minor student within twenty-four (24) hours of suspension.

The Enrolled School administrator must apply School Board *Policy 5610 (Suspension and Expulsion of Student)* to students under the age of 18.

Appeal of Suspension: If an adult student, or the parent/guardian of a student under the age of 18, wishes to appeal the suspension, the appeal shall be submitted to the Technical College Director /Adult Education Principal or designee in writing prior to the termination date of the suspension. Technical College Director /Adult Education Principal or designee shall arrange a conference with the student or parent/guardian. The

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conference will take place at the school site and be overseen by the Technical College Director /Adult Education Principal or designee.

The Appeals Committee will be selected by the Technical College Director /Adult Education Principal or designee. The Committee will consist of:

- Two Faculty Members
- Two Administrators, one of whom shall serve as the Hearing Officer

The Hearing Officer is responsible for maintaining decorum and order during the hearing and may exclude any individual who, in their judgment, lacks a legitimate interest in the proceedings or whose behavior disrupts or threatens to disrupt a fair and orderly hearing. Each Committee member shall have one vote, with the Hearing Officer voting only to break a tie. Committee members shall maintain strict confidentiality of the proceedings pursuant to federal and state laws governing student privacy.

If the Respondent challenges the appointment of a Committee member due to a potential conflict of interest, the Hearing Officer shall have the authority to make the final determination on the matter. The Hearing Officer also has the discretion to excuse, for cause, any faculty member of the Committee at any time, either on their own initiative or at the request of any party involved. The Technical College Director/Adult Education Principal or designee shall notify the student or parent in writing of his/her final decision within five (5) days of hearing the appeal.

Initiation of the Dismissal Process: The Technical College Director/Adult Education Principal or designee shall submit a Dismissal Request- Adult Student (FM 7458), to the Administrative Director in the Office of Postsecondary Career and Technical Education containing information of the allegations against the student and a detailed description of the incident with supporting documentation. The district will make the final decision on the dismissal request.

Subsequent to a student's suspension and the pending decision on the recommendation for dismissal from a Miami-Dade County Public Schools' Postsecondary Institution, the student will not be able to enroll in any Miami-Dade County Public School or visit any school campus during the suspension period, unless authorized by the Technical College Director/Adult Education Principal or designee with notification to the Administrative Director in the Office of Postsecondary Career and Technical Education.

Students, faculty and staff are required to review and adhere to the Postsecondary Code of Student Conduct and are expected to promote a safe and orderly learning environment. All corrective strategies implemented by school-site administrators/designees must be compliant with School Board rules and policies. Inherent in these rules and policies is the philosophy of fairness and consideration for actions that are in the best interest of students. When confronted with an act that may require the imposition of penalties by the school, the student and all other appropriate persons should be given the opportunity to explain the circumstances of the incident. Students shall not be subjected to any penalties for using a language other than English or for behavior that is a direct result of a disability. The school administrator or designee shall communicate with the adult student or with the parent/guardian when penalties must be

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taken against a student under the age of 18.

Notice of Recommendation for Dismissal

The Technical College Director/Adult Education Principal or designee shall send a letter to the adult student within a reasonable period of time or to the parents/guardians of a student under the age of 18 minor within twenty-four (24) hours advising of the district's decision for student dismissal from the program. Dismissal from the adult and continuing educational center/postsecondary institution shall not automatically affect the student's participation in the K-12 program.

Appeal of Recommendation for Dismissal

If a student or the parent/guardian of a student under the age of 18 wishes to appeal the recommendation for dismissal, the request for an appeal hearing shall be made to the Administrative Director, Office of Postsecondary Career and Technical Education, within ten (10) business days of receiving the Notice of Suspension and Recommendation for Dismissal (FM 5341). The request for appeal must include one of the three enumerated grounds for appeal along with a detailed, fact-specific explanation of the basis of the appeal:

- Procedural irregularities that materially affected the outcome of the matter;
- Insufficient evidence or newly discovered evidence that materially affects the outcome of the matter; and/or
- A conflict of interest or bias which materially affected the outcome of the matter.

The Administrative Director or designee shall schedule a hearing and notify the student, or parent/guardian of a minor student, of the hearing date and time. The final decision regarding the appeal will be made by the Administrative Director or designee, who cannot be the Hearing Officer or original Committee member, whose decision is final. For students under the age of 18 who participate in the K-12 program, the decision will be transmitted in writing to the Enrolled School principal. The Enrolled School principal or designee shall send a letter to the parent/guardian of a minor within twenty-four (24) hours advising of the district's decision.

