

STATE BOARD OF EDUCATION
Consent Item
July 18, 2018

SUBJECT: Amendment to Rule 6D-7.0073, Disciplinary Procedures and Disposition

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1002.36(4)(c), Florida Statutes

EXECUTIVE SUMMARY

Section 1002.36(4)(c), Florida Statutes, provides the Board of Trustees of the Florida School for the Deaf and the Blind, rulemaking authority contingent upon approval by the State Board of Education. The Florida School for the Deaf and the Blind analyzed and found that Rule 6D-7.0073, F.A.C., Disciplinary Procedures and Disposition, needed to be updated and revised to better serve the School's duties to provide educational opportunities for Deaf and Hard-of-Hearing, Dual-Sensory Impaired and Visually Impaired Students. The Board of Trustees of the Florida School for the Deaf and the Blind voted to approve the attached amendments.

Supporting Documentation Included: Proposed Rule 6D-7.0073, F.A.C.

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6D-7.0073 Disciplinary Procedures and Disposition.

(1) Disposition procedure. The procedures listed below are to be followed for acts by students which require discipline.

(a) General discipline procedures ~~include~~require that the Principal or designee ~~shall~~:

1. Provide the student oral or written notice of the violation of which the student is accused;
2. Provide the student an opportunity to respond to the accusation; and,
3. If the student denies the accusation, provide the student an explanation of the evidence against him/her and provide an opportunity for the student to present his/her version of the incident.
4. Not be required to permit attendance of counsel nor give the student the right to cross-examination, for acts requiring suspension or reprimand.
5. The Principal or designee may request a review of the student's Individual Educational Plan- and Section 504 plan, if any, to determine if the behavior bears any relationship to the student's exceptionality.

(b) Suspension.

1. Prior to suspending a student, the School ~~will~~shall follow the general procedures set out in paragraph (1)(a) above.
2. The Principal or designee will make the decision whether or not a suspension will be imposed.
3. If a suspension is imposed, the President, parents, guardians and the adult student will be forwarded written notice of the suspension within twenty-four hours of the action. The written notice of suspension shall state:
 - a. The violation;
 - b. The date of the violation;
 - c. The beginning date of the suspension;
 - d. The date on which the suspension will end; and,
 - e. Any circumstances pertinent to the suspension.
4. The student may request the President or designee to review the suspension decision of the Principal or designee. The President can affirm or reverse the suspension provision or direct that further proceedings be held in accordance with these rules. The decision of the President is final. The student must request review within three days of the suspension decision.

(2) Disposition of violations. Additional guidelines for the maintenance of appropriate student behavior are set forth in the Code of Student Conduct, which is stated in Rule 6D-7.007, F.A.C., and this rule.

~~(a) The following disciplinary actions are examples of appropriate responses for Class A violations:~~

- ~~1. Suspension.~~
- ~~2. Temporary withdrawal from extra-curricular activities.~~
- ~~3. Detention.~~
- ~~4. Dormitory restriction.~~
- ~~5. Work detail.~~
- ~~6. Change of classroom, dormitory, or dormitory room assignment.~~
- ~~7. Referral for counseling.~~
- ~~8. Oral or written reprimand.~~
- ~~9. Assignment in alternative behavior center.~~

~~(b) The following disciplinary actions are examples of appropriate responses for Class B violations:~~

- ~~1. Suspension.~~
- ~~2. Temporary withdrawal from extra-curricular activities.~~
- ~~3. Detention.~~
- ~~4. Dormitory restriction.~~
- ~~5. Work detail.~~
- ~~6. Change of classroom, dormitory, or dormitory room assignment.~~
- ~~7. Referral for counseling.~~
- ~~8. Oral or written reprimand.~~
- ~~9. Assignment in alternative behavior center.~~

~~(c) The following disciplinary actions are examples of appropriate responses for Class C violations:~~

- ~~1. Oral or written reprimand.~~
- ~~2. Detention.~~

- ~~3. Dormitory restriction.~~
- ~~4. Work detail.~~
- ~~5. Withdrawal from extra-curricular activities.~~
- ~~6. Change of classroom, dormitory, or dormitory room assignment.~~
- ~~7. Referral for counseling.~~

Rulemaking Authority 120.53(1)(b), 242.331(3) FS. Law Implemented 120.53(1)(b), 242.331(4) FS. History--New 5-5-87, Amended 10-26-94.
