

SUWANNEE COUNTY SCHOOL BOARD  
WORKSHOP SESSION  
May 19, 2020

AGENDA

- 9:00 a.m. Call to Order/Welcome/Pledge ..... Ed daSilva, Chairman
- 9:02 a.m. Assistant Superintendent of Instruction..... Janene Fitzpatrick  
Department Update
- School Configuration Update
  - Summer School Update
  - 21<sup>st</sup> CCLC Program
  - 3<sup>rd</sup> Grade Reading Camp in the Fall
- 10:30 a.m. Facilities Department Update ..... Mark Carver
- School Configuration Plan
  - Summer Plans/Move
  - Cost Savings with New Work Schedule
- 11:30 a.m. Lunch
- 12:30 a.m. Human Resources Department Update..... Walter Boatright
- 1:00 p.m. Transportation Department Update ..... Jimmy Wilkerson
- Cost Savings on Fuel
- 1:30 p.m. Food Service Department Update..... Lisa Dorris
- 4<sup>th</sup> Quarter Update
- 1:45 p.m. IT Department Update ..... Josh Williams
- Digital Classrooms Reduction in Funding
  - Donation of 500 Chromebooks
  - School Configuration Update
- 2:15 p.m. Assistant Superintendent of Administration..... Bill Brothers  
Department Update
- Bullying Policy Review (**pgs. 3-19**)
  - Draft Forms/Policy for New Expulsion Hearing Process  
(**pgs. 20-40**)

- 2:45 p.m. School Safety and Other Administrative Services.....Malcolm Hines  
Department Update
- Shelter Operations Related to FEMA Reimbursement
- 3:00 p.m. Student Service Department Update.....Debbie Land
- SP&P Document
- 3:15 p.m. Director of Career, Technical, and Adult ..... Mary Keen  
Education Department Update
- 3:30 p.m. Superintendent Update..... Ted Roush
- 4:30 p.m. Adjourn

## CHAPTER 5.00: STUDENTS

### **BULLYING AND HARASSMENT**

**5.101\***

#### **I. Statement Prohibiting Bullying and Harassment**

- A. It is the policy of the Suwannee County School District that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. The District upholds that bullying or harassment of any student or school employee is prohibited
  - 1. During any education program or activity conducted by a public K- 12 educational institution;
  - 2. During any school-related or school-sponsored program or activity;
  - 3. On a school bus of a public K-12 educational institution; or
  - 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution within the scope of the School District, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school-sponsored program or activity; . or
  - 5. Through the use of data or computer software that is accessed at a nonschool-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or a school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the

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education process or orderly operation of a school. School staff is not required to monitor any nonschool-related activity, function, or program.

### II. Definitions

- A. Accused is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District who is reported have committed an act of bullying, whether formally or informally, verbally or in writing, of bullying.
- B. Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:
  - 1. Teasing;
  - 2. Social Exclusion;
  - 3. Threat;
  - 4. Intimidation;
  - 5. Stalking;
  - 6. Cyberstalking
  - 7. Physical violence;

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8. Theft;
9. Sexual, religious, or racial harassment;
10. Public or private humiliation; or
11. Destruction of property.

The term *bullying* shall include cyberbullying whether or not specifically stated.

- C. Complainant is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or in writing.
- D. Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
- E. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in course of conduct to communicate, or cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

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- F. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that
1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
  2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits;
  3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
  4. Has the effect of substantially disrupting the orderly operation of a school.
- G. Bullying and harassment also encompass
1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
  2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
    - a. Incitement or coercion;
    - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;

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- c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

### III. Behavior Standards

- A. The Suwannee County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior; treat others with civility and respect, and refuse to tolerate bullying or harassment.
- C. All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student recognition through positive reinforcement for good conduct, self-discipline, good citizenship, and academic success.
- D. Student rights shall be explained in the *Student Code of Conduct*;
- E. Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the *Student Code of Conduct*.