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CAMPUS SAFETY AND SECURITY POLICIES

It is the policy of Miami Dade County Public Postsecondary Career Technical Education / Adult and Continuing Education programs to promote a safe, healthy and productive learning environment. M-DCPS promotes a supportive educational setting that protects students and staff from conduct that may pose a serious threat to safety. Safety and security policies for enrolled students include, but are not limited to:

Academic Dishonesty/Cheating

Students have the responsibility to earn grades based upon their performance. Using answers from an unauthorized person, unauthorized sources, or artificial intelligence (AI) tools to receive credit for schoolwork is prohibited. Plagiarism is a form of cheating that occurs when you present another person's words or ideas as your own without giving the originator credit for the information. This includes using AI tools to generate content without proper citation. All information in academic assignments that is not common knowledge must be cited and documented.

Disruptive Speech

Any act which unlawfully restricts the instructor's or another student's right to speak is prohibited. Any act that disrupts the orderly functioning of class is not permitted. Students may be subject to corrective actions at the school, up to dismissal from the postsecondary program, and may be subject to criminal investigation and penalties.

Alcoholic Beverages

Alcohol is a mind-altering or mood-altering beverage, including but not limited to beer, wine, wine coolers, vodka coolers, liquors, etc. Possession, sale, purchase, use, or distribution of alcohol is prohibited on campus, at school-sponsored events, or on school transportation and may result in corrective actions at school, up to dismissal from the postsecondary program.

Arson

Pursuant to F.S. 806.01:

(1) Any person who willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damages or causes to be damaged:

(a) Any dwelling, whether occupied or not, or its contents;

(b) Any structure, or contents thereof, where persons are normally present, such as: jails, prisons, or detention centers;

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hospitals, nursing homes, or other health care facilities; department stores, office buildings, business establishments, churches, or educational institutions during normal hours of occupancy; or other similar structures; or

(c) Any other structure that he or she knew or had reasonable grounds to believe was occupied by a human being, is guilty of arson in the first degree, which constitutes a felony of the first degree, punishable as provided in F.S. 775.082, F.S. 775.083, or F.S. 775.084.

(2) Any person who willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damages or causes to be damaged any structure, whether the property of himself or herself or another, under any circumstances not referred to in subsection (1), is guilty of arson in the second degree, which constitutes a felony of the second degree, punishable as provided in F.S. 775.082, F.S. 775.083, or F.S. 775.084.

(3) As used in this chapter, "structure" means any building of any kind, any enclosed area with a roof over it, any real property and appurtenances thereto, any tent or other portable building, and any vehicle, vessel, watercraft, or aircraft.

Assault

An assault is an intentional, unlawful threat by word or act to do violence to another person with an apparent ability to do so. Assault creates a well-founded fear in another person that violence is imminent. A student who commits assault may be subject to corrective actions at the school, up to dismissal from the postsecondary program, and will be subject to criminal investigation and penalties under F.S. 784.011.

Battery

Battery is defined under F.S. 784.03. The offense of battery occurs when a person:

1. Actually and intentionally touches or strikes another person against the will of the other; or

2. Intentionally causes bodily harm to another person.

(b) Except as provided in subsection (2) or subsection (3), a person who commits battery commits a misdemeanor of the first degree, punishable as provided in F.S. 775.082 or F.S. 775.083.

(2) A person who has one prior conviction for battery, aggravated battery, or felony battery and who commits any second or subsequent battery commits a felony of the third degree, punishable as provided in F.S. 775.082, F.S. 775.083, or F.S. 775.084. For purposes of this subsection, "conviction" means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(3) A person who commits a battery in furtherance of a riot or an aggravated riot prohibited under F.S. 870.01 commits a felony of the third degree, punishable as provided in F.S. 775.082, F.S. 775.083, or F.S. 775.084.

A battery where the attacker intentionally or knowingly causes more serious injury as defined in 6A-1.0017(8)(g), such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly

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weapon; or, where the attacker knew or should have known the victim was pregnant. A student engaging in battery may be subject to corrective actions at the school, up to dismissal from the postsecondary program, and may be subject to criminal investigation and penalties.

Bullying and Harassment

The School Board of Miami Dade County, Florida is committed to providing a safe learning environment for all students and for promoting a school atmosphere in which bullying, harassment, and intimidation will not be tolerated by students, Board employees, visitors or volunteers. Pursuant to Board Policy 5517.01, the board has adopted the Policy Against Bullying and Harassment for Miami-Dade County Public Schools. Bullying and/or harassment may result in corrective actions at school, up to dismissal from the postsecondary program. Students have the right to an educational setting that is safe, secure and free from harassment and bullying of any kind. Harassment includes unwelcome conduct based upon sex, color, age, disability, national origin, race, religion, marital status, veteran's status, ethnicity, pregnancy, sexual orientation or genetic information that interferes with a student's working or learning environment or which otherwise creates a hostile environment.

Students have the right to report concerns of discrimination/harassment (Civil Rights), including sexual harassment. Students may utilize the formal complaint procedures governing discrimination/ harassment concerns based on protected categories as delineated in School Board Policy 5517 through the Office of Civil Rights Compliance. Discrimination/Harassment (Civil Rights), including Sexual Harassment, may require law enforcement consultation and must be reported to the Office of Civil Rights Compliance at 305-995-1580.

