

SEMINOLE COUNTY PUBLIC SCHOOLS

Expulsion Procedures Manual ~~PROTOCOLS FOR PROCESSING~~ ~~STUDENT EXPULSIONS~~ ~~2000–2001~~

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INTRODUCTION

~~In recent years, new guidelines~~ The procedures outlined in this manual have been adopted for the purpose of directing the processing of recommendations for ~~of~~ student expulsions and recommendations for the alternative educational placement of students in lieu of immediate expulsion. These revised procedures have brought about a fundamental change in the manner in which recommendations for student expulsion are made and acted upon in Seminole County Public Schools. This manual is provided to schools to assist in the ~~delineation and~~ clarification of the processes associated with student expulsions.

It is imperative for everyone who is involved in the processing of student expulsions and alternative educational placement in lieu of immediate expulsion to have a common understanding of what is necessary and required for engaging the appropriate procedures associated with each ~~expulsion~~ option. Having a common understanding of these protocols will prevent unnecessary delays in processing recommendations, and improve communication between and among all the parties involved (students; parents; school administrators; district administrators), ~~as well as professionalize the entire process.~~

What follows is a description of the protocols, procedures and paperwork which comports with the School Board's requirements for documentation of ~~each a recommendation for expulsion or alternative educational placement in lieu of immediate expulsion option.~~ It is anticipated that the changes referred to above will significantly reduce the amount of paperwork required for processing student expulsions.

It is important to keep in mind the **legal** implications and the **professional** impressions associated with the quality of the paperwork submitted in this process. Thorough completion of all forms, accuracy in detail, timeliness of submission, and the inclusion of all required signatures are crucial to ensuring this ~~the~~ expulsion process proceeds as expertly and expeditiously as possible. The importance of attending to these issues cannot be overstated. It is imperative that all paperwork submitted be **neat** and **legible**. Whatever is written by students, teachers, parents, and administrators will be closely scrutinized by the members of the School Board, the Superintendent, and the Executive Director of Secondary Education for both substance and clarity. The documents might also be examined by attorneys, hearing officers,

investigators from the Office of Civil Rights, and judges at the state or federal level.

A section of this manual is dedicated to the protocols required for processing a recommendation for expulsion or alternative educational placement in lieu of **immediate** expulsion ~~an expulsion recommendation~~ involving student receiving ESE services or 504 accommodations, identified as qualifying for ESE services or 504 accommodations, or as possibly being in need of ESE services or 504 accommodations. However, it is important to emphasize that the most critical requirement in the entire process of dealing with those situations is the convening of a **Student Study Team (SST)** meeting and the inclusion of the minutes of this meeting in the submitted expulsion packet.

Finally, keep in mind that this is an evolving process. Adjustments in specific protocols may be called for when there are changes in federal law, state law, State Board Rules, and School Board Policies. When revisions are required, replacement pages for this manual will be forwarded to each school.

NOTIFICATION PROCEDURES

The following procedures are to be followed in the processing of any recommendation for expulsion:

1. **Initial Notification of the District Office:** Telephone notification to the Office of Secondary Education is to occur **immediately** after it has been determined that a student has committed an act warranting a recommendation for expulsion.

The school administrator in charge of the case shall provide the following information to the Office of Secondary Education:

- Student's Name
- Student's Grade
- Date of Incident
- Name of School
- Name of the Administrator Handling the Case
- Notification of Law Enforcement
- ESE or 504 status
- Participation in Extra-Curricular Activities
- Previous Expulsion Record
- Student's Offense
- How Offense was Discovered
- Length of Suspension
- Discipline History
- Preliminary Recommendation
- Recommended Length of Expulsion
- Target Date for Expulsion Hearing
- Consent Agenda or Formal Hearing
- Additional Comments

Note: If a **Weapon** is involved in the incident, the principal is to **immediately fax** or hand deliver a **picture or photocopy** of the weapon to the Office of Secondary Education.

2. **Determination of the Preliminary Recommendation for Expulsion or Alternative Educational Placement in Lieu of Immediate Expulsion:** The principal/designee shall **collaborate** with the Executive Director of Secondary Education/designee to determine what preliminary recommendation for expulsion recommendation or alternative educational placement recommendation in lieu of immediate expulsion will be made to the superintendent.

Note: No preliminary recommendation shall be made to the student or parent prior to consultation with the Executive Director of Secondary Education/designee.

3. Principal's Meeting with the Student/Parent: The principal/designee shall meet with the student/parent to notify them of:

- charges against the student, explain the evidence that supports a conclusion that the student committed the infraction;
- clarify what preliminary recommendation for expulsion recommendation or alternative educational placement in lieu of immediate expulsion will be made to the superintendent; and
- describe the procedures associated with a particular recommendation for expulsion recommendation or alternative educational placement in lieu of immediate expulsion.

If appropriate, an *Expulsion Waiver* and a *District Behavior Contract* may be signed at this meeting if the student/parent agree to all of the conditions of the agreement.

Note: Depending upon which preliminary option is recommended, the principal shall provide **copies** of the appropriate **documents** to the student/parent.

4. Confirmation of Recommendation to District Office: The principal/designee shall notify the Office of Secondary Education **immediately** after he/she has met with the student/parent to clarify the rationale and procedures associated with any recommendation for expulsion recommendation or alternative educational placement in lieu of immediate expulsion and to inform the Office of Secondary Education whether the ~~expulsion~~ recommendation requires placement on the *Formal Hearing Agenda* or the *Consent Agenda*.

Note: **Confirmation** of what documentation is to ~~must~~ be submitted to the Office of Secondary Education shall also be made at this time.

5. Submission of **Appropriate ~~Expulsion~~ Packet to the District Office:** The appropriate ~~expulsion~~ packet is to be submitted to the Office of Secondary Education after the necessary documentation has been compiled to process the preliminary ~~expulsion~~ recommendation for

expulsion or alternative educational placement **in lieu of immediate expulsion.**

Note: The **timeliness** of submission of Option A documentation is especially **critical**. These expulsion packets are due to the Office of Secondary Education by **12:00 PM** on the **Tuesday** preceding the expulsion hearing.

6. **Superintendent's Recommendation for Expulsion or Alternative Educational Placement in Lieu of Immediate Expulsion:** Only the Superintendent has the authority to make an *official recommendation* for expulsion or alternative educational placement **in lieu of immediate expulsion** to the School Board. The Superintendent shall give consideration to the preliminary recommendation of the principal, but is not bound by the principal's recommendation and may ~~reject modify~~ or amend the preliminary recommendation as deemed necessary.

7. **School Board Acts on the Superintendent's Recommendation:** The School Board has sole legal authority for imposing expulsion. The Board is not bound by the *official recommendation* of the Superintendent, and may ~~reject modify~~ or amend the *official recommendation* for expulsion as deemed appropriate.

~~Therefore, no~~ No recommendation for expulsion or alternative educational placement **in lieu of immediate expulsion** is **final or binding** until the School Board acts to accept, ~~modify~~, or amend the *official recommendation* of the Superintendent. Furthermore, the School Board may reject, accept, ~~modify~~, or amend the terms of offering of an *Expulsion Waiver* and a *District Behavior Contract* to a student in lieu of immediate expulsion.

8. **Notification of Official School Board Action:** The Office of Secondary Education will communicate the School Board's official disposition to parents, school, and alternative school sites. Telephone contact will be made immediately following the ~~expulsion disciplinary~~ hearing. Written notification will be forwarded to the appropriate parties within 48 hours of the School Board's action.

OUT-OF-SCHOOL SUSPENSION

The length of any out-of-school suspension associated with an expulsion recommendation must conform with the following parameters:

Note: A student who elects to present his/her case before the School Board in a *Formal Hearing* may **not return** to school prior to the disciplinary hearing being conducted. This rule applies regardless of which ~~expulsion~~ option (A, B, C, or D) is under consideration.

1. **OPTION A:** The duration of the out-of-school suspension that attaches to an Option A expulsion recommendation shall **prevent** the student from returning to school prior to the formal ~~expulsion~~ disciplinary hearing before the School Board.
2. **OPTION B:** Students recommended for Project Excel **shall not** be allowed to return to the school they attended. This applies even if the term of the suspension that attached to the incident has been completed.

However, immediately after signing the *Expulsion Waiver* and *District Behavior Contract* the student **may apply** to Project Excel, even if the duration of the suspension has not been completed.

3. **OPTION C:** The duration of the suspension shall reflect the severity of the offense and conform with the Student Conduct and Discipline Code.

The student may, with **principal approval**, return to school immediately after the *Expulsion Waiver* and *District Behavior Contract* have been signed by all the appropriate parties. However, the principal **may require** the student to serve the entire duration of the suspension attached to the infraction.

4. **OPTION D:** The duration of the suspension shall reflect the severity of the offense and conform with the Student Conduct and Discipline Code.

The student may, with **principal approval**, return to school immediately after the *Expulsion Waiver* and *District Behavior Contract* have been signed by all the appropriate parties. However,

the principal **may require** the student to serve the entire duration of the suspension attached to the infraction.

Note: The principal/designee shall contact the The Office of Secondary Education ~~must be contacted~~ whenever it becomes necessary to **extend** a suspension beyond the **10 day** maximum to prevent a student from returning to school prior to the School Board taking action on ~~the expulsion a recommendation for expulsion or alternative educational placement~~ in lieu of immediate expulsion.

TIMELINES FOR SUBMISSION OF DOCUMENTS

This section outlines the timelines and due dates for submission of forms and documents to the Office of Secondary Education for the processing of a recommendation for expulsion or an alternative educational placement in lieu of immediate expulsion. It is imperative that these materials be processed in a timely manner.

The forms and documents that are used to process a recommendation for expulsion or an alternative educational placement in lieu of immediate expulsion are classified into two (2) groups:

A. Forms that provide **notice of the charges** against a student and clarify the rationale for a particular ~~an expulsion~~ recommendation.

B. Documents that provide **supporting evidence** to substantiate the recommendation ~~for expulsion~~.

The timing of the distribution of these forms and documents is determined by whether the case is placed on the *Formal Hearing Agenda* or the *Consent Agenda* of the disciplinary hearing.

1. **FORMAL HEARING AGENDA:** It is **critical** that the timelines for the distribution of forms and documents to the student/parent and the subsequent submission of these materials to the Office of Secondary Education occur **without delay** when a Formal Hearing is required to process a particular ~~the expulsion~~ recommendation.

A. Notice of Charges: Copies of the following forms are to be provided to the student/parent at the "Meeting of Notification":

- (1) ~~Expulsion~~ Summary Information (Form 535 - rev. 7/98)
- (2) Preliminary Recommendation (Form 644 - rev. 7/98)
- (3) Administrator's Incident Summary (Form 955 - rev. 7/98)
- (4) Student Discipline Referral (Form 835-S - rev. 7/97)
- (5) Statement of Student Suspected of Violating Discipline Code (Form 1200)

Note: The **original** charging documents are to be forwarded to the Office of Secondary Education on the **same day** that copies are provided to the parents.

B. Supporting Evidence: Copies of documents that substantiate a recommendation for expulsion or an alternative educational placement in lieu of immediate expulsion shall **NOT** be **provided** to the student/parent. These materials will be **forwarded** to them by the Office of Secondary Education.

The following documents are considered supporting evidence:

- (1) Witness Statements (Form 954 - rev. 7/98)
- (2) Picture of Contraband, Weapon, or Drugs (if applicable)
- (3) Police Incident Report (if applicable)
- (4) Criminal History (if applicable)
- (5) Teacher Observations (Form 472 - rev. 7/98)
- (6) Current Year Discipline Record
- (7) Previous Years Discipline History
- (8) Attendance Report
- (9) Student Academic History

Note: These materials are to be **submitted** to the Office of Secondary Education by the school **no later than 2 days** after the "Meeting of Notification".

2. **CONSENT AGENDA:** Copies of the following forms and documents shall be **provided immediately** to the student/parent upon signature of the *Expulsion Waiver* and *District Behavior Contract*:

- A. ~~Expulsion~~ Summary Information (Form 535 - rev. 7/98)
- B. Preliminary Recommendation (Form 644 - rev. 7/98)
- C. Administrator's Incident Summary (Form 955 - rev. 7/98)
- D. Student Discipline Referral (Form 835-S - rev. 7/97)
- E. Statement of Student Suspected of Violating Discipline Code (Form 1200)
- F. *Expulsion Waiver* (Form 532 - rev. 8/96)
- G. *District Behavior Contract*

Note: The **original** forms and documents are to be forwarded to the Office of Secondary Education on the **same day** that copies are provided to the parents.

FORMAL DISCIPLINARY HEARINGS

Attendance by a school administrator who is familiar with the facts of a case and the rationale for the *preliminary recommendation* is required at all formal hearings. Additional members of the faculty, staff, or student body may be required to attend to provide testimony.

Note: The School Board has the authority to issue **subpoenas** to command the appearance of witnesses.

A formal hearing before the School Board is required under the following conditions:

Parents/students may request a formal hearing before the School Board under the following conditions:

1. **Discipline** ~~Expulsion~~ **Recommendation is for Expulsion Full Exclusion From all Seminole County Public Schools** (Option A). A comprehensive expulsion packet must always be submitted for an Option A hearing.
2. **Refusal to Sign the Expulsion Waiver or a District Contract** (Options B, C, & D). Parent or student refusal to agree to each and all terms of the *Expulsion Waiver* and/or the *District Behavior Contract*. Under these conditions, the principal **should not change** the original recommendation (Option B, C, or D). Section I of SCPS Form 535 (rev.7/98) should be used to indicate the recommendation and a **comprehensive packet** of documentation (Option A) submitted for the formal hearing.
3. ~~**Principal Supports Return of Student Suspended for a Third Time in a School Year:** Student has accumulated three (3) out-of-school suspensions in a school year, and the principal is in support of the student returning to the school under terms of the *Expulsion Waiver* and/or the *District Behavior Contract*. A **comprehensive packet** of documentation (Option A) is to be submitted with an Option D recommendation by the principal.~~
4. ~~**Principal Supports Student be Allowed to Attend Project Excel for a Zero Tolerance Violation requiring Full Exclusion:** Student has committed a violation of Section I of the Zero Tolerance policy that requires full exclusion, and the principal is in support of the student attending Project Excel as an alternative to the full exclusion.~~
35. **Student Previously Attended Project Excel:** It is standard practice to recommend the ~~full exclusion~~ expulsion (Option A) of any student who has previously been recommended to Project Excel.

RECOMMENDATIONS FOR
ALTERNATIVE EDUCATIONAL PLACEMENT IN LIEU OF
IMMEDIATE EXPULSION

OUT-OF-SCHOOL EXPULSION WAIVERS
AND
DISTRICT BEHAVIOR CONTRACTS

There are three (3) Alternative Educational Placement options that, when appropriate and permitted by school board policy, may be recommended in lieu of immediate expulsion alternatives to recommending the exclusion of a student from all schools in Seminole County. Each of these Alternative Educational Placement options ~~expulsion options~~ requires an *Expulsion Waiver* to be signed and a *District Behavior Contract* signed by the student and the parent/guardian to be executed then submitted to the School Board for official action.

Expulsion Waivers and *District Behavior Contracts* ~~shall~~ should be processed in accordance with the procedures described below:

1. **Initial Notification of the District Office:** Telephone notification to the Office of Secondary Education is to occur **immediately** after it has been determined that a student has committed an act warranting a recommendation for expulsion or an alternative educational placement in lieu of immediate expulsion. The administrator in charge of the case shall provide the Office of Secondary Education with the information outlined in the "NOTIFICATION PROCEDURES" section of this manual.

<p>Note: If a Weapon is involved in the incident, the principal is to immediately fax or hand deliver a picture or photocopy of the weapon to the Office of Secondary Education.</p>

2. **Determination of the Preliminary ~~Expulsion~~ Recommendation:** The principal/designee in collaboration with the Executive Director of Secondary Education/designee will determine whether a preliminary recommendation for expulsion (Option A) or an alternative educational placement in lieu of immediate expulsion ~~which expulsion option~~ (Option B, C, or D) will be made to the superintendent.

Note: No preliminary recommendation shall be made to the student or parent prior to consultation with the Executive Director of Secondary Education/designee.

3. **Preliminary Recommendation Conference:** ~~Principal Meeting with the Student/Parent/Guardian:~~ The principal/designee shall conduct a meeting with the parent/guardian to communicate what specific preliminary recommendation (Option A, B, C, or D) will be made to the superintendent. The basis and rationale for the preliminary recommendation shall also be provided to the parent/guardian. ~~meet with the student/parent to notify them of charges against the student, explain the evidence that supports a conclusion that the student committed the infraction, and clarify what preliminary expulsion recommendation (Option B, C, or D) will be made to the superintendent.~~

The principal/designee shall also explain the procedures associated with a processing a recommendation for expulsion or an alternative educational placement in lieu of immediate expulsion. ~~particular expulsion recommendation.~~ If the preliminary recommendation is for an alternative educational placement the *Expulsion Waiver* and *District Behavior Contract* may be signed at this meeting, provided all the conditions of the documents are agreed upon and accepted by the parent/guardian.

~~If the student/parent agree to all the conditions of the *Expulsion Waiver* and a *District Behavior Contract*, these documents may be signed at this meeting.~~

Note: An Option C recommendation requires the principal of the sending school to obtain authorization from the principal of the receiving school **prior** to such a contract offer being made to the student/parent.

4. **Expulsion Waiver and District Behavior Contract Signed:** Upon signature of the *Expulsion Waiver* and a *District Behavior Contract*, the student/parent shall be provided copies of the following forms:
- A. ~~Expulsion~~-Summary Information (Form 535 - rev. 7/98)
 - B. Preliminary Recommendation (Form 644 - rev. 7/98)
 - C. Administrator's Incident Summary (Form 955 - rev. 7/98)
 - D. Student Discipline Referral (Form 835-S - rev. 7/97)

- E. Statement of Student Suspected of Violating Discipline Code (Form 1200)
- F. *Expulsion Waiver* (Form 532 - rev. 8/96)
- G. *District Behavior Contract*

Note: The school shall retain a **copy** of each of these documents and submit the **originals** in the ~~expulsion~~-packet that is to be forwarded to the Office of Secondary Education on **same day** that copies are provided to the parents.

- 5. **Confirmation:** The principal/designee shall **immediately** notify the Office of Secondary Education to confirm that the *Expulsion Waiver* and the *District Behavior Contract* have been signed.
- 6. **Packet Submission:** ~~Expulsion-Preliminary~~ packets are to be submitted to the Office of Secondary Education on the **same day** as the *Expulsion Waiver* and the *District Behavior Contract* have been signed by all the appropriate parties.
- 7. **Student Return to School:** The student may return to the zoned school or an alternative educational placement ~~alternative school-site~~ once the *Expulsion Waiver* and *District Behavior Contract* have been signed by all the appropriate parties and the student has served the suspension that attached to the infraction.
- 8. **Consent Agenda:** Upon receipt of the preliminary ~~expulsion~~-packet, the Office of Secondary Education will review the documentation and place the case on the Consent Agenda for School Board action.

Note: It is **not necessary** for a school administrator, the parents/guardian, or the student to be **present** when the School Board takes action on the Consent Agenda.

- 9. **School Board Acts on the Superintendent's Recommendation:** The School Board may accept, reject, ~~modify~~, or amend the preliminary recommendation ~~offering~~ of an *Expulsion Waiver* and a *District Behavior Contract* ~~to a student~~ for an alternative educational placement in lieu of immediate expulsion.

PROJECT EXCEL

Project Excel is an alternative educational placement made available to secondary students as an alternative to ~~full-exclusion~~-immediate expulsion from all schools in Seminole County. Usually, a student will be granted the opportunity to attend the middle school Excel program and the high school Excel program only once in his/her school career.

Students who have **previously** attended **Project Excel** who subsequently commit an expellable offense after their return to a zoned school of attendance shall be recommended for ~~Full Exclusion~~-expulsion for a minimum of **one regular school semester**.

Note: Summer school is **not** considered to be a regular school semester.

- 1. Who Recommends Placement at Excel?:** The principal in collaboration with the Office of Secondary Education determines that an Option **B** ~~expulsion~~-preliminary recommendation is appropriate.

Note: **One semester** is considered the minimum length of time that a student may be recommended for placement in this program.

- 2. District Contract to Project Excel Signed:** At the "Principal Meeting with the Student/Parent" the principal/designee shall **explain** the procedures associated with a preliminary recommendation to Project Excel (Option **B**).

If the student/parent agree to **all** the conditions of the *Expulsion Waiver* and *District Behavior Contract*, the documents may be signed and arrangements made for the student/parent to make **immediate** contact with Project Excel to begin the process of making **application** to the program.

Note: Individual copies of all forms required for processing the ~~expulsion~~ recommendation for Project Excel should be immediately distributed to the appropriate parties at this meeting.

3. **Confirmation of Recommendation to District Office:** The principal/designee shall **immediately** notify the Office of Secondary Education to confirm that the *Expulsion Waiver* and the *District Behavior Contract* for Option **B** have been signed.
4. **School Board Acts on the Superintendent's Recommendation:** The School Board may accept, reject, ~~modify~~, or amend the offering of an *Expulsion Waiver* and a *District Behavior Contract* to Project Excel.
5. **Student Applies to Project Excel:** Enrollment into the program is **not automatic**. The staff at Project Excel uses established criteria to interview and screen applicants for admission. The admission **decision** will be communicated **immediately** to the student/parent upon completion of the screening process.
6. **Excel Screening Requirements:** The staff will provide the student/parent with an **orientation** to the program and inform them of the program requirements. Student/parents will be required to agree to and sign a **separate contract** with Project Excel. This contract outlines the behavioral and academic expectations for placement in the program.