### IV. Consequences

- A. Committing an act of bullying or harassment

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1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
  2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
  3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
  4. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- B. Wrongful and intentional accusation of an act of bullying or harassment
1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
  2. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.



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3. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

### V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- F. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future

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employment, grades, learning or working environment, or work assignments.

- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

### VI. Investigation of a Report of Bullying or Harassment

- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at school bus stop.
- B. The principal or designee shall select an individual(s), employed by the school to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.
- C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- D. The investigator shall collect and evaluate the facts including but not limited to
  - 1. Description of incident(s) including nature of the behavior;
  - 2. Context in which the alleged incident(s) occurred;
  - 3. How often the conduct occurred;

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4. Whether there were past incidents or past continuing patterns of behavior;
  5. The relationship between the parties involved;
  6. The characteristics of parties involved, *i.e.*, grade, age;
  7. The identity and number of individuals who participated in bullying or harassing behavior;
  8. Where the alleged incident(s) occurred;
  9. Whether the conduct adversely affected the student's education or educational environment;
  10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
  11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
  2. A written final report to the principal.
- F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
- G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
- VII. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District

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- A. The principal or designee will assign an individual(s) to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
- B. The investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
  - 1. If it is within the scope of the District, a thorough investigation shall be conducted.
  - 2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
  - 3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.
- C. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

### VIII. Notification to Parents/Guardians of Incidents of Bullying or Harassment

- A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.
  - 1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

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2. If the bullying or harassment incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying or harassment incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”

- B. Immediate notification to the parents/legal guardians of the perpetrator of an act bullying or harassment.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- C. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

### IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying or harassment incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

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- A. The teacher or parent/legal guardian may request informal consultation with school staff (specialty staff, *e.g.*, school counselor, school psychologist), to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
  - B. School personnel or the parent/legal guardian may refer a student to the school intervention team or equivalent school-based team with a problem-solving focus for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.
  - C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
  - D. A school-based component to address intervention and assistance shall be utilized by the intervention team. The intervention team may recommend
    - 1. Counseling and support to address the needs of the victims of bullying or harassment;
    - 2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, *e.g.*, empathy training, anger management; and/or
    - 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.
- X. Reporting Incidents of Bullying and Harassment
- A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. Cyberbullying incidents shall be included

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within the bullying incidents category. The report shall also include in a separate section each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.

- B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as incident codes as well as bullying-related as a related element code.

1. SESIR Definitions

- a. Bullying – Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.
- b. Harassment – Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

2. Bullying and/or harassment incidents shall be reported in SESIR with the bullying (BUL) or harassment (HAR) code. Unsubstantiated incidents of bullying or harassment shall be coded UBL or UHR.
3. If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the

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relevant incident code and the bullying-related code. Such incidents are:

- a. Alcohol
- b. Arson
- c. Battery
- d. Breaking and Entering
- e. Disruption on Campus
- f. Drug Sale/Distribution Excluding Alcohol
- g. Drug Sale/Possession Excluding Alcohol
- h. Fighting
- i. Homicide
- j. Kidnapping
- k. Larceny/Theft
- l. Robbery
- m. Sexual Battery
- n. Sexual Harassment
- o. Sexual Offenses
- p. Threat/Intimidation
- q. Trespassing
- r. Tobacco
- s. Vandalism



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- t. Weapons Possession
    - u. Other Major (Other major incidents that do not fit within the other definitions)
  - C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.
  - D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
  - E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat / intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records.
- XI. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment
- A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
  - B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying or harassment in schools.

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- C. The District shall establish a list of programs that provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying and harassment including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations. The list of authorized programs shall be available at each school, District offices, and on the District website.
- XII. Reporting to a Victim's Parents/Legal Guardians the Legal Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIII. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.

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- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students in a student assembly or other reasonable format.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

### XIV. Review of Policy

The Superintendent and appropriate staff shall review this policy at a minimum every three (3) years. The review shall include input from parents, law enforcement, and other community members. The Superintendent shall present the policy and any recommended changes to the School Board for consideration.

#### STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 1001.43, 1003.04, 1003.31, 1003.32, 1006.07,  
1006.08, 1006.09, 1006.10, 1006.147, F.S.,  
20 USC 1232g

#### STATE BOARD OF EDUCATION RULE(S):

6A-10.081

#### HISTORY:

**ADOPTED:** 12/16/2008

**REVISION DATE(S):** 1/28/2014, 8/25/2015,  
6/28/2016, 10/24/2017

**REVIEWED  
DATE(S)**

**BEFORE THE SCHOOL BOARD OF  
SUWANNEE COUNTY, FLORIDA**

Ted L. Roush, Superintendent of Schools for  
Suwannee County School District, Florida,

Petitioner,

vs.

CASE NO.: CaseNumber

Student Name,

Respondent.

\_\_\_\_\_ /

**ELECTION OF RIGHTS**

I, \_\_\_\_\_, hereby acknowledge receipt of a recommendation from the Superintendent of Schools, dated Date of election letter, for the expulsion of my child, Student Name, from the public schools of Suwannee County, Florida, and having been advised of the nature of the charges, the right to be represented by counsel or other qualified representative and to appear at an evidentiary hearing to testify, bring witnesses, and other evidence, I do hereby make the following election:

**(CHECK ONE)**

\_\_\_\_\_ I hereby waive my right to an evidentiary hearing and consent to entry of a final order by the School Board of Suwannee County expelling my child, Student Name, for the insert dates of school year school year(s) through ending date, based upon the charges set forth in the Superintendent's recommendation.

**OR**

\_\_\_\_\_ I hereby request an evidentiary hearing on the charges to present evidence and make argument on the allegations of the Superintendent's recommendation. I understand that I will receive advance notice of the hearing date, place, and time.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Election of Rights  
School Board of Suwannee County, Florida  
Student Name: \_\_\_\_\_

\_\_\_\_\_  
**Attorney or Other  
Qualified Representative**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

I HEREBY CERTIFY that the foregoing form was provided to \_\_\_\_\_ by  
\_\_\_\_\_ personal hand delivery or \_\_\_\_\_ by certified mail with return receipt requested,  
on \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
NAME  
Director of School Choice  
Suwannee County School District

**NOTE: IF THIS FORM IS NOT SIGNED AND RETURNED WITHIN TWENTY (20)  
DAYS FROM THE DATE OF ITS RECEIPT, YOUR RIGHT TO REQUEST AN  
EVIDENTIARY HEARING WILL BE DEEMED WAIVED, AND THIS MATTER WILL  
PROCEED WITHOUT AN EVIDENTIARY HEARING TO THE SCHOOL BOARD FOR  
ENTRY OF A FINAL ORDER OF EXPULSION.**

**SUWANNEE COUNTY SCHOOL DISTRICT**  
**STIPULATED EXPULSION AGREEMENT**

I, \_\_\_\_\_, a student at \_\_\_\_\_, Suwannee County School District, and my parent(s)/legal guardian(s) hereby stipulate and agree as follows:

1. I was properly suspended from \_\_\_\_\_ based upon the initial allegations of:
  - Student Conduct and Discipline Code Violation: \_\_\_\_\_, Pg. (brief description)
2. I stipulate and agree that I committed the alleged conduct, and the alleged conduct is a violation of the Student Conduct and Discipline Code for Suwannee County School District, and the charges are valid and provable.
3. I stipulate and agree that the alleged conduct constitutes grounds for expulsion from the Suwannee County School District in accordance with the Student Conduct and Discipline Code for the Suwannee County School District and Florida Statutes.
4. Parent(s)/Legal Guardian(s): I agree to the expulsion of my child, \_\_\_\_\_, a student at \_\_\_\_\_, from the Suwannee County School District for the \_\_\_\_\_ quarter of the (insert dates of school year) school year. \_\_\_\_\_ may return to the Suwannee County School District on \_\_\_\_\_.
5. We stipulate and agree that this Stipulated Expulsion Agreement shall not be utilized as a defense by the student or parent(s)/legal guardian(s) at any subsequent expulsion hearing resulting from a violation of the conditions set forth herein.
6. We understand that we have the right to request a hearing in front of the Suwannee County School Board Hearing Officer to contest this matter pursuant to Chapters 1006 and 120 of the Florida Statutes, and hereby **waive** our right to said hearing so long as the Suwannee County School Board approves this Stipulated Expulsion Agreement.
7. I understand that this expulsion will become part of my student records.
8. I understand that this Stipulated Expulsion Agreement will be submitted to the Suwannee County School Board at its next regularly scheduled meeting on \_\_\_\_\_. In the event the Suwannee County School Board does not accept and approve this Stipulated Expulsion Agreement, then I hereby stipulate and agree that the current suspension be extended until the \_\_\_\_\_ Board Meeting at which time an Administrative Hearing will be held by the Suwannee County School Board to determine the appropriate disposition of the Superintendent's recommendation for expulsion.
9. I understand that students currently on suspension or expulsion are prohibited from being on any school district property, school-sponsored transportation, school bus stops, school buses, or from attending school-sponsored activities.

\_\_\_\_\_  
Parent/Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
School Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of School Choice

\_\_\_\_\_  
Date

**STATE OF** \_\_\_\_\_

**COUNTY OF** \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this the \_\_\_\_\_ day of \_\_\_\_\_ 2020, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public State of Florida  
Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Personally known \_\_\_\_\_

OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

**JERRY TAYLOR**  
DISTRICT 1  
**CATHERINE CASON**  
DISTRICT 2  
**TIM ALCORN**  
DISTRICT 3



**ED DA SILVA**  
DISTRICT 4  
**RONALD WHITE**  
DISTRICT 5  
**LEONARD DIETZEN, III**  
BOARD ATTORNEY

1740 Ohio Avenue, South  
Live Oak, Florida 32064  
Telephone: (386) 647-4600 • Fax: (386) 364-2635

**TED L. ROUSH**  
Superintendent of Schools

Current Date

CASE NO.: Case Number

Parent(s)/Legal Guardian(s) Name  
Parent(s)/Legal Guardian(s) Address  
City, FL Zip Code

Dear Parent(s)/Legal Guardian(s) Name:

The principal at School Name has informed me that Student Name has been suspended from school for [insert student conduct] on School Name's campus on or about date of violation, which is a violation of Section(s) 1006.13(?), Florida Statutes, Suwannee County School Board Policy #Policy Number, and Suwannee County School District Student Conduct and Discipline Code.

Pursuant to Section 1006.09, Florida Statutes, the principal or his/her designated representative may recommend to the Superintendent of Schools the expulsion of any student who has committed a serious breach of conduct, including but not limited to, willful disobedience, open defiance of authority of a member of his/her staff, violence against persons or property, or any other act which substantially disrupted the orderly conduct of the school. A recommendation of expulsion or assignment to a second chance school may also be made for any student found to have intentionally made false accusations that jeopardize the professional reputation, employment, or professional certification of a teacher or other member of the school staff, according to the District's Student Conduct and Discipline Code. The conduct for which Student Name was suspended is in violation of rules adopted by the School Board of Suwannee County, Florida, and may constitute grounds for expulsion pursuant to the Florida School Code.

The principal of School Name has recommended that I initiate expulsion proceedings, and I am therefore requesting the School Board of Suwannee County to expel Student Name for the remainder of the Insert date(s) of school year school year(s), through end date, without prejudice to make an application to and upon acceptance by the Admission's Committee to attend Suwannee Opportunity School.

You are specifically advised of your right to due process of law as provided by Sections 120.569, 120.57, and 120.81, Florida Statutes, and by Rule 5.12, Rules of the School Board of Suwannee County, Florida, copies of which will be furnished upon request. You have a right to consult with and be represented, at your own expense, by counsel or other qualified representative.