Disruption

Under F.S. 877.13, It is unlawful for any person:

(a) Knowingly to disrupt or interfere with the lawful administration or functions of any educational institution, school board, or activity on school board property in this state.

(b) Knowingly to advise, counsel, or instruct any school pupil or school employee to disrupt any school or school board function, activity on school board property, or classroom.

(c) Knowingly to interfere with the attendance of any other school pupil or school employee in a school or classroom.

(d) To conspire to riot or to engage in any school campus or school function disruption or disturbance which interferes with the educational processes or with the orderly conduct of a school campus, school, or school board function or activity on school board property.

(2) This section shall apply to all educational institutions, school boards, and functions or activities on school board property; however, nothing herein shall deny public employees the opportunity to exercise their rights

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pursuant to part II of chapter 447.

(3) Any person who violates the provisions of this section is guilty of a misdemeanor of the second degree, punishable as provided in F.S. 775.082 or F.S. 775.083.

Under Section 877.13 of the Florida Statutes, the State of Florida prohibits any disruption or interference with the normal operations of an educational institution. At Miami-Dade County Public Schools (M-DCPS) Technical Colleges/ Adult and Continuing Education Centers, a disruption includes any act that impairs, interferes with, or obstructs the orderly conduct, processes, and functions of the Technical College/Adult and Continuing Education Center or infringes upon the rights of its community members.

Such disruptions may occur both inside and outside the classroom, during M-DCPS-sanctioned events or activities, or at events where a student represents M-DCPS. Prohibited actions include, but are not limited to, physical violence or abuse of any person on M-DCPS-owned or controlled property, or conduct that threatens or endangers the health or safety of others. Congregating in a manner that creates a potentially dangerous situation to life or property is also considered a disruption.

Additionally, inciting others to engage in any of the above actions—or to violate M-DCPS school board policies or procedures in ways that may result in such actions—is prohibited, whether through spoken word, written materials, or visual depictions.

Drug Free Schools

The School Board of Miami Dade County, Florida is committed to ensuring that students have a drug-free educational environment. In compliance with the Drug Free Schools and Communities Act, students may not be in possession of or under the influence of alcohol, marijuana, or other mood- altering substances while on campus premises. The manufacture, distribution, dispensation, possession or use of narcotics, drugs, other controlled substances or alcohol is prohibited on all campuses and while participating at a school-sponsored events on or off campus. Students who possess, use or deliver controlled substances not distributed and used pursuant to prescription are subject to disciplinary action, up to dismissal from the postsecondary program.

A student's legal use of prescribed or over-the-counter drugs is not a violation of policy to the extent that such use does not interfere with student learning or participation in school related activities

A student's locker or other storage areas may be subject to a search based upon reasonable suspicion of possession of prohibited or illegal materials. Reasonable suspicion may also result in the search of a person, possessions, or vehicle on campus.

distributed and used pursuant to prescription are subject to disciplinary action, up to dismissal from the postsecondary program.

A student's legal use of prescribed or over-the-counter drugs is not a violation of policy to the extent that such use does not interfere with student learning or participation in school related activities. Students shall be held accountable for their behavior while under the influence of prescribed drugs or over-the-

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counter drugs.

A student's locker or other storage areas may be subject to a search based upon reasonable suspicion of possession of prohibited or illegal materials. Reasonable suspicion may also result in the search of a person, possessions, or vehicle on campus.

FortifyFL

FortifyFL is a suspicious activity reporting tool that allows individuals to instantly relay information to appropriate law enforcement agencies and school officials. Students may access FortifyFL: https://getfortifyfl.com/. Making a threat or false report may result in possible criminal charges. Pursuant to F.S. 943.082, if it is determined that a person knowingly submitted a false tip through FortifyFL, the Internet protocol (IP) address of the device will be provided to law enforcement agencies for further investigation, and the reporting party may be subject to criminal penalties under F.S. 837.05. In all other circumstances, unless the reporting party has chosen to disclose his or her identity, the report will remain anonymous.

Student Identification

Students participating in Miami Dade County Public Postsecondary Career Technical Education / Adult and Continuing Education programs are required to visibly wear and present their student ID card while on campus. Any misrepresentation, alteration or misuse of the student ID is strictly prohibited.

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Jeanne Cleary Disclosure of Campus Security Policy

The School Board of Miami-Dade County, Florida shall comply with all Federal laws to include requirements and regulations of the U.S. Department of Education. The School Board shall maintain an educational and work environment free from all forms of discrimination and harassment, which includes Title IX of the Educational Amendments of 1972 and the Violence Against Women Reauthorization Act (VAWA) Public Law 113-4 and the Jeanne Clery Act (20 U.S.C. 1092(f), as amended.