<p><u>Note:</u> Students are required to undergo a Drug Evaluation as a precondition to acceptance to Project Excel. The student/parent are responsible for the cost of this evaluation. The Project Excel staff will provide clarification of the necessary components of this evaluation and how the cost for this screening can be moderated.</p>
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7. **Transportation:** Transportation to Project Excel is provided to students enrolled in the program. The staff of Project Excel will communicate with the SCPS Transportation Department to make these arrangements for each student.
8. **Return to Zoned School:** A student may return to a zoned school of attendance **only** after the time of the expulsion has **tolled** and the student has **successfully** completed his/her assignment to Project Excel.

Successful completion of the program shall be based upon the professional judgment of the **Project Manager** in collaboration with the faculty and staff of Project Excel, and the **Executive Director of Secondary Education/designee**. Furthermore, the student may **only** re-enter the zoned school after a "**Transition Conference**" has been held at the school.

The "**Transition Counselor**" shall orchestrate the scheduling of the conference. Thereafter, the counselor shall serve as a long term **liaison** between the student, the school, and Project Excel. However, the **primary responsibility** for providing the necessary and appropriate resources and services to assist students in being successful upon their return to the zoned school rests with the administration of the school.

Students unable to document successful completion of such a program of studies shall be assigned to Project Excel and, at a minimum, complete successfully the ~~Excel Business Training (EBT)~~ **Professional Development Training (PDT)** component of the program, prior to being permitted to return to a zoned school of attendance.

9. **Re-entry of Students Who Attend An Alternative Program In Lieu of ~~Attending~~ Project Excel:**

Students who are able to document successful completion of a program of studies in a private school, residential center, alternative school, or another public school district during the term of their assignment to Project Excel shall be allowed to return to a zoned school of attendance.

Documentation of successful completion of such a program of studies shall be submitted to the Office of Secondary Education for review. Depending on the strength of the record as a whole, the student may be assigned to Project Excel, or a zoned school of attendance. ~~under the conditions of a Behavior Contract.~~ The placement decision of the Office of Secondary Education is final. Documentation to be submitted for review shall include, but is not limited to, the following:

- A. Attendance at the school approximating the duration of the term of the expulsion from the SCPS.
- B. Academic, attendance, and discipline records.

C. A letter of recommendation from the administration of the school indicating they believe the student is ready for a successful return to the SCPS, and that the student would be welcomed back to that school for the coming year.

10. Student Denied Admission to Project Excel :

A. Any student denied admission to Project Excel by the intake staff of Project Excel shall be suspended out-of-program and referred to the Project Manager with a recommendation the student be processed for the imposition of the suspended expulsion and full exclusion from all Seminole County Public Schools.

B. The Project Manager shall submit the name of the student to the Office of Secondary Education to proceed with processing the expulsion recommendation.

11. Appeal of Denied Admission to Project Excel:

A. Any student denied admission to Project Excel may appeal immediately to the Project Manager for permission to re-apply for admission to the program. The student shall remain suspended out-of-program pending the outcome of the appeal to the Project Manager.

B. The Project Manager may grant the student the opportunity to re-apply. If permission is granted, the recommendation for expulsion will be terminated and the student will be scheduled for intake and orientation as soon as feasible after such a determination.

C. The Project Manager may deny the student the opportunity to re-apply. If permission is denied, the student will be referred to the School Board with a recommendation for the imposition of the suspended expulsion and full exclusion. (See 10B.)

D. Upon denial by the Project Manager for permission to re-apply for admission to Project Excel, the student/parent may request a hearing before the School Board on the issue of being denied admission to the program. The student shall remain suspended out-of-program pending School Board action.

- E. The student/parent shall be notified in writing of the date, time, and place for the meeting at which the School Board will act on the recommendation for expulsion (~~full exclusion~~).
- F. The student/parent may request a hearing on the matter of the recommendation for expulsion. Any request for a hearing must be submitted to the Office of Secondary Education prior to the time of Board action.

Note: The student may not challenge the facts or the consequences of the original expulsion recommendation at this hearing. The student may only contest the denial of admission to Project Excel.

12. Student Recommended for Dismissal from Project Excel:

Any student recommended for dismissal from Project Excel for a violation of the policies, procedures, or rules of Project Excel shall be suspended out-of-program and referred to the School Board with a recommendation for the imposition of the suspended expulsion ~~and full exclusion~~.

13. Student Challenge of Recommendation for Dismissal from Project Excel:

- A. Any student recommended for dismissal from Project Excel may request a hearing before the School Board to contest the finding that they violated the policies, procedures, or rules of Project Excel. The student shall remain suspended out-of-program pending School Board action.
- B. The student/parent shall be notified in writing of the date, time, and place for the meeting at which the School Board will act on the recommendation for expulsion from all Seminole County Public Schools (~~full exclusion~~).
- C. The student/parent may request a hearing on the matter of the recommendation for expulsion. Any request for a hearing must be submitted to the Office of Secondary Education prior to the time of Board action.

Note: The student may not challenge the facts or the consequences of the original expulsion recommendation at this hearing. The student may only contest the issues related to the recommendation for dismissal from Project Excel.

15. Zero Tolerance Offenses at Sites of Alternative Placement:

Students who commit Zero Tolerance offenses while attending **Project Excel** or any other alternative educational placement shall be recommended for expulsion for that incident. This expulsion recommendation will be processed as a violation of the *Student Conduct and Discipline Code* that is **separate and apart** from the violation that resulted in student placement at Project Excel or any other alternative educational placement in lieu of immediate expulsion.

Note: The **duration** of any expulsion imposed for a Zero Tolerance violation while at Project Excel or any other educational alternative placement is **not** restricted by the length of the term imposed for the violation that resulted in the ~~alternative~~ placement. Instead, the length of time imposed for the expulsion for the Zero Tolerance violation shall be open to the full duration permitted by law.

16. Final Order of Expulsion: Upon notification of denied admission or dismissal from the program, the Office of Secondary Education shall issue a final order of expulsion.

EXCEL ANNEX

The Excel Annex is an alternative educational placement for the Seminole County Public Schools. The assignment of students to the Excel Annex is ~~made-limited~~ in scope.

Students are assigned to the Excel Annex under the following conditions:

1. **Expelled From All Seminole County Public Schools and Fully Excluded**: Upon return from having been expelled and fully excluded from attending any Seminole County Public School, students shall be assigned to the **Excel Annex** prior to being allowed to transition to **Project Excel** and then back to a zoned school of attendance.
2. **Students Previously Attended Project Excel**: Students who have **previously** attended **Project Excel** who subsequently commit an expellable offense after their return to a zoned school of attendance shall be recommended for ~~Full Exclusion~~ **expulsion** for a minimum of **1 regular school semester**. Upon completion of the term of ~~full exclusion~~ **expulsion**, the student will be assigned to the **Excel Annex** prior to being allowed to transition to **Project Excel**.
- ~~3. Denied Admission to Project Excel: Any student denied admission to Project Excel shall be expelled and fully excluded from all Seminole County Public Schools.~~
- ~~4. Students Dismissed From Project Excel: Any student dismissed from Project Excel for failure to attend or for a violation of the policies, procedures, or rules of Project Excel shall be expelled and fully excluded from all Seminole County Public Schools for the remainder of the “original” expulsion.~~
35. **Students Indefinitely Suspended for an Off-Campus Felony**: Students who are formally charged with an off-campus felony whose presence on campus is determined by the principal to have an adverse impact on the educational program, discipline, or welfare of the school, shall be **indefinitely suspended** from school and placed in the **Excel Annex** as an alternative educational placement until the case is resolved.

46. Students Expelled for an Off-Campus Felony:

Students who are determined by a court of competent jurisdiction to have committed an off-campus felony may be recommended for expulsion and assigned to the **Excel Annex** as an alternative educational placement.

57. Student Dismissed from the Excel Annex: Students dismissed from the Excel Annex shall be recommended for expulsion ~~and full exclusion~~ from all Seminole County Public Schools.

68. Zero Tolerance Offenses at Sites of Alternative Placement:

Students who commit Zero Tolerance offenses while attending the **Excel Annex** or any other alternative educational placement shall be recommended for expulsion for that incident. This expulsion recommendation will be processed as a violation of the *Student Conduct and Discipline Code* that is **separate and apart** from the violation that resulted in student placement at the Excel Annex.

Note: The **duration** of any expulsion imposed for a Zero Tolerance violation while at the **Excel Annex** or any other alternative educational placement is **not** restricted by the length of the term imposed for the violation that resulted in the ~~alternative~~ placement. Instead, the length of time imposed for the expulsion for the Zero Tolerance violation shall **open** to the full duration permitted by law.

OFF-CAMPUS FELONY

***Florida Statute 232.26(2) and State Board Rule 6A-1.0956* empower principals with the authority to temporarily suspend, then indefinitely suspend, and ultimately recommend expulsion of a student who has been arrested for committing an off-campus felony act or a delinquent act which would be a felony if committed by an adult.**

School-related disciplinary sanctions for off-campus felony acts are **discretionary** on the part of the principal. The principal's **primary consideration** shall be whether a student's continued **presence** on campus would have an **adverse impact on the educational program, discipline, or welfare of the school**. At each level of intervention, the **principal** must be able explain the **rationale** for arriving at this conclusion and articulate the **link** between the student's presence on campus and the adverse impact it would have on the school.

State Board Rule 6A-1.0404 establishes the following *criteria* be used to make such a determination:

1. The **nature** of the offense is such that ***the student poses a threat*** to the safety of other students or personnel at the school;
2. The ***student's safety is at risk*** by remaining in school with other student's; or
3. An alternative education placement will ***better meet the educational, emotional, and social needs*** of the student.

An **expulsion** recommendation **CANNOT** be made until a student is found by a court of competent jurisdiction to have **committed** such an act. **By definition**, a student is found to have committed a felonious act if he/she enters a **plea of nolo contendere or guilty**, or elects to go to trial and a **verdict of guilty** is pronounced. This rule applies even if the court directs **adjudication withheld**.

<p>Note: No expulsion recommendation may be brought forward by a principal if the court directs the case be dismissed (Non Prosequitur).</p>

THE FOLLOWING PROCEDURES ARE TO BE FOLLOWED WHEN PROCESSING STUDENTS CHARGED WITH AN OFF-CAMPUS FELONY.

- A. Principal Notified of a Student's Felony Arrest** - Upon receiving notification of a student having been arrested for an off-campus felony,

the principal shall monitor the situation to determine when **formal charges** are brought against the student by the prosecuting attorney (The **SRO** should assist the principal in obtaining this information).

Note: No **suspension** can be imposed and **no expulsion** recommendation can be made at this time.

B. Principal Notified Formal Charges Filed Against Student - Upon receiving notification of formal charges being filed against a student for having been arrested for an off-campus felony, the principal shall:

1. Immediately Notify the Office of Secondary Education:

Upon confirmation of formal charges being filed against a student, the Office of Secondary Education is to be contacted immediately to discuss the nature of the offense and the possibility of imposing school sanctions.

2. Notify the Parent: Written notification of the specific charges against the student and of the right to a **conference** at the school must be provided prior to any disciplinary action being taken by the principal.

The law requires the **written notice** to stipulate a date of the conference which shall not be less than **two school days** nor more than **five school days** from the post marked date, or delivery of the notice. A **copy** of this notification is to be **forwarded** to the Office of Secondary Education on the **same day** that it is mailed to the student/parent.

3. Pending the Conference: the student may be **temporarily suspended** from school until the school conference is held if the principal concludes that the student's presence would have an **adverse impact** on the educational program, discipline, or welfare of the school.

Note: **Appendix A** contains a **model letter** that meets the statutory requirements for post conference student/parent **notification** of the school **conference** and the **temporary suspension** of the student.

The Conference: This meeting shall be conducted by the principal/designee and may be attended by the student, the parent, a student's legal counsel, and any witnesses requested by the student or principal/designee. In conducting the conference, the principal is not bound by the rules of evidence or any other courtroom procedure, and no transcript of the testimony shall be required.

The **purpose** of the conference with the student and the parent is to establish whether the principal finds that the student's **continued presence** on campus would have an **adverse impact on the educational program, discipline, or welfare of the school** and therefore require an **indefinite suspension** until the case is resolved in court. The principal *must determine* that the *nature* of the offense is such that **the student poses a threat** to the safety of other students or personnel at the school, or the **student's safety is at risk** by remaining in school with other students, or an alternative education placement **will better meet the educational, emotional, and social needs** of the student.

5. Indefinite Suspension and Alternative Placement for Services:

If the principal finds that the student's continued presence would have an adverse impact on the educational program, discipline, or welfare of the school, the student shall be **indefinitely suspended** from school and placed in the **Excel Annex** as an alternative placement until the case is resolved.

6. Statutory Waiver of Discipline: *FS 232.26* requires the principal to inform a student who is subject to discipline or expulsion for the unlawful possession or use of any substance controlled under Chapter 893 *while off campus* may be entitled to a waiver of the discipline or expulsion if the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him or her, or if the pupil **voluntarily** discloses his or her unlawful possession of such controlled substances prior to his or her arrest. Any such information divulged which leads to arrest and convictions is not admissible as evidence in a subsequent trial against the student divulging such information.

This same law also requires the principal to inform a student that he/she is entitled to a waiver of the discipline or expulsion if the

student commits himself/herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

Note: The waiver outlined in *FS 232.26* applies *only to incidents* that occur off campus. This waiver does **not** apply to those incidents occurring on campus.

7. Notify the Office of Secondary Education: Contact must be made to declare whether the student has been placed on **indefinite suspension**. The Office of Secondary Education shall **notify** the **Excel Annex** of the name of the student and the need to provide the student with an alternative education program until notified of a change in the student's legal status.

8. Notify the Parent of Suspension Decision: The law requires that the student/parent be notified, in writing, within **two working days** of the principal's decision to impose an indefinite suspension until the formal charges are resolved by the court. A **copy** of this notification is to be **forwarded** to the Office of Secondary Education on the **same day** that it is mailed to the student/parent.

Note: **Appendix B** contains a **model letter** that meets the statutory requirements for post conference student/parent notification.

C. Principal Notified by the Court Determined the Student Committed A Felony - Upon receiving confirmation (**SRO** should assist with obtaining this information) that the student was **found** by the court to have **committed** an off-campus felony the principal shall:

1. Notify the Office of Secondary Education: to inform them of the court's determination and what preliminary expulsion recommendation will be made to the superintendent. The nature and severity of the felony act shall be given primary consideration in determining which expulsion option is recommended.

Note: **By definition**, a student is found to have **committed a felony** if he/she enters a plea of **nolo contendere** (no contest) or **guilty**, or a verdict of

guilty to pronounced. This rule applies even if the court directs **adjudication withheld**.

Note: No **expulsion** recommendation may be brought forward by a principal if the court directs the case be dismissed (**Non Prosequitur**).

2. Limitation on Expulsion Options Available: The law requires that any student recommended for expulsion from the public schools of Florida be provided **alternative educational services** during the time of his/her expulsion. Therefore, full exclusion (Option **A**) may **not** be submitted as a recommendation for expulsion in these cases.

Instead, students found by the court to have committed a felonious act while off-campus shall be recommended for placement at the **Excel Annex** as an alternative to expulsion.

3. Follow the Standard Procedures for Processing Student Expulsions: The expulsion recommendation shall be confirmed with the Office of Secondary Education. Once confirmed, the expulsion recommendation shall be processed in accordance with the procedures outlined in this manual.

D. Principal Notified the Charges Were Dismissed or that the Court Determined the Student Did Not Commit a Felony - Upon confirmation that the formal charges against a student have been **dismissed** or that the court determined the student **did not** commit a felony or that a verdict of **innocent** was pronounced, the principal shall:

- 1. Terminate** any suspension related to the off-campus incident and arrest.
- Allow the student to **return** to school with **no disciplinary sanction** being imposed on the student.

E. Student is Placed in a Prosecution Alternatives Program or a Pretrial Intervention Program - The placement of a student into a prosecution alternatives program or a pretrial intervention program does **not** alter the fact that the student remains formally charged with a felony and the charges have not yet been resolved by a court of competent jurisdiction.

Therefore, a student is to remain suspended out-of-school indefinitely until the charges are actually dismissed or the student is found not to have committed a felonious act off campus. The student shall continue to attend the **Excel Annex** during this time of suspension.

Note: The procedures outlined in this section **do not** apply to felonies committed by a student while at **school**, at school-sponsored **events**, on School Board owned **property**, or being **transported** to or from school-sponsored events at school or public expense. Such acts are processed according to the guidelines outlined in the *Student Conduct and Discipline Code*.

Note: The *Florida Statutes* make **no provision** for the expulsion of a student arrested, found guilty, or who has adjudication withheld for an off-campus delinquent act that would be classified as a **misdemeanor**. A student, therefore, **may not** be expelled from the Seminole County Public Schools if arrested, prosecuted, and found guilty of such an act.

VIOLATION OF DISTRICT BEHAVIOR CONTRACT WHEN ATTENDING A ZONED SCHOOL

The procedures outlined below apply to those situations where it is believed that a student has breached the terms of a *District Behavior Contract* after having been ~~expelled~~ granted the opportunity to either attend another district school (Option C) or to re-enter the zoned school (Option D) in lieu of immediate expulsion.

1. **Determination of Violation:** If it is determined that the student violated the terms of the *District Behavior Contract* the principal/designee shall **immediately notify** the Office of Secondary Education.
2. **Determination of Appropriate Sanction:** The principal/designee and the Office of Secondary Education shall collaborate to determine what *preliminary ~~expulsion~~-recommendation* will be made to the School Board.

These recommendations are **limited** to Option **A** or Option **B**. The severity of the original infraction and the nature of the violation of the contract will be taken into consideration when making a determination of what follow-up recommendation will be made to the School Board.

3. **Limits of Student Challenge:** The student has the right to contest a finding that he/she violated the terms of the *District Behavior Contract*. Initially, this challenge shall be permitted by allowing the student to present his/her side of the facts as outlined in the "Guidelines for Suspensions" of *Student Conduct and Discipline Code*.

Thereafter, the student may contest the facts related to the violation of the terms of the *District Behavior Contract* by asking for a hearing before the School Board to address the singular issue of the contract violation.

<p>Note: <u>At this hearing,</u> the student may not challenge the facts or the consequences of the original expulsion-recommendation <u>that led to the alternative education placement in lieu of immediate expulsion</u>-at this hearing. The student may only contest the allegation that he/she violated the terms of the contract.</p>

4. **Zero Tolerance Offenses When Attending a Zoned School of Attendance on a District Waiver and Behavior Contract:** Students who commit Zero Tolerance offenses while attending a zoned school of attendance shall be recommended for expulsion for

that incident. This expulsion recommendation will be processed as a violation of the *Student Conduct and Discipline Code* that is **separate and apart** from the violation that resulted in student being allowed to return to a zoned school of attendance under the terms of a *District Waiver* and *District Behavior Contract*.

Note: The **duration** of any expulsion imposed for a Zero Tolerance violation while attending zoned school of attendance is **not** restricted by the length of the term imposed for the violation that resulted in an alternative to ~~expulsion~~ that allowed the student to return to a zoned school of attendance in lieu of immediate expulsion. Instead, the length of time imposed for the expulsion for the Zero Tolerance violation shall **open** to the full duration permitted by law.

5. **Procedures for Processing Preliminary Recommendations:** The procedure for processing a *preliminary recommendation* **depends** upon which ~~preliminary expulsion option~~ is presented to the School Board, and the student/parents' **response** to that recommendation.

A. **Option A** - When the *preliminary recommendation* is for expulsion ~~full exclusion~~ the student/parents shall be informed of the recommendation and asked to contact the Office of Secondary Education to confirm the anticipated date of the hearing.

Note: An Option A follow-up recommendation requires the same complete packet of documentation as described and outlined for an original recommendation for full exclusion.

B. **Option B** - When the preliminary recommendation is to give the student the opportunity to apply to **Project Excel** the same procedures outlined previously shall be followed.

The **documentation** for processing a follow up recommendation to Project Excel is **limited** to the following forms:

1. **Form 535** - Provide all information requested on the form.
2. **Form 644** - Provide all information requested. Identify the specific infraction that constitutes a breach of the student's contract. For clarification, also include a statement that declares the student breached the terms of a *District Behavior*

Contract, and identify the original expellable infraction along with the corresponding date of the expulsion recommendation.

3. Form 532 - Have student/parents sign **another** *Expulsion Waiver* that applies to the follow-up recommendation. The student/parent will be required to sign a contract at Project Excel if accepted to the program.

<p>Note: The student/parent is to be reminded that if Project Excel refuses to admit the student, then the student will be excluded<u>expelled</u> from all Seminole County Public Schools for the time remaining on the original expulsion<u>recommendation for alternative educational placement in lieu of expulsion</u>.</p>

C. Option B Refusal: If the student/parent refuse to agree to an Option B preliminary recommendation, the matter shall be scheduled for a formal disciplinary hearing before the School Board. The only issue that may be addressed at the formal hearing will be that of the infraction considered to be a violation of the original *District Behavior Contract*.

The preliminary recommendation (Option **B**) made to the School Board does not have to change because of this refusal. However, a comprehensive packet of documentation required for the formal hearing must correspond to that of an Option A recommendation.

