

Policies for Adoption December 14, 2021

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Book	Policy Manual
Section	V22 N1 REVISED
Title	PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION
Code	po5410.01 10/2/21 fsj jc 10/21/21
Status	
Adopted	April 12, 2016
Last Revised	March 9, 2021

#### **5410.01 - PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION**

The Governing Board recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Board shall provide for the placement, acceleration, and progression of students through adopted student progression plans. The Authority student progression plan includes the standards for evaluating each student's performance, including how well s/he masters the performance standards approved by the State Board of Education. A student will be promoted to the succeeding grade level when s/he has demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade.

Parents may request student participation in Academically Challenging Curriculum to Enhance Learning (ACCEL) options, including whole grade promotion, midyear promotion or subject matter acceleration. If the parent selects one of these ACCEL options and the student meets eligibility and procedural requirements in the student progression plan, the student will have the opportunity to participate in the ACCEL option.

No student may be assigned to a grade level based solely on age or other factors that constitute social promotion. (F.S. 1008.25(6) (a))

#### **Progress Monitoring Plans and Remediation**

Each student must participate in the Statewide, standardized assessment program that is required by F.S. 1008.22. Each student who does not achieve a Level 3 or above on Statewide, standardized English language arts assessment; the Statewide, standardized mathematics assessment; or the Algebra I end-of-course (EOC) assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

A student who is not meeting the Authority or State requirements for satisfactory performance in English language arts and mathematics must be covered by one (1) of the following plans:

- A. a Federally required student plan such as an individual education plan;
- B. a schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English language arts and mathematics assessments may be exempted from participation by the principal; or
- C. an individualized progress monitoring plan.

Any student who exhibits a substantial deficiency in reading, based upon locally determined or statewide assessments conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be given intensive reading instruction immediately following the identification of the reading deficiency. The student's reading proficiency must be monitored and the intensive instruction must continue until the student demonstrates grade level proficiency in a manner determined by the CCCCSA, which may include achieving a Level 3 on the Statewide, standardized English language arts assessment.

The parent of any student, who exhibits a substantial deficiency in reading, as described in the above paragraph, must be notified in writing of the following:

- A. that his/her child has been identified as having a substantial deficiency in reading;

- B. a description of the current services that are provided to the child;
- C. a description of the proposed supplemental instructional services and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency;
- D. that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless s/he is exempt from mandatory retention for good cause;
- E. strategies for parents to use in helping their child succeed in reading proficiency;
- F. that the Statewide, standardized English language arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the School District in knowing when a child is reading at or above grade level and ready for grade promotion;
- G. the Authority's specific criteria and policies for a portfolio as provided in F.S. 1008.22 and the evidence required for a student to demonstrate mastery of Florida's academic standards for English language arts;

A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.

- H. the Authority's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

To be promoted to grade 4, a student must score a Level 2 or higher on the Statewide, standardized English language arts assessment required under F.S. 1008.22 for grade 3. If a student's reading deficiency is not remedied by the end of grade 3, as demonstrated by scoring Level 2 or higher on the Statewide, standardized assessment required under F.S. 1008.22 for grade 3, the student must be retained.

A student who has been retained in third grade due to a reading deficiency shall be promoted mid-year if the student has demonstrated mastery of the State-mandated requirements in reading.

A student may be eligible for a waiver of retention criteria for acceptable good cause as outlined in the student progression plan. A student may be retained at the same grade level/course(s) when s/he has not demonstrated satisfactory mastery of the State-mandated requirements in the required subject areas. Parents must be informed in advance of the possibility of retention of a student at a grade level.

### **Middle Grades Promotion**

In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

- A. Three (3) middle grades or higher courses in English Language Arts (ELA).
- B. Three (3) middle grades or higher courses in mathematics.
  - 1. Each school that includes middle grades must offer at least one (1) high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the Statewide standardized end-of-course (EOC) assessment.
  - 2. To earn high school credit for Algebra I, a middle grades student must take the Statewide standardized Algebra I EOC assessment and pass the course, and in addition, a student's performance on the Algebra I EOC assessment constitutes thirty percent (30%) of the student's final course grade.
  - 3. To earn high school credit for a Geometry course, a middle grades student must take the Statewide standardized Geometry EOC assessment, which constitutes thirty percent (30%) of the student's final course grade, and earn a passing grade in the course.
- C. Three (3) middle grades or higher courses in social studies.
  - 1. One (1) of these courses must be at least a one (1) semester civics education course that includes the roles and responsibilities of Federal, State, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.



2. Each student's performance on the Statewide standardized EOC assessment in civics education required under F.S. 1008.22 constitutes thirty percent (30%) of the student's final course grade.
3. Based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. The course must result in a completed personalized academic and career plan for the student that may be revised as the student progresses through middle school and high school; must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under F.S. 445.07.
4. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the following:
  - a. requirements for earning a high school diploma designation under F.S. 1003.4285;
  - b. requirements for each scholarship in the Florida Bright Futures Scholarship Program;
  - c. state university and Florida college system institution admission requirements;
  - d. available opportunities to earn college credit in high school, including advanced placement courses;
  - e. the International Baccalaureate Program;
  - f. the Advanced International Certificate of Education Program;
  - g. dual enrollment, including career dual enrollment; and
  - h. career education courses, including career-themed courses, preapprenticeship and apprenticeship programs, and course sequences that lead to industry certification pursuant to F.S. 1003.492 or 1008.44.
5. The course may be implemented as a stand-alone course or integrated into another course or courses.

#### **Retention of Students with Disabilities**

Retention and assignment of a student with disability will be determined by the student's Individual Education Plan (IEP) Team and follow the requirements of Florida law. The assignment of and services to be provided to a student with a disability will be documented on the student's IEP. Extended school year services may be provided for any student who would severely regress in his/her skills and overall functioning as demonstrated by supporting documentation and determined necessary by the student's IEP team.

Revised 3/9/21

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Legal	F.S. 1002.3105
	F.S. 1003.4156
	F.S. 1008.22
	F.S. 1008.25
	F.A.C. 6A-1.09422
	F.A.C. 6A-1.094221
	F.A.C. 6A-1.094222

Last Modified by Jacquelin Collins on October 22, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	GRADUATION REQUIREMENTS
Code	po5460 10/2/21 fsj jc 10/21/21
Status	
Adopted	April 12, 2016
Last Revised	March 9, 2021

## 5460 - GRADUATION REQUIREMENTS

It shall be the policy of the Governing Board to acknowledge each student's successful completion of the instructional program appropriate to the achievement of Authority goals and objectives as well as personal proficiency by the awarding of a diploma at a fitting graduation ceremony.

### Standards for Graduation

Receipt of a standard high school diploma requires successful completion of twenty-four (24) credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education completion, or the Career and Technical Education (CTE) pathway.

The twenty-four (24) credits shall be distributed as follows:

Subject	Credits
English Language Arts	4
Social Studies	3
Mathematics	4
Science	3
Fine or performing arts, speech and debate, or practical arts	1
Electives	7.5
Basic Physical education	1
Health (including CPR/AED instruction)	.5

A financial literacy course consisting of at least one-half (1/2) credit as an elective shall be offered.

Basic training in first aid, including at least one (1) hour of cardiopulmonary resuscitation (CPR) instruction, shall be provided for students in grades 9 and 11.

High school students will be provided opportunities to take "computer science" courses and earn technology-related industry certifications to satisfy high school graduation requirements.

Computer science courses and technology-related industry certifications that are identified as eligible for meeting mathematics or science requirements for high school graduation will be included in the Course Code Directory.

The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in F.S. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met.

An equivalent course is one (1) or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon a review of the Next Generation Sunshine State Standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

Computer science courses that may be taken to satisfy high school graduation requirements include, but are not limited to, the following:

- A. High school computer science courses of sufficient rigor, as identified by the FLDOE, such that one (1) credit in computer science and the earning of related industry certifications constitute the equivalent of up to one (1) credit of the mathematics requirement, with the exception of Algebra I or higher-level mathematics, or up to one (1) credit of the science requirement, with the exception of Biology I or higher-level science, for high school graduation.
- B. High school computer technology courses in 3D rapid prototype printing of sufficient rigor, as identified by the FLDOE, such that one (1) or more credits in such courses and related industry certifications earned may satisfy up to two (2) credits of mathematics required for high school graduation with the exception of Algebra.

The earning and awarding of high school credits will be in accordance with Florida law including, but not necessarily limited to, the provisions of F.S. 1003.4282 and those identified in the Student Progression Plan.

### **High School Diploma**

The Board shall award a standard high school diploma to every student enrolled in this Authority who meets the requirements of graduation established by this Board or who properly completes the goals and objectives specified in his/her IEP including either the exemption from or the requirement to complete the State-mandated tests and the recommendation of the IEP Team.

### **Early High School Graduation**

For the purposes of this policy, the term "early graduation" means graduation from high school in less than eight (8) semesters or the equivalent by the completion of the required number of credits.