All schools authorized under the Title IV Higher Education Act of 1965 (HEA) must adhere to the above Federal requirements and policies. Students and employees should refer to School Board Policy 5517-Anti- Discrimination/Harassment for additional information about Title IX or concerns on who to contact regarding this matter. School policies can be accessed at http://www.dadeschools.net/ under the School Board tab. The School Board also prohibits dating violence, domestic violence, sexual assault and stalking incompliance with VAWA whether the offense took place in school or in a school related function or off-campus.

Students and employees are encouraged to report to school's administration if they are victims or suspect that someone is an alleged victim of such crimes. Schools will be required to pursue disciplinary proceeding in cases of alleged crimes that may include law enforcement officials in compliance with Federal, State and local laws. All schools that are authorized under Title IX of the Education Amendments of 1972 and participate in the Federal Student Aid Program must report and submit annual crime statistics as mandated by the Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act (Clery Act). The information will be posted on the school's website as part of the Consumer Information mandate required of Title IV schools. Students and employees should also refer to School Board Policy 8405-School Safety for additional information on reporting school crime and violation of the Student Code of Conduct.

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Search and Seizure

School Board officials reserve the right to conduct lawful search of lockers and/or other Miami -Dade County Public Schools property when deemed necessary to uphold the responsibility of maintaining the discipline, safety and maintenance of the educational atmosphere. No student may be searched without reasonable suspicion or in an unreasonable manner. Reasonable suspicion generally exists when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law,

School Board policy, or the rules of the school. The scope of the search must be reasonably related to the suspected violation(s).

School authorities may search the person or property, including vehicles, of a student, with or without the student's consent, whenever they reasonably suspect that the search will turn up evidence of a violation of law, Board policy, or rules of the school. This authority applies to all situations in which the student is under the jurisdiction of the Board. Any evidence confiscated during a search by school staff or

administration, including digital evidence in the form of images, audio, or video, shall be preserved and unaltered pending resolution of the investigation into the suspected violation(s).

The school shall provide storage places, including desks and/or lockers to store student possessions. These spaces and the contents within them remain under the control of the Board and may be the subject of random search. Where allowed, students may lock storage places but students shall have no expectation of privacy that would prevent inspection by school officials.

School authorities may also inspect for the presence of drugs or devices according to applicable law and Board policy. This includes the use of specially trained animals to conduct searches without individualized suspicion pursuant to procedures established by the Superintendent. To deter individuals from bringing weapons to school, curtail the threat of violence, and foster a safe learning environment for students, staff, and visitors, metal detector searches are authorized without individualized suspicion pursuant to procedures established by the Superintendent.

Any search of a student's personal belongings, including a purse, backpack, or bookbag, must be conducted discreetly to maintain the privacy of the student's personal items within such belongings. Personal items that are not prohibited on school grounds must be immediately returned to the student's personal belongings. Unlawful items or contraband will be confiscated and may result in disciplinary action, up to dismissal from the postsecondary program.

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Sexual Harassment and Sexual Violations

Florida Administrative Code Rule 6A-1.0017 defines sexual harassment as 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. Sexual harassment is a form of sex discrimination that violates the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and School Board Policies 1362, 3362, and 4362 . The School Board of Miami- Dade County, Florida, has adopted the Policy Against Bullying and Harassment for Miami-Dade County Public Schools. The school district prohibits any form of sexual harassment and sexual violence. Sexual harassment and sexual violence are unlawful and will be grounds for disciplinary action.

Students who believe they have been victims of sexual harassment or sexual violence should report the alleged act immediately to a teacher, counselor, advisor and/or school administrator. The administrator will contact the appropriate law enforcement agency responsible for investigating and reporting all civil and criminal incidents that occur in Miami-Dade County. Sexual Harassment must be reported to the Office of Civil Rights Compliance at 305-995-1580. For students under the age of 18, if you suspect child abuse or neglect as outlined in school board policy 8462 student abuse, you are to call 1-800-96-abuse.

Student Sexting Offenses

Please refer to School Board Policy, 5136.02, Sexting and the Procedures Manual: Empowering Students to Engage in Positive Communication: A Guide to Combat Student Sexting.

Sexting is the act of sending or forwarding through cellular telephones and other electronic media sexually explicit, nude, or partially nude photographs/images. It is the District's mission to ensure the social, physical, psychological, and academic well-being of all students. The educational purposes of the schools are best accomplished in a climate of student behavior that is socially acceptable and conducive to the learning and teaching process.

Standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members creating an atmosphere that encourages respect of individuals and groups. The District has a unique ability and responsibility to prevent sexting, promote awareness, engage parental and community support, and train parents/families to regulate cyber activities. The act of sexting is prohibited and will not be tolerated. The policy prohibiting sexting will be enforced through the Code of Student Conduct.