***REQUESTS FOR RE-HEARING
FOR OPTION B, C, OR D***

A student who has been placed on a *District Behavior Contract* in lieu of expulsion may make a request to the Office of Secondary Education for a Re-Hearing for reconsideration of the School Board's original waiver and contract in lieu of immediate expulsion. This is a two (2) step process.

The first step requires the student/parent submit a written request for a **Petition Hearing** before the School Board. The student/parent must state a rationale for the Petition Hearing that conforms with the permissible reasons for granting such a hearing. Petition Hearings are **limited** in scope and shall be granted only to address the following issues:

- 1. Lack of Understanding:** The student/parents assert that they did not understand the nature of the contract process when the *Expulsion Waiver* and the *District Behavior Contract* were signed.
- 2. Coercion:** The student/parent assert that they were coerced or unreasonably pressured into signing the *Expulsion Waiver* and the *District Behavior Contract*.
- 3. New Evidence:** The student/parent can provide new and incontrovertible evidence that demonstrates the charge underlying the contract is false.

A request for a Petition Hearing must be filed with the Office of the Superintendent not later than **4:00 P.M.** on the **10th** working day following the date of acceptance by the School Board of the *Expulsion Waiver* and *District Behavior Contract*.

Note: Petition Hearings are **not** re-hearings of the original charges (de novo) . The sole purpose of a Petition Hearing is to establish whether or not the student should be granted a **Re-Hearing** for reconsideration of the original waiver of expulsion.

If, after the Petition Hearing, the School Board finds that the request for reconsideration is reasonable and well founded, a **Re-Hearing** of the matter shall be scheduled for **another date** that provides adequate notice to both the student/parent and the school representatives.

Note: Requests for **Re-Hearings** to change the original consequence or the duration of the penalty imposed by the School Board will **not** be permitted.

APPEAL FOR RE-ENTRY
BY
EXPELLED ~~FULLY EXCLUDED~~ STUDENTS

Students who have been expelled and fully excluded from the Seminole County Public Schools may appeal to School Board for re-entry. An appeal for re-entry is made through the Office of Secondary Education and is not typically granted to students prior to them having served a minimum of one (1) semester of a multi-semester term of expulsion.

Students shall submit to the Office of Secondary Education a written request for permission to re-enter the Seminole County Public Schools. Additionally, students must provide a written explanation as to why it would be appropriate for the School Board to allow them to re-enter the Seminole County Public Schools. Students may also provide letters of endorsement and other documentation supporting their request. This information shall be presented to the School Board by the Executive Director of Secondary Education/designee at the next scheduled ~~expulsion~~ discipline hearing.

After review of the written request and supplemental information, the expulsion panel shall make determination to grant or deny students a formal hearing to appeal for re-entry. This formal appeal shall be placed on the agenda of the next scheduled ~~expulsion~~ discipline hearings. A denial to grant a formal hearing for re-entry may not be appealed.

Students granted permission by the School Board to re-enter the Seminole County Public Schools prior to the completion of their expulsion term shall be bound by the procedures outlined in the policy for the re-entry of expelled students.

RE-ENTRY OF ~~FULLY EXCLUDED~~ EXPELLED STUDENTS

Upon completion of a term of expulsion from the Seminole County Public Schools, students shall be assigned to the **Excel Annex** as an alternative educational placement. Students are then required to transition to **Project Excel** and, at a minimum, complete successfully the ~~Excel Business Training (EBT)~~ **Professional Development Training (PDT)** component of the program, prior to being permitted to return to a zoned school of attendance (School Board Policy File: JGE).

Note: Students are subject to all of the policies, rules, and sanctions outlined in the *School Board Policies* and the *Student Conduct and Discipline Code* while assigned to the Excel Annex and Project Excel.

***ENROLLMENT OF STUDENTS EXPELLED/DISMISSED
FROM OTHER SCHOOL DISTRICTS OR PRIVATE SCHOOLS***

Students seeking to enroll in a zoned school of attendance in the Seminole County Public Schools who have been assigned to an alternative school in lieu of expulsion, or who are currently being recommended for expulsion or dismissal, or who have been expelled or dismissed from another public school district, a private school, or a Charter School must appear before the School Board at a formal hearing to petition for admission.

The School Board shall review the information relevant to the expulsion or dismissal decision of the previous school of attendance. The cumulative academic, attendance, and disciplinary history of the student will also be given consideration by the School Board prior to making a decision for admittance and/or placement.

If a final order of expulsion has been imposed upon the student from the previous school, the School Board may chose to:

1. Honor the expulsion or dismissal of the student from the previous school;
2. Assign the student to the **Excel Annex**;
3. Allow the student to apply to **Project Excel** or another **alternative educational placement**; or
4. Assign the student to a zoned school of attendance.

PROCESSING EXPULSION RECOMMENDATION STUDENTS WITH DISABILITIES

A description of the procedures which fulfill the legal requirements for processing a recommendation for the expulsion of a student with disabilities follows below:

1. **First Suspension:** Student misconduct leading to a student's first suspension requires the principal to complete a Notice of School Suspension (Form 542). A copy of this form is to be furnished to the Staffing Resource Specialist serving that school.

2. **Second Suspension:** Student misconduct leading to a student's second suspension requires the principal to complete a Notice of School Suspension (**Form 542**). A copy of this form is to be furnished to the Staffing Resource Specialist serving that school.

Note: The **ESSS Zone Administrator** who serves the school should be **notified immediately** when a student who receives IDEA services or 504 modifications is assigned a second out-of-school suspension.

The student should be placed on the agenda of the next SST meeting. Parents shall be given adequate notice of the date and time of this meeting, as well as an invitation to attend. The date and time of the SST meeting must be reasonably convenient for the parent(s) to attend.

Note: The SST meeting **must be rescheduled** if the parents advise they can not attend. If the parents fail to attend the SST meeting after it has been rescheduled, the SST shall invite the parents to a **third** rescheduled meeting and shall convene the meeting with or without the parents being in attendance.

Note: Parents who fail to attend the SST meeting must be given a **minimum of five working days** notice prior to the implementation of any interventions that change a student's IEP. The parents may challenge the change in the IEP by requesting a due process hearing.

The SST shall review the incident leading to the student's **second suspension**. The team will also develop suitable interventions in an effort

to prevent any further suspension of the student from school. Discussion should include, but is not limited to:

- review of the student's records, including the confidential cum, medical and discipline records, and report cards.
- review the original rationale for program placement.
- determine if the behavior is a manifestation of the student's disability (this determination is absolutely required).
- conduct a functional behavior assessment.
- determine specific interventions and develop a behavior plan.

The SST **must** determine that behavior **is/is not a manifestation** of disability by considering all relevant information including:

- a. evaluation/diagnostic results
- b. observations of the student
- c. student's IEP and placement

The team then must determine if in relationship to behavior **(1)** the IEP/placement are appropriate and **(2)** the disability did not impair the student's ability to understand the impact/consequences of the behavior and **(3)** the disability did not impair the student's ability to control the behavior. The Staffing Resource Specialist shall forward a copy of **Form 1172** to the Zone Administrator who serves that school. The minutes of the SST meeting should include the following information:

- discussion - information reviewed by the SST, such as the rationale for program placement, previous interventions, and evaluations.
- consideration given to information - comments addressing the validity or reliability of the evaluation instruments used.
- rationale for SST decisions - document the decision making process, clarify reasons for acceptance or rejection of evaluation data.

Note: The IEP **must** be amended to reflect the implementation of any interventions developed by the SST. The parents may challenge the change in the IEP by requesting a due process hearing.

Note: A request for a due process hearing by the parents **does not** cancel or rescind a student's suspension.

3. Third Suspension: Student misconduct leading to a student's third suspension requires the principal to complete a Notice of School Suspension (**Form 542**). A copy of this form is to be furnished to the **Staffing Resource Specialist** serving that school.

Students receiving ESE services may be recommended for **expulsion** after the third suspension **only** if the incident, **in and of itself**, is an expellable offense. Additionally, no disabled student may be recommended for expulsion without a meeting of the SST.

Note: Students receiving ESE services **may not** be recommended for expulsion simply because they have accumulated 3 out-of-school suspensions.

Note: The **ESSS Zone Administrator** who serves the school should be notified **immediately** when a student who received IDEA services (or 504 services) is assigned a third out-of-school suspension.

After the suspension has been initiated, the principal or designee will place the student on the agenda of the next SST meeting. Parents shall be given adequate notice of the date and time of this meeting, as well as, an invitation to attend. The student study team **must review** their **behavior plan** and decide if modifications to the behavior plan are necessary.

If the SST determines the student to be a **real danger** to himself/herself or others, the school district may seek temporary placement (up to **45 days**) by a **hearing officer** or seek injunctive relief from a **court** of competent jurisdiction to prevent the student from returning to his/her school of regular attendance. If this is effected, educational services to the student may not be suspended for more than 10 days and the school must provide services under a temporary IEP pending the development of a new IEP.

Misbehavior a Manifestation of the Student's Disability:

The SST shall review the incident that led to the student's third suspension, previous incidents, previous file reviews, and interventions with the parent. If the SST, including the parent, if possible, judges the misbehavior to be a manifestation of the student's disability, then the recommendation for expulsion must be terminated.

The SST shall then make recommendations regarding the conditions under which the student returns to school. These may include, but are not limited to:

- a behavior plan (The district's behavior contract is not to be utilized for this purpose)
- restrictions on the student's movement in the zoned school
- increase in hours in exceptional education
- transfer to another district school
- change in placement
- a more restrictive placement

The implementation of any of these recommendations will necessitate the development of a new IEP and/or the development of a behavior plan.

Note: Parents may **challenge** a change in the IEP by requesting a due process hearing.

Misbehavior a Manifestation - Alternative School Placement:

Whenever the SST recommends a more restrictive placement at an Alternative School site, the following procedures shall be followed:

1. Parents shall be given a copy of their procedural safeguards and sign The bottom of the **Form 1172** after the determination of the SST is recorded on the form.
2. The **Zone Administrator** shall **immediately** notify the Office of Secondary Education of the determination.
3. The **Zone Administrator** shall inform the principal of the sending school of the SSTs determination.
4. The **Zone Administrator** shall **immediately** notify and then deliver the necessary files and records to the Zone Administrator serving Project Excel.
5. The **SST at Project Excel** will review the student's file and cum folder to recommend placement at either Project Excel or the PAI program at Rosenwald ESE Center.

Note: Parents have the right to challenge a manifestation determination or to **challenge** a change in program placement by requesting a due process hearing under FAC 6A.03311.

“Stay Put” Rule: Whenever a due process hearing is requested, the “Stay Put” rule applies. This rule does not rescind or invalidate the student’s suspension. However, it does mandate the student be allowed to return to the school of regular attendance at the conclusion of the suspension. The “Stay Put” rule also requires that the student remain in his/her present placement until all legal remedies are exhausted, unless permission is obtained by a hearing officer or a court of competent jurisdiction for the removal of the student.

If a student’s parents disagree with the disciplinary strategies suggested by the SST, then upon written parental request, a due process hearing will be scheduled pursuant to the provisions of applicable laws and regulations. If a due process hearing is requested, the expulsion recommendation must be discontinued until the due process procedure has been completed. Under the “Stay Put” rule, the child must remain in his/her placement unless a court permission has been obtained to extend the suspension.

Both the parents and the student have the right to have legal counsel and representation, the right to present witnesses, and the right to present a statement in the student’s defense at the expulsion hearing. Failure of the parents to appear before the School Board during the expulsion hearing shall be deemed a waiver of the student’s right to a hearing; unless the student is 18 years of age or older.

Fourth Suspension: Students receiving ESE services may be recommended for **expulsion** after the fourth suspension **only** if the incident, in and of itself, is an expellable offense. Student misconduct leading to a student’s fourth suspension requires the same procedures be followed that apply to processing a student’s third suspension. The SST must review their behavior plan and decide if modifications to the behavior plan are necessary.

Note. Students receiving ESSS services **may not** be recommended for expulsion simply because they have accumulated 4 or more out-of-school suspensions.

Note: 504 Contact Person - Refer to procedures in 504 Handbook concerning due process procedures.

Misbehavior Not a Manifestation of the Student's Disability:

If the SST determines that a student's misbehavior is **not** a manifestation of his/her disability, then the expulsion recommendation (Option **B**, **C**, or **D**) may proceed according to the same procedures outlined for non-disabled students.

Note: According to federal law, a student who receives IDEA services may **not** be fully excluded from a school district. Therefore, **Option A** can not be recommended as an expulsion alternative.

The following procedures must also be followed:

1. **Parents** shall be given a copy of their procedural safeguards and sign the bottom of the **Form 1172** after the determination of the SST is recorded on the form.
2. The **Staffing Resource Specialist** shall forward a copy of the **Form 1172** to the **Zone Administrator** who serves that school.
3. The **principal** shall review the expulsion packet with the **Zone Administrator**.
4. The **principal** will meet with the parents to explain the rationale for the expulsion recommendation.

Note: Parents have the right to **challenge** the manifestation determination by requesting a due process hearing under FAC 6A.03311.

5. The **principal** shall forward the expulsion packet to the Office of Secondary Education.
6. The **Zone Administrator** shall immediately notify and deliver the necessary files and records to the Zone Administrator serving Project Excel.

ATTENTION DEFICIT / HYPERACTIVITY DISORDER

Attention Deficit/Hyperactivity Disorder (AD/HD) must be given consideration for possible Section 504 accommodations during the processing of an expulsion recommendation.

Students Qualifying for 504 Accommodations: There are three (3) ways in which a student may qualify for 504 accommodations:

1. The student is diagnosed **currently** with AD/HD.
2. At **anytime** in the past, the student **was** diagnosed with AD/HD and provided instructional or behavioral accommodations.
3. At **anytime** in the past, the student was **never** diagnosed with AD/HD, **but** the student was **treated** as if he/she had a disability and was provided instructional or behavioral accommodations.

Medical Diagnosis: It is important to point out that AD/HD is a **medical** condition. As such, only a **physician** can diagnose it. For a student to be eligible for Section 504 protections, the student/parent **must** provide written documentation from a physician specifically diagnosing the student with AD/HD.

Whenever a parent, teacher, or other staff member state they **believe** the student has AD/HD, the student **must** be granted the opportunity to have a physician substantiate the condition. If the physician provides medical **confirmation**, the student must be granted the procedural protections outlined below. If the physician **does not** confirm, then the student is processed for expulsion in the **same** manner as any mainstream student.

After the Fact Declaration: If a parent asserts a student has AD/HD after an expellable offense has been committed, the student must be given the opportunity to provide a physician's confirmation. However, the student's "stay put" placement shall be the out-of-school suspension.

Note: It is imperative that this information be obtained **before** the completion of the 10 day suspension. If it is not, the expulsion process must be suspended until such information is obtained. However, the "**stay put**" provision requires the student remain out of school on suspension.

Initial Determination: A physician's confirmation of a student having AD/HD is **not** sufficient to **automatically** qualify the student for Section 504 accommodations. A **SST** must review the student's record to make a **determination** as to whether, in their collective professional opinion, the student's AD/HD is sufficiently severe enough to be **characterized** as a **disability** because the condition is "**significantly impairing the student's ability to learn.**"

Note: The **SST** that reviews the student's relevant record **does not** require the attendance of an **ESSS Zone Administrator**, or a **Staffing Specialist**, or a **School Psychologist**.

Not Characterized as a Disability: If the SST determines that the student's AD/HD is **not** severe enough to be characterized as a disability, the student is then processed for expulsion in the **same** manner as any mainstream student.

Characterized as a Disability: If the SST determines that the student's AD/HD is so severe that it **significantly impairs** the student's ability to learn, then the student is to be **classified** as qualifying for Section 504 accommodations and deserving of procedural due process. These due process safe guards parallel those guidelines outlined for IDEA protected students.

Follow-Up Manifestation Determination: After a student has **qualified** for Section 504 accommodations, the **SST** must then make a determination as to whether, in their collective professional opinion, the student's misbehavior that led to the expulsion recommendation was a **manifestation** of the student's handicapping condition (AD/HD).

Not a Manifestation of the AD/HD: If the SST decides that the student's misbehavior was **not a manifestation** of the student's AD/HD, then the

student may be processed for expulsion in the **same** manner as any mainstream student, up to and including full exclusion (Option **A - D**).

Note: A Section 504 protected student **does not** have to be provided continuing educational services as does an IDEA student. Therefore, a Section 504 protected student **may be** recommended for full exclusion (Option **A**) if the student's misbehavior is declared **not** to be a manifestation of the AD/HD.

Determined to be a Manifestation of the AD/HD: If the SST decides that the student's misbehavior **was** a manifestation of the student's AD/HD, then the formal expulsion process is terminated. The student may **not** be recommended for any expulsion option.

Behavioral Intervention Plan: If the student's misbehavior is determined to be a manifestation of the student's misbehavior, then the SST should create or revise a **formal behavioral intervention plan** for the student. This plan may include recommendations for ESSS testing.

SPECIAL ISSUES

1. **Repetitive Expulsions:** A policy of **increasing severity of sanctions** shall be applied to students who have previously been expelled or assigned to an alternative educational placement in lieu of expulsion from any district school. Depending on the circumstances associated with each of the ~~expulsion~~ incidents, ~~an expulsion~~ preliminary recommendation for a student who has previously been expelled or assigned to an alternative educational placement should, at the very least, move up to the next level of ~~expulsion~~ disciplinary options.

Students expelled ~~and fully excluded~~ a second time in their secondary school career shall be recommended for ~~full exclusion~~ expulsion for a minimum of **one** regular school semester and shall be assigned to the **Excel Annex** prior to being eligible to attend Project Excel, then a zoned school of attendance.

Note: Summer school is not considered to be a regular school semester.

2. **Prior Attendance at Project Excel:** Students who have previously attended Project Excel who subsequently commit an expellable offense after their return to a zoned school of attendance shall be recommended for ~~full exclusion~~ expulsion for a minimum of **one** regular school semester and will be assigned to the **Excel Annex** prior to being eligible to attend Project Excel, then a zoned school of attendance.

Note: Summer school is not considered to be a regular school semester.

3. **Zero Tolerance:** The School Board requires that a student be recommended for ~~full exclusion~~ expulsion for a minimum of one (1) semester if he/she commits any of the acts outlined in the **Section 1(a)** of the Zero Tolerance Policy.

The School Board **allows** for the reentry of a student under the conditions of an *Expulsion Waiver* and a *District Behavior Contract* if a student commits any of the acts outlined in **Section 3(a)** of the

Zero Tolerance Policy. This language is permissive and does not prohibit a principal from making a preliminary recommendation for full exclusion if the totality of the circumstances warrant such a recommendation.

~~4. **Other Weapons:** A student who while on school board property, at a school function, or a school sponsored function is found to have been in possession, storing, distributing, selling, or purchasing any object defined or described in the Student Conduct and Discipline Code as an "Other Weapon" may be recommended for expulsion.~~

~~**Note:** Depending on the totality of the circumstances surrounding the incident, the principal may recommend expulsion Option A, B, C, or D.~~

***FINAL REVIEW OF EXPULSION PACKET PRIOR TO
SUBMISSION TO THE OFFICE OF SECONDARY EDUCATION***

Historically, there have been some reoccurring issues that have delayed the processing of ~~expulsion~~ preliminary recommendation packets. This has resulted in the unnecessary postponement of ~~expulsion~~ disciplinary hearings until all the required documentation was properly submitted. Therefore, the following items should be reviewed prior to submitting an expulsion packet for processing.

1. **Use of Current Forms:** Make sure the forms used for processing any expulsion recommendation are the **most current/revised forms** available.

The "**Documentation Required**" page provided in this manual for each expulsion option identifies the operative revision date of each form required to process that recommendation.

Note: If the forms are not current, the expulsion packet may be returned to the school for the transfer of the expulsion information to the appropriate forms.

2. **Get Required Signatures:** Be sure to **double check** all forms to confirm that **each** form has been **signed** by the appropriate parties.

Note: The **absence** of all appropriate and required signatures on expulsion forms will result in the **packet** being **returned** to the school to obtain the missing signatures.

3. **Use Forms in Native Language:** It is imperative that all ESOL students **and** their parents be provided with an expulsion packet with forms written in English **and** duplicate forms that have been translated into their native language.

Note: Expulsion packets will be **returned** to the school **if only** the English version of the expulsion forms are provided to an ESOL student/parent.

4. **Screen for Subjective Comments on Teacher Observation Sheets or Student Referral Forms:** Review these two forms to **ensure** they

do not contain subjective **comments** for which they have **no** professional **training** or **expertise** to deduce.

Also, review these documents to ensure they **do not** contain subjective comments that are **editorial statements** of thoughts or feelings rather than objective statements of observable facts.

Examples of inappropriate subjective statements include comments like:

- a. "It is my personal opinion that this student's behavioral problems stem from a possible disorder such as ADHD."
- b. "It is my opinion that this student needs to seek counseling and not be around other students at this time."
- c. "This student has emotional problems."
- d. "This kid is a jerk."
- e. "I've had it with this kid, he has a smart mouth."

If an inappropriate comment is made on a form by a faculty or staff member, the form should be returned to the individual and a request made for the submission of a revised statement that reports events that have been observed with objective conclusions to communicate concern.

Note: An expulsion packet may be **returned** to the school and the student allowed to remain at the school under the provisions of the "**Stay Put**" rule until a Student Study Team reviews the profile of the student.