A student who meets the requirements of F.S. 1003.4282(3)(a)-(e), earns three (3) credits in electives (a total of eighteen (18) credits), and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma.

A student also has the option of early graduation if the student has completed a minimum of twenty-four (24) credits and otherwise meets the requirements for graduation.

### **Credit Acceleration Program (CAP)**

High school credit in courses required for high school graduation may be earned through the passage of an end-of-course assessment administered under F.S. 1008.22, an advanced placement examination, or a College Level Examination Program (CLEP). Course credit shall be awarded to a student who is not enrolled in the course or who has not completed the course if the student attains a passing score on the end-of-course assessment, advanced placement examination, or CLEP. The student shall take the standardized assessment during the regular administration of the assessment or examination.

The Authority shall notify the parent of a student who is eligible to graduate early.

A student who graduates early may continue to participate in school activities and social events and to attend and participate in graduation events with the student's cohort. The student will be included in class ranking, honors, and award determinations for the student's cohort. The student must comply with Board rules and policies regarding access to the school facilities and grounds during normal operating hours.

### **Career and Technical Education Graduation Pathway Option**

A student is eligible to complete an alternative pathway to earning a standard high school diploma through the CTE pathway option. Receipt of a standard high school diploma awarded through the CTE pathway option requires the student's successful completion of at least eighteen (18) credits. A student completing the CTE pathway option must earn at least a cumulative grade point average (GPA) of 2.0 on a 4.0 scale. In order for a student to satisfy the requirements of the CTE pathway option, s/he must meet the GPA requirement and:

- A. meet the requirements as set forth in F.S. 1003.4282;
- B. complete two (2) credits in career and technical education; and

The courses must result in a program completion and an industry certification.

- C. complete two (2) credits in work-based learning programs. A student may substitute up to two (2) credits of electives, including one-half (1/2) credit in financial literacy, for work-based learning program courses to fulfill this requirement.

The CTE pathway option to graduation will be incorporated into the District's Student Progression Plan.

## Certificate of Completion

A student who completes the minimum number of credits and other requirements for graduation but cannot earn a passing score on the State assessments, achieve a cumulative grade point average of 2.0 on a 4.0 scale or its equivalent, or complete all other applicable requirements prescribed by the Board pursuant to Florida statutes shall be awarded a certificate of completion in a form prescribed by the State Board of Education.

A student who is entitled to a certificate may elect to remain as a full-time student or a part-time student for up to one (1) additional year and receive special instruction designed to remedy the student's identified deficiencies.

## Notice to Students and Parents

The Authority will notify students and parents, in writing, of the requirements for a standard high school diploma, available designations, and the eligibility requirements for State scholarship programs and postsecondary admissions.

## Commencement Exercises

Commencement exercises will include only those students who have successfully completed requirements for a standard high school diploma, Early Admission to College Program, or a certificate of completion for graduation as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct so warrants.

Students are permitted to lawfully wear dress uniforms of any of the Armed Forces of the United States or of the State at their graduation ceremony.

Revised 8/14/18

Revised 10/8/19

Revised 3/9/21

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Legal	F.S. 1002.3105
	F.S. 1003.4281
	F.S. 1003.4282
	F.S. 1003.4285
	F.S. 1003.4286
	F.S. 1003.4295
	F.S. 1003.433
	F.S. 1003.435
	F.S. 1003.436
	F.S. 1003.437, F.S. 1003.543
	F.A.C. 6A-1.0995
	F.A.C. 6A-1.09961
	F.A.C. 6A-1.09963
	F.A.C. 6A-6.08573

Book	Policy Manual
Section	V22 N1 REVISED
Title	STUDENT CONDUCT
Code	po5500 10/2/21 fsj jc 10/21/21
Status	
Adopted	April 12, 2016
Last Revised	December 8, 2020

## 5500 - STUDENT CONDUCT

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this Authority.

The Governing Board has zero tolerance for conduct that poses a threat to school safety. Zero tolerance policies must apply equally to all students and are not intended to be rigorously applied to petty acts of misconduct.

Florida law requires that students found to have committed one of the following offenses:

- A. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school-sponsored transportation, or possessing a firearm at school; or
- B. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school or school personnel's property, school transportation, or a school-sponsored activity;

shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and shall be referred to mental health services identified by the Authority and to the criminal justice or juvenile justice system.

The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request that the Board modify the requirement by assigning a student to a disciplinary program or second chance school. The Superintendent's request for modification must be in writing and may only be presented to the Board for consideration if the student and/or the student's parent(s) agree in writing to accept the Superintendent's recommendation. The Board may approve the request if it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is a student who has a disability, the Board shall comply with applicable State Board of Education rules for the discipline of such students.

The Authority shall enter into agreements with local law enforcement specifying procedures so that acts that pose a threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction.

Those acts that pose a threat to school safety include, but are not limited to,:

- A. possession of firearms or other weapons
- B. placing, discharging, or throwing an explosive item or noxious substance or making threats to do so
- C. arson
- D. felony assault
- E. threats of unsafe and potentially harmful, dangerous, violent, or criminal activities

Petty acts of misconduct that are not a threat to school safety do not require consultation with law enforcement.



The following are typically considered petty acts of misconduct, although each act must be examined on a case-by-case basis to determine whether or not the act constitutes a threat to school safety requiring consultation with law enforcement:

- A. disorderly conduct
- B. disrupting a school function
- C. simple assault or battery
- D. verbal abuse or use of profanity
- E. cheating
- F. theft of less than \$300, trespassing, and vandalism of less than \$1,000
- G. possession or use of tobacco

Notwithstanding any other provision of Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any elected official of the Authority, teacher, administrator, or other School District personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate.

The minimum period of this expulsion or placement in an alternative school setting shall be one (1) year and the student shall be referred to the criminal justice or juvenile justice system.

Further, upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

The Code of Student Conduct that is adopted annually shall provide for review of a decision to suspend or expel a student pursuant to this policy and the Code, consistent with F.S. 1006.07.

The Code shall also include the following:

1. criteria for recommending to law enforcement that a student who commits a criminal offense be allowed to participate in a civil citation or similar prearrest diversion program as an alternative to expulsion or arrest;

All civil citation or similar prearrest diversion programs must comply with F.S. 985.12.

2. criteria for assigning a student who commits a petty act of misconduct to a school-based intervention program. If a student's assignment is based on a noncriminal offense, the student's participation in a school-based intervention program may not be entered into the Juvenile Justice Information System Prevention Web.

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the Authority has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in F.S. 1006.13(6)(a), the Board shall, pursuant to State law and the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense or a sibling of the victim.

Students may be subject to discipline for violation of the Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

The principal shall notify all school personnel as to their responsibilities regarding incident reporting, that acts which pose a threat to school safety and crimes are properly reported to the principal, and that the disposition of the incident is properly documented.

Student conduct shall be governed by the rules and provisions set forth in the Lee County Code of Student Conduct which is reviewed and adopted annually in accordance with F.S. Chapter 120 and is incorporated in the policy by reference.

The Code of Student Conduct shall contain provisions for the assignment of violent or disruptive students to an alternative educational program and/or referral of such students to mental health services identified by the Authority.

Revised 8/14/18

Revised 5/14/19

Revised 12/8/20

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Legal	F.S. 1006.07
	F.S. 1006.13
	F.S. 1012.584

Last Modified by Jacquelin Collins on October 22, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	TOBACCO-FREE ENVIRONMENT
Code	po5512 10/1/21 fsj jc 10/21/21
Status	
Adopted	April 12, 2016
Last Revised	March 9, 2021

**REPLACEMENT POLICY - VOL. 22, NO. 1**  
**5512 - SMOKING AND TOBACCO-FREE ENVIRONMENT**

The School Board recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is committed to providing students, staff, and visitors with a smoking and tobacco-free environment on school property and at off-campus, school-sponsored events.

The Board also believes accepting gifts or materials from the tobacco industry will send an inconsistent message to students, staff, and visitors.

The Board recognizes that adult staff and visitors serve as role models for students. The Board embraces its obligation to promote positive role models in schools and to provide an environment for learning and working that is safe, healthy, and free from unwanted smoke or aerosol and other tobacco use for the students, staff, and visitors.

**Definitions**

1. "Any time" means twenty-four (24) hours a day, seven days a week, 365 days a year.
2. "Electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic smoking device" includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, or similar devices. "Electronic smoking device" also includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, or pods.
3. "School property" means all facilities and property, including land, whether owned, rented, or leased by the Board, and also includes all vehicles owned, leased, rented, contracted for, or controlled by the Board and used for transporting students, staff, or visitors.
4. "Tobacco product" means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic smoking devices; cigars; little cigars; and other kinds and forms of tobacco.

**General Statement of Policy**

1. Students are prohibited from possessing, using, consuming, displaying, or selling any tobacco products, tobacco-related devices, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored event.
2. Administrators, staff, or visitors are prohibited from using, consuming, displaying, activating, or selling any tobacco products, tobacco-related devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored events. This includes products or paraphernalia displaying tobacco industry brands.

