POST-SECONDARY CODE OF STUDENT CONDUCT

Adult/Technical Colleges and Educational Opportunity and Access



REPEAL

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

Board Policy 5500

2021 - 2022

MIAMI-DADE COUNTY PUBLIC SCHOOLS Technical Colleges

ADULT EDUCATION WORKS
MIAMI-DADE COUNTY PUBLIC SCHOOLS

MIAMI-DADE COUNTY PUBLIC SCHOOLS giving our students the world

A DIVISION OF MIAMI-DADE COUNTY PUBLIC SCHOOLS

Updated 06/2022

POST-SECONDARY CODE OF STUDENT CONDUCT

REPEAL

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REPEAL

INTRODUCTION

The primary objective of the **Miami-Dade County Public Post-Secondary/ Career Technical Educational programs** is to develop each student's potential for learning and to foster positive interpersonal relationships. If this is to be accomplished, it is necessary that the school's environment be free of disruptions which interfere with teaching and learning activities. The student's conduct determines to a great extent the full development of his/her potential for learning and the development of positive relationships. The purpose of this document is to assist post-secondary students, teachers and school administrators in the consistent maintenance of an environment which will enhance the achievement of this objective. To enhance its effectiveness, this post-secondary Code of Student Conduct addresses not only the role of the student and the school, but also addresses:

- Grounds for disciplinary action; and
- Procedures for taking disciplinary actions.

These individuals governed by this document are post-secondary students, 16 years of age and older who no longer participate in the secondary educational program.

Students, **who continue to participate in the secondary educational programs (K-12)**, while participating in a post-secondary program (co-enrolled) are governed by the procedures as specified in the Code of Student Conduct (Secondary) Policy 5500. Any infraction occurring during their attendance in the adult education and/or post-secondary program will be reported to the **Home School** principal or designee and notification provided to the parent/guardian.

You are encouraged to read this booklet and develop a thorough understanding of the details presented in this publication.

REPEAL

POST-SECONDARY CODE OF STUDENT CONDUCT RULES AND PENALTIES:

Level One Behaviors are acts that disrupt the orderly operation of the classroom, school function, and extracurricular activities or approved transportation.

Disruptive Behaviors:

- Confrontation with another student
- Disruptive behavior
- Failure to comply with class and/or school rules
- Possession of items or materials that are inappropriate for an e[illegible]ational setting *
- Repeated use of profane/crude language (general/not directed at [illegible]eone)
- Unauthorized location
- Unauthorized use of electronic devices

*See Sexual Offenses (Other), Level Four, for obscene and lewd materials.
☛ Administrators must contact Miami-Dade Schools Police for any criminal conduct regardless o[illegible]ther School[illegible]mated Reporting (SPAR) is indicated.
☛ If the victim of a crime requests a police report, the principal or designee must report the i[illegible]nt to the M[illegible]-D[illegible]k Police.

Level One Penalties:

- Behavior plan
- Parent/guardian contacted **(Stude[illegible]under 18)**
- Participation in an informal counse[illegible]sessi[illegible]elated to the i[illegible]fraction
- Replacement or payment for any dam[illegible]roperty (if a[illegible]ropriate)
- Reprimand
- Student contract

Good faith attempt must b[illegible]de immediat[illegible]o contact parent/guardian, **Students under 18, by telephone.

Level Two Beh[illegible]iors are [illegible] serious than Level One because they significantly interfere with learnin[illegible]and/or the w[illegible]being of others.