5. **Have Witness Statements Sworn to and Notarized:** Due to a **legal technicality**, every individual who provides a witness statement **must swear** to the truth of his/her statement, sign and have the statement notarized by a certified ***Notary Public***.

If the ***Notary Public*** does **not** swear the statement, the statement may **not** be **admissible** as **evidence** in an expulsion hearing.

Note: Swearing of the statement requires the witness to **raise** his/her **right hand** and **affirm** a statement of truthfulness to the ***Notary Public***. Witness statements that are **not** notarized will be **returned** to the school.

6. **Include Student Study Team Recommendations:** It is absolutely essential that the expulsion packet submitted for a **bonafide Section 504 or ESE** student (excluding students staffed into the Gifted Program) includes the **manifestation determination** by the school's SST.

Note: Failure to include this documentation will **immediately suspend** the expulsion process until the SST meets and documents a determination regarding whether the misbehavior was or was not a manifestation of the student's disability.

7. **Check Records for Possible Section 504 or ESE Placement:** Surprise revelations of a student being prescribed ritalin or any other medication for treatment of ADD/HD, depression, or an emotional debilitation will cause the expulsion process to come to a halt.

Note: The student must be allowed to remain at the school under the provisions of the "Stay Put" rule until a SST can meet to determine whether the condition is severe enough to qualify as a disability.

***WITHDRAWAL PROCEDURES
FOR
STUDENTS RECOMMENDED FOR EXPULSION***

The following procedures have been established for the withdrawal of students who have been recommended for full exclusion (Option A), and for the transfer of students to Project Excel (Option B) or to another zoned school (Option C) in lieu of expulsion.

1. **Option A - Full Exclusion**

The Office of Secondary Education shall issue a *Final Order of Expulsion* to the:

A. Parent

B. School Expulsion Contact - this information is to be shared with the data entry and guidance secretaries who will in turn enter a withdrawal code of **W-21** and will enter a disposition code of **21** into the discipline system.

The **hearing date** indicated on the *Final Order of Expulsion* shall be entered as the **date of withdrawal**.

2. **Option B - Recommended to Project Excel**

The Office of Secondary Education shall issue a *Letter of Notification* to the:

A. Parent

B. School Expulsion Contact - this information is to be shared with the data entry and guidance secretaries who will in turn enter a code of **W-2A** and will enter a disposition code of **20** into the discipline system.

The **hearing date** indicated on the *Letter of Notification* shall be entered as the **date of transfer**. **Cum Records Folder** are **not** to be sent until requested by Project Excel.

3. **Option B - Student Does Not Apply to Project Excel**

The **Project Manager** of Project Excel shall notify the Office of Secondary Education when a student does not apply to Project Excel within a reasonable period of time. The Office of Secondary Education will then issue a *Final Order of Expulsion* to the:

A. Parent

B. Project Excel

C. School Expulsion Contact - this information is to be shared with the data entry and guidance secretaries who will in turn enter a withdrawal code of **W-21** and will enter a disposition code of **21** into the discipline system.

The **hearing date** indicated on the *Final Order of Expulsion* shall be entered as the **date of withdrawal**.

If the parent notifies the school or the Office of Secondary Education that the student has been accepted to a **private school** for the duration of his/her expulsion, **the Withdrawal Code will still remain a W-21**. It will be the parent's responsibility to provide the appropriate paperwork, as outlined in the *Expulsion Procedures Manual*, to the Office of Secondary Education to review

and determine the re-entry of the student into Seminole County Public Schools at the end of the expulsion term. If the documentation is acceptable:

The Office of Secondary Education shall issue a *Letter of Expungement* to the:

A. Parent

- B. School Expulsion Contact – this information is to be shared with the data entry and guidance secretaries who will in turn go back into the student’s record and replace the W-21 with a W-2A code. Note: If the student has been promoted from middle school to high school, the middle school should forward the *Letter of Expungement* to the high school for action.**

Note: High School (Driver’s License Suspension)

If a student enrolls in a private school instead of attending Project Excel:

- The school will request proof of enrollment from the private school
- Once enrollment is verified, the school will leave the Withdrawal Code of W-21 but will notify Information Services via email to remove student from the list submitted to DMV.

4. Option B - Student is Dismissed from Project Excel

The **Project Manager** shall notify the Office of Secondary Education when a student is **dismissed** from the program for a violation of policies, procedures, or rules. The Office of Secondary Education will then issue a *Final Order of Expulsion* to the:

A. Parent

- B. School Expulsion Contact** - this information is to be shared with administration and guidance secretary who will enter a disposition code of 21 into the discipline system.

C. Project Excel - will be responsible for entering a code of **W-21**.

The **date** indicated on the *Final Order of Expulsion* shall be entered as the **date of withdrawal**.

5. Option C - Recommended to Another Seminole County School

The Office of Secondary Education shall issue a *Letter of Notification* to the:

A. Parent

- B. School Expulsion Contact** - this information is to be shared with the data entry and guidance secretaries who will in turn enter a withdrawal code of **W-2A** and will enter a disposition code of **20** into the discipline system.

The **hearing date** indicated on the *Letter of Notification* shall be entered as the **date of transfer**. The student's **Cum Records Folder** should **not** be sent until requested.

C. School Expulsion Contact of Receiving School - this information is to be shared with the data entry and guidance secretaries at the receiving school. (The principal of the receiving school will have previously agreed to the transfer.)

6. **Option D - Return to Zoned School of Attendance**

The Office of Secondary Education shall issue a *Letter of Notification* to the:

A. Parent

B. School Expulsion Contact - no withdrawal or transfer codes are entered at the school, however, this information is to be shared with the student's **guidance counselor** since this is a significant event in a student's **life**. The data entry secretary will enter a disposition code of 20 into the discipline system.

(update 11/00)

***STUDENT TO BE EXCLUDED FROM ALL
SEMINOLE COUNTY PUBLIC SCHOOLS***

OPTION A

This expulsion option is to be recommended when, in the judgment of the zoned school principal, a student who committed an expellable offense threatens the integrity of Seminole County Public Schools or the safety of the offending student or other students in the school district.

Option A is the only ~~expulsion~~ recommendation that requires the submission of a comprehensive packet. It is absolutely necessary to include a copy of the discipline referral associated with the specific incident leading to the recommendation. Moreover, if an incident requires the use of student witness statements, then these statements must be included in the packet. Due process also requires a copy of the written statement of the student who is being recommended for expulsion to be included in the expulsion packet.

Teacher Observation sheets must be completed and submitted in the comprehensive expulsion packet by each of the student's teachers. It is essential that these observations be written in objective terms that document observations and not include subjective narrative or speculative commentary on the part of a teacher.

Refer to the subsection in this manual that outlines the procedures for processing an expulsion recommendation that requires a Formal Hearing.

The documentation required to process an Option A ~~expulsion~~ recommendation is presented on the page that follows. It is essential that each form be included in the expulsion packet.

DOCUMENTATION REQUIRED
OPTION A

The documentation listed below must be submitted to the Office of Secondary Education in order to process an Option A expulsion recommendation. This page may be used as a checklist to ensure all required documents are accounted for.

- Form 535 (rev. 10/98)** - Student ~~Expulsion~~-Information & Summary
- Form 535 ESSS(rev. 10/98)** - Student ~~Expulsion~~-Information & Summary (if applicable)
- Form 644 (rev. 7/98)** - Preliminary Recommendation for ~~Expulsion~~
- Form 955 (rev. 7/98)** - ~~Student Discipline~~ Administrator's Incident Summary
- Form 835 (rev. 6/00)** - Student Discipline Referral
- Form 954 (rev. 7/98)** - ~~Student Discipline~~ Witness Statements
- Form 472 (rev. 7/98)** - Teacher Observations
- Student's Discipline Record** - Discipline Referrals for Current Year
- Student's Discipline History** - Summary Record of Previous Year(s) Referrals
- Student's Criminal History** - (If expulsion is based on a criminal act.)
- Student's Attendance Report**
- Copy of Student Report Card**
- Student Academic History**
- A photocopy of any weapon involved in an expulsion incident.**
- Trespass Warning**



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT ~~EXPULSION~~-INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students NOT receiving or being evaluated for IDEA/Section 504 services.

- 1. YES NO This student is presently receiving ESOL services.
- 2. YES NO This student has received a packet in his/her primary language.
- 3. YES NO The parents have received a packet in their primary language.

SECTION I: A Formal Hearing is requested ~~or required~~ to process this recommendation for ~~Expulsion with School Board Placement to:~~

- A ~~Full Exclusion~~ EXPULSION** from all SCPS until: _____
- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____

SECTION II: A Waiver and a District Behavior Contract is are required to process this recommendation for ~~Assignment to:~~

- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____
- E Excel Annex (off campus felony only)** until: _____



PRINCIPAL/PRINCIPAL'S DESIGNEE

DATE

SCPS Form 535(e) (Rev. 10/98)

SEMINOLE COUNTY PUBLIC SCHOOLS

IDEA/504 ~~EXPULSION~~-INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students **WHO ARE** receiving or being evaluated for IDEA/Section 504 services prior to the time of this recommendation for expulsion.

1. YES NO This student is presently receiving IDEA/Section 504 services.
2. YES NO This student was being evaluated for services prior to incident.
3. YES NO This student has received IDEA/Section 504 services in the past.
4. YES NO This student is presently receiving ESOL services.
5. YES NO This student has received a packet in his/her primary language.
6. YES NO The parents have received a packet in their primary language.
7. The Student Study Team met on _____ to review the circumstances leading to this recommendation and determined the student's misbehavior (*check one*):

- was **NOT A MANIFESTATION** of the handicapping condition.
 was a **MANIFESTATION** of the handicapping condition (Refer to ESSS).

SECTION I - ESE: A Formal Hearing is requested ~~or required~~ to process this recommendation for ~~Expulsion with School Board Placement~~ to:

- B** an **Alternative Educational Setting** until: _____
 C **Another District School** until: _____
 D the **Present School of Attendance** until: _____

SECTION II - ESE: A Waiver and a District Behavior Contract is are required to process this recommendation for ~~Assignment~~ to:

- B** an **Alternative Educational Setting** until: _____
 C **Another District School** until: _____
 D the **Present School of Attendance** until: _____
 C **EXCEL Annex (off campus felony only)** until: _____

PRINCIPAL/PRINCIPAL'S DESIGNEE
SCPS Form 535-ESSS (e) (rev. 10/98)

DATE



SEMINOLE COUNTY PUBLIC SCHOOLS

PRELIMINARY RECOMMENDATION FOR EXPULSION

SCHOOL: _____ **PARENT'S NAME:** _____

STUDENT'S NAME: _____ ADDRESS: _____

STUDENT #: _____

GRADE: _____ S/R: _____ B/D: _____ PHONE: _____

Based on an investigation by my administrative staff, I have determined that your child, _____, has committed a violation of the *Student Conduct and Discipline Code* by doing the following act(s):

Because of the seriousness of the violation, I am recommending to the Superintendent that your child be expelled from the public schools of Seminole County, Florida. You are hereby notified that your child has been suspended from school. The suspension started on _____ and will end on _____ unless it is extended by the Superintendent. During this suspension and any suspension extension by the Superintendent and pending any expulsion proceedings, your child is not to be on the campus of any Seminole County Public School and is not permitted to participate in any school activity, including attendance at any athletic or other event until the suspension is ended. Failure to comply with the suspension may result in your child being arrested for trespassing. The Superintendent's office will notify you if the suspension is extended and furnish information of any further action in the matter. If you have any questions, please contact the Office of Secondary Education, Seminole County Public Schools.

PRINCIPAL

DATE

I HEREBY CERTIFY THAT ON _____ I MET WITH THE STUDENT'S PARENTS
 ATTEMPTED TO MEET WITH THE STUDENT'S PARENT(S)/GUARDIAN(S) TO DISCUSS
THE CHARGES, THE EVIDENCE IN SUPPORT OF THE CHARGES, AND THE STUDENT'S RIGHT
TO A FACT FINDING HEARING BEFORE THE SCHOOL BOARD.

SCPS Form 644 (rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

**STUDENT DISCIPLINE-ADMINISTRATOR'S INCIDENT
STATEMENT SUMMARY**

STUDENT NAME: _____ SCHOOL: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-WITNESS STATEMENT |

STUDENT NAME: _____ **SCHOOL:** _____

DATE OF INCIDENT: _____ **TIME OF INCIDENT:** _____

NAME OF WITNESS: _____

STATEMENT OF INCIDENT

(USE ADDITIONAL SHEETS IF NECESSARY TO COMPLETE STATEMENT)

PLEASE NOTE WHO? WHAT? WHEN? WHERE? WHY? HOW?

SIGNATURE OF WITNESS

DATE

TYPED OR PRINTED NAME OF WITNESS

STATE OF FLORIDA
COUNTY OF SEMINOLE

SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS _____ DAY
OF _____, 19 _____, BY _____ WHO IS PERSONALLY
KNOWN TO ME OR WAS IDENTIFIED BY THE FOLLOWING FLORIDA DRIVER'S LICENSE,
STUDENT IDENTIFICATION CARD OR _____.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

(NOTARY SEAL)

TYPE OR PRINT NOTARY'S NAME HERE

THIS STATEMENT MUST BE LEGIBLE. IF THE WITNESS' HANDWRITING IS NOT LEGIBLE, THE
STATEMENT MUST BE ACCOMPANIED BY A TYPED OR PRINTED COPY, WHICH MUST BE SIGNED BY
THE STUDENT.

SCPS Form 954 (e) (Rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

TEACHER OBSERVATION OF STUDENT

PLEASE TYPE OR WRITE IN BLACK INK ONLY. This evaluation will be
reproduced for the School as information for the possible expulsion of the student.

STUDENT NAME: _____ SCHOOL: _____

TEACHER'S NAME: _____ SUBJECT _____ GRADE _____

ATTENDANCE RECORD (as of _____) DAYS PRESENT _____ DAYS ABSENT _____ TARDIES _____

1. Does this student pay attention in class? YES NO
2. Does this student have a cooperative attitude and a desire to learn? Yes No
3. If the student's attitude is not desirable, please indicate the characteristic(s) that best describe(s) his/her attitude or behavior: surly rude indifferent
 prankish belligerent other _____
4. Is this student in any way a discipline problem? Always Sometimes Never
5. Have you noticed any change in this **student's attitude** and **work habits** since the beginning of the school year or semester? Yes No

PLEASE COMMENT ON ANY CHANGE YOU HAVE NOTICED OR ANY DISCIPLINE PROBLEMS YOU HAVE HAD WITH THIS STUDENT:

Please return to _____ on or before _____ (M/D/Y)

TRESPASS WARNING

During the suspension, pending expulsion or alternative educational placement proceedings, and ~~expulsion~~ during the term of an expulsion or alternative educational placement, your child is not to be on the campus or any property of Seminole County Public Schools

Your child is not permitted to participate in any school activity, including attendance at any athletic or other event until the EXPULSION TERM OR ALTERNATIVE EDUCATIONAL PLACEMENT HAS BEEN COMPLETED. Failure to comply with this may result in your child being arrested for trespassing.

If you have any questions, please contact the Office of Secondary Education at 320-0038.

***DISTRICT CONTRACT TO HOLD EXPULSION IN ABEYANCE
AND APPLICATION TO RE-ENROLL IN PROJECT EXCEL***

OPTION B

Option **B** is reserved for recommending secondary school students (6th-12th grade) for an alternative ~~school~~-educational environment under the terms of an *Expulsion Waiver* and a *District Behavior Contract* in lieu of ~~complete disengagement~~-expulsion from all Seminole County Public Schools

This ~~expulsion~~-option is to be recommended when, in the judgment of the zoned school principal, a student who committed an expellable offense would threaten the integrity of the zoned school or safety of the offending student or other students at the zoned school. An Option **B** recommendation is also appropriate when, in the judgment of the zoned school principal, the interests of the school district and the ~~expelled~~-offending student would be best served by placement of the student in Project Excel, rather than being ~~fully disengaged~~-expelled from all Seminole County Public Schools.

The exercise of this option is preconditioned upon the understanding of the zoned school principal, the parent, and the student that:

- the ~~expelled~~-offending student would pose no threat to the integrity of this alternative district school or to the safety of the offending student or to other students at Project Excel.
- the Project Manager of Project Excel will screen all students recommended to the program and has the authority to deny admission to any student who does not meet eligibility criteria for admittance
- availability of this option is predicated upon space

The documentation required to process an Option **B** ~~expulsion~~ recommendation is presented on the following page. It is essential that each form be included in the ~~expulsion~~-packet.

DOCUMENTATION REQUIRED

OPTION B

The documentation listed below must be submitted to the Office of Secondary Education in order to process an Option **B expulsion** recommendation. This page may be used as a checklist to ensure all required documents are accounted for.

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Form 535 (rev. 10/98) - Student Expulsion Information & Summary |
| <input type="checkbox"/> | Form 535 ESSS(rev. 10/98) - Student Expulsion Information & Summary
(if applicable) |
| <input type="checkbox"/> | Form 644 (rev. 7/98) - Preliminary Recommendation for Expulsion |
| <input type="checkbox"/> | Form 532 (rev. 7/98) - Out of School Expulsion Waiver |
| <input type="checkbox"/> | Form 955 (rev. 7/98) - Student Discipline Adminsitator's Incident
Summary |
| <input type="checkbox"/> | Form 835 (rev. 6/00) - Student Discipline Referral |
| <input type="checkbox"/> | Form 954 (rev. 7/98) - Student Discipline Witness Statements |
| <input type="checkbox"/> | Form 511 (rev. 8/93) - SST Minutes for ESE or Section 504 Students |
| <input type="checkbox"/> | District Behavior Contract (rev. 8/98) |
| <input type="checkbox"/> | A photocopy of any weapon involved an the expulsion incident. |
| <input type="checkbox"/> | Trespass Warning |



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT EXPULSION INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students NOT receiving or being evaluated for IDEA/Section 504 services.

- 1. YES NO This student is presently receiving ESOL services.
- 2. YES NO This student has received a packet in his/her primary language.
- 3. YES NO The parents have received a packet in their primary language.

SECTION I: A Formal Hearing is requested or required to process this recommendation for Expulsion with School Board Placement to:

- A Full Exclusion** from all SCPS until: _____
- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____

SECTION II: A Waiver and a District Behavior Contract is required to process this recommendation for Assignment to:

- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____
- E Excel Annex (off campus felony only)** until: _____



PRINCIPAL/PRINCIPAL'S DESIGNEE

DATE

SCPS Form 535(e) (Rev. 10/98)

SEMINOLE COUNTY PUBLIC SCHOOLS

IDEA/504 EXPULSION INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students **WHO ARE** receiving or being evaluated for IDEA/Section 504 services prior to the time of this recommendation for expulsion.

1. YES NO This student is presently receiving IDEA/Section 504 services.
2. YES NO This student was being evaluated for services prior to incident.
3. YES NO This student has received IDEA/Section 504 services in the past.
4. YES NO This student is presently receiving ESOL services.
5. YES NO This student has received a packet in his/her primary language.
6. YES NO The parents have received a packet in their primary language.
7. The Student Study Team met on _____ to review the circumstances leading to this recommendation and determined the student's misbehavior (*check one*):

- was **NOT A MANIFESTATION** of the handicapping condition.
 was a **MANIFESTATION** of the handicapping condition (Refer to ESSS).

SECTION I - ESE: A Formal Hearing is requested or required to process this recommendation for Expulsion with School Board Placement to:

- B** an **Alternative Educational Setting** until: _____
 C **Another District School** until: _____
 D the **Present School of Attendance** until: _____

SECTION II - ESE: A Waiver and a District Behavior Contract is required to process this recommendation for Assignment to:

- B** an **Alternative Educational Setting** until: _____
 C **Another District School** until: _____
 D the **Present School of Attendance** until: _____
 C **EXCEL Annex (off campus felony only)** until: _____

PRINCIPAL/PRINCIPAL'S DESIGNEE
SCPS Form 535-ESSS (e) (rev. 10/98)

DATE



SEMINOLE COUNTY PUBLIC SCHOOLS

PRELIMINARY RECOMMENDATION FOR EXPULSION

SCHOOL: _____ PARENT'S NAME: _____

STUDENT'S NAME: _____ ADDRESS: _____

STUDENT #: _____

GRADE: _____ S/R: _____ B/D: _____ PHONE: _____

Based on an investigation by my administrative staff, I have determined that your child, _____, has committed a violation of the *Student Conduct and Discipline Code* by doing the following act(s):

Because of the seriousness of the violation, I am recommending to the Superintendent that your child be expelled from the public schools of Seminole County, Florida. You are hereby notified that your child has been suspended from school. The suspension started on _____ and will end on _____ unless it is extended by the Superintendent. During this suspension and any suspension extension by the Superintendent and pending any expulsion proceedings, your child is not to be on the campus of any Seminole County Public School and is not permitted to participate in any school activity, including attendance at any athletic or other event until the suspension is ended. Failure to comply with the suspension may result in your child being arrested for trespassing. The Superintendent's office will notify you if the suspension is extended and furnish information of any further action in the matter. If you have any questions, please contact the Office of Secondary Education, Seminole County Public Schools.

PRINCIPAL

DATE

I HEREBY CERTIFY THAT ON _____ I MET WITH THE STUDENT'S PARENTS
 ATTEMPTED TO MEET WITH THE STUDENT'S PARENT(S)/GUARDIAN(S) TO DISCUSS
THE CHARGES, THE EVIDENCE IN SUPPORT OF THE CHARGES, AND THE STUDENT'S RIGHT
TO A FACT FINDING HEARING BEFORE THE SCHOOL BOARD.