3. It is a violation of this policy for administrators or staff to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry. This includes, but is not limited to, donations, monies for sponsorship, advertising, alleged educational materials, promotions, loans, scholarships, or support for equipment, uniforms, and sports and/or training facilities. It is also a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the Board.
4. It is a violation of this policy for any person to promote tobacco products on the school property or at off-campus, school-sponsored events via the display of images of tobacco products on gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other material.
5. ~~( ) Instruction to discourage the use of tobacco products shall be included in the education provided for all students. Staff responsible for teaching tobacco use prevention shall have adequate training and participate in ongoing professional development activities in order to be able to effectively deliver the education program. The curriculum for this instruction will not be paid for or developed by the tobacco industry or its subsidiaries.~~

### **Exceptions**

It is not a violation of this policy:

1. for a staff member or approved visitor to include tobacco products, tobacco-related devices, imitation tobacco products, or lighters in an instructional or work-related activity in District school buildings, if the activity does not include smoking, chewing, or otherwise ingesting the product; or
2. for a person to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and if the product is being marketed and sold solely for such an approved purpose.

### **Opportunities for Cessation Programs**

Administrators shall consult with the local public health department or other appropriate health and allied community-based organizations to provide students, staff, and administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of tobacco products.

Administrators shall identify and offer evidence-based programs and services for staff members who use tobacco products to support them in complying with this policy.

### **Enforcement**

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of the entire school community. All individuals on school premises, including students, staff, administrators, and visitors, are responsible for adhering to and enforcing this policy. Members of the school community are encouraged to communicate this policy with courtesy and diplomacy. Any person acting in violation of this policy will be informed or reminded of the policy and asked to comply.

[X] Enforcement of this policy shall be as specified in the Student Code of Conduct. [END OF OPTION]

~~[ ] The first violation will result in confiscation of tobacco products, tobacco-related devices, imitation tobacco products, or lighters; notification to parent(s); and at least one of the following:~~

- ~~1. A student meeting and individual student assessment with a health educator or designated staff to discuss tobacco use and the school policy.~~
- ~~2. Student participation in a tobacco education program.~~
- ~~3. Provision of information to the student about available cessation programs and resources.~~

~~The second violation will result in confiscation of tobacco products, tobacco-related devices, imitation tobacco products, or lighters; notification to parent(s) and/or guardian(s); the provision of information to the student about available cessation programs; and at least one of the following:~~

- ~~1. A student meeting and individual student assessment with a health educator or designated staff with parent(s) and/or guardian(s) to discuss tobacco use and school policy.~~
- ~~2. Student participation in a tobacco education program.~~

~~The third and any subsequent violation will result in confiscation of tobacco products, tobacco-related devices, imitation tobacco products, or lighters; notification to parent(s) and/or guardian(s); the provision of information to the student~~

about available cessation programs; student participation in a tobacco education program; and at least one of the following:

1. a student meeting and individual student assessment with a health educator or designated staff with parents and/or guardians to discuss tobacco use; and
2. educational community service. [END of OPTION]

### **Dissemination of Policy**

Notice of this policy will be provided through:

1. appropriate "No Tobacco" signage posted in the District on school buildings, building entrances, vehicles, vehicular entrances to school grounds, and indoor and outdoor athletic facilities;
2. written notice to students and parents/guardians in student handbooks and orientations;
3. written notice in staff handbooks, in orientations and employee or staff trainings, and when offering employment;
4. reminder announcements of this policy at school and District events, as appropriate.

### **Program Evaluation**

This smoking and tobacco-free policy shall be assessed by the District or its designated evaluator at regular intervals, but at least once a year, to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.

~~The Governing Board is committed to providing students, staff, and visitors with a tobacco-free environment, including on school grounds and in all facilities owned, leased, or contracted for by the Board (including, but not limited to, practice fields, playgrounds, football fields, baseball fields, softball fields, pool areas, soccer fields, tennis courts, and all open areas).~~

~~The negative health effects of tobacco use for both users and nonusers, particularly in connection with second-hand smoke, are well established. Further, providing a tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.~~

~~For purposes of this policy, "use of tobacco" shall mean:~~

- ~~A. to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes; all uses of tobacco, including cigars, cigarettes, pipe tobacco, smokeless tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, and the possession of papers used to roll cigarettes.~~
- ~~B. to use vapor generating electronic devices, e-cigarettes (including, but not limited to, "JUULs"), vaping products or supplies, including but not limited to vape pods, liquids or other vaping supplies, and/or;~~
- ~~C. to use other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.~~

~~Furthermore, the Board prohibits the use of tobacco in all vehicles owned or operated by the Board, including, but not limited to, school buses, vans, trucks, station wagons, and cars.~~

### **Notification**

~~"No Tobacco" signs will be posted throughout the Authority. Students will be provided notice of this policy through student handbooks, and notice that it is illegal under Federal law for any person, student or visitor, not of the age of twenty one (21), to possess, purchase, or attempt to purchase tobacco products on school property and/or anything defined as "use of tobacco" in this policy.~~

~~Law enforcement shall be contacted if any person under the age of eighteen (18) violates this policy.~~

~~Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate.~~

### **Educational Programming**

The Board further directs the Superintendent to develop administrative procedures designed to provide evidenced-based curricula regarding health hazards of the use of tobacco products to students as part of in-school and after-school programs and to provide counseling to students regarding smoking cessation.



Revised 3/9/21

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Legal	F.S. 381.84
	F.S. 386.202
	F.S. 386.203
	F.S. 386.204
	F.S. 386.206
	F.S. 386.212
	20 U.S.C. 6081 et seq.
	20 U.S.C. 7182

Last Modified by Jacquelin Collins on October 22, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	RESTRAINT OF STUDENTS WITH DISABILITIES
Code	po5630.01 10/2/21 fsj jc 10/21/21
Status	
Adopted	April 12, 2016

## 5630.01 - SECLUSION AND RESTRAINT OF STUDENTS WITH DISABILITIES

It is the policy of the Governing Board to prohibit ~~limit~~ the use of seclusion and to limit the use of restraint in the education and discipline of students with disabilities to circumstances in which the strategy can be used safely in a manner that is in the best interests of the student with a disability and as defined in this policy and Florida law. **All terms not defined herein shall have the definitions used in F.S. 1003.573.**

### Use of Physical Restraints

For purposes of this policy, restraint is an emergency intervention sometimes used in schools when students are exhibiting disruptive or dangerous behavior. Restraint is not an instructional tool for the development of pro-social behavior. Rather, it is one method to prevent students from harming themselves or others. It should only be used in emergency situations when an imminent risk of serious injury or death to the student or others exists.

Authorized school personnel may use restraint only when all positive behavior interventions and supports have been exhausted. Restraint may be used only when there is an imminent risk of serious injury and shall be discontinued as soon as the threat posed by the dangerous behavior has dissipated.

~~Physical restraint immobilizes or reduces the ability of a student to move his/her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.~~

A student with a disability shall not be subjected to physical restraint except as specifically authorized in this policy. Restraint of any kind shall not be used in any instance in which the sole justification is to punish the student for a violation of a directive from a staff member, violation of student conduct rule, the student's use of vulgar or profane language, a verbal threat, or a display of disrespect for another person. A verbal threat shall not be considered as sufficient justification for the use of physical or mechanical restraint unless a student with a disability has immediate access to the means of acting on the threat.

School personnel may not use a manual physical restraint that restricts the breathing of a student with a disability. A restraint shall not be implemented with the intention of using physical pain to achieve control of the behavior or punish misconduct of a student with a disability, and a restraint of any kind shall never be applied in a manner that restricts the blood flow or respiration of a student with a disability. Failure of a student with a disability to complain or object to a restraint or the successful use of a restraint with another student with a disability shall not justify the use of a restraint. **Restraint techniques may not be used that place a student in a facedown position with the student's hands restrained behind the student's back. The degree of force used for physical restraint shall only be the degree necessary to protect the student or others from risk of serious injury.**

Physical restraint shall not be used if there is a medical contraindication to its use identified for the student with a disability, and shall only be applied and supervised by a staff member who has been trained in the safe application and supervision of the specific means of restraint applied. Application of physical restraint to a student with a disability shall take into consideration the IEP and any BIP established for the student.

Physical restraint may be used on a student with a disability if an emergency requires the use of the restraint. As used here, "emergency" means circumstances in which a staff member reasonably believes that application of a restraint on the student with a

disability is necessary in response to a physical risk of harm to the student with a disability or others.

A student with a disability shall be released from physical or mechanical restraint immediately upon a determination by the supervising staff member administering or overseeing the use of restraint that the circumstances permitting the use of restraint in this policy no longer exist.

In determining whether a student with a disability who is being physically restrained should be moved from the area where the need was first noted or the restraint was first applied, the supervising staff member shall consider the potential for injury to the student with a disability, the educational and emotional well-being of the restrained student and other students with disabilities who would observe the application of the restraint, and any requirements of a BIP or IEP established for a student with a disability.