Serious[illegible] Disruptive[illegible]haviors:

- Cheat[illegible]/mis[illegible]resentation
- Confront[illegible] with a staf[illegible]ember
- D[illegible]ance of [illegible]ol pe[illegible]nnel
- Di[illegible]bution/sal[illegible]tems/materials that are inappropriate for an educational setting*
- [illegible] to comply with previously prescribed penalties
- Fighting (mi[illegible]r)
- Harassment (non-sexual or isolated)**
- [illegible]ibel/slander
- L[illegible]el/slander
- Petty theft (under $300.00)
- Use of profane/provocative language directed at someone
- Vandalism (minor)

* See Sexual Offenses (Other), Level Four, for obscene and lewd materials.
** Harassment Civil Rights and Sexual Harassment, see Level Three, require a SPAR, and must be reported to the Miami-Dade County Public Schools Office of Civil Rights Compliance at (305) 995-1580.

Level Two Penalties:

- Parent/guardian contacted **(Students under 18)** **
- Suspension from school (1-5 days)***
- Removal from class

Good faith attempt must be made immediately to contact parent/guardian, **Students under 18, by telephone.
***Send written notice to parent/guardian, **Students under 18**, within 24 hours via U.S. mail.

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Level Three Behaviors are more serious than Level Two because they endanger health and safety, damage property, and/or cause serious disruptions to the learning environment.

Offensive/Harmful Behaviors:

- Assault/threat
- Breaking/entering and burglary
- Bullying (repeated harassment)
- Disruption on campus/disorderly conduct
- Fighting (serious)
- Harassment (Civil Rights)*
- Hazing (misdemeanor)
- Possession or use of alcohol and/or controlled substances
- Possession of simulated weapons
- Sexting (1)
- Sexual Harassment*
- Trespassing
- Vandalism (major)

*Harassment Civil Rights and Sexual Harassment, see Level Three, requ... SPAR, and must ... to the Miami-Dade County Public Schools Office of Civil Rights Compliance at (305) 995 1580

☛ All Level 3 and Level 4 infractions, unless otherwise noted, requ... hools Police Automated R...ting (SPAR); Administrators must contact Miami-Dade Schools Police.

Level Three Penalties:

- Parent/guardian contacted **(Student...ade...8)****
- Suspension from school (1...ys)***
- Recommendation for d...missal f... post-s...ndar... rogram

Good faith attempt must be mad...mediately to con... parent/guardia...nts under 18**, by telephone.

***Send written notice to parent...dian, **Students u...18**, within 24 hour... U.S. mail.

Level Four Beh...iors a... mo... serious acts of unacceptable behavior than Level Three. They are seri...s acts of ...onduct and violent actions that endanger the health and well-being ...others and/or ...mage property, and actions that threaten life.

Serious...angerous...nd/or Violent Behaviors:

- Arson
- ...ttery/ag...vated batt...
- H... crime
- G...d theft (ove...00.00)
- ...f...lony)
- Making a false report/threat against the school*
- Motor vehicle theft
- Other major crimes/incidents
- ...session, use, sale or distribution of firearms, explosives, destructive devices and other weapons*
- Sale and/or distribution of alcohol and/or controlled substances
- Sex offense (other) (including possession/or distribution of obscene or lewd materials)
- Sexting (2 or 3 Offenses)
- Sexual battery, sexual assault, dating violence, domestic violence and stalking

**Mandatory dismissal for one year.

☛ All Level 3 and Level 4 infractions, unless otherwise noted, require Schools Police Automated Reporting (SPAR); Administrators must contact Miami-Dade Schools Police.

Level Four Penalties:

- Parent/guardian contacted **(Students under 18)****
- Recommendation for dismissal from post-secondary program
- Suspension from school (1-10 days)***

Good faith attempt must be made immediately to contact parent/guardian, **Students under 18, by telephone.

***Send written notice to parent/guardian, **Students under 18**, within 24 hours via U.S. mail.

REPEAL

SAFEGUARDS:

PROTECTING THE RIGHTS OF STUDENTS AND/OR PARENTS/ GUARDIANS FOR STUDENTS UNDER THE AGE OF 18

All penalties used by school-site administrators/or designee must be in compliance 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 because of a disability. School administrators or designee should communicate with the student or parents/guardians when penalties must be taken against a student under the age of 18.