## **SUWANNEE COUNTY SCHOOL DISTRICT**

*"Suwannee County School District will be a system of excellence ensuring all students are prepared for personal success."  
A Fully Accredited School System-SACS CASI, an Accrediting Division of AdvancED • Equal Opportunity Employer*

SCSB Form#5100-094c

Expulsion-Supt Letter to Parent-Student Election of Rights Form

Approved ?/?/?/?/?



Parent(s)/Legal Guardian(s) Name  
Date of Letter from 1<sup>st</sup> Page  
Page [insert page number]

Pursuant to Section 1002.22, Florida Statutes, you may, upon request to my office, examine any and all records and reports which may have been prepared relating to any alternative measures taken prior to the recommendation for expulsion.

Pursuant to Section 1006.08, Florida Statutes, I am extending the suspension assigned by the principal to and including [Insert date of next regular/special school board meeting]. On that date, I will request that the Board continue the suspension to and including date. You are advised that you have a right to a separate intermediate informal hearing before me, or my designee, on the issue of whether the extension of your suspension by me is reasonable under the facts. Any such request for a hearing on the extension of your suspension shall be in writing and filed in my office at 1740 Ohio Avenue South, Live Oak, Florida 32064. In addition, you have a right to appear before the Board on [insert date of next regular/special school board meeting], on the issue of whether the further extension of your suspension by the Board is reasonable under the facts. Any request for such a hearing before the Board shall be in writing and filed in my office at 1740 Ohio Avenue South, Live Oak, Florida 32064.

Pursuant to Rule 6A-6.0331(6)(c), Florida Administrative Code, if your child is currently receiving services in an Exceptional Student Education Program, and the misconduct is not a manifestation of the child's disability, the expulsion shall not cause the complete cessation of special education and related services. You are advised that you have a right to request these services if your child is expelled or if his/her suspension is extended beyond ten (10) days. Any such request should be made to the Coordinator of Exceptional Student Education at 1740 Ohio Avenue South, Live Oak, Florida 32064.

Attached to this correspondence for your completion is an Election of Rights form. If you opt to sign the Election of Rights form requesting an evidentiary hearing, the hearing will be held before a Hearing Officer at a meeting closed to the public, unless you request that the meeting be open to the public. If you opt to sign the Election of Rights form waiving your right to an evidentiary hearing, a final order of expulsion will be entered by the Board without the necessity of a hearing. **If you do not sign and return an Election of Rights form to the Board within 21 days, you will be deemed to have waived your right to an evidentiary hearing, and the Board will proceed to enter a final order of expulsion without further notice or hearing.**

If a hearing is requested, a Notice of Hearing letter, providing notice of the time, place, and date, will be mailed to you. After the hearing is conducted, a Recommended Order will be prepared by the Hearing Officer and a copy will be mailed to you. You will then have fifteen (15) days from the filing of the Recommended Order to file exceptions in writing with my office.

The Recommended Order filed by the Hearing Officer, together with any exceptions thereto, will be considered by the Board at which time a Final Order will be entered.

Respectfully,

Ted L. Roush  
Superintendent of Schools

Parent(s)/Legal Guardian(s) Name  
Date of Letter from 1<sup>st</sup> Page  
Page [insert page number]

Enclosures: Student Records  
Notice of Hearing  
Election of Rights Form  
Suwannee Opportunity School Placement Form

Copies To: Name, Principal of School Name, w/enclosures  
Name, Director of School Choice, w/enclosures  
Name, Principal of Suwannee Opportunity School, w/enclosures  
Leonard Dietzen, School Board Attorney, w/enclosures

(PLACE ON SCHOOL LETTERHEAD)

(Current Date)

Case No.: \_\_\_\_\_

\_\_\_\_\_  
Parent(s)/Legal Guardian(s) Name

\_\_\_\_\_  
Student Name

To Whom It May Concern:

The Suwannee Opportunity School program was explained to me by a Suwannee County School Board employee. Among the things explained to me were:

1. The academic program;
2. The involvement and agreement needed from parents;
3. The location of the school site;
4. Starting and endings times of Second Chance; and
5. The time limit assigned to the program.