If physical restraint is utilized in compliance with this policy on a student with a disability whose primary mode of communication is sign language, the student with a disability shall be permitted to have his/her hands free of restraint for brief periods unless the supervising staff member determines that such freedom is likely to result in harm to the student or others.

The Superintendent shall promulgate procedures on the use of positive behavior interventions and supports.

### **Crisis Intervention Plan**

Upon the second time a student is restrained during a semester, the school shall develop a Crisis Intervention Plan (CIP) for the student. The CIP shall be developed by a team comprised of the student's parent or guardian, school personnel, and applicable physical and behavioral health professionals and must include:

1. specific positive behavior interventions and supports to use in response to dangerous behaviors that create a threat of imminent risk of serious injury;
2. known physical and behavioral health concerns that will limit the use of restraint for the student; and,
3. a timetable for the review and, if necessary, revision of the crisis intervention plan.

The school must provide a copy of the CIP to the student's parent or guardian.

### **Mandatory Training for Authorized Staff**

No employee of the Board, or person in a school facility shall be permitted to use physical restraint until the person has received sufficient training in the use of the strategy or procedure to allow the person to utilize the measure safely and in compliance with any IEP or BIP established for a student with a disability.

Only authorized personnel may use restraint. Personnel authorized to use restraint are ESE teachers, behavior assistants, and school administrators who have been trained on the use of restraint.

The Superintendent shall require that staff members responsible for implementing this policy receive training that includes:

- A. the use of positive behavior interventions and supports; positive methods to modify the environment of students with disabilities to promote adaptive behavior and reduce the occurrence of inappropriate behavior;
- B. risk assessment procedures to identify when restraint may be used; methods to teach skills to students with disabilities so that the students can replace inappropriate behavior with adaptive behavior;
- C. examples of when positive behavior interventions and support techniques have failed to reduce the imminent risk of serious injury; methods to enhance the independence and quality of life for students with disabilities;
- D. examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team; the use of least intrusive methods to respond to and discourage inappropriate behavior of students with disabilities while reinforcing positive behavior of those students;
- E. instruction in the CCCCSA's documentation and reporting requirements; a process for designing interventions based upon the student's needs that are focused on promoting appropriate changes in behavior as well as enhancing the overall quality of life for the student; and

- F. procedures to identify and deal with possible medical emergencies arising during the use of restraint; and the use of positive behavioral supports to deescalate problem behaviors.
- G. cardiopulmonary resuscitation.

The CCCCSA shall publish the procedures for the training required under this subsection in the CCCCSA's special policies and procedures manual.

The Superintendent shall also require that appropriate training is provided for the immediate supervisors of Authority employees who are authorized to supervise the use of restraints to provide that those measures are only implemented as permitted in this policy.

### **Documentation and Reporting**

A school shall prepare an incident report within twenty-four (24) hours after a student with a disability is released from restraint. If the student's release occurs on a day before the school closes for the week-end, a holiday, or other reason, the incident report must be completed by the end of the school day on the day the school reopens.

The following must be included in the incident report:

- A. The name of the student with a disability who was restrained;
- B. The age, grade, ethnicity, and disability of the student restrained;
- C. The date and time of the event and the duration of the restraint;
- D. The location at which the restraint occurred;
- E. A description of the type of restraint used in terms established by the Department of Education;
- F. The name of the person using or assisting in the restraint of the student with a disability;
- G. The name of any nonstudent who was present to witness the restraint; and
- H. A description of the incident, including:
  - 1. The context in which the restraint occurred;
  - 2. The behavior of the student with disabilities leading up to and precipitating the decision to use ~~manual physical~~ restraint, including an indication as to why there was an imminent risk of serious injury ~~or death~~ to the student or others;
  - 3. The specific positive behavioral interventions and supports~~strategies~~ used to prevent and de-escalate the behavior;
  - 4. What occurred with the student immediately after the termination of the restraint;
  - 5. Any injuries, visible marks, or possible medical emergencies that may have occurred during the restraint, documented according to Authority policies; ~~and~~
  - 6. Evidence of steps taken to notify the parent or guardian of the student with a disability. The date the crisis intervention plan was last reviewed and whether changes were recommended.
  - 7. The date the crisis intervention plan was last reviewed and whether changes were recommended.
  - 8.

A school shall notify the parent or guardian of a student with a disability each time ~~manual physical~~ restraint is used. Such notification must be in writing and provided before the end of the school day on which the restraint occurs. Reasonable efforts must also be taken to notify the parent or guardian by telephone or ~~computer~~-e-mail, or both, and these efforts must be documented. The school shall obtain, and keep in its records, the parent's or guardian's signed acknowledgement that s/he was notified of his/her child's restraint.

A school shall also provide the parent or guardian with the completed incident report in writing by mail within three (3) school days after a student with a disability was manually physically restrained or secluded. The school shall obtain, and keep in its records, the

parent's or guardian's acknowledgement that s/he received a copy of the incident report.

### **Monitoring**

The Authority shall monitor the use of ~~manual physical~~ restraint on students with disabilities and shall collect data including:

- A. when, where, and why students are restrained;
- B. the frequency of occurrences of such restraint; ~~and~~
- C. ~~the prone restraint that is most used.~~

Documentation prepared as required in this policy shall be provided to the school principal, The School Board of Lee County's Director of Exceptional Student Education, electronically each month that the school is in session.

The data collected shall be used when selecting staff for training, as well as in the preparation of a Authority plan with the goal of reducing the use of restraint in settings in which it occurs frequently or with students who are restrained repeatedly.

The plan shall identify activities, skills, and resources needed to achieve the plan's goal, including the following:

- A. additional training in positive behavioral interventions and supports~~support and crisis management~~;
- B. parental involvement;
- C. data review;
- D. updates on students' functional behavioral analysis;
- E. additional student evaluations;
- F. debriefing with staff;
- G. use of school-wide positive behavioral support;
- H. changes to the school environment.
- I. analysis of data to determine trends; and
- J. ongoing reduction of the use of restraint.

### **Revisions to Policies and Procedures**

Any revisions to policies and procedures, which must be prepared as part of the Authority's special policies and procedures, must be filed with The School Board of Lee County's Director of Exceptional Student Education no later than ninety (90) days after the revision.

At the beginning of each school year, the CCCCSA shall publicly post on its website its policies and procedures on positive behavior interventions and supports as adopted by the CCCCSA.

### **Disciplinary Action for a Violation of This Policy**

In addition to any penalty prescribed by law, the Superintendent is directed by this policy to see that an Authority employee who intentionally, knowingly, or recklessly violates this policy is subject to correction or disciplinary action as necessary to prevent a reoccurrence of the violation. An Authority employee engages in conduct "intentionally" if, when s/he engages in the conduct, it is his/her conscious objective to do so. An Authority employee engages in conduct "knowingly" if, when s/he engages in the conduct, s/he is aware of a high probability of a violation of this policy. An Authority employee engages in conduct "recklessly" if s/he engages in conduct in violation of this policy in a plain, conscious, and unjustifiable disregard of harm that might result to a student with a disability and the disregard involves a substantial deviation from acceptable standards of conduct established by this policy.

Discipline of a staff member for violation of this policy shall take into account the degree to which the violation risked serious bodily injury to a student with a disability and the staff member's history of compliance with this policy and other Board policies.

### **Retaliation for Fully Implementing or Reporting Violations**



No Board employee shall be permitted to retaliate against a person for reporting or objecting to actions in violation of this policy or providing information regarding a violation of this policy.

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Legal	F.S. 1003.32, 1003.573, 1006.11, 1012.75
	F.A.C. 69A-58.0084

Last Modified by Jacquelin Collins on November 15, 2021

Book	Policy Manual
Section	V22 N1 REVISED
Title	REPLACEMENT POLICY - VOL. 22, NO. 1 - SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS
Code	po5722 10/7/21 fsj jc 10/29/21
Status	
Adopted	April 12, 2016

## **REPLACEMENT POLICY - VOL. 22, NO. 1**

### **5722 - SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS**

The School Board sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school-sponsored student media" shall include both student publications and productions. School-sponsored student media does not include student expression related to classes that are not directly associated with student publications/productions. The term "publication" shall include distribution, transmission, and dissemination of a student publication regardless of its medium. "Student publications" shall include any written materials (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing).

(x), as well as material in electronic or on-line form (including, but not limited to, apps and services (as defined in Bylaw 0100, webpages/sites, web logs ("Blogs"), video or audio clips, (x) (postings of social media (as defined in Bylaw 0100), and newsletters of announcements transmitted by e-mail, (x) text, wireless broadcast, or other similar distribution/dissemination).

~~( )~~ The Board expressly prohibits the use of social media related to student publications.

The "term performance" shall include the presentation and broadcast of a student production. "Student productions" shall include vocal, musical, and/or theatrical performance, impromptu dramatic presentation, or any electronic media (including, but not listed to, radio and television programs, videoblogs ("vlogs"), podcast,

(x) social media (as defined in Bylaw 0100), and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology).

(x) and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). The Board expressly prohibits the use of social media related to student productions.