DUE PROCESS PROCEDURES

In order to ensure that each student receives fair treatment consistent with the fundamental requirements of 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 principal or designee shall deliver by hand or mail a copy of the *written notice of the suspension (FM-5*[illegible] to the student within twenty four (24) hours of suspension. Failure of the student to receive formal written notice of the suspension shall not affect the validity of the suspension or any other proceedings 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 and diligent effort to give such notice.

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

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

Appeal of Suspension: If a student or the parents/guardians of minor wishes to appeal the due process procedures implemented in the suspension process, the appeal shall be submitted to the principal or designee in writing prior to the termination date of the suspension.

The principal or designee shall arrange a conference with the student or parent/guardian.

The conference will take place at the school site and be overseen by the principal or designee. The 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 principal or designee shall submit a *Dismissal Request-Adult Student (FM 7458)*, to the Office of School Operations, Adult and Community 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.

REPEAL

Subsequent to a student's suspension and the pending decision on the recommendation for dismissal from an adult education and/or post-secondary program, 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 principal or designee.

Notice to student or parent/guardian of a minor student (under 18): The principal or designee shall send a letter to the adult student within a reasonable period of time or to the parents/guardians of a minor within 24 hours advising of the District's decision for student dismissal from program. Dismissal from the adult education program shall not automatically affect the student's participation in the K -12 programs.

Appeal of Suspension with Recommendation for Dismissal: If the student or the parent/guardian of a minor wishes to appeal the recommendation for dismissal, the request for an appeal hearing shall be made to the Director, Adult and Community Education, within 10 business days of receiving the *Notice of Suspension and Recommendation for Dismissal (FM -5[illegible]1).*

The Director or designee shall schedule a hearing and notify the student or parent/guardian of a minor of the hearing date and time. The final decision regarding the appeal will be made by the Director or designee and the decision will be transmitted in writing to the Principal. The principal or designee shall send a letter to the student within a reasonable period of time or the parent/guardian of a minor within 24 hours advising of the District's decision.

STUDENT SEXTING OFFENSES

Please refer to School Board Policy *8136.02 Sexting and the Procedures Manual: Empowering Students to Engage in Positive Communication A Guide to Combat Student Sexting.*

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY

The School Board shall comply with all Federal laws to include requirements and regulations of the U.S. Department of Education. The 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 such matter. School policies can be accessed at **www.dadeschools.net** under the School Board tab. The Board also prohibits dating violence, domestic violence, sexual assault and stalking in compliance 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 HEA 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. Student 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.

REPEAL

Acknowledgment of Responsibility

(Students under 18 years of age)

Each parent/guardian of a student who is under the age of 18 and no longer enrolled in the K-12 program and each student under the age of 18 enrolled in the post-secondary program of the Miami-Dade County Public Schools must sign and return this page to the student's school to acknowledge receipt of the website address for the *Post-Secondary Code of Student Conduct.*

WEBSITE ADDRESS: The handbook can be found at http://adultedu.dadeschools.net/

Each school will maintain records of each signed statements.

I acknowledge that I have been given the website address to electronically access the Post- Secondary Code of Student Conduct and I acknowledge that I have read and discussed this information with my child.

Parent's/Guardian's Signature _____ Date _____

I acknowledge receipt of the website address to electronically access the Post-Secondary Code of Student Conduct and I have read and discussed it with my parent/guardian and agree to abide by the rules contained therein.

Student's Signature _____ Student ID Number _____ Date _____

RETURN TO STUDENT'S SCHOOL
WITHIN THREE DAYS UPON RECEIPT OF THE
WEBSITE INFORMATION FOR THE CODE OF CONDUCT

REPEAL

Reconocimiento de Responsabilidad

(Estudiantes <u>menores de 18 años</u> de edad)

Cada padre de familia / tutor de un estudiante que sea menor de 18 años de edad y que ya no está matriculado en el programa de Kindergarten a 12.º grado y cada estudiante menor de 18 años de edad que esté matriculado en el programa postsecundario de las Escuelas Públicas del Condado Miami-Dade debe firmar y devolver esta hoja a la escuela del estudiante para confirmar que ha recibido el enlace del sitio web para el Código de Conducta Estudiantil Postsecundaria (Post-Secondary Code of Student Conduct).