Please indicate your desire for your child's attendance at second chance. Please circle either "DO" or "DO NOT."

I DO DO NOT want my child considered for placement at Suwannee Opportunity School.

RECEIVED BY:

WITNESSED BY:

\_\_\_\_\_  
Parent/Legal Guardian Name (printed)

\_\_\_\_\_  
Witness Name (printed)

\_\_\_\_\_  
Parent/Legal Guardian Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**SUWANEE COUNTY SCHOOL DISTRICT  
ON-CAMPUS EXPULSION PROCESSING CHECKLIST  
(To be completed by the Principal)**

Student's Name: \_\_\_\_\_ School Name: \_\_\_\_\_

Student's Number: \_\_\_\_\_ DOB: \_\_\_\_\_

This form may be used for students who have committed zero-tolerance offenses and expellable offenses that occurred on campus. It may also be used for students who have a history of misconduct on campus and are a disruption to the learning environment.

**Step 1:**

- (a) Was the student arrested? \_\_\_\_\_ Yes \_\_\_\_\_ No  
(b) Is this an ESE student? \_\_\_\_\_ Yes \_\_\_\_\_ No

If this is an ESE student, state the exceptionality or disability (i.e. 504/EBD): \_\_\_\_\_

Has this student ever been referred to or received ESE services? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please explain: \_\_\_\_\_

Has this student been dismissed from ESE? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, state the exceptionality: \_\_\_\_\_

**If you have completed all the aforementioned, please initial and date here:** \_\_\_\_\_

**Step 2:**

Contact the Coordinator of the Suwannee Opportunity School by email (copy the Office of School Choice) to inform him/her of your recommendation for expulsion or your recommendation for alternative placement.

Email: \_\_\_\_\_

**Principal/Designee initial and date here:** \_\_\_\_\_

**Step 3:**

Complete the expulsion packet and include the following items:

- Principal's letter to the Superintendent \_\_\_\_\_
- Copy of student's personal history form \_\_\_\_\_
- Written witness list (if any); include a brief description of the testimony provided by the witness(es) \_\_\_\_\_
- Copies of student records \_\_\_\_\_
- Student conduct report form \_\_\_\_\_
- Picture of weapon (if applicable) \_\_\_\_\_
- Educator handbook discipline report \_\_\_\_\_
- Video tape (if necessary as evidence) \_\_\_\_\_
- Any other documentation you deem relevant to the case \_\_\_\_\_
- Documentation of interventions for zero tolerance offenses attached \_\_\_\_\_
- A copy of the letter sent to the Superintendent recommending expulsion MUST be sent certified mail to parent/legal guardian \_\_\_\_\_

**Principal/Designee initial and date here:** \_\_\_\_\_

**Step 4:**

Director of School Choice – Review the expulsion packet to make sure all documentation is complete

**Director of School Choice Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

~See the back for more details~

**SUWANEE COUNTY SCHOOL DISTRICT  
ON-CAMPUS EXPULSION PROCESSING CHECKLIST  
(To be completed by the Principal)  
(CONTINUED)**

To effectively complete the On-Campus Expulsion Processing Checklist Form, please note the following for each phase:

**Step 1:**

If this student is ESE or 504, make sure a Multidisciplinary/Child Study Team has determined his/her behavior was not a manifestation of the disability.

**\*\*\*IMPORTANT\*\*\***

- If the student is currently receiving ESE services and/or is suspected of needing ESE services, you must request a Multidisciplinary, IEP, and/or Child Study Team meeting to review your recommendation of expulsion.
- A thorough review of the student's cumulative record, evaluations, IEP(s), and any other relevant information **MUST** be conducted **PRIOR** to recommending expulsion.
- If the student has not been evaluated, and is in the process of being evaluated, or if the Multidisciplinary/Child Study Team believes an evaluation is needed, then the recommendation for expulsion **MUST** be held in abeyance until the evaluation is completed. Contact the ESE Department in writing, EMAIL or (Fax) ###-####. You may call the ESE Department for further information at 647-4631.