SCPS Form 644 (rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

**WAIVER OF IMPOSITION OF OUT-OF-SCHOOL
STUDENT-IMMEDIATE EXPULSION**

STUDENT NAME: _____ SCHOOL: _____

UNDERSTANDING AND WAIVERS

I agree that I have been given a copy of the ~~expulsion-discipline~~ packet resulting from my act of misconduct on _____, I admit that I committed the act(s) charged in the ~~expulsion~~-packet and that those acts violate the Student Conduct and Discipline Code. I understand that the School Board will be asked to ~~expel me for my misconduct and that I can be expelled for the remainder of the school year and all of the next school year~~ allow me to be assigned to an alternative educational placement in lieu of immediate expulsion. ~~Instead of imposing that penalty.~~ I understand the following will happen if I sign this agreement:

1. I waive my right to a School Board hearing on my recommended ~~expulsion~~ alternative educational placement and the penalty for this discipline violation.
2. ~~I will be expelled by the School Board for my discipline violation but the expulsion~~ My alternative educational placement will be in lieu of expulsion which will be held until the completion of the attached District Behavior Contract on _____. The record of ~~this~~ the expulsion being held in abeyance expulsion will not become part of my cumulative academic file and will be **expunged** from all school records upon my graduation or withdrawal from the Seminole County Public Schools.
3. I will return to my school or an alternative **school** educational assignment under the provisions of the attached District Behavior Contract.
4. That if Project Excel is being recommended as an alternative ~~school~~ educational assignment this agreement provides the student only with the opportunity to make application to the program. Admission to Project Excel is contingent upon the results of a screening process coordinated by the Project Manager.
5. If denied admission to Project Excel, the ~~out-of-school~~ expulsion being held in abeyance under the terms of this waiver will be imposed and I will be excluded from attendance in any and all Seminole County Public Schools for the duration of the expulsion recommendation. Furthermore, I will be assigned to the **Excel Annex** prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.
6. If I fail to enroll in, or if I am dismissed from, the basic program at Project Excel the out-of-school expulsion being held in abeyance under the terms of this waiver will be imposed and I will be excluded from attendance in any and all Seminole County Public Schools. Furthermore, the School Board may extend the period of my expulsion to the maximum time permitted by law, and I will be assigned to the **Excel Annex** prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.
7. If any terms of the District Behavior Contract are violated, I may be immediately suspended from school by the principal and the Superintendent will ask the School Board to implement the expulsion which has been held in abeyance, upon a finding that I violated the contract.
8. That I will only be entitled to a hearing on the issue of the violation of the contract.
9. That this agreement has been entered into freely and voluntarily with full knowledge of its provisions, implications, and consequences for violation.

STUDENT SIGNATURE

DATE

PARENT SIGNATURE

DATE

PRINCIPAL/PRINCIPAL'S DESIGNEE
SCPS Form 532 (e) (Rev. 7/98)

DATE



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-INCIDENT STATEMENT

STUDENT NAME: _____ SCHOOL: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-WITNESS STATEMENT

STUDENT NAME: _____ SCHOOL: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____

NAME OF WITNESS: _____

STATEMENT OF INCIDENT

(USE ADDITIONAL SHEETS IF NECESSARY TO COMPLETE STATEMENT)

PLEASE NOTE WHO? WHAT? WHEN? WHERE? WHY? HOW?

SIGNATURE OF WITNESS **DATE**

TYPED OR PRINTED NAME OF WITNESS

STATE OF FLORIDA
COUNTY OF SEMINOLE

*SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS _____ DAY
OF _____, 19_____, BY _____ WHO IS PERSONALLY
KNOWN TO ME OR WAS IDENTIFIED BY THE FOLLOWING FLORIDA DRIVER'S LICENSE,
STUDENT IDENTIFICATION CARD OR _____.*

NOTARY PUBLIC STATE OF FLORIDA AT LARGE (NOTARY SEAL)

TYPE OR PRINT NOTARY'S NAME HERE

THIS STATEMENT MUST BE LEGIBLE. IF THE WITNESS' HANDWRITING IS NOT LEGIBLE, THE STATEMENT MUST BE ACCOMPANIED BY A TYPED OR PRINTED COPY, WHICH MUST BE SIGNED BY THE STUDENT.

DISTRICT BEHAVIOR CONTRACT

I, _____, do hereby acknowledge and understand that I must fully comply with the terms prescribed by this contract as a condition of my ~~expulsion~~ alternative educational placement from _____ and my assignment to _____ until _____.

I understand that the terms of this contract are in force for the entire duration of my ~~expulsion~~ alternative educational placement. I also understand that at the end of each grading period, my status will be evaluated and I will be allowed to continue to attend school, whether at a Seminole County Public School or at Project Excel, only if I have complied with all terms of this agreement.

I understand that any violation of this contract, including committing acts of misconduct which would not be grounds for the suspension or expulsion of other students, may be grounds for the referral of my case to the School Board for the purpose of imposing the expulsion order being held in abeyance under the terms of the attached Expulsion Waiver.

I understand that if I commit a Zero Tolerance offense while under the terms of this contract that I will be recommended for expulsion ~~and full exclusion~~ from all Seminole County Public Schools.

I understand that if I am expelled from the Seminole County Public Schools, I will be assigned to the Excel Annex prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.

In consideration for the opportunity to re-enroll in the Seminole County Public Schools or to make application to Project Excel under the terms of this contract, I hereby agree that I will:

1. follow all the rules and regulations outlined in the Student Conduct and Discipline Code;
2. attend school regularly and I understand that any absence from school must be promptly reported by my parents to the school's attendance office;
3. be prompt in moving from one class to another during class change times and be on time to class;
4. complete all class and homework assignments, and give my best effort on tests and examination;

5. not associate or socialize with students who are involved with illegal substances or weapons or who discuss or advocate the use of illegal substances or weapons on school grounds, at school functions, or school sponsored activities.
6. remain drug free and submit to drug testing and evaluation upon request of the school administration. I also agree to follow any recommendations that are made on the basis of the results of any drug testing and evaluation.

I understand that if I have successfully complied with the terms of this agreement at the completion of the term of my expulsion that I will be considered a student in good standing and the final terms of the Expulsion Waiver will be activated. At that time, this contract will be null and void.

I understand that I may not be given the opportunity to enter into a similar District Behavior Contract and Expulsion Waiver if I commit an expellable offense in any future school year.

This contract will become viable and binding immediately upon the acceptance of the Superintendent's recommendation for expulsion by the School Board, and remain in effect until the time has tolled on the expulsion recommendation.

A violation of this contract may result in the revocation of this contract and the imposition of an out-of-school expulsion.

Principal / Designee

Parent / Guardian

Student

Parent / Guardian

SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS DATE _____, BY

WHO IS PERSONALLY KNOWN TO ME OR WAS IDENTIFIED BY THE
FOLLOWING FLORIDA DRIVER'S LICENSE, STUDENT IDENTIFICATION CARD OR

_____.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

TYPE OR PRINT NOTARY'S NAME HERE

(NOTARY SEAL)

MY COMMISSION EXPIRES
(Rev. 8/98)

TRESPASS WARNING

During the suspension, pending expulsion proceedings and expulsion term, your child is not to be on the campus or any property of Seminole County Public Schools

Your child is not permitted to participate in any school activity, including attendance at any athletic or other event until the **EXPULSION TERM HAS BEEN COMPLETED. Failure to comply with this may result in your child being arrested for trespassing.**

If you have any questions, please contact the Office of Secondary Education at 320-0038.

***DISTRICT CONTRACT TO HOLD EXPULSION IN ABEYANCE
AND STUDENT APPLICATION TO RE-ENROLL IN AN
OUT-OF-ZONE SCHOOL***

OPTION C

This ~~expulsion~~-option is to be recommended when, in the judgment of the zoned school principal, a student who committed an expellable offense would threaten the integrity of the zoned school or safety of the offending student or other students at the zoned school. An Option C recommendation is appropriate when, in the judgment of the zoned school principal, the interests of the school district and the ~~expelled-offending~~ student would be best served by placement of the student in an alternative traditional school environment under the terms of an *Expulsion Waiver* and a *District Behavior Contract*.

Option C is **PRECONDITIONED** upon:

- the zoned school principal's understanding that the ~~expelled-offending~~ student would pose no threat to the integrity of another traditional district school or to the offending student or other students in an alternative traditional district school
- the receiving school principal agreeing to accept the student prior to this offer being made to the student/parents
- the receiving school principal having super ordinate decision making power with regard to monitoring the terms and conditions of the *Expulsion Waiver* and the *District Behavior Contract* of the ~~expelled~~-student.

The documentation required to process an Option C ~~expulsion~~ recommendation is presented on the page that follows. It is essential that each form be included in the ~~expulsion~~-packet.

DOCUMENTATION REQUIRED

OPTION C

The documentation listed below must be submitted to the Office of Secondary Education in order to process an Option C ~~expulsion~~

recommendation. This page may be used as a checklist to ensure all required documents are accounted for.

- Form 535 (rev. 10/98)** - Student ~~Expulsion~~ Information & Summary
- Form 535ESSS (rev. 10/98)** - Student ~~Expulsion~~ Information & Summary (if applicable)
- Form 644 (rev. 7/98)** - Preliminary Recommendation for ~~Expulsion~~
- Form 532 (rev. 7/98)** - ~~Out of School~~ Expulsion Waiver
- Form 955 (rev. 7/98)** - Student Discipline Administrator's Incident Summary
- Form 835 (rev. 6/00)** - Student Discipline Referral
- Form 954 (rev. 7/98)** - Student Discipline Witness Statements
- Form 511 (rev. 8/93)** - SST Minutes for ESE or Section 504 Students
- District Behavior Contract (rev. 8/98)**
- A photocopy of any weapon involved in the expulsion incident.**



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT EXPULSION INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students NOT receiving or being evaluated for IDEA/Section 504 services.

1. YES NO This student is presently receiving ESOL services.
2. YES NO This student has received a packet in his/her primary language.
3. YES NO The parents have received a packet in their primary language.

SECTION I: A Formal Hearing is requested or required to process this recommendation for Expulsion with School Board Placement to:

- A Full Exclusion** from all SCPS until: _____
- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____

SECTION II: A Waiver and a District Behavior Contract is required to process this recommendation for Assignment to:

- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____
- E Excel Annex (off campus felony only)** until: _____



PRINCIPAL/PRINCIPAL'S DESIGNEE
SCPS Form 535(e) (Rev. 10/98)

DATE

SEMINOLE COUNTY PUBLIC SCHOOLS

IDEA/504 EXPULSION INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students WHO ARE receiving or being evaluated for IDEA/Section 504 services prior to the time of this recommendation for expulsion.

1. YES NO This student is presently receiving IDEA/Section 504 services.
2. YES NO This student was being evaluated for services prior to incident.
3. YES NO This student has received IDEA/Section 504 services in the past.
4. YES NO This student is presently receiving ESOL services.

5. YES NO This student has received a packet in his/her primary language.
6. YES NO The parents have received a packet in their primary language.
7. The Student Study Team met on _____ to review the circumstances leading to this recommendation and determined the student's misbehavior (*check one*):

- was **NOT A MANIFESTATION** of the handicapping condition.
- was a **MANIFESTATION** of the handicapping condition (Refer to ESSS).

SECTION I - ESE: A Formal Hearing is requested or required to process this recommendation for Expulsion with School Board Placement to:

- B** an **Alternative Educational Setting** until: _____
- C** **Another District School** until: _____
- D** the **Present School of Attendance** until: _____

SECTION II - ESE: A Waiver and a District Behavior Contract is required to process this recommendation for Assignment to:

- B** an **Alternative Educational Setting** until: _____
- C** **Another District School** until: _____
- D** the **Present School of Attendance** until: _____
- C** **EXCEL Annex (off campus felony only)** until: _____

PRINCIPAL/PRINCIPAL'S DESIGNEE
SCPS Form 535-ESSS (e) (rev. 10/98)

DATE



SEMINOLE COUNTY PUBLIC SCHOOLS

PRELIMINARY RECOMMENDATION FOR EXPULSION

SCHOOL: _____ PARENT'S NAME: _____

STUDENT'S NAME: _____ ADDRESS: _____

STUDENT #: _____

GRADE: _____ S/R: _____ B/D: _____ PHONE: _____

Based on an investigation by my administrative staff, I have determined that your child, _____, has committed a violation of the *Student Conduct and Discipline Code* by doing the following act(s):

Because of the seriousness of the violation, I am recommending to the Superintendent that your child be expelled from the public schools of Seminole County, Florida. You are hereby notified that your child has been suspended from school. The suspension started on _____ and will end on _____ unless it is extended by the Superintendent. During this suspension and any suspension extension by the Superintendent and pending any expulsion proceedings, your child is not to be on the campus of any Seminole County Public School and is not permitted to participate in any school activity, including attendance at any athletic or other event until the suspension is ended. Failure to comply with the suspension may result in your child being arrested for trespassing. The Superintendent's office will notify you if the suspension is extended and furnish information of any further action in the matter. If you have any questions, please contact the Office of Secondary Education, Seminole County Public Schools.

PRINCIPAL

DATE

I HEREBY CERTIFY THAT ON _____ I MET WITH THE STUDENT'S PARENTS
 ATTEMPTED TO MEET WITH THE STUDENT'S PARENT(S)/GUARDIAN(S) TO DISCUSS
THE CHARGES, THE EVIDENCE IN SUPPORT OF THE CHARGES, AND THE STUDENT'S RIGHT
TO A FACT FINDING HEARING BEFORE THE SCHOOL BOARD.

SCPS Form 644 (rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

**WAIVER OF IMPOSITION OF OUT-OF-SCHOOL
STUDENT EXPULSION**

STUDENT NAME: _____ **SCHOOL:** _____

UNDERSTANDING AND WAIVERS

I agree that I have been given a copy of the expulsion packet resulting from my act of misconduct on _____, I admit that I committed the act(s) charged in the expulsion packet and that those acts violate the Student Conduct and Discipline Code. I understand that the School Board will be asked to expel me for my misconduct and that I can be expelled for the remainder of the school year and all of the next school year. Instead of imposing that penalty, I understand the following will happen if I sign this agreement:

1. I waive my right to a School Board hearing on my recommended expulsion and the penalty for this discipline violation.
2. I will be **expelled** by the School Board for my discipline violation but the expulsion will be held in **abeyance** until the completion of the attached District Behavior Contract on _____. The record of this expulsion will not become part of my cumulative academic file and will be **expunged** from all school records upon my graduation or withdrawal from the Seminole County Public Schools.
3. I will return to my school or an alternative school assignment under the provisions of the attached District Behavior Contract.
4. That if Project Excel is being recommended as an alternative school assignment this agreement provides the student only with the opportunity to make application to the program. Admission to Project Excel is contingent upon the results of a screening process coordinated by the Project Manager.
5. If denied admission to Project Excel, the out-of-school expulsion being held in abeyance under the terms of this waiver will be imposed and I will be excluded from attendance in any and all Seminole County Public Schools for the duration of the expulsion recommendation. Furthermore, I will be assigned to the **Excel Annex** prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.
6. If I fail to enroll in, or if I am dismissed from, the basic program at Project Excel the out-of-school expulsion being held in abeyance under the terms of this waiver will be imposed and I will be excluded from attendance in any and all Seminole County Public Schools. Furthermore, the School Board may extend the period of my expulsion to the maximum time permitted by law, and I will be assigned to the **Excel Annex** prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.
7. If any terms of the District Behavior Contract are violated, I may be immediately suspended from school by the principal and the Superintendent will ask the School Board to implement the Expulsion which has been held in abeyance, upon a finding that I violated the contract.
8. That I will only be entitled to a hearing on the issue of the violation of the contract.
9. That this agreement has been entered into freely and voluntarily with full knowledge of its provisions, implications, and consequences for violation.

STUDENT SIGNATURE

DATE

PARENT SIGNATURE

DATE

PRINCIPAL/PRINCIPAL'S DESIGNEE

DATE

SCPS Form 532 (e) (Rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-INCIDENT STATEMENT

STUDENT NAME: _____ **SCHOOL:** _____

DATE OF INCIDENT: _____ **TIME OF INCIDENT:** _____

STATEMENT OF INCIDENT

(USE ADDITIONAL SHEETS IF NECESSARY TO COMPLETE STATEMENT)

PLEASE NOTE WHO? WHAT ? WHEN? WHERE? WHY? HOW?

INVESTIGATING ADMINISTRATOR **DATE**

I HAVE READ THE ABOVE INCIDENT STATEMENT AND DISCUSSED IT WITH _____

I AGREE DISAGREE WITH THE STATEMENT

STUDENT'S SIGNATURE **DATE**

WITNESS **DATE**

On the _____ day of _____ 19_____, the pupil was orally advised of the charge(s), was given an explanation of the evidence supporting the charge(s), and was given an opportunity to relate his/her version of the facts relating to the charge(s).

PRINCIPAL/DESIGNEE'S SIGNATURE
SCPS Form 955 (e) (Rev. 7/98)
SEMINOLE COUNTY PUBLIC SCHOOLS **Incident #:** _____
SECONDARY STUDENT DISCIPLINE REFERRAL

STUDENT NAME: _____ **GRADE:** _____
PERIOD: _____ **TIME:** _____

STUDENT # _____ **REFERRED BY:** _____ **DATE:** _____
ESE: _____ **LOCATION:** _____

FORM #835 PLEASE INCLUDE COMPLETED DISCIPLINE REFERRAL.



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-WITNESS STATEMENT

STUDENT NAME: _____ SCHOOL: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____

NAME OF WITNESS: _____

STATEMENT OF INCIDENT

(USE ADDITIONAL SHEETS IF NECESSARY TO COMPLETE STATEMENT)

PLEASE NOTE WHO? WHAT? WHEN? WHERE? WHY? HOW?

SIGNATURE OF WITNESS

DATE

TYPED OR PRINTED NAME OF WITNESS

STATE OF FLORIDA
COUNTY OF SEMINOLE

SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS _____ DAY
OF _____, 19_____, BY _____ WHO IS PERSONALLY
KNOWN TO ME OR WAS IDENTIFIED BY THE FOLLOWING FLORIDA DRIVER'S LICENSE,
STUDENT IDENTIFICATION CARD OR _____.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

(NOTARY SEAL)

TYPE OR PRINT NOTARY'S NAME HERE

THIS STATEMENT MUST BE LEGIBLE. IF THE WITNESS' HANDWRITING IS NOT LEGIBLE, THE STATEMENT MUST BE ACCOMPANIED BY A TYPED OR PRINTED COPY, WHICH MUST BE SIGNED BY THE STUDENT.

SCPS Form 954 (e) (Rev. 7/98)

DISTRICT BEHAVIOR CONTRACT

I, _____, do hereby acknowledge and understand that I must fully comply with the terms prescribed by this contract as a condition of my expulsion from _____ and my assignment to _____ until _____.

I understand that the terms of this contract are in force for the entire duration of my expulsion. I also understand that at the end of each grading period, my status will be evaluated and I will be allowed to continue to attend school, whether at a Seminole County Public School or at Project Excel, only if I have complied with all terms of this agreement.

I understand that any violation of this contract, including committing acts of misconduct which would not be grounds for the suspension or expulsion of other students, may be grounds for the referral of my case to the School Board for the purpose of imposing the expulsion order being held in abeyance under the terms of the attached Expulsion Waiver.

I understand that if I commit a Zero Tolerance offense while under the terms of this contract that I will be recommended for expulsion and full exclusion from all Seminole County Public Schools.

I understand that if I am expelled from the Seminole County Public Schools, I will be assigned to the Excel Annex prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.

In consideration for the opportunity to re-enroll in the Seminole County Public Schools or to make application to Project Excel under the terms of this contract, I hereby agree that I will:

1. follow all the rules and regulations outlined in the Student Conduct and Discipline Code;
2. attend school regularly and I understand that any absence from school must be promptly reported by my parents to the school's attendance office;
3. be prompt in moving from one class to another during class change times and be on time to class;
4. complete all class and homework assignments, and give my best effort on tests and examination;

5. not associate or socialize with students who are involved with illegal substances or weapons or who discuss or advocate the use of illegal substances or weapons on school grounds, at school functions, or school sponsored activities.
6. remain drug free and submit to drug testing and evaluation upon request of the school administration. I also agree to follow any recommendations that are made on the basis of the results of any drug testing and evaluation.

I understand that if I have successfully complied with the terms of this agreement at the completion of the term of my expulsion that I will be considered a student in good standing and the final terms of the Expulsion Waiver will be activated. At that time, this contract will be null and void.

I understand that I may not be given the opportunity to enter into a similar District Behavior Contract and Expulsion Waiver if I commit an expellable offense in any future school year.

This contract will become viable and binding immediately upon the acceptance of the Superintendent's recommendation for expulsion by the School Board, and remain in effect until the time has tolled on the expulsion recommendation.

A violation of this contract may result in the revocation of this contract and the imposition of an out-of-school expulsion.