ENLACE DEL SITIO WEB: Puede acceder al manual en https://adulted.dadeschools.net/

Cada escuela mantendrá archivos de dichas declaraciones firmadas.

Reconozco que he se me ha remitido el <u>enlace del sitio web</u> para acceder de manera electrónica al Código de Conducta Estudiantil Postsecundaria. Reconozco que he leído y discutido esta información con mi hijo/a.

_____ _____

Firma del padre de familia/tutor Fecha

Reconozco que se me ha remitido el <u>enlace del sitio web</u> para acceder de manera electrónica al Código de Conducta Estudiantil Postsecundaria y he leído y discutido dicho contenido con mi padre/madre/tutor y acuerdo a cumplir con las reglas descritas en el mismo.

_____ _____ _____

Firma del estudiante Número de ID del estudiante Fecha

DEVOLVER A LA ESCUELA DEL ESTUDIANTE DENTRO DE TRES DÍAS TRAS EL RECIBO DE LOS DATOS DEL SITIO WEB DEL CÓDIGO DE CONDUCTA

REPEAL

Rekonet Responsablite w

(Elèv ki poko gen 18 an)

Chak paran/gayden yon elèv ki poko gen laj 18 an epi ki pa enskri nan program K-12 ak chak elèv ki poko gen laj 18 an ki enskri nan pwogram apre lekòl segondè nan Lekòl Leta Miami-Dade County dwe siyen epi retounen paj sa a nan lekòl elèv la pou fè rekonèt ke yo resevwa adrès sit entènèt la pou Kòd Konduit Elèv Apre Lekòl Segondè.

ADRÈS SIT ENTÈNÈT: Ou ka jwenn manyèl la nan sit entènèt
http://adulted.dadeschools.net/

Chak lekòl ap kenbe dosye sou deklarasyon ki siyen yo.

Mwen rekonèt ke mwen te resevwa adrès sit entènèt la poum ka jwenn elektronik aksè Kòd Konduit elèv apre lekòl segondè. Mwen rekonèt ke mwen te li ak diskite enfòmasyon sa yo avèk pitit mwen an.

Siyati Paran/Gadyen Legal La	Dat

Mwen rekonèt ke mwen te resevwa adrès sit entènèt la poum ka jwenn elektronik aksè Kòd Konduit Elèv Apre Lekòl Segondè epi Mwen reKonèt ke mwen te li ak diskite enfòmasyon sa avek paran/gadyen mwen epi mwen dakò pou mwen respekte règleman ki ladan yo.

Siyati Elèv La	Nimewo idantifikasyon elèv la	Dat

RETOUNEN NAN LEKÒL ELÈV LA
NAN TWA JOU APRE LI FIN RESEVWA
ENFOMASYON SOU SIT WEB LA POU KOD KONDUIT.

REPEAL

Acknowledgment of Responsibility

(Students over 18 years of age)

Each post-secondary student enrolled in Miami-Dade County Public Schools must sign and return this page to the student's school to acknowledge rece[illegible] of the website address to electronically access the *Post-Secondary Code of Student Conduct*.

WEBSITE ADDRESS: The handbook can be found at [illegible]

Each school will maintain records of such signed statements.

I acknowledge that I have been given the website address to electronically access the *Post- Secondary Code of Student Conduct* and have read it and agree to abide by the rules contained therein.