**[DRAFTING NOTE: A Board should only select the following option if it selected either or both of the first options under "student publication" or "student production."]**

Only District-approved social media (as defined in Bylaw 0100) may be used to host school-sponsored student media, in accordance with Policy 7544. School-sponsored student media must also comply with Policy 7540.02.

For purposes of this policy, "school community" is defined to include students, Board employees (i.e., administrators, and professional and classified staff), parent/family members

(x) and other individuals who are

~~( )~~ invited by the Superintendent

(x) authorized or otherwise permitted by the Superintendent

to view a performance or receive directly from the District a publication

~~(.) and those who have been issued credentials to access the District's secure portal.~~

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to minors (as that term is defined in Children's Internet Protection Action (CIPA)); speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

Student expression relates to classrooms or educational settings not otherwise directly associated with school-sponsored student publications/productions are nonpublic forums. As nonpublic forums, the content of such student expression can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of these student expressions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

~~[DRAFTING NOTE: With respect to student expression related to classrooms or educational settings not otherwise directly associated with school-sponsored student publications/productions, select Option 1, Option 2, Option 3, Option 4, or Option 5.]~~

#### Option #1

~~[.] Nonpublic forum student expression may be published/performed outside the school community (i.e., to the general public). (.) See Board Policy 9160 – Public Attendance at School Events.~~

~~[END OF OPTION #1]~~

#### Option #2

~~[.] While nonpublic forum student expression generally may be published/performed outside the school community (i.e., to the general public), the following nonpublic forum student expression may only be published/performed to members of the school community: \_\_\_\_\_ [identify] (.) See Board Policy 9160 – Public Attendance at School Events.~~

~~[END OF OPTION #2]~~

#### Option #3

~~[x.] While ordinarily nonpublic forum student expression may only be published/performed to members of the school community, the Superintendent may authorize specific nonpublic forum student expression to be published/performed outside the school community (i.e., to the general public). A teacher, student, or group of students who wish to have nonpublic forum student expression published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance. (x) See Board Policy 9160 – Public Attendance at School Events.~~

~~[END OF OPTION #3]~~

#### Option #4

~~[DRAFTING NOTE: The Board should select either Option 2 or Option 3 if it has authorized the limited use of District-approved Social Media to publish/perform nonpublic forum student expression.]~~

~~[.] While ordinarily nonpublic forum student expression may only be published/performed to members of the school community, the following nonpublic forum student expression may be published/performed outside the school community (i.e., to the general public): \_\_\_\_\_ [identify]. (.) See Board Policy 9160 – Public Attendance at School Events.~~

~~[END OF OPTION #4]~~

#### Option #5

~~[DRAFTING NOTE: The Board should select this option if it has prohibited the use of District-approved Social Media to publish/perform nonpublic forum student media, with the exception of nonpublic forum student media that is disseminated through District-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]~~

~~[.] Nonpublic forum student expression may only be published/performed to members of the school community. (.) See Board Policy 9160 Public Attendance at School Events.~~

**~~[END OF OPTION #5]~~**

**~~[DRAFTING NOTE: PLEASE CHOOSE ONE (1) OF THE FOLLOWING FOUR (4) OPTIONS (A-D). The order in which the below four (4) options are listed is not meant to convey a preference or recommendation. Boards should select the option that best reflects their current practice or a new practice they wish to henceforth follow. As they consider the following options, Board and administrators are encouraged to consult the accompanying Toolkit for a discussion of the different types of forums—e.g., nonpublic forum and limited public forum.]~~**

**~~Option A [Select if the Board intends to designate all school-sponsored student media, to be limited-purpose public forums (i.e., not subject to prior review/restraint) and allows them to be generally published/performed outside the school community. This is the most permissive of the options.]~~**

~~[.] The Board designates all school-sponsored student media as limited-purpose public forums where students can address matters of concern and/or interest to their readers/viewers. All school-sponsored student media may be published/performed outside the school community. The student journalists, content creators and/or performers involved in these publications/production have the right to determine the content of the student media.~~

~~[.] The content may address general matters of public concern and is open to the public at large for comment at the discretion of the student journalists/content creators/performers. School officials will not review or restrict the content of school-sponsored student media prior to publication/performance, except with respect to unprotected speech.~~

~~(.) Each medium should provide a full opportunity for students to inquire, question, and exchange ideas.~~

~~(.) Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy.~~

~~All school-sponsored student media shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and not subject to prior review. Given all student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student journalists, content creators, and performers are expected to establish and enforce standards, for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.~~

**~~[END OF OPTION A]~~**

**~~Option B [Select if the Board intends to identify specific school-sponsored student publications/productions to be limited-purpose public forums (i.e., not subject to prior review/restraint), which may be published/performed outside the school community. School-sponsored student publications/productions not listed are considered nonpublic forums and will be subject to routine and systematic prior review and restraint. This is the second-most permissive option and only permits prior review/restraint of nonpublic forums, and generally allows limited-purpose public forums to be generally published/performed outside the school community.]~~**

~~The Board designated the following official, school-sponsored student media to be limited-purpose public forums:~~

**~~[List all publications so designated:]~~**

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_
- D. \_\_\_\_\_
- E. \_\_\_\_\_

~~As limited-purpose public forums the student journalists, content creators, or performers associated with the above-listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content creators, and/or performers involved in the above-listed publications/productions have the right to determine the content of this student media.~~

~~[.] The content may address general matters of public concern and is open to the public at large for comment at the discretion of the student journalists/content creators/performers.~~



School officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance, except with respect to unprotected speech.

(-) Each medium should provide a full opportunity for students to inquire, question, and exchange ideas.

(-) Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy.

The above listed publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and not subject to prior review. Given the listed student publications and/or productions have been designated as limited purpose public forums, the school assumes no liability for their content, with editorial control comes responsibility. Student journalists, content creators and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/ artistic/theatrical/broadcast standards.

All other school-sponsored student media including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except for those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. [DRAFTING

NOTE: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board shall provide school officials with guidance and training in order to implement this duty of review/restrain effectively and legally.]

[DRAFTING NOTE: Select Option B-1, Option B-2, Option B-3, Option B-4, or Option B-5.]

[DRAFTING NOTE: The Board should only select this option if it has prohibited all nonpublic forum school-sponsored student publication/performance on Social Media, with the exception of nonpublic forum school-sponsored student media that is disseminated through District-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]

#### Option B-1

(-) Nonpublic forum school-sponsored student media may only be published/performed to members of the school community.

[END OF OPTION B-1]

[DRAFTING NOTE: The Board should select either Option B-2 or Option B-3 if it has authorized the limited use of District-approved Social Media to publish/perform nonpublic forum school-sponsored student media; as mentioned above, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all nonpublic forum school-sponsored student media.]

#### Option B-2

(-) While ordinarily nonpublic forum school-sponsored student media may only be published/performed to members of the school community, the following nonpublic forum student media may be published/performed outside the school community (i.e., to the general public):  
[identify] ( ) high school newspaper [could substitute with the name of the publication] ( ) high school yearbook [insert name(s) of specific school-sponsored student publication/production. ( ) See Board Policy 9160.

[END OF OPTION B-2]

#### Option B-3

[ x] While ordinarily nonpublic forum school-sponsored student media may only be published/performed to members of the school community, the Superintendent may authorize specific nonpublic forum student media to be published/performed outside the school community (i.e. to the general public). A student or group of students who wish to have his/her/their nonpublic forum student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

[END OF OPTION B-3]



#### Option B-4

~~[.] While nonpublic forum school sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following nonpublic forum student media may only be published/performed to members of the school community: [identify]. (.) See Board Policy 9160.~~

~~[END OF OPTION B-4]~~

#### Option B-5

~~[.] Nonpublic forum school sponsored student media may be published/performed outside the school community (i.e. to the general public). (.) See Board Policy 9160.~~

~~[END OF OPTION B-5]~~

~~[END OF OPTION B]~~

~~**Option C [Select if the Board intends to identify specific student publications/productions to be limited purpose public forums but wants to retain the authority to engage in limited and consistent prior review/restraint on the basis of four (4) identified reasons. School sponsored publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is the second most restrictive and permits some prior review/restraint involving what are otherwise limited purpose public forums.]**~~

~~The Board designates the following official, school sponsored student media to be limited purpose public forums:~~

~~[List all publications so designated:]~~

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_
- D. \_\_\_\_\_
- E. \_\_\_\_\_

~~As limited purpose public forums the student journalist, content creators or performers associated with the above listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content creators and/or performers involved in the above listed publications/productions have the right to determine the content of this student media. (.) While designated as limited purpose public forums, the listed publications/productions are not intended to address general matters of public concern and are not open to public comment.~~

~~School officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance; however, school officials may review the content and reject an article/posting/publication/production due to one (1) of the following four (4) reasons:~~

- A. ~~where poor grammar or writing is evident;~~
- B. ~~where a legitimate question of age appropriateness of the material exists;~~
- C. ~~where matters beyond the limited scope of the forum are included; and/or~~
- D. ~~where the content involves unprotected speech.~~