Tobacco and Smoke Free Campus

Pursuant of School Board Policy 5512, the possession, use, distribution, sale, or purchase of tobacco or nicotine products is prohibited on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Smoking and/or the use of any tobacco and electronic cigarettes are strictly prohibited on campus facilities, including but not limited to all buildings and campus areas, entryways, enclosed hallways, classrooms, outdoor fields, parking lots, grounds, rooftops, courtyards and all areas on school grounds.

Unauthorized Location

A student will be subject to discipline if the student willfully enters an area of campus not on the student's assigned schedule, other than a common resource area, without permission. These areas include but are not limited to athletic facilities, classrooms, offices, and restrooms/changing facilities to which the student is not assigned. A student violates this section if the student willfully enters a restroom or changing facility designated for the opposite sex on the District's premises and refuses to depart when asked to do so by any administrative personnel, faculty member, security personnel, or law enforcement personnel. (F.S. 553.865(9)(a)).

Weapons

Pursuant to School Board Policy 5772 students may not possess or use knives or guns, or any other object defined as a weapon under F.S. 790.001. The possession of a concealed weapon permit does not allow students to possess a firearm on their person, in their automobile while on campus, outside the school at school-sponsored events, or on school transportation.

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DISCIPLINARY RESPONSE CODE

It is the policy of Miami-Dade County Public Schools Office of Postsecondary Career and Technical Education to promote a safe, healthy and productive learning environment. M-DCPS promotes a supportive educational setting that protects students and staff from conduct that may pose a serious threat to safety.

The following sections outline the disciplinary offenses and possible corrective strategies for students whose behavior violates the Postsecondary Code of Student Conduct while on campus, at school-sponsored events, at clinicals, internships, apprenticeships (the rules and guidelines for the specified program apply in addition to the Student Code of Conduct while on site), or while on school transportation. There are five disciplinary levels. Each level outlines progressively more serious offenses. Some violations of the Postsecondary Code of Student Conduct will require consultation with law enforcement if the offense is a violation of state or federal law. Repeat violations of the Postsecondary Code of Student Conduct may result in student dismissal from the Postsecondary school program.

PLEASE NOTE: Any offense title in Levels 1-5 that is bold and italicized is an offense drawn from state statute or State Board of Education rule. It is important to note that M-DCPS is required to report acts committed on a K-12 campus to the Florida Department of Education regardless of the student's capacity to understand the appropriateness of the student's actions (e.g., age and/or disability). The definitions for these offenses can be found in Rule 6A-1.0017, Florida Administrative Code, and on the Florida Department of Education, Office of Safe Schools website under SESIR Codes and Definitions.

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POSTSECONDARY CODE OF STUDENT CONDUCT: INFRACTIONS AND CORRECTIVE STRATEGIES

The following sections outline the disciplinary offenses and possible corrective strategies for students whose behavior violates the Postsecondary Code of Student Conduct while on campus, at school-sponsored events, or while on school transportation. There are five disciplinary levels. Each level outlines progressively more serious offenses. Some violations of the Postsecondary Code of Student Conduct will require consultation with law enforcement if the offense is a violation of state or federal law. Repeat violations of the Postsecondary Code of Student Conduct may result in student dismissal from the Postsecondary school program.

Level I: Discipline Response Code

Level I behaviors are acts that disrupt the orderly operation of the classroom, school function, and/or school-sponsored activities on or off campus or while on approved transportation.

Infraction	Corrective Strategies
▪ Disruptive Behavior	Student /Conference[1]
▪ Failure to Comply with Class and/or Campus Rules	Student/Administrative Conference
▪ Misrepresentation	Parent/Guardian Contact (**students under age 18)** [1]
▪ Possession of Items or Materials that are Inappropriate for an Educational Setting[2]	Confiscation (Students under age 18)
▪ Repeated Use of Profane or Crude Language not Directed at a Person or Group of People	Refer to Counselor Session Related to Infraction
▪ Unauthorized Location	Payment of any Damaged Property
▪ Violation of Dress Code – standards of dress established for safety or health reasons in specific classes.	Reprimand
	Student Behavior Contract

[1]**Mandatory Corrective Strategies**
[2]See sexual offenses (Other), Level IV, for obscene and lewd materials

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Level II: Discipline Response Code

Level II behaviors are acts that significantly disrupt the orderly operation of the campus, classroom, school function, and/or school-sponsored activities or while on approved transportation. Level II behaviors significantly interfere with learning and/or the well-being of others.