Student's Name _____ Student ID Number _____

Student's Signature _____ Date _____

REPEAL

RETURN TO STUDENT'S SCHOOL
WITHIN THREE DAYS UPON RECEIPT OF THE
WEBSITE INFORMATION FOR THE CODE OF CONDUCT

Reconocimiento de Responsabilidad

(Estudiantes mayores de 18 años de edad)

Cada estudiante de postsecundaria matriculado en las Escuelas Públicas del Condado Miami-Dade debe firmar y devolver esta hoja a la escuela del estudiante para confirmar que ha recibido el enlace del sitio web para acceder de manera electrónica al Código de Conducta Estudiantil Postsecundaria (Post-Secondary Code of Student Conduct).

ENLACE DEL SITIO WEB: Puede acceder al manual en http://[illegible]ted.dadeschools.net/

Cada escuela mantendrá archivos de dichas declaraciones firmadas.

Reconozco que se me ha remitido el enlace del sitio web para acceder de manera electrónica al Código de Conducta Estudiantil Postsecundaria y he leído y acuerdo a cumplir con las reglas descritas en el mismo.

Nombre del estudiante	Número de ID del estudiante
Firma del estudiante	Fecha

REPEAL

DEVOLVER A LA ESCUELA DEL ESTUDIANTE
DENTRO DE TRES DÍAS TRAS EL RECIBO DE LOS
DATOS DEL SITIO WEB DEL CÓDIGO DE CONDUCTA

Rekonet Responsablite w

(Elèv Ki gen plis pase 18 an)

Chak elèv apre lekòl segondè ki enskri nan Lekòl leta Miami-Dade County dwe siyen epi retounen paj sa a nan Lekòl elèv la pou fè rekonèt ke yo resevwa adrès sit entènèt la pou jwenn elektwonik aksè Kòd Konduit Elèv Apre Lekòl Segondè.

ADRÈS SIT ENTÈNÈT: Ou ka jwenn manyèl la a sou sit entènèt https://adulted.dade-schools.net/

Chak lekòl ap kenbe dosye sou deklarasyon ki siyen yo.

Mwen rekonèt ke mwen te resevwa adrès sit entènèt la pou mwen ka jwenn elektronik aksè Kòd Konduit Elèv Apre Lekòl Segondè. Mwen dakò pou mwen respekte règleman ki ladan yo.

Non Elèv la	Nimewo idantifikasyon elèv la
Siyati Elèv La	Dat

REPEAL

RETOUNEN NAN LEKÒL ELÈV LA
NAN TWA JOU APRE LI FIN RESEVWA
ENFOMASYON SOU SIT WEB LA POU KOD KONDUIT.

• • ANTI-DISCRIMINATION POLICY • • FEDERAL AND STATE LAWS

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 - prohibits discrimination on the basis of race, color, religion, or national origin.
- Title VII of the Civil Rights Act of 1964 as amended - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.
- Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of gender.
- Age Discrimination in Employment Act of 1967 (ADEA) as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.
- The Equal Pay Act of 1963 as amended - prohibits gender discrimination in 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 the disabled.
- 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, gender, national origin, marital status, or handicap against a student or employee.
- Florida Civil Rights Act of 1992 - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, 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 P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.

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In Addition:
M-DCPS does not discriminate on the basis of race, color, ethnic or national origin, religion, marital status, disability, genetic information, age, political beliefs, sexual orientation, gender, gender identity, social and family background, linguistic preference, pregnancy, citizenship status, FMLA or any other basis prohibited by law in its educational programs, services, activities, admissions or in its hiring and employment practices. Please refer to School Board Policies 1362, 1362.02, 3362, 3362.02, 4362, 4362.02, 5517 and 5517.02 for more information. 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: Executive Director/Title IX Coordinator, Office of Civil Rights Compliance, 155 NE 15 Street, Suite P-104E, Miami, Florida 33132; PH: 305-995-1580; E-mail: crc@dadeschools.net; Website: http://hrdadeschools.net/civilrights. The District also provides equal access to its facilities, as required by the Boy Scouts of America Equal Access Act.

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