Principal / Designee

Parent / Guardian

Student

Parent / Guardian

SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS DATE _____, BY _____ WHO IS PERSONALLY KNOWN TO ME OR WAS IDENTIFIED BY THE FOLLOWING FLORIDA DRIVER'S LICENSE, STUDENT IDENTIFICATION CARD OR

_____.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

TYPE OR PRINT NOTARY'S NAME HERE

(NOTARY SEAL)

MY COMMISSION EXPIRES
(Rev.8/98)

***DISTRICT CONTRACT TO HOLD EXPULSION IN ABEYANCE
AND STUDENT APPLICATION TO RE-ENROLL IN THEIR***

ZONED SCHOOL

OPTION D

This ~~expulsion~~-option is to be recommended when, in the judgment of the zoned school principal, a student who committed an expellable offense would not threaten the integrity of the zoned school or safety of the offending student or other students at the zoned school. An Option **D** recommendation is appropriate when, in the judgment of the zoned school principal, the interests of the school district and the expelled student would be best served by allowing the expelled student to return to their zoned school under the terms of an *Expulsion Waiver* and a *District Behavior Contract*.

The documentation required to process an Option **D** ~~expulsion~~ recommendation is presented on the page that follows. It is essential that each form be included in the ~~expulsion~~-packet.

DOCUMENTATION REQUIRED

OPTION D

The documentation listed below must be submitted to the Office of Secondary Education in order to process an Option D expulsion recommendation. This page may be used as a checklist to ensure all required documents are accounted for.

- Form 535 (rev. 10/98)** - Student ~~Expulsion~~-Information & Summary
- Form 535ESSS (rev. 10/98)** - Student ~~Expulsion~~-Information & Summary (if applicable)
- Form 644 (rev. 7/98)** - Preliminary Recommendation ~~for Expulsion~~
- Form 532 (rev. 7/98)** - ~~Out of School~~-Expulsion Waiver
- Form 955 (rev. 7/98)** - Student Discipline Administrator's Incident Summary
- Form 835 (rev. 6/00)** - Student Discipline Referral
- Form 954 (rev. 7/98)** - ~~Student Discipline~~-Witness Statements
- Form 511 (rev. 8/93)** - SST Minutes for ESE or Section 504 Students
- District Behavior Contract (rev. 8/98)**
- A photocopy of any weapon involved in an expulsion incident.**



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT EXPULSION INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students NOT receiving or being evaluated for IDEA/Section 504 services.

1. YES NO This student is presently receiving ESOL services.
2. YES NO This student has received a packet in his/her primary language.
3. YES NO The parents have received a packet in their primary language.

SECTION I: A Formal Hearing is requested or required to process this recommendation for Expulsion with School Board Placement to:

- A Full Exclusion** from all SCPS until: _____
- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____

SECTION II: A Waiver and a District Behavior Contract is required to process this recommendation for Assignment to:

- B Project Excel** until: _____
- C Another District School** until: _____
- D Present School of Attendance** until: _____
- E Excel Annex (off campus felony only)** until: _____



PRINCIPAL/PRINCIPAL'S DESIGNEE

DATE

SCPS Form 535(e) (Rev. 10/98)

SEMINOLE COUNTY PUBLIC SCHOOLS

IDEA/504 EXPULSION INFORMATION and SUMMARY

STUDENT NAME: _____ SCHOOL: _____

This form is to be used for those students WHO ARE receiving or being evaluated for IDEA/Section 504 services prior to the time of this recommendation for expulsion.

1. YES NO This student is presently receiving IDEA/Section 504 services.
2. YES NO This student was being evaluated for services prior to incident.

3. YES NO This student has received IDEA/Section 504 services in the past.
4. YES NO This student is presently receiving ESOL services.
5. YES NO This student has received a packet in his/her primary language.
6. YES NO The parents have received a packet in their primary language.
7. The Student Study Team met on _____ to review the circumstances leading to this recommendation and determined the student's misbehavior (*check one*):
- was **NOT A MANIFESTATION** of the handicapping condition.
- was a **MANIFESTATION** of the handicapping condition (Refer to ESSS).

SECTION I - ESE: A Formal Hearing is requested or required to process this recommendation for Expulsion with School Board Placement to:

- B** an **Alternative Educational Setting** until: _____
- C** **Another District School** until: _____
- D** the **Present School of Attendance** until: _____

SECTION II - ESE: A Waiver and a District Behavior Contract is required to process this recommendation for Assignment to:

- B** an **Alternative Educational Setting** until: _____
- C** **Another District School** until: _____
- D** the **Present School of Attendance** until: _____
- C** **EXCEL Annex (off campus felony only)** until: _____

 PRINCIPAL/PRINCIPAL'S DESIGNEE
 SCPS Form 535-ESSS (e) (rev. 10/98)

 DATE



SEMINOLE COUNTY PUBLIC SCHOOLS

PRELIMINARY RECOMMENDATION FOR EXPULSION

SCHOOL: _____ **PARENT'S NAME:** _____

STUDENT'S NAME: _____ **ADDRESS:** _____

STUDENT #: _____

GRADE: _____ **S/R:** _____ **B/D:** _____ **PHONE:** _____

Based on an investigation by my administrative staff, I have determined that your child, _____, has committed a violation of the *Student Conduct and Discipline Code* by doing the following act(s):

Because of the seriousness of the violation, I am recommending to the Superintendent that your child be expelled from the public schools of Seminole County, Florida. You are hereby notified that your child has been suspended from school. The suspension started on _____ and will end on _____ unless it is extended by the Superintendent. During this suspension and any suspension extension by the Superintendent and pending any expulsion proceedings, your child is not to be on the campus of any Seminole County Public School and is not permitted to participate in any school activity, including attendance at any athletic or other event until the suspension is ended. Failure to comply with the suspension may result in your child being arrested for trespassing. The Superintendent's office will notify you if the suspension is extended and furnish information of any further action in the matter. If you have any questions, please contact the Office of Secondary Education, Seminole County Public Schools.

PRINCIPAL

DATE

I HEREBY CERTIFY THAT ON _____ I MET WITH THE STUDENT'S PARENTS
 ATTEMPTED TO MEET WITH THE STUDENT'S PARENT(S)/GUARDIAN(S) TO DISCUSS
THE CHARGES, THE EVIDENCE IN SUPPORT OF THE CHARGES, AND THE STUDENT'S RIGHT
TO A FACT FINDING HEARING BEFORE THE SCHOOL BOARD.

SCPS Form 644 (rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

**WAIVER OF IMPOSITION OF OUT-OF-SCHOOL
STUDENT EXPULSION**

STUDENT NAME: _____ SCHOOL: _____

UNDERSTANDING AND WAIVERS

I agree that I have been given a copy of the expulsion packet resulting from my act of misconduct on _____, I admit that I committed the act(s) charged in the expulsion packet and that those acts violate the Student Conduct and Discipline Code. I understand that the School Board will be asked to expel me for my misconduct and that I can be expelled for the remainder of the school year and all of the next school year. Instead of imposing that penalty, I understand the following will happen if I sign

this agreement:

1. I waive my right to a School Board hearing on my recommended expulsion and the penalty for this discipline violation.
2. I will be **expelled** by the School Board for my discipline violation but the expulsion will be held in **abeyance** until the completion of the attached District Behavior Contract on _____. The record of this expulsion will not become part of my cumulative academic file and will be **expunged** from all school records upon my graduation or withdrawal from the Seminole County Public Schools.
3. I will return to my school or an alternative school assignment under the provisions of the attached District Behavior Contract.
4. That if Project Excel is being recommended as an alternative school assignment this agreement provides the student only with the opportunity to make application to the program. Admission to Project Excel is contingent upon the results of a screening process coordinated by the Project Manager.
5. If denied admission to Project Excel, the out-of-school expulsion being held in abeyance under the terms of this waiver will be imposed and I will be excluded from attendance in any and all Seminole County Public Schools for the duration of the expulsion recommendation. Furthermore, I will be assigned to the **Excel Annex** prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.
6. If I fail to enroll in, or if I am dismissed from, the basic program at Project Excel the out-of-school expulsion being held in abeyance under the terms of this waiver will be imposed and I will be excluded from attendance in any and all Seminole County Public Schools. Furthermore, the School Board may extend the period of my expulsion to the maximum time permitted by law, and I will be assigned to the **Excel Annex** prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.
7. If any terms of the District Behavior Contract are violated, I may be immediately suspended from school by the principal and the Superintendent will ask the School Board to implement the Expulsion which has been held in abeyance, upon a finding that I violated the contract.
8. That I will only be entitled to a hearing on the issue of the violation of the contract.
9. That this agreement has been entered into freely and voluntarily with full knowledge of its provisions, implications, and consequences for violation.

STUDENT SIGNATURE

DATE

PARENT SIGNATURE

DATE

PRINCIPAL/PRINCIPAL'S DESIGNEE

DATE

SCPS Form 532 (e) (Rev. 7/98)



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-INCIDENT STATEMENT

STUDENT NAME: _____ **SCHOOL:** _____

DATE OF INCIDENT: _____ **TIME OF INCIDENT:** _____

STATEMENT OF INCIDENT

(USE ADDITIONAL SHEETS IF NECESSARY TO COMPLETE STATEMENT)
PLEASE NOTE WHO? WHAT ? WHEN? WHERE? WHY? HOW?

INVESTIGATING ADMINISTRATOR **DATE**

I HAVE READ THE ABOVE INCIDENT STATEMENT AND DISCUSSED IT WITH _____

I AGREE DISAGREE WITH THE STATEMENT

STUDENT'S SIGNATURE **DATE**

WITNESS **DATE**

On the _____ day of _____ 19_____, the pupil was orally advised of the charge(s), was given an explanation of the evidence supporting the charge(s), and was given an opportunity to relate his/her version of the facts relating to the charge(s).

PRINCIPAL/DESIGNEE'S SIGNATURE
 SCPS Form 955 (e) (Rev. 7/98)

SEMINOLE COUNTY PUBLIC SCHOOLS **Incident #: _____**
SECONDARY STUDENT DISCIPLINE REFERRAL

STUDENT NAME: _____ **GRADE:** _____
PERIOD: _____ **TIME:** _____

STUDENT # _____ **REFERRED BY:** _____ **DATE:** _____
ESE: _____ **LOCATION:** _____

FORM #835 PLEASE INCLUDE COMPLETED DISCIPLINE REFERRAL.



SEMINOLE COUNTY PUBLIC SCHOOLS

STUDENT DISCIPLINE-WITNESS STATEMENT

STUDENT NAME: _____ SCHOOL: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____

NAME OF WITNESS: _____

STATEMENT OF INCIDENT

(USE ADDITIONAL SHEETS IF NECESSARY TO COMPLETE STATEMENT)

PLEASE NOTE WHO? WHAT? WHEN? WHERE? WHY? HOW?

SIGNATURE OF WITNESS

DATE

TYPED OR PRINTED NAME OF WITNESS

STATE OF FLORIDA
COUNTY OF SEMINOLE

*SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS _____ DAY
OF _____, 19_____, BY _____ WHO IS PERSONALLY
KNOWN TO ME OR WAS IDENTIFIED BY THE FOLLOWING FLORIDA DRIVER'S LICENSE,
STUDENT IDENTIFICATION CARD OR _____.*

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

(NOTARY SEAL)

TYPE OR PRINT NOTARY'S NAME HERE

THIS STATEMENT MUST BE LEGIBLE. IF THE WITNESS' HANDWRITING IS NOT LEGIBLE, THE STATEMENT MUST BE ACCOMPANIED BY A TYPED OR PRINTED COPY, WHICH MUST BE SIGNED BY THE STUDENT.

SCPS Form 954 (e) (Rev. 7/98)

DISTRICT BEHAVIOR CONTRACT

I, _____, do hereby acknowledge and understand that I must fully comply with the terms prescribed by this contract as a condition of my expulsion from _____ and my assignment to _____ until _____.

I understand that the terms of this contract are in force for the entire duration of my expulsion. I also understand that at the end of each grading period, my status will be evaluated and I will be allowed to continue to attend school, whether at a Seminole County Public School or at Project Excel, only if I have complied with all terms of this agreement.

I understand that any violation of this contract, including committing acts of misconduct which would not be grounds for the suspension or expulsion of other students, may be grounds for the referral of my case to the School Board for the purpose of imposing the expulsion order being held in abeyance under the terms of the attached Expulsion Waiver.

I understand that if I commit a Zero Tolerance offense while under the terms of this contract that I will be recommended for expulsion and full exclusion from all Seminole County Public Schools.

I understand that if I am expelled from the Seminole County Public Schools, I will be assigned to the Excel Annex prior to being allowed to transition to Project Excel and then back to a zoned school of attendance in the Seminole County Public Schools.

In consideration for the opportunity to re-enroll in the Seminole County Public Schools or to make application to Project Excel under the terms of this contract, I hereby agree that I will:

1. follow all the rules and regulations outlined in the Student Conduct and Discipline Code;
2. attend school regularly and I understand that any absence from school must be promptly reported by my parents to the school's attendance office;
3. be prompt in moving from one class to another during class change times and be on time to class;
4. complete all class and homework assignments, and give my best effort on tests and examination;

5. not associate or socialize with students who are involved with illegal substances or weapons or who discuss or advocate the use of illegal substances or weapons on school grounds, at school functions, or school sponsored activities.
6. remain drug free and submit to drug testing and evaluation upon request of the school administration. I also agree to follow any recommendations that are made on the basis of the results of any drug testing and evaluation.

I understand that if I have successfully complied with the terms of this agreement at the completion of the term of my expulsion that I will be considered a student in good standing and the final terms of the Expulsion Waiver will be activated. At that time, this contract will be null and void.

I understand that I may not be given the opportunity to enter into a similar District Behavior Contract and Expulsion Waiver if I commit an expellable offense in any future school year.

This contract will become viable and binding immediately upon the acceptance of the Superintendent's recommendation for expulsion by the School Board, and remain in effect until the time has tolled on the expulsion recommendation.

A violation of this contract may result in the revocation of this contract and the imposition of an out-of-school expulsion.

Principal / Designee

Parent / Guardian

Student

Parent / Guardian

SWORN TO/AFFIRMED AND SUBSCRIBED BEFORE ME THIS DATE _____, BY _____ WHO IS PERSONALLY KNOWN TO ME OR WAS IDENTIFIED BY THE FOLLOWING FLORIDA DRIVER'S LICENSE, STUDENT IDENTIFICATION CARD OR

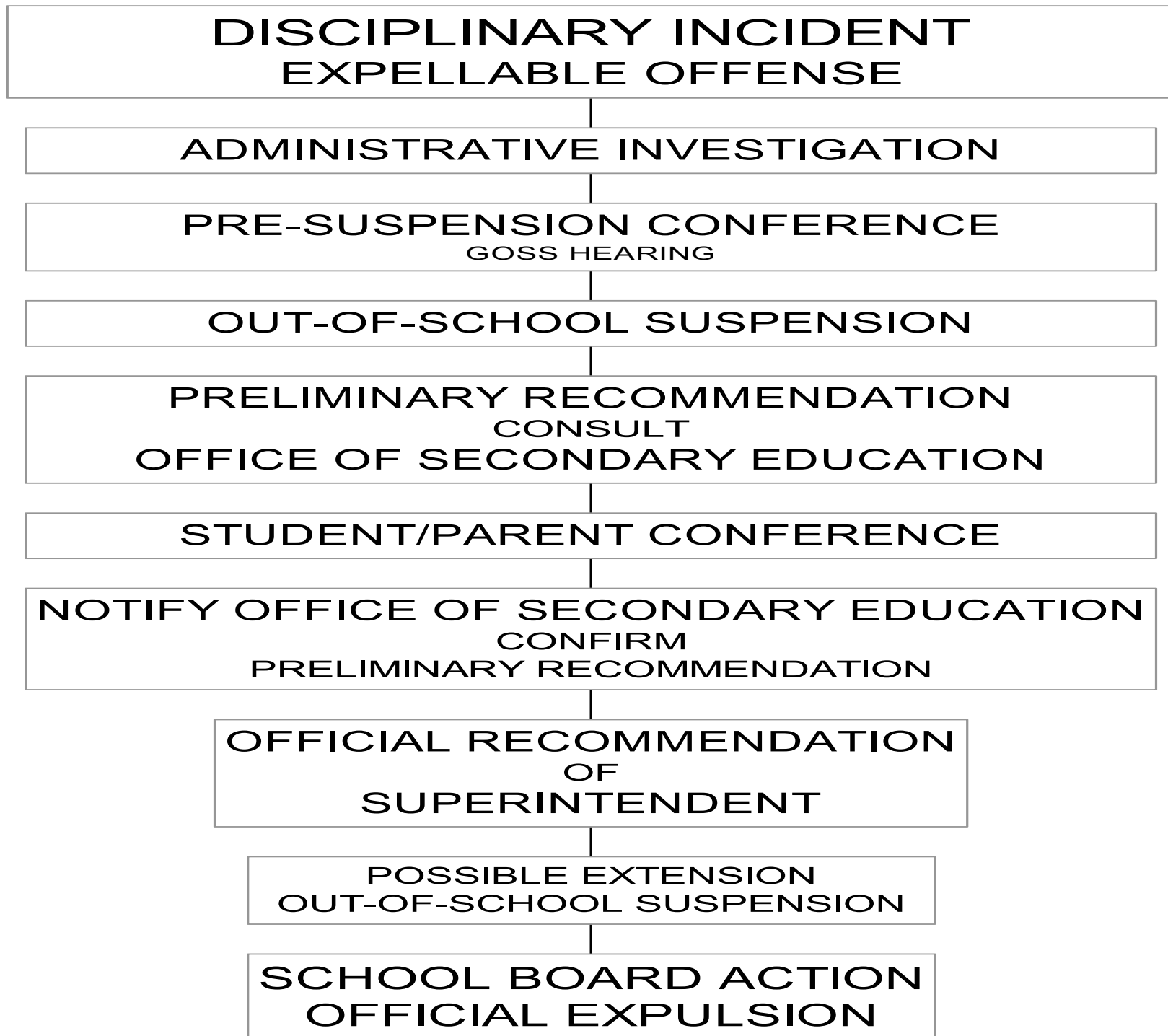
_____.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