Infraction	Corrective Strategies
• Academic Dishonesty / Cheating • Confrontation with Another Student • Confrontation with a Staff Member • Creating, Recruiting or Joining Clubs or Groups NOT Approved by the School Board • Defiance of School Personnel • Distribution of Items or Materials That Are Inappropriate for an Educational Setting3 • Failure to Comply with Previously Prescribed Correctional Strategies • Inappropriate Display of Affection • Instigative Behavior • Leaving School Grounds Without Permission (Students under age 18) • Libel • Possession, Use, Distribution, Sale or Purchase of Tobacco Products or Smoking/Vaping Devices • Prohibited Sales on School Grounds (Other than Controlled Substances) • Simple Altercation • Slander • Use of Profane or Provocative Language Directed at Someone • Vandalism Less than $1,000	Student/Staff Conference[1] Parent/Guardian Contact (**students under age 18)**[1,2] Student/Administrative Conference Any Corrective Strategies from Level I and Level II Removal from class Suspension from school (1-5 days)[5] Recommendation for dismissal from postsecondary program[5]

[1]**Mandatory Corrective Strategies**

[2] Good faith effort must be made to immediately contact parent / guardian for students under 18

[3] See sexual offenses (Other), Level III, for obscene and lewd materials

[4] Conduct directed at a person that causes him/her to feel intimidated or verbally, mentally, or emotionally abused, or that causes him/her substantial emotional distress

[5] Send written notice to parent/guardian within 24 hours via U.S. mail for students under 18

*Administrators must contact Miami-Dade Schools Police for any criminal conduct

If the victim of a crime requests a police report, the Director/designee must report the incident to Miami-Dade Schools Police.

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Level III: Discipline Response Code

Level III offenses are more serious than Level II because they endanger health and safety, damage property, and/or cause serious disruptions to the learning environment.

Infraction	Corrective Strategies
▪ Breaking and Entering/Burglary*	Student/Staff Conference[1]
▪ Bullying (Repeated Harassment)	Student/Administrative Conference
▪ Criminal Mischief (Felony Vandalism) (Over $1000)*	Parent/Guardian Contact (**students under age 18)** [1,2]
▪ Disruption on Campus or Any School/District property including School-Sponsored Transportation or Any School/District-Sponsored Activity or Function (Major)*	Any Corrective Strategies from Level I and Level II Suspension (1-10 days) [3]
▪ Forgery (Written Misrepresentation)*	Recommendation for dismissal from postsecondary program[3]
▪ Gambling	
▪ Discrimination/Harassment (Civil Rights)*	
▪ Harassment (Non-Civil Rights)[4]	
▪ Hazing (Misdemeanor)*	
▪ Larceny/Petty Theft (Under $750)	
▪ Physical Altercation	
▪ Other Dangerous Objects / Other Major Incidents*	
▪ Simulating a Weapon or Firearm	
▪ Possession, Use, Distribution, Sale or Purchase of Alcoholic Beverages	
▪ Possession or Use of Unauthorized Over-the-Counter Medications, Drug Paraphernalia, Controlled Substances and/or Anything That Alters Mood or Is Used for Mood Altering*	
▪ Sexting (Category 1)*	
▪ Sexual Harassment[4]*	
▪ Sexual Offenses (Other)[4]*	
▪ Technology and Computer Related Offenses (Category 1)	
▪ Threat/Intimidation Against any Student or Individual who is not an Official Employee or Employee under s. 784.081, F.S.*	
▪ Trespassing*	

[1] **Mandatory Corrective Strategies**

[2] Good faith effort must be made to immediately contact parent / guardian for students under 18

[3] Send written notice to parent/guardian within 24 hours via U.S. mail for students under 18

[4] Contact the Office of Civil Rights Compliance (305) 995-1580 / Law Enforcement Consultation required

Administrators must contact Miami-Dade Schools Police for any criminal conduct

If the victim of a crime requests a police report, the Director/designee must report the incident to Miami-Dade Schools Police.

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Level IV: Discipline Response Code

Level IV offenses are more serious acts of unacceptable behavior than Level III. They seriously endanger the health and well-being of others and/or damage property.

Infraction	Corrective Strategies
▪ False Activation of a Fire Alarm System ▪ Fighting (Serious) * ▪ Grand Theft (Over $750)* ▪ Hazing (Felony)* ▪ Improper Activation of a Fire Extinguisher ▪ Intent to Sell and/or Distribute Alcohol, Unauthorized Over-the-Counter Medications, Drug Paraphernalia, Controlled Substances, and/or Anything that Alters Mood or is Used for Mood-Altering* ▪ Motor Vehicle Theft* ▪ Robbery* ▪ Sale, Distribution, Purchase, or Intent to Sell or Distribute Unauthorized Over-the-Counter Medications, Drug Paraphernalia, Controlled Substances and/or Anything that Alters Mood or is Used for Mood-Altering, or Substance Represented to Be a Drug, Narcotic, or Controlled Substance* ▪ Sexting (Category 2)*[4] ▪ Sexual Assault, dating violence, domestic violence, stalking*[4] ▪ Simple Battery Against a Non-Staff Member* ▪ Technology and Computer-Related Offenses (Category 2)* ▪ Threat/Intimidation Against Specified Officials or Employees as defined under s. 784.081, F.S.* (Zero Tolerance)*	Student/Staff Conference[1] Student/Administrative Conference Parent/Guardian Contact[1,2] (**students under age 18)** Any Corrective Strategies from Level I, Level II, Level III Recommendation for dismissal from postsecondary program[3]