~~[.] The above listed school sponsored student publications/productions, while limited purpose public forums are not intended to address general matters of public concern and therefore are not open to public comment.~~

~~The listed publications and or production shall contain a notice to the reader/viewer that the material, while school sponsored, is student directed and subject only to limited prior review. Given the listed student publications and/or productions have been designated as limited purpose public forums, the school assumes no liability for the content beyond that covered by the school officials' limited prior review, with editorial control comes responsibility. Student journalists, content creators and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.~~

~~[DRAFTING NOTE: Select Option C 1, Option C 2, Option C 3, Option C 4, or Option C 5.]~~

### Option C-1

~~{DRAFTING NOTE: The Board should only select this option if it has prohibited all school-sponsored student publication/performance on Social Media, with the exception of school-sponsored student media that is disseminated through District-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).}~~

~~[.] School-sponsored student media may only be published/performed to members of the school community.~~

~~{END OF OPTION C-1}~~

~~{DRAFTING NOTE: The Board should select either Option C-2 or Option C-3 if it has authorized the limited use of District-approved Social Media to publish/performance school-sponsored student media; as mentioned below, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.}~~

### Option C-2

~~[.] While ordinarily school-sponsored student media may only be published/performed to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public):~~

~~\_\_\_\_\_ [identify] (.) high school newspaper [could substitute with the name of the publication] (.) high school yearbook [could substitute with the name of the yearbook] (.) \_\_\_\_\_ [insert name(s) of specific school-sponsored student publications/productions]. (.) See Board Policy 9160.~~

~~{END OF OPTION C-2}~~

### Option C-3

~~[x] While ordinarily school-sponsored student media may only be published/performed to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.~~

~~{END OF OPTION C-3}~~

### Option C-4

~~[.] While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may only be published/performed to members of the school community:~~  
~~\_\_\_\_\_ [identify]. (.) See Board Policy 9160.~~

~~{END OF OPTION C-4}~~

### Option C-5

~~[.] School-sponsored student media may be published/performed outside the school community (i.e., to the general public). (.) See Board Policy 9160.~~

~~{END OF OPTION C-5}~~

~~All other school-sponsored student publications and productions, including classroom and/or other curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. {DRAFTING NOTE: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.}~~

~~{END OF OPTION C}~~

Option D [Select if the Board intends all school sponsored student media (i.e., publications/production) to be nonpublic forums—i.e., subject to routine prior review/restraint. This is the most restrictive option.]

[DRAFTING NOTE: for Options D-1 through D-5: It is critical that the school officials actually engage in prior review/restraint and not just "reserve" the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board will be considered to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.]

All school sponsored student media are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school related reasons. School officials shall routinely and systematically review and, if necessary, restrict the type and/or content of all school sponsored student media prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may further prohibit speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudiced, vulgar, or profane, or unsuitable for immature audiences.

[DRAFTING NOTE: Select Option D-1, Option D-2, Option D-3, Option D-4, or Option D-5.]

#### Option D-1

[DRAFTING NOTE: The Board should only select this option if it has prohibited all school sponsored student publication/performance on Social Media, with the exception of school sponsored student media that is disseminated through District approved Social Media that employs a portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]

[ ] School sponsored student media may only be published/performed to members of the school community.

[END OF OPTION D-1]

[DRAFTING NOTE: The Board should select either Option D-2 or Option D-3 if it has authorized the limited use of District approved Social Media to publish/performance school sponsored media; as mentioned above, it is critically important that school officials routinely and consistently exercise their authority to engage in prior review/restraint with respect to the publication/performance of all school sponsored student media.]

#### Option D-2

[ ] While ordinarily school sponsored student media may only be published/performed to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public):

\_\_\_\_\_ [identify] ( ) high school newspaper [could substitute with the name of the publication] ( ) high school yearbook [could substitute with the name of the yearbook] ( ) \_\_\_\_\_ [insert name(s) of specific school sponsored student publications/productions]. ( ) See Board Policy 9160.

[END OF D-2]

#### Option D-3

[x ] While ordinarily school-sponsored student media may only be published/performed to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community, (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.

[END OF OPTION D-3]

#### Option D-4

[ ] While school sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may only be published/performed to members of the school community:  
\_\_\_\_\_ [identify]. ( ) See Board Policy 9160.

[END OF OPTION D-4]

**Option D-5**

~~[.] School sponsored student media may be published/performed outside the school community (i.e., to the general public). (.) See Board Policy 9160~~

~~[END OF OPTION D-5]~~

~~[END OF OPTION D]~~

~~[END OF OPTIONS A THROUGH D]~~

**[NOTE: The following paragraph is optional.]**

~~[.] Students (x) staff will monitor comments posted to social media platforms/sites that have been approved under Policy 7544 for use as school-sponsored student media. Comments will be monitored to verify the age-appropriateness of the material, whether unprotected speech is involved, and whether there is compliance with posted rules for use of the forum and the platform/site's applicable terms of service. Comments that are not age-appropriate for the student-audience for the school-sponsored publication, constitute unprotected speech, and/or violate the posting rules for the use of the forum and/or the platform/site's applicable terms of service will be removed. The review of posted comments will be conducted in a viewpoint neutral manner, and consistent with State and Federal law.~~

~~[.] Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.~~

**[DRAFTING NOTE: CHOOSE ONE (1) OF THE FOLLOWING THREE (3) OPTIONS RE: ADVERTISING.]**

**Option #1 [Select if the Board intends to permit advertising in some or all school-sponsored student media but requires a school employee/official to pre-approve the advertisements.]**

Advertising is permitted in

~~(.) all school-sponsored student media~~

(x) the following school-sponsored student publication/productions: [identify publications/productions]

Websites

School Yearbooks

Any advertisements must be consistent with Policy 9700.01 (.) and AP 9700B.

Advertisements submitted for publication or inclusion in a production shall be reviewed by

(x) the class/activity advisor

(x) the principal

(x) the Superintendent

(.) school officials

for a determination that they are appropriate for juveniles. The (x) Superintendent (.) Board retains the final authority to determine whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for legitimate pedagogical school-related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement encourages action that would endanger the health and safety of students).

~~[END OF OPTION #1]~~

**Option #2 [Select if the Board intends to permit advertising in some or all school-sponsored student media that are designated to be limited purpose public forums, and the students involved in the specific publications/productions will be responsible for accepting or rejecting the advertisements.]**



Advertising is permitted in

~~(-) all school sponsored student media that have been designated as limited public forums.~~

~~(-) the following school sponsored student media that have been designated as limited purpose public forums: [identify publications/productions]~~

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Any advertisements must be consistent with Policy 9700.01 (-) and AP 9700B.

The students in the class(es)/activity(ies) associated with

~~(-) all school sponsored student media that have been designated as limited purpose public forums~~

~~(-) the above listed student media~~

will determine whether to include advertisements in the publications/productions. Acceptance or rejection of specific advertisements is within the control of the publication/production staff, which may accept those for activities, products, or services that are illegal for students and/or that violate State or Federal law.

~~[-] The publication/production staff is encouraged to consider the age appropriateness of the ads they select.~~

~~[END OF OPTION #2]~~

~~[-] Option #3 [Select if the Board intends to prohibit advertisements in all student publications/productions.]~~

Advertising is not permitted in school sponsored student media.

~~[END OF OPTION #3]~~

### General Prohibitions

Regardless of their status as non public or limited purpose public forums, the Board prohibits publications, productions, and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or question submitted at any election;
- B. ~~(-) fail to identify the student or organization responsible for the publication/performance;~~
- C. ~~(-) solicit funds for non school organizations or institutions when such solicitation has not been approved by the Board.~~

The School Board sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school sponsored student media" shall include both student publications and productions. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs ("blogs"), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). "Student productions" shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term "publication" shall include distribution and dissemination of a student publication; and the term "performance" shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all school sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by



State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorized the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

**[NOTE: PLEASE CHOOSE 1 OF THE FOLLOWING 4 OPTIONS.]**

**[ ] Option #1 [Select, if the Board intends all school-sponsored student media (i.e., publications/productions) to be nonpublic forums—i.e. subject to routine prior review/restraint. This is the most restrictive option.]**

All school-sponsored student publications and productions are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the style and/or content of all school-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues, but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may further prohibit speech that is ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

**[ ] School-sponsored student media may not be published/performed outside the school community (i.e. publication/performance is limited to students, staff and parents/family members) ( ) except with prior written approval of the ( ) building principal ( ) Superintendent.**

**[ ] While school-sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following student media may only be published/performed to students, staff and parents/family members: [identify]. ( ) See Board Policy 9160.**

**[ ] The Board expressly authorizes the publication/performance of student media outside the school community (i.e. to the general public). See Board Policy 9160.**

**[ ] The Board expressly authorizes the publication/performance of only the following student media outside the immediate school community (i.e. to the general public): [identify] ( ) high school newspaper [could substitute with the name of the publication] ( ) high school yearbook [could substitute with the name of the yearbook]. ( ) See Board Policy 9160.**

**[ ] Option #2 [Select if the Board intends to identify specific student publications/productions to be limited-purpose public forums, but wants to retain the right to engage in limited prior review/restrain on the basis of the four (4) identified reasons. Publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is second most restrictive option and permits some prior review/restraint involving what are otherwise limited-purpose public forums.]**

The Board designates the following official, school-sponsored student media to be limited-purpose public forums:

**[List all publications so designated:]**

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As limited-purpose public forums the student journalists or performers associated with the publications and/or productions listed above may address matters of concern and/or interest to their readers/viewers. These limited-purpose public forums are not open to the public at large and are not intended to address general matters of public concern. As limited-purpose public forums, school officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance; however, school officials may review the content and reject an article/publication/production due to one of the following four (4) reasons:

- A. where poor grammar or writing is evident;
- B. where a legitimate question of age appropriateness of the material exists;
- C. where matters beyond the limited scope of the forum are included; and/or
- D. where the content involves unprotected speech.

These publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and subject only to limited prior review. Given these student publications and/or productions have been designated as limited purpose public forums, the school assumes no liability for their content beyond that covered by the school officials' limited prior review. With editorial control comes responsibility. Student journalists and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/theatrical/broadcast standards.

☐ School-sponsored student media may not be published/performed outside the school community (i.e. publication/performance is limited to students, staff and parents/family members) ☐ except with the prior written approval of the ☐ **building principal** ☐ **Superintendent**.

☐ While school-sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following student media may only be published/performed to students, staff and parents/family members: ☐ **[identify]**. ☐ See Board Policy 9160.

☐ The Board expressly authorizes the publication/performance of student media outside the school community (i.e. to the general public): See Board Policy 9160.

☐ The Board expressly authorizes the publication/performance of only the following student media outside the immediate school community (i.e. to the general public): ☐ **[identify]** ☐ high school newspaper ☐ **[could substitute with the name of the publication]** ☐ high school year book ☐ **[could substitute with the name of the yearbook.]** ☐ See Board Policy 9160.

All other school-sponsored student publications and productions, including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except these publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

☐ **Option #3 [Select if the Board intends to identify specific student publications/productions to be limited purpose public forums (i.e., not subject to prior review/restraint), which may be published/performed outside the school community. Publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is the second most permissive option and only permits prior review/restraint of nonpublic forums, and generally allows limited purpose public forums to be generally published/performed outside the school community.]**

The Board designates the following official, school-sponsored student media to be limited purpose public forums:

☐ **[List all publications/productions so designated:]**

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As limited purpose public forums the student journalists or performers associated with the publications and/or productions listed above may address matters of concern and/or interest to their readers/viewers. The student journalists and/or performers involved in the above listed publications/productions have the right to determine the content of these student media. ☐ The content is open to the public at large at the discretion of the student journalist/performers and may address general matters of public concern. School officials will not routinely and systematically restrict the content of the publications and/or productions listed above prior to their publication/performance, except with respect to unprotected speech. ☐ Each medium should provide a full opportunity for students to inquire, question and exchange ideas. ☐ Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy.

These publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and not subject to prior review. Given these student publications and/or productions have been designated as limited purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student journalists and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/theatrical/broadcast standards.

All other school-sponsored student publications and productions, including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except for those

publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

☐ Nonpublic forum school sponsored student media may not be published/performed outside the school community (i.e. publication/performance is limited to students, staff and parents/family members) ☐ except with the prior written approval of the ☐ building principal ☐ Superintendent.

☐ While nonpublic forum school sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following nonpublic forum student media may only be published/performed to students, staff and parents/family members: ☐ [identify]. ☐ See Board Policy 9160.

☐ The Board expressly authorizes the publication/performance of nonpublic forum student media outside the school community (i.e. to the general public). See Board Policy 9160.

☐ The Board expressly authorizes the publication/performance of only the following nonpublic forum student media outside the immediate school community (i.e. to the general public): ☐ [identify] ☐ high school newspaper ☐ [could substitute with the name of the publication] ☐ high school year book ☐ [could substitute with the name of the yearbook]. ☐ See Board Policy 9160.

☐ Option #4 ☐ [Select if the Board intends to designate all student media, except those related to classes that are not directly associated with student publications/productions, to be limited purpose public forums (i.e., not subject to prior review/restraint). This is the most permissive/liberal of the options.]

The Board hereby designates all school sponsored student media, with the exception of those originating from classrooms not otherwise directly associated with student publications and productions, as limited purpose public forums whereby students can address matters of concern and/or interest to their readers/viewers. The student journalists and/or performers involved in these publications/productions have the right to determine the content of the student media. ☐ The content is open to the public at large at the discretion of the student journalists/performers and may address general matters of public concern. School officials will not review or restrict the content of non classroom school sponsored student publications or productions prior to publication/performance, except with respect to unprotected speech. ☐ Each medium should provide a full opportunity for students to inquire, question and exchange ideas. ☐ Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy.

These publications and/or productions shall contain a notice to the reader/viewer that the material, while school sponsored, is student directed and not subject to prior review. Given these student publications and/or productions have been designated as limited purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student journalists and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/theatrical/broadcast standards.

Publications and/or productions that are related to classrooms not otherwise directly associated with student publications and productions are nonpublic forums. As nonpublic forums, the content of these student publications and productions can be regulated for legitimate pedagogical school related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of these school sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

☐ Nonpublic forum school sponsored student media may not be published/performed outside the school community (i.e., publication/performance is limited to students, staff and parents/family members) ☐ except with the prior written approval of the ☐ building principal ☐ Superintendent.

☐ While nonpublic forum school sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following nonpublic forum student media may only be published/performed to students, staff and parents/family members: ☐ [identify]. ☐ See Board Policy 9160.

☐ The Board expressly authorizes the publication/performance of nonpublic forum student media outside the school community (i.e. to the general public). See Board Policy 9160.

☐ The Board expressly authorizes the publication/performance of only the following nonpublic forum student media outside the immediate school community (i.e. to the general public): ☐ [identify] ☐ See Board Policy 9160.

#### **[END OF OPTIONS #1 THROUGH #4]**

☐ Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.

**[NOTE: CHOOSE ONE OF THE FOLLOWING THREE OPTIONS RE: ADVERTISING.]**



☐ **Option #1** ~~[Select if the Board intends to permit advertising in some or all student publications/productions, but wants a school employee/official to be responsible for approving the advertisements.]~~

Advertising is permitted in ☐ all school sponsored student publications/productions. ☐ The following school sponsored student publications/productions: ~~[identify publications/productions]~~

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~~Advertisements submitted for publication or inclusion in a production shall be reviewed by ☐ the class/activity advisor ☐ the building principal ☐ the Superintendent ☐ school officials for a determination that they are appropriate for juveniles. The ☐ Superintendent ☐ Board retains the final authority to determine whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for legitimate pedagogical school related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement encourages action that would endanger the health and safety of students).~~

☐ **Option 2** ~~[Select if the Board intends to permit advertising in some or all student publications/productions that are designated to be limited purpose public forums, and the students involved in the specific publications/productions will be responsible for accepting or rejecting the advertisements.]~~

Advertising is permitted in

☐ all school sponsored student media that have been designated as limited purpose public forums.

☐ the following school sponsored student media that have been designated as limited purpose public forums: ~~[identify publications/productions]~~

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The students in the class(es)/activity(ies) associated with

☐ all school sponsored student media that have been designated as limited purpose public forums

☐ the above listed student media

~~will determine whether to include advertisements in the publications/productions. Acceptance or rejection of specific advertisements is within the control of the publication/production staff, which may accept any ads except those for activities, products or services that are illegal for students and/or that violate State or Federal law.~~

☐ ~~The publication/production staff is encouraged to consider the age appropriateness of the ads they select.~~

☐ **Option 3** ~~[Select if the Board intends to prohibit advertisements in all student publications/productions.]~~

Advertising is not permitted in school sponsored student publications/productions.

**[END OF OPTIONS RE: ADVERTISING]**

### **General Prohibitions**

Regardless of their status as non public or limited purpose public forums, the Board prohibits publications, productions and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or question submitted at any election;
- B. ☐ fail to identify the student or organization responsible for the publication/performance;
- C. ☐ solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Board.

Last Modified by Jacquelin Collins on November 15, 2021



Book	Policy Manual
Section	V22 N1 REVISED
Title	WAIVER OF SCHOOL FEES
Code	po6152.01 10/7/21 fsj jc 10/29/21
Status	
Adopted	April 12, 2016

#### 6152.01 - **WAIVER OF SCHOOL FEES**

The Authority shall waive fees assessed only for students whose parent(s) or guardian(s) are unable to afford them and such fees and fines are barriers to the educational program. The Superintendent may, as deemed necessary, establish additional procedures to supplement the procedures established in this policy regarding the requests for the waiver of fees.