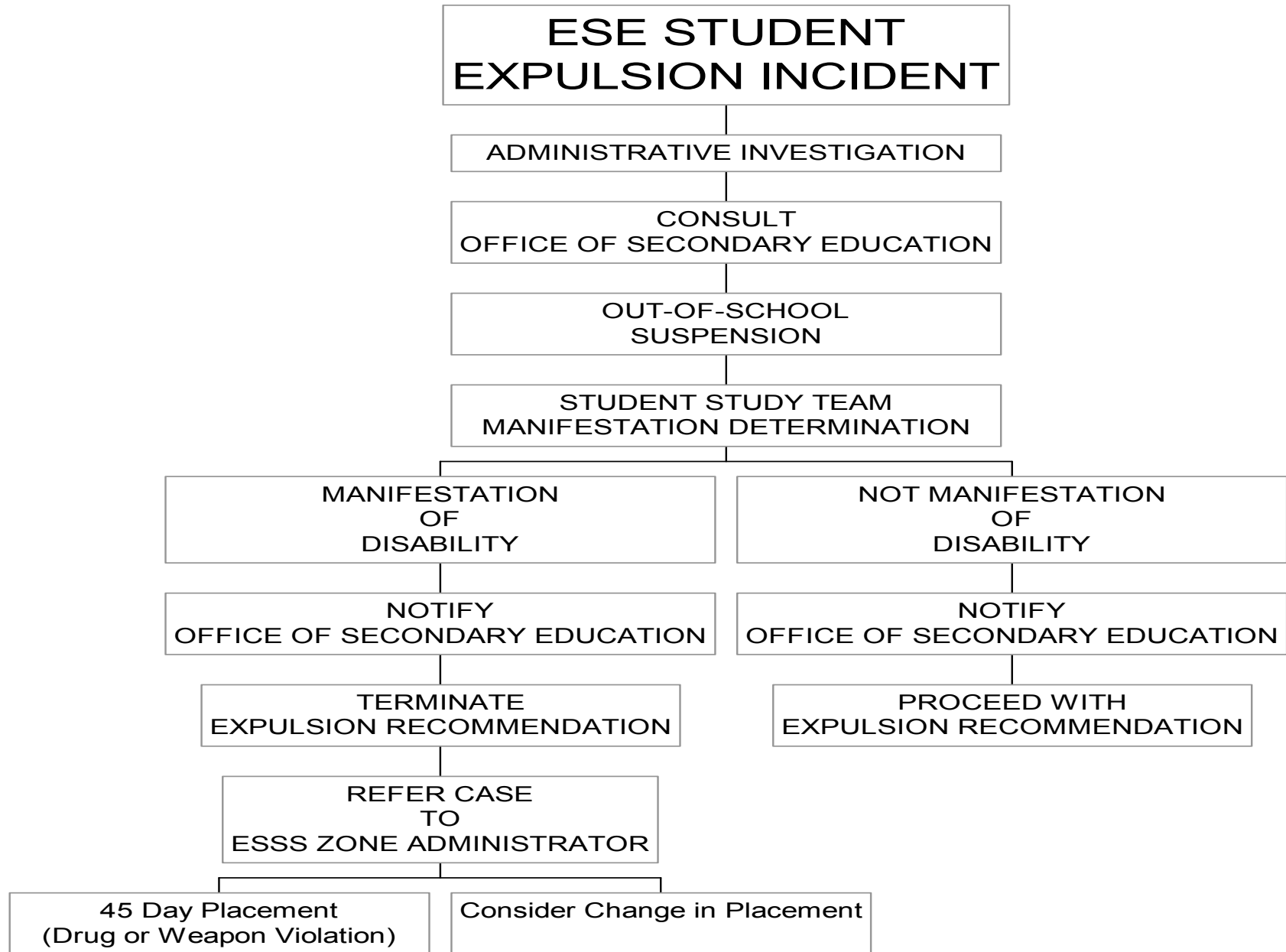
TYPE OR PRINT NOTARY'S NAME HERE

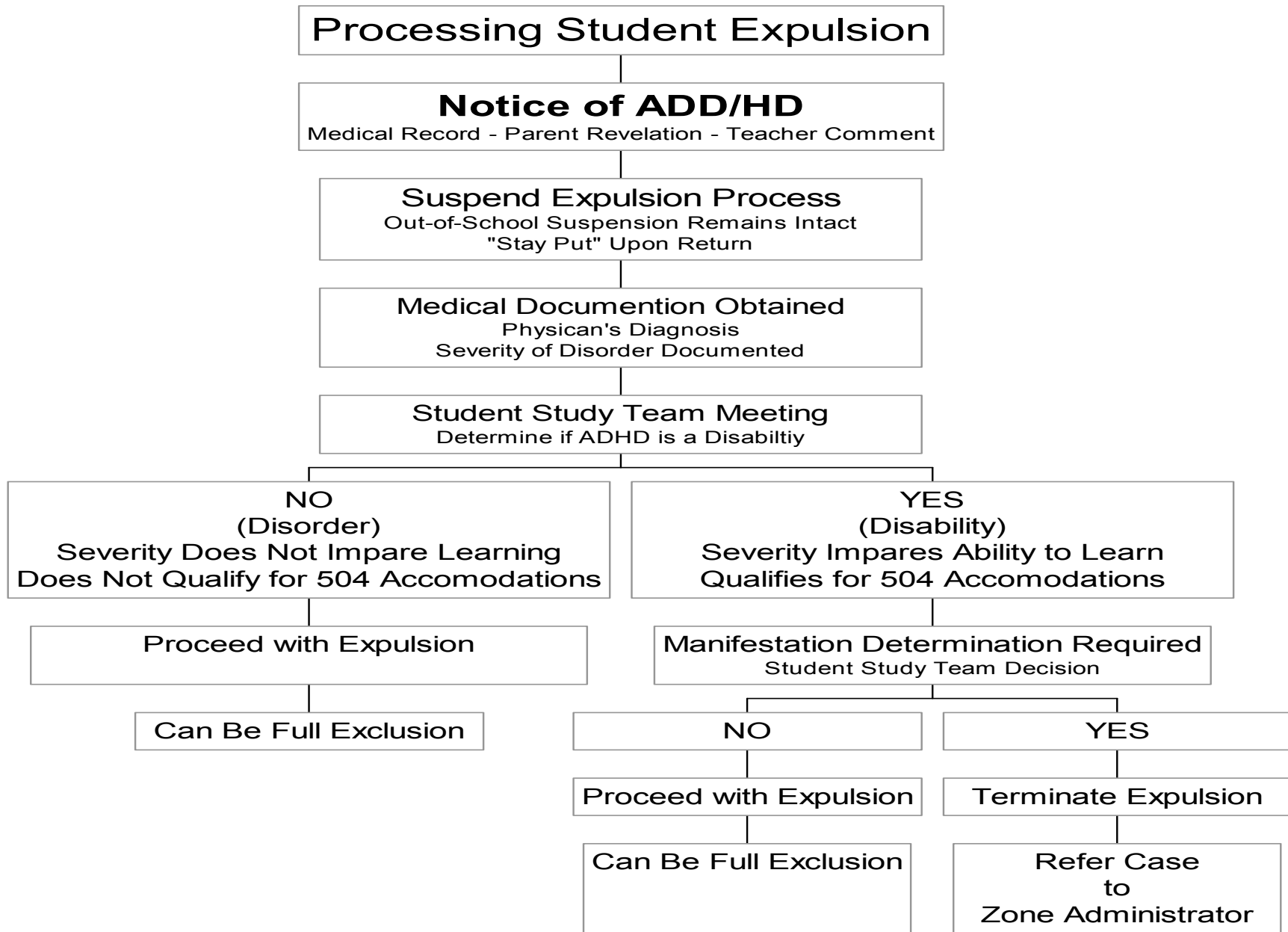
(NOTARY SEAL)

MY COMMISSION EXPIRES
(Rev. 8/98)

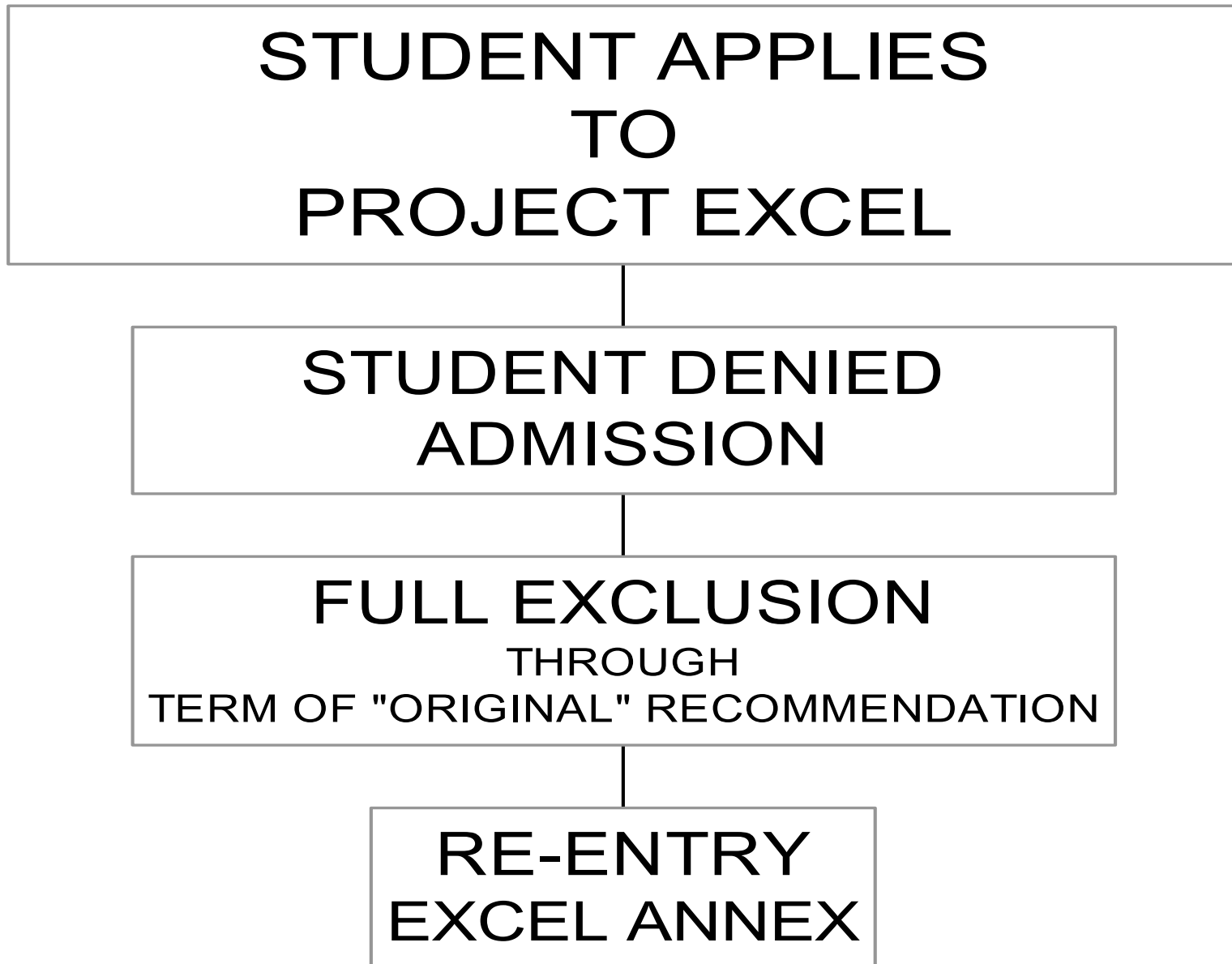


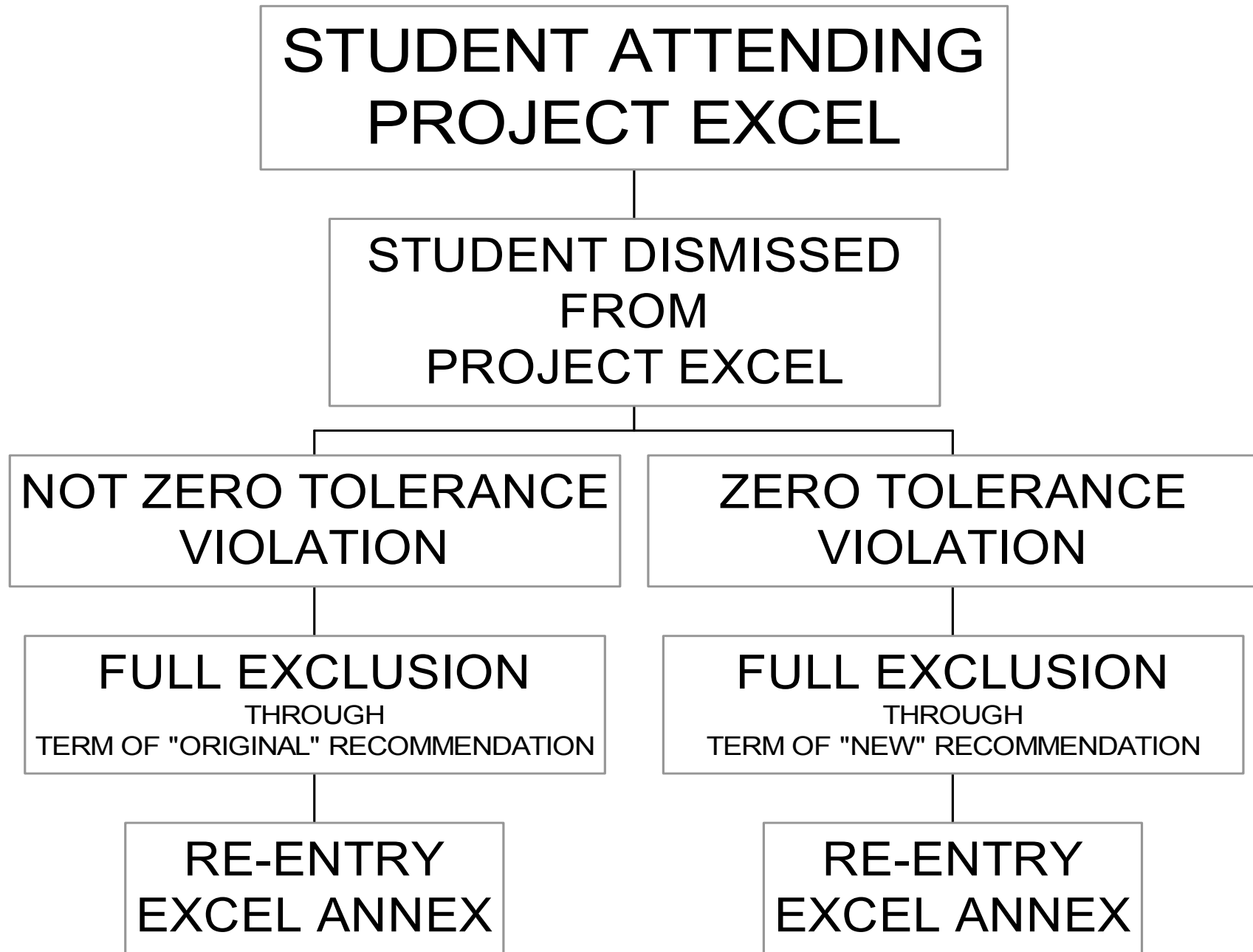
ESE Expulsion Procedures
Figure 2

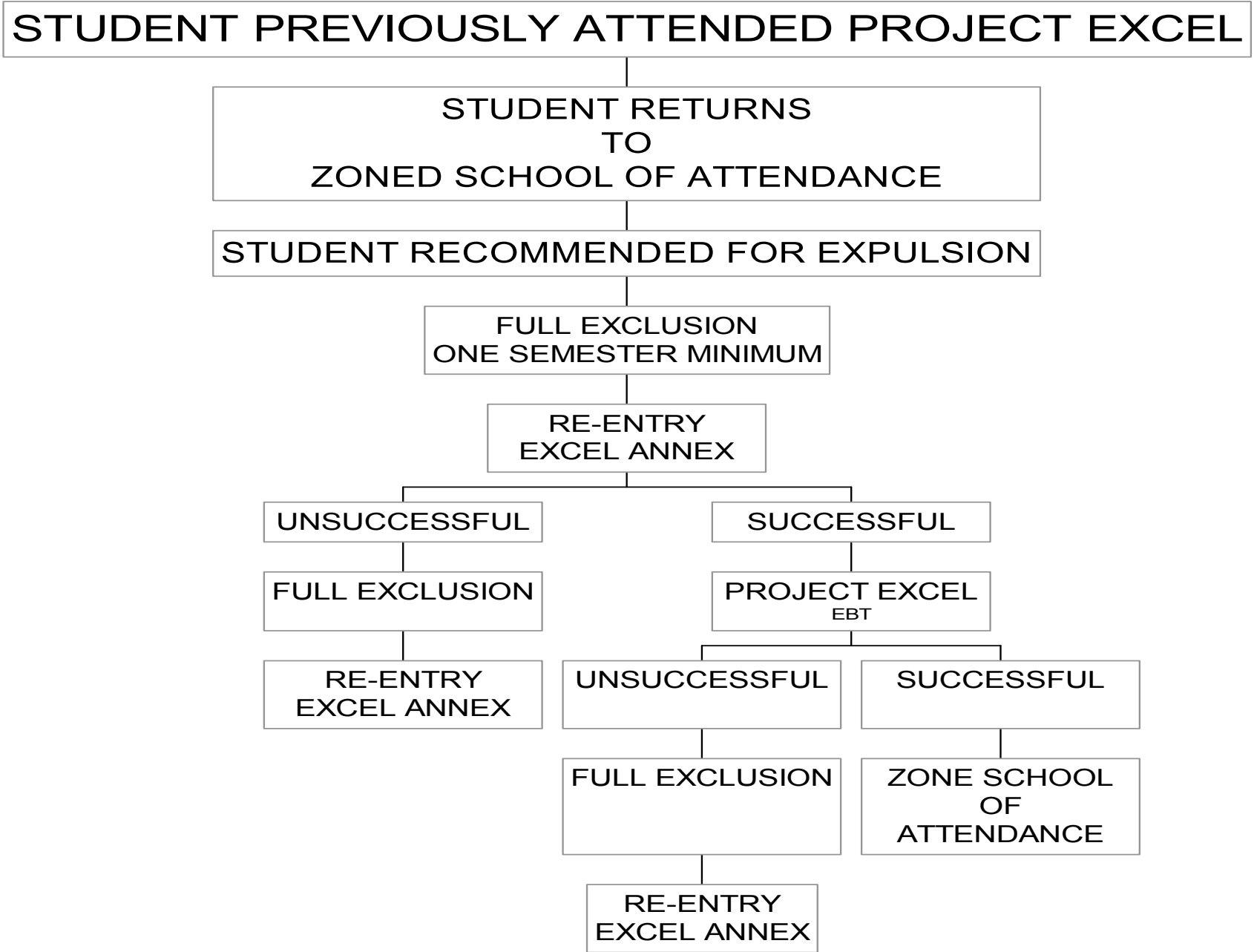




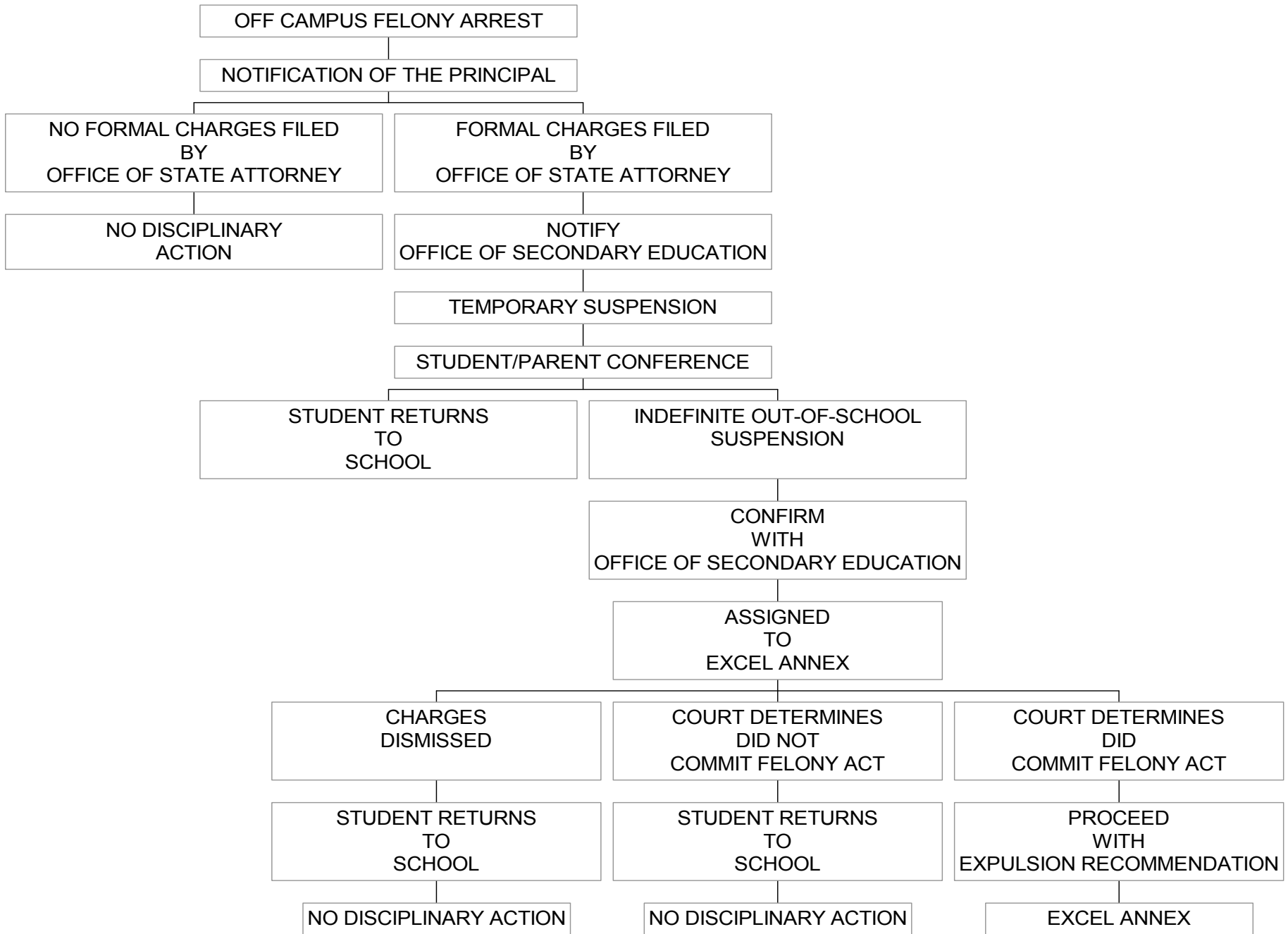
Denied Admission to Project Excel
Figure 3