[1] Mandatory Corrective Strategies

[2] Good faith effort must be made to immediately contact parent / guardian for students under 18

[3] Send written notice to parent/guardian within 24 hours via U.S. mail for students under 18

[4] Contact the Office of Civil Rights Compliance (305) 995-1580 / Law Enforcement Consultation required

*Administrators must contact Miami-Dade Schools Police for any criminal conduct

If the victim of a crime requests a police report, the Director must report the incident to Miami-Dade Schools Police.

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Level V: Discipline Response Code

Level V offenses are the most serious acts of misconduct and violent actions that threaten life.

Infraction	Corrective Strategies
▪ Aggravated Assault - Zero Tolerance Against Specified Officials or Employees as defined is F.S. 784.081*[4] ▪ Aggravated Battery Against a Non-Staff Member* ▪ Aggravated Battery or Simple Battery Against Specified Officials or Employees as defined is F.S. 784.081*[4] ▪ Arson* ▪ False Accusation* ▪ Homicide* ▪ Kidnapping/Abduction* ▪ Possession, Use, Sale or Distribution of Firearms, Explosives, Destructive Devices, and Other Weapons – Zero Tolerance*[4] ▪ Robbery (with Weapon)* ▪ Sexting (Category 3)*[5] ▪ Sexual Battery *[5] ▪ Technology and Computer Related Offense (Category 3)* ▪ Threat/False Report – Zero Tolerance Against Any School/District Property, Including School-Sponsored Transportation, or Any School/District-Sponsored Activity or Function *	Student/Staff Conference[1] Student/Administrative Conference[1] Parent/Guardian Contact[1,2] (**students under age 18)** Any Corrective Strategies from Level I, Level II, Level III, Level IV Recommendation for dismissal from postsecondary program[3]

[1] **Mandatory Corrective Strategies**
[2] Good faith effort must be made to immediately contact parent / guardian for students under 18
[3] Send written notice to parent/guardian within 24 hours via U.S. mail for students under 18
[4]Mandatory dismissal for one year
[5] Contact the Office of Civil Rights Compliance (305) 995-1580 / Law Enforcement Consultation required
*Administrators must contact Miami-Dade Schools Police for any criminal conduct
If the victim of a crime requests a police report, the Director must report the incident to Miami-Dade Schools Police.

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GLOSSARY

Bullying and Harassment

- **Code Definition:** The School Board is committed to providing a safe learning environment for all students and shall strive to eradicate bullying and harassment in its schools by providing awareness, prevention, and education in promoting a school atmosphere in which bullying, harassment, and intimidation will not be tolerated by students, Board employees, visitors, or volunteers.
- **Simplified Definition:** The School Board is committed to providing a safe learning environment for all students and for promoting a school atmosphere in which bullying, harassment, and intimidation will not be tolerated by students, Board employees, visitors or volunteers. Pursuant to Board Policy 5517.01, the board has adopted the Policy Against Bullying and Harassment for Miami-Dade County Public Schools. Bullying and/or harassment may result in corrective actions at school, up to dismissal from the postsecondary program. The definitions contained in Policy 5517.01 are incorporated by reference.

Career Dual Enrolled Student:

A student who is concurrently enrolled in K-12 and in one or more postsecondary career technical education courses.

Co-enrolled Student:

A student who is concurrently enrolled in K-12 and in an Adult and Continuing Education Program for the purpose of Credit Recovery.

Disruption

- **Code Definition:** Unlawful for any person: (a) Knowingly to disrupt or interfere with the lawful administration or functions of any educational institution, school board, or activity on school board property in this state. (b) Knowingly to advise, counsel, or instruct any school pupil or school employee to disrupt any school or school board function, activity on school board property, or classroom. (c) Knowingly interfere with the attendance of any other school pupil or school employee in a school or classroom. (d) To conspire to riot or to engage in any school campus or school function disruption or disturbance which interferes with the educational processes or with the orderly conduct of a school campus, school, or school board function or activity on school board property.

- **Simplified Definition:** Any act that disrupts the orderly functioning of class is not permitted. Students may be subject to corrective actions at the school, up to dismissal from the postsecondary program, and may be subject to criminal investigation and penalties. Under Section 877.13, F.S. the State of Florida prohibits the disruption or interference with the normal activities of an educational institution. A disruption includes but is not limited to acts that may impair, interfere with, or obstruct the orderly

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conduct, processes and functions of the school. Incitement of any actions that may threaten or endanger any person's health or safety; or congregating to create an environment that could endanger life, or property is also considered a disruption and is prohibited on campus, at campus-sponsored events or while on school-sponsored transportation.