#### **Eligibility Standards**

Students eligible for a waiver of school fees include, but are not limited to, the following:

- A. Students who qualify for free lunches or breakfasts under the National Free Lunch Program.
- B. Students who are experiencing homelessness pursuant to Policy 5111.01 - Homeless Students.
- C. Students who are eligible to receive reduced price lunch or breakfast.
- D. Students whose families have suffered very significant losses of income due to severe illness or injury in the family or unusual expenses including, but not limited to, fire, flood, or storm damage.
- E. Other good and just reasons as determined by the Superintendent.

#### **Procedures for Resolution of Disputes**

- A. A parent(s) or guardian who cannot pay school fees may write a letter requesting a waiver of fees to the Superintendent. The letter must contain the following:
  - 1. name(s) of student(s)
  - 2. name of parent(s) or guardian(s)
  - 3. address of parent(s) or guardian(s)
  - 4. phone number of parent(s) or guardian(s)
  - 5. school where child(ren) attend(s)
  - 6. reason for request for waiver of fees

The Superintendent shall have the authority to review the waiver request and request such further information, if any, as s/he deems necessary in order to make a decision on that request.

- B. No fee shall be collected from any parent(s) or guardian who is seeking a fee waiver in accordance with the Authority's policy until the Authority has acted on the initial request or appeal (if any is made), and the parent(s) or guardian have been notified of the decision.
- C. If the Superintendent denies a request for fee waiver, then a copy of the decision shall be mailed or provided in an appropriate method for those without a fixed residence or experiencing homelessness. ~~to the parent(s) or guardian within fifteen (15) school days of receipt of the request.~~ The decision shall state the reason for the denial and shall include ~~inform~~ the parent(s) or guardian of the right to appeal, including the process and timelines for that action. The denial notice shall also include a statement ~~indicating~~ informing the parent(s) or guardian that reapplication may be made for a waiver any time during the school year, if circumstances change.

D. Students experiencing homelessness shall be immediately enrolled, scheduled for transportation, or otherwise registered for school programming regardless of outstanding fines or fees. The waiver review process shall be reviewed accordingly. If the imposition of a fine or fee is not a barrier to educational program access, the student may be assessed the fine or fee.

E. The decision of the Superintendent is final.

#### **Nondiscrimination**

The Board expects all staff members to exercise the utmost care to see that, as a result of their actions or comments, students cannot differentiate between those students whose parents are unable to purchase required instructional materials or pay required fees and those whose parents can.

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#### **Legal**

42 U.S.C. §11432(g)(1)

Child Nutrition Act of 1966, 80 Stat. 885, 42 U.S.C. 1771

National School Lunch Act, 60 Stat. 230 (1946), 42 U.S.C. 1751 (as amended)

F.S. 1006.06, 1009.26

Last Modified by Jacquelin Collins on October 29, 2021

Book	Policy Manual
Section	Vol. 22, No. 1, Sept. 2021
Title	REPLACEMENT POLICY - VOL. 22, NO. 1 - SMOKING AND TOBACCO-FREE ENVIRONMENT
Code	po7434
Status	From Neola
Adopted	April 12, 2016
Last Revised	March 9, 2021

## **REPLACEMENT POLICY - VOL. 22, NO. 1**

### **7434 - ~~SMOKING AND TOBACCO-FREE ENVIRONMENT~~TOBACCO-FREE-ENVIRONMENT**

The School Board recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is committed to providing students, staff, and visitors with a smoking and tobacco-free environment on school property and at off-campus, school-sponsored events.

The Board also believes accepting gifts or materials from the tobacco industry will send an inconsistent message to students, staff, and visitors.

The Board recognizes that adult staff and visitors serve as role models for students. The Board embraces its obligation to promote positive role models in schools and to provide an environment for learning and working that is safe, healthy, and free from unwanted smoke or aerosol and other tobacco use for the students, staff, and visitors.

### **Definitions**

- A. "Any time" means twenty-four (24) hours a day, seven days a week, 365 days a year.
- B. "Electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic smoking device" includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, or similar devices. "Electronic smoking device" also includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, or pods.
- C. "School property" means all facilities and property, including land, whether owned, rented, or leased by the Board, and also includes all vehicles owned, leased, rented, contracted for, or controlled by the Board and used for transporting students, staff, or visitors.
- D. "Tobacco product" means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic smoking devices; cigars; little cigars; and other kinds and forms of tobacco.

### **General Statement of Policy**

- A. Students are prohibited from possessing, using, consuming, displaying, or selling any tobacco products, tobacco-related devices, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored event.
- B. Administrators, staff, or visitors are prohibited from using, consuming, displaying, activating, or selling any tobacco products, tobacco-related devices, imitation tobacco products, or lighters at any time on school property or at any off-campus, school-sponsored events. This includes products or paraphernalia displaying tobacco industry brands.
- C. It is a violation of this policy for administrators or staff to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry. This includes, but is not limited to, donations, monies for sponsorship, advertising, alleged educational materials, promotions, loans, scholarships, or support for equipment, uniforms, and sports and/or training facilities. It is also a violation of this policy to participate in any type of service funded by the tobacco industry while

in the scope of employment for the Board.

- D. It is a violation of this policy for any person to promote tobacco products on the school property or at off-campus, school-sponsored events via the display of images of tobacco products on gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other material.
- E. ( ) Instruction to discourage the use of tobacco products shall be included in the education provided for all students. Staff responsible for teaching tobacco use prevention shall have adequate training and participate in ongoing professional development activities in order to be able to effectively deliver the education program. The curriculum for this instruction will not be paid for or developed by the tobacco industry or its subsidiaries.

### **Exceptions**

It is not a violation of this policy:

- A. for a staff member or approved visitor to include tobacco products, tobacco-related devices, imitation tobacco products, or lighters in an instructional or work-related activity in District school buildings, if the activity does not include smoking, chewing, or otherwise ingesting the product; or
- B. for a person to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and if the product is being marketed and sold solely for such an approved purpose.

### **Opportunities for Cessation Programs**

Administrators shall consult with the local public health department or other appropriate health and allied community-based organizations to provide students, staff, and administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of tobacco products.

Administrators shall identify and offer evidence-based programs and services for staff members who use tobacco products to support them in complying with this policy.

### **Enforcement**

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of the entire school community. All individuals on school premises, including students, staff, administrators, and visitors, are responsible for adhering to and enforcing this policy. Members of the school community are encouraged to communicate this policy with courtesy and diplomacy. Any person acting in violation of this policy will be informed or reminded of the policy and asked to comply.

Visitors observed violating this policy will be asked to comply with this tobacco-free policy.

If a visitor fails to comply with the request, this policy violation may be referred to the building principal or other available school district supervisory personnel. The supervisor will decide on further action that may include a directive that the visitor leave school property and forfeit any fee charged for admission to a school-sponsored event.

### **Dissemination of Policy**

Notice of this policy will be provided through:

- A. appropriate "No Tobacco" signage posted in the District on school buildings, building entrances, vehicles, vehicular entrances to school grounds, and indoor and outdoor athletic facilities;
- B. written notice to students and parents/guardians in student handbooks and orientations;
- C. written notice in staff handbooks, in orientations and employee or staff trainings, and when offering employment;
- D. reminder announcements of this policy at school and District events, as appropriate.

### **Program Evaluation**

This smoking and tobacco-free policy shall be assessed by the District or its designated evaluator at regular intervals, but at least once a year, to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.

The School Board is committed to providing students, staff, and visitors with a tobacco-free environment, including on school grounds and in all facilities owned, leased, or contracted for by the Board (including, but not limited to, practice fields, playgrounds,

football fields, baseball fields, softball fields, pool areas, soccer fields, tennis courts, and all open areas). The negative health effects of tobacco use for both users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing a tobacco free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" shall mean:

- A. to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes;
- B. to use vapor generating electronic devices, e-cigarettes (including, but not limited to, "JUULs"), vaping products or supplies, including but not limited to vape pods, liquids or other vaping supplies, and/or;
- C. to use other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

Furthermore, the Board prohibits the use of tobacco in all vehicles owned or operated by the Board, including, but not limited to, school buses, vans, trucks, station wagons, and cars.

#### Notification

"No Tobacco" signs will be posted throughout the District. Students will be provided notice of this policy through student handbooks, and notice that it is illegal under Federal law for any person, student or visitor, not of the age of twenty one (21), to possess, purchase, or attempt to purchase

~~( ) tobacco products on school property.~~

~~( ) anything defined as "use of tobacco" in this policy.~~

~~Law enforcement shall be contacted if any person under the age of eighteen (18) violates this policy.~~

~~[ ] District vehicles will display the international "No Smoking" insignia.~~

~~[ ] Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate.~~

~~[ ] School programs will include a written reminder of the tobacco free policy.~~

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**Florida Department of Health and the Public Health Law Center's publication "Commerical Tobacco-Free K-12 School Model Policy: Questions and Answers"**

Legal	F.S. 381.84
	F.S. 386.202
	F.S. 386.204
	F.S. 386.212
	20 U.S.C. 6081 et seq.
	20 U.S.C. 7182

Last Modified by Frankie St James on October 1, 2021