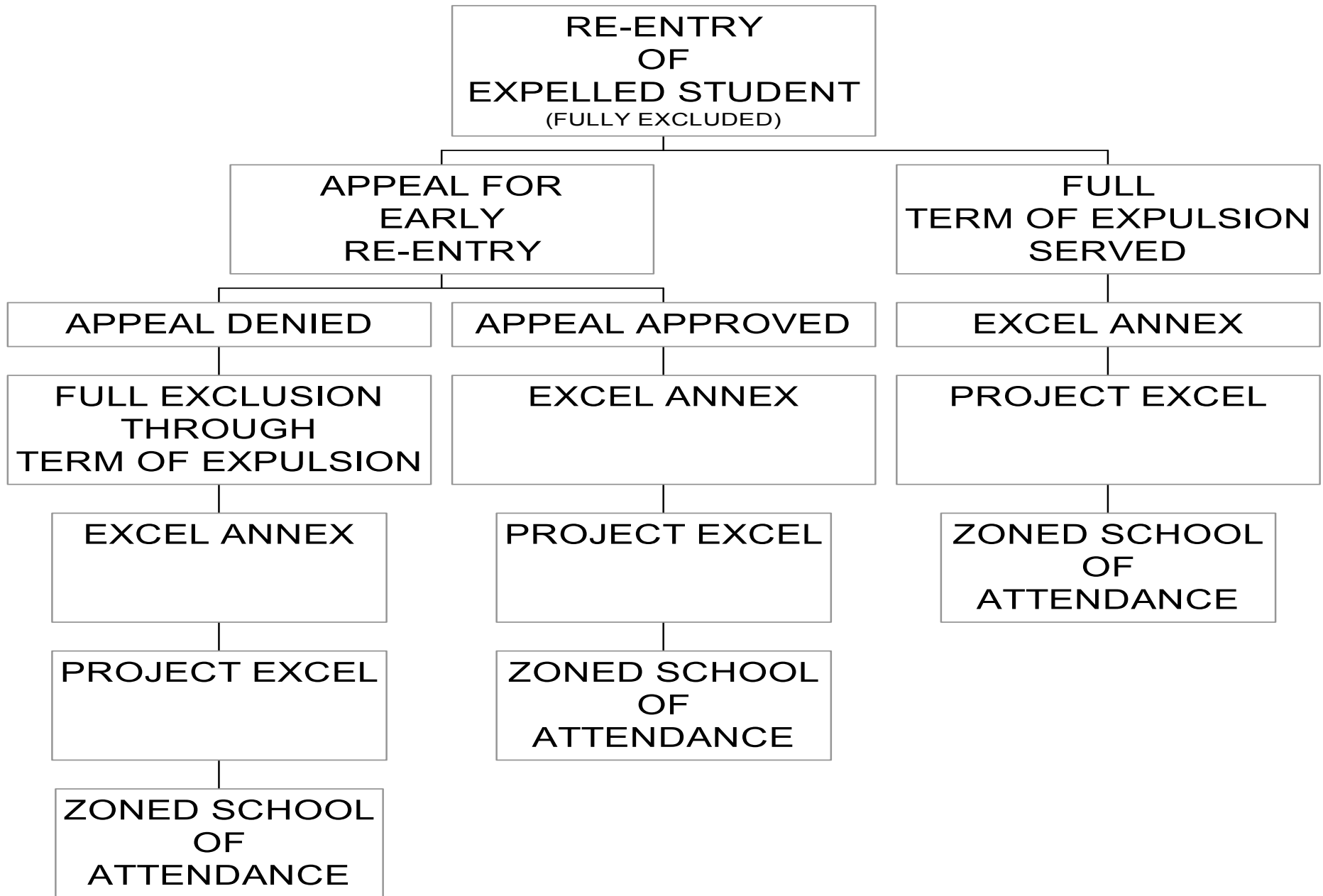




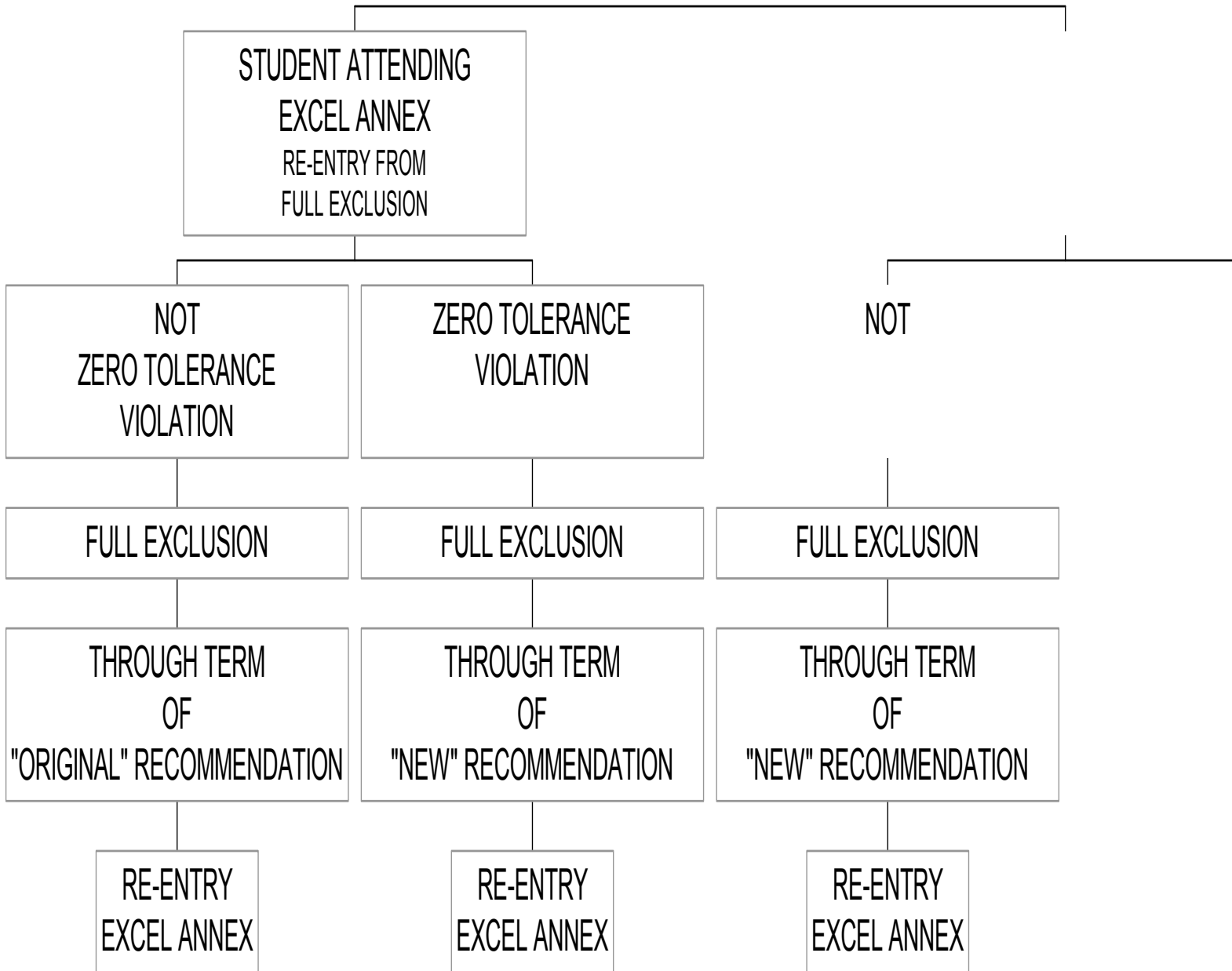
Off-Campus Felony Procedures
Figure 6



Re-Entry of Expelled Students
Figure 7



Dismissal From Excel Annex
Figure 8



APPENDIX A

Dear Mr. & Mrs. _____:

I have received notification that your son/daughter, (insert student name), was involved in an incident that occurred off campus and that he/she has been formally charged with a felony or a delinquent act which would be a felony if committed by an adult (insert specific arrest charge or charges). Based on this information, I am exercising my legal authority, pursuant to the provisions of Florida Statute 232.26(2), to temporarily suspend (insert student name) from (insert school name) until such time as we can meet to discuss this incident.

A conference has been scheduled for (insert date -this date must be between 2 & 5 days from the postmarked date), at (insert time) to discuss the possible imposition of an indefinite suspension based upon my belief that your son's/daughter's continued presence on campus will have an adverse effect on the educational program, discipline, or welfare of the school.

If an indefinite suspension is imposed, (insert student name) will be allowed to assigned to the Excel Annex so he/she can continue to receive educational services until a determination is made by the court as to whether your son/daughter committed a felony or a delinquent act which would be a felony if committed by an adult. The indefinite suspension will be lifted, if the formal charges are dropped or if a court determines that your son/daughter did not to commit a felony or a delinquent act which would be a felony if committed by an adult. However, if a court determines that your son/daughter did commit a felony or a delinquent act which would be considered a felony if committed by an adult, the Superintendent may recommend that your son/daughter be expelled from the Seminole County Public Schools.

The law also requires that I inform you that any student who commits an off-campus felony involving the unlawful possession or use of any substance controlled under Chapter 893 may be entitled to a waiver of the discipline or expulsion if the student divulges information leading to the arrest and conviction of the person who supplied the controlled substance to him or her, or if the pupil voluntarily discloses his or her unlawful possession of such controlled substances prior to his or her arrest. Any such information divulged which leads to such an arrest and conviction is not admissible in evidence in a subsequent trial against the student divulging such information. A student is also entitled to a waiver of the discipline or expulsion if the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

Please contact my office to confirm your attendance at the meeting scheduled for (insert date) at (insert time). If you wish to have an attorney present at this meeting, please contact Mr. Ned Julian, Jr. Esq., Executive Director for Legal Services, Seminole County Public Schools, 400 E. Lake Mary Blvd., Sanford, FL 32773-7127, telephone number (407) 320-0010, so he may explain the procedures to be followed.

Sincerely,

Principal

cc: Mr. Ned Julian, Esq.
~~Dr. Ron Pinnell~~ **Mr. Raymond Gaines**

APPENDIX B

Dear Mr. & Mrs. _____:

This will confirm the meeting that I had with you, your son/daughter, (*insert student name*), and (*insert name of any other person in attendance*) in my office on (*insert date*) in which I advised you that your son/daughter was suspended from (*insert school name*), pursuant to the provisions of Florida Statute 232.26(2), pending the outcome of charges in Circuit Court case (*insert case number assigned by the Court*), State of Florida v. (*insert student name and any other names identified in the complaint*).

Based upon our conference and my understanding of the charges pending against your son/daughter, it is my finding that your son's/daughter's continued presence on the campus of (*insert school name*) will have an adverse impact upon the educational program, discipline, or welfare of (*insert school name*). Therefore, (*insert student name*) is suspended from attendance at (*insert school name*) and assigned to the Excel Annex pending the outcome of the charges. During the time of this suspension, your son/daughter is not to come on the campus of any Seminole County Public School. Should your son/daughter come on any campus, including (*insert school name*), *he/she* will be deemed a trespasser and appropriate action will be taken.

If the formal charges are dismissed, or if a court determines that your son/daughter did not commit a felony or delinquent act which would be a felony if committed by an adult, the suspension will be lifted. However, if a court determines that your son/daughter did commit a felony or such a delinquent act, the superintendent may recommend that your son/daughter be expelled from the Seminole County Public Schools.

Pending the outcome of the charges, your son/daughter is assigned to the Excel Annex which is located in the Times Square Plaza at 851 E. SR 434 Suite 156, Longwood, Florida 32750. To enroll your son/daughter, you should contact Ms. Debbie Harwell (telephone: 260-8884).

As the School District does not monitor the status of either juvenile or criminal prosecutions, it is your responsibility to notify me when the charges against your son/daughter are resolved.

If you have any questions, please feel free to contact me.

Sincerely,

Principal

cc: Mr. Ned Julian, Esq.
~~Dr. Ron Pinnell~~—**Mr. Raymond Gaines**

APPENDIX C

~~Request for Exception~~

~~Principal in Support of a Student Being Allowed to Attend Project Excel for a Zero Tolerance Violation Requiring Full Exclusion~~

_____, is being recommended for full exclusion from the Seminole County Public Schools for being in possession of a controlled substance on School Board owned property. This recommendation is required by the guidelines set forth in the Zero Tolerance Policy of the school district.

As principal, it is my recommendation that the School Board consider granting this student the opportunity to immediately apply to *Project Excel* or return to this school (choose one option) under the conditions of a *District Waiver and Behavior Contract* as an alternative to expulsion until _____ (date). **This recommendation for exception is based on ALL of the following reasons:**

1. I do not believe this student is a habitual drug user.
2. I believe that this was a one-time occurrence that will not be repeated for the duration of the student's school career in the SCPS.
3. This student does not pose a danger to the health and safety of others.
4. This student's involvement in the incident was minimal.
5. This student cooperated fully with school officials and law enforcement personnel during the investigation of this incident.
6. The student has agreed to drug testing now and will submit to random drug tests for the duration of any alternative to expulsion granted by the School Board.
7. This student has demonstrated an interest in learning.
8. This student has not demonstrated a pattern of disruptive behavior at school in the past.

Principal's Statement of Support: _____

I have explained to the student and parents that a recommendation for an alternative to expulsion for a drug related offense is not made routinely and that the School Board is not bound in any way by this request. It is my hope that, after careful review of the facts and circumstances surrounding this case, you will see it appropriate to grant this student the alternative to expulsion that I have recommended.

Principal _____ Date _____
Updated 9/13/00

APPENDIX D

Request for Exception

Principal in Support of the Return of a Student Suspended for a Third Time Within a School Year

_____, is being recommended for alternative placement at Project Excel for having been suspended out of school for a third time this school year. This recommendation is required by the guidelines set forth in the Secondary Student Conduct and Discipline Code of the School District.

As principal, it is my recommendation that the School Board consider granting this student the opportunity to immediately apply to return to his zoned school of attendance under the conditions of a *District Waiver and Behavior Contract* as an alternative to expulsion until _____ (date). This recommendation for exception is based on the following reasons:

- 1.
- 2.
- 3.

I have explained to the student and parents that a recommendation for an alternative to expulsion for a third suspension is not made routinely and that the School Board is not bound in any way by this request. It is my hope that, after careful review of the facts and circumstances surrounding this case, you will see it appropriate to grant this student the alternative to expulsion that I have recommended.

Principal

Date



ESCUELAS PUBLICAS DEL CONDADO DE SEMINOLE

RESUMEN DE INFORMACION DE LA EXPULSION DEL ESTUDIANTE

NOMRE DEL ESTUDIANTE: _____ ESCUELA: _____

Este formulario es para estudiantes que NO reciben y NO estan siendo evaluados para los servicios de IDEA/Sección 504.

- 1. SI ___ NO ___ El estudiante recibe los servicios de ESOL.
2. SI ___ NO ___ El estudiante recibió un paquete de información en su idioma primario.
3. SI ___ NO ___ Los padres del estudiante recibieron un paquete de información en su idioma primario.

SECCION I: Una Vista Formal es requerida o ha sido peticionada para procesar esta recomendación para Expulsión con la recomendación de la Junta Escolar con asignación a:

- A Expulsión fuera de las Escuelas Públicas del Condado de Seminole hasta : _____
B Programa Excel hasta: _____
C Otra escuela del Distrito hasta: _____
D Escuela de zona actual hasta: _____

SECCION II: Un Contrato de Conducta y un Contrato de Acuerdos y Renuncias es requerido para procesar esta recomendación con asignación a :

- B Programa Excel hasta: _____
C Otra escuela del Distrito hasta: _____
D Escuela de zona actual hasta: _____
E Anexo de Excel (por un delito fuera del campus escolar) hasta: _____

DIRECTOR
SCPS Form 535 (Rev. 10/98)

FECHA



ESCUELAS PUBLICAS DEL CONDADO DE SEMINOLE

RESUMEN DE INFORMACION DE LA EXPULSION DEL ESTUDIANTE

NOMRE DEL ESTUDIANTE: _____ ESCUELA: _____

Este formulario es para estudiantes que SI RECIBEN O ESTAN siendo evaluados para los servicios de IDEA/Sección 504.

1. SI ____ NO ____ El estudiante recibe en el presente los servicios de IDEA/504.
2. SI ____ NO ____ El estudiante estaba siendo evaluado previo al incidente.
3. SI ____ NO ____ El estudiante ha recibido los servicios de IDEA/504 en el pasado.
4. SI ____ NO ____ El estudiante recibe los servicios de ESOL.
5. SI ____ NO ____ El estudiante recibio un paquete de información en su idioma primario.
6. SI ____ NO ____ Los padres del estudiante recibieron un paquete de información en su idioma primario.
7. SI ____ NO ____ El equipo que evalua y analiza las circunstancias relacionadas al incidente que motivo la recomendacion para expulsionse reunió el _____ y determinaron que el comportamiento es:

_____ NO ES UNA MANIFESTACION de la condicion de incapacidad.

_____ SI ES UNA MANIFESTACION de la condicion de incapacidad.

SECCION I: Una Vista Formal es requerida o ha sido peticionada para procesar esta recomendación para Expulsión con la recomendación de la Junta Escolar con asignación a:

- _____ A Expulsión fuera de las Escuelas Públicas del Condado de Seminole hasta :
- _____ B Programa Excel hasta: _____
- _____ C Otra escuela del Distrito hasta: _____
- _____ D Escuela de zona actual hasta: _____

SECCION II: Un Contrato de Conducta y un Contrato de Acuerdos y Renuncias es requerido para procesar esta recomendación con asignación a :

- ___ B Programa de Educacion Alternativo
hasta: _____
- ___ C Otra escuela del Distrito hasta: _____
- ___ D Escuela de zona actual hasta: _____
- ___ E Anexo de Excel (por un delito fuera del campus
escolar) hasta: _____

DIRECTOR

FECHA

SCPS Form 535ESSS (Rev.10/98)



ESCUELAS PUBLICAS DEL CONDADO DE SEMINOLE

RECOMENDACION PRELIMINAR PARA EXPULSION

ESCUELA: _____ NOMBRE DE LOS PADRES: _____

NOMBRE DEL ESTUDIANTE: _____ DIRECCION: _____

#ESTUDIANTE: _____

GRADO: _____ S/R: _____ F/N: _____ TELEFONO: _____

Basado en una investigación por parte de mi personal administrativo, Yo he determinado que su hijo/a, _____, ha cometido una violación a la Sección _____ del Código de Conducta y Disciplina cometiendo el/los siguiente/s acto/s:

Por la seriedad de la violación, Yo estoy recomendando al Superintendente que expulse a su hijo/a de las Escuelas Públicas del Condado de Seminole, Florida. Por este medio queda usted notificado que su hijo/a ha sido suspendido/a de la escuela. La suspensión comenzó el _____ y terminará el _____, a menos que sea extendida por el Superintendente. Durante la duración de esta suspensión y cualquier extensión a esta suspensión por parte del Superintendente y mientras este pendiente cualquier proceso de expulsión, su hijo/a no podrá estar en los terrenos de cualquier Escuela Pública del Condado de Seminole y no le será permitido participar en ninguna actividad escolar, incluyendo asistencia a eventos deportivos o cualquier otro evento hasta que la suspensión termine. El no cumplir con esto puede resultar en el arresto de su hijo/a por traspaso. La oficina del superintendente le notificará si la expulsión es extendida y le proveerá información sobre cualquier otra acción tomada en el asunto. Si usted tiene alguna pregunta, favor de comunicarse con la Oficina de Educación Secundaria,

DIRECTOR/A

FECHA

POR LA PRESENTE CERTIFICO QUE EL DIA _____ YO ME REUNI CON LOS PADRES DE _____.

INTENTE REUNIRME CON LOS PADRES/GUARDIANES DEL ESTUDIANTE PARA DISCUTIR LOS CARGOS Y LA EVIDENCIA QUE APOYA LOS CARGOS, Y LOS DERECHOS DEL ESTUDIANTE A UNA VISTA PARA IDENTIFICAR LOS HECHOS ANTE LA JUNTA ESCOLAR.

SCPS Form 644 (rev. 7/98)



ESCUELAS PUBLICAS DEL CONDADO DE SEMINOLE
DECLARACION DE DISCIPLINA DEL ESTUDIANTE TESTIGO

NOMBRE DEL
ESTUDIANTE: _____

ESCUELA _____

:

FECHA DEL INCIDENTE: _____

HORA DEL INCIDENTE: _____

NOMBRE DEL TESTIGO: _____

DECLARACION DEL INCIDENTE

(USE HOJAS ADICIONALES DE SER NECESARIO)
FAVOR DE ANOTAR QUIEN? QUE? CUANDO? DONDE? PORQUE? COMO?

FIRMA DEL TESTIGO

FECHA

ESCRIBA A MAQUINILLA O EN LETRA MOLDE EL NOMBRE DEL TESTIGO

ESTADO DE FLORIDA
CONDADO DE SEMINOLE

JURADO Y SUSCRITO ANTE MI ESTE DIA _____ DE _____ DE, 19__ POR _____ A QUIEN CONOZCO PERSONALMENTE O SE HA IDENTIFICADO CON LA LICENCIA DE CONDUCIR, TARJETA DE IDENTIFICACION DE ESTUDIANTE O CON _____.

NOTARIO PUBLICO DEL ESTADO DE FLORIDA

ESCRIBA A MAQUINILLA O LETRA MOLDE NOMBRE DEL NOTARIO

ESTA DECLARACION DEBE SER LEGIBLE. SI LA ESCRITURA DEL TESTIGO NO ES LEGIBLE, LA DECLARACION DEBERA SER ACOMPAÑADA POR UNA COPIA A MAQUINILLA O EN LETRA MOLDE, LA CUAL DEBE SER FIRMADA POR EL ESTUDIANTE.
SCPS Form 954 (e) (Rev. 7/98)

**ESCUELAS PUBLICAS DEL CONDADO DE SEMINOLE
DECLARACION DEL INCIDENTE**



NOMBRE DEL ESTUDIANTE: _____ :
ESCUELA _____

FAVOR DE ESCRIBIR A MAQUINILLA O EN TINTA NEGRA. Esta evaluación sera reproducida para el uso de la escuela como informacion para la posible expulsion del estudiante.

NOMBRE DEL ESTUDIANTE: _____ **ESCUELA:** _____

NOMBRE DEL MAESTRO/A: _____ **ASIGNATURA** _____ **GRADO** _____

RECORD DE ASISTENCIA (A PARTIR DE _____) DIAS PRESENTE _____ DIAS
AUSENTE _____ TARDANZAS _____

1. Presta atencion en clase este estudiante? Siempre _____ A veces _____ Nunca _____
2. Tiene una actitud cooperadora y el deseo de aprender este estudiante? Si _____ No _____
3. Si la actitud del estudiante no es deseable, favor de indicar la caracteristica (s) que mejor describe su actitud o comportamiento:
attitude or behavior: surly _____ rudo _____ indiferente _____ prankish _____
belligerent _____ otro _____
4. Is this student in any way a discipline problem? Always _____ Sometimes _____ Never _____
5. Have you noticed any change in this **student's attitude** and **work habits** since the beginning of the school year or semester? Yes _____ No _____

PLEASE COMMENT ON ANY CHANGE YOU HAVE NOTICED OR ANY DISCIPLINE PROBLEMS YOU HAVE HAD WITH THIS STUDENT:

Please return to _____ on or before _____
SCPS Form 472(rev. 7/98) (M/D/Y)