Disruptive Speech

- **Code Definition:** Written or oral language, or gestures that lack regard, civility, politeness, and/or courteous consideration towards a student, M-DCPS employee, volunteer, or contracted personnel. This offense may include but is not limited to speech or behavior that is insulting or rude, or profane language that is not directed at anyone. This section does not include threatening or intimidating language.
- **Simplified Definition:** Any act which unlawfully restricts the instructor's or another student's right to speak is prohibited.

Enrolled School:

The District school in which a student is currently enrolled (which may or may not be the student's residence school).

Hearing Officer:

A school site hearing officer is an impartial individual who oversees and conducts disciplinary hearings, ensuring fairness and due process for students. They act as a quasi-judicial figure, presiding over cases involving student conduct violations and making decisions based on evidence and school policies.

Level I Offenses:

Behaviors that disrupt the orderly operation of the classroom, school function, and/or school-sponsored activities on or off campus or while on approved transportation.

Level II Offenses:

Acts that significantly disrupt the orderly operation of the campus, classroom, school function, and/or school-sponsored activities or while on approved transportation and significantly interfere with learning and/or the well-being of others.

Level III Offenses:

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Acts that more serious than Level II because they endanger health and safety, damage property, and/or cause serious disruptions to the learning environment.

Possession of Items or Materials that are Inappropriate for an Educational Setting

- **Code Definition:** Items and materials, including wireless communications devices, may only be used as authorized by this Code of Student Conduct and the student's program. "Wireless communication devices" are any devices used or capable of being used in a handheld manner (including but not limited to cellphones, tablets, laptops, smartwatches, smartglasses, or two-way messaging devices) that are designed or intended to receive or transmit text or character-based messages, access or store data, or connect to the Internet or any communications service. This term does not include instructional mobile devices. Possessing a wireless communication device is not a violation of this Code of Student Conduct. However, students may not use wireless communication devices during instructional time, except as authorized by the program administrator or instructor for educational purposes. Students must ensure that wireless communication devices are silent during the instructional day and hotspot capabilities are turned off.

Simplified Definition: Students cannot use electronic devices like tablets, laptops, music players, or electronic games music, during program instruction unless they have permission. This does not include analog devices, instructional mobile devices issued by the District, or assistive devices used pursuant to a disability accommodation plan.

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Anti-Discrimination Policy

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

Title VI of the Civil Rights Act of 1964, as amended - prohibits discrimination on the basis of race, color, and national origin, including actual or perceived shared ancestry or ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity.

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

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of sex. M-DCPS does not discriminate on the basis of sex in any education program or activity that it operates as required by Title IX. M-DCPS also does not discriminate on the basis of sex in admissions or employment.

Age Discrimination Act of 1975 - prohibits discrimination based on age in programs or activities.

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

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

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against qualified students with disabilities.

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

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

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

Florida Educational Equity Act (FEEA) - prohibits discrimination on the basis of race, color, sex, gender, national origin, religion, marital status, or disability in public education.

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

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) - prohibits discrimination against employees or applicants because of genetic information.

Boy Scouts of America Equal Access Act of 2002 – No public school shall deny equal access to or a fair opportunity for groups to meet on school premises or in school facilities before or after school hours or discriminate against any group officially affiliated with Boy Scouts of America or any other youth or community group listed in Title 36 as a patriotic society.

Veterans are provided re-employment rights in accordance with 38 U.S.C. § 4312 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.

In Addition:

School Board Policies 1362, 3362, 4362, and 5517 - Prohibit harassment and discrimination against students, employees, or applicants on the basis of age, citizenship status, color, disability, ethnic or national origin, FMLA, gender, gender identity, genetic information, linguistic preference, marital status, political beliefs, pregnancy, race, religion, sexual harassment, sexual orientation, social and family background, and any other legally prohibited basis. Retaliation for engaging in a protected civil rights activity is also prohibited.

For additional information about Title IX or any other discrimination/harassment concerns, contact the U.S. Department of Education Assistant Secretary for Civil Rights and/or:

Office of Civil Rights Compliance (CRC)
District Director/Title IX Coordinator
155 NE 15th Street, Suite P104E
Miami, Florida 33132
Phone: (305) 995-1580 TDD: (305) 995-2400
Email: crc@dadeschools.net
Website: https://tinyurl.com/MDCPS-CRC

For additional information on Section 504 of the Rehabilitation Act of 1973 or any other student disability concerns contact:

Department of Exceptional Student Education
1501 NE 2nd Ave, Suite 407
Miami, Florida 33132
Phone: (305) 995-2037 TDD: (305) 995-2400
Email: ese@dadeschools.net
Website: https://ese.dadeschools.net

06/2025