**Step 2:**

- Deliver all completed paperwork to the Director of School Choice for review and approval within 3 working days of the incident. **This is a MUST!**
- Upon delivery of the expulsion packet to the Director of School Choice, the home school must withdraw the student to Second Chance using the withdrawal code W2A.
- If placement at Suwannee Opportunity School is being considered in lieu of expulsion, this must be discussed with the Director of School Choice and the Coordinator of Suwannee Opportunity School. The Suwannee Opportunity School number is 647-4276.
- Deliver a completed expulsion packet to the Coordinator of Second Chance/Suwannee Opportunity School within three (3) working days of the incident. **This is a MUST!**

**Step 3:**

- When writing the principal's letter to the Superintendent:
  - Make sure to include incident details, date and location of incident, recommendation for suspension and/or expulsion, and explain any prior offenses and any interventions taken.
  - Also, make sure you copy the Director of School Choice, the parent, the student, and all other appropriate persons as needed.
- Make sure your student records include test scores, report card, and attendance record.
- Support documents can include referral/discipline forms, law enforcement reports, counseling, referrals, etc.

**BEFORE THE SCHOOL BOARD OF  
SUWANNEE COUNTY, FLORIDA**

Ted L. Roush, Superintendent of Schools for  
Suwannee County School District, Florida,

Petitioner,

vs.

CASE NO.: CaseNumber

Student Name,

Respondent.

---

**FINAL ORDER**

THIS MATTER having come on to be heard before the School Board of Suwannee County, Florida, on the recommendation of the Superintendent of Schools that Student Name be expelled for the remainder of the insert dates of school year school year, through ending date, and the student having waived her/his right to a hearing and having consented to the entry of an order of expulsion, and the Board having considered the recommendation of expulsion and reports prepared by the Superintendent, the Board makes the following Findings of Fact.

**FINDINGS OF FACT**

1. Up until the time of her/his suspension on or about date of violation and subsequent recommendation for expulsion, Student Name was a student enrolled at School Name, in Suwannee County, Florida.

2. Student Name was charged by the Superintendent of Schools with [state conduct that violated Code] on School Name's Campus on or about date of violation, in violation of Section(s) 1006.13(?), Florida Statutes, Suwannee County School Board Policy # insert Policy #, and Suwannee County School District Student Conduct and Discipline Code.

3. Based upon the record, the Board finds that Student Name did, in fact, commit [insert student conduct in violation of code] on School Name's Campus on or about date of violation, in violation of Section(s) 1006.13(?), Florida Statutes, Suwannee County School Board Policy # insert Policy #, and Suwannee County School District Student Conduct of Discipline Code.

4. Student Name, by and through her/his parent, has waived any right to appear at an expulsion hearing and has consented to the entry of this final order.

### **CONCLUSIONS OF LAW**

1. The Board has authority to expel students pursuant to sections 1001.42 and 1006.07, Florida Statutes, as further implemented by Policy 5.12, Policies of the School Board of Suwannee County, Florida.

2. Petitioner has sustained his burden of proof in establishing the charges filed against Respondent.

WHEREFORE, based upon the Findings of Fact, the School Board of Suwannee County, Florida, does hereby expel Student Name from attendance at the public schools of Suwannee County, Florida, for the remainder of the insert dates of school year school year, through insert end date, subject to her/his right to apply to, and if accepted, to attend Suwannee Opportunity School.

This Order may be appealed within thirty (30) days by filing a notice of appeal with the Board, and with the Florida District Court of Appeal, First District, together with the filing fee. See § 120.68, Florida Statutes, Fla. R. App. P. 9.110(c).

DONE AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

THE SCHOOL BOARD OF SUWANNEE COUNTY, FL

BY: \_\_\_\_\_  
Ed daSilva, Chairman

Filed this \_\_\_\_\_ day of \_\_\_\_\_ 2020, at Suwannee County, Florida, with  
the Secretary of the Board.

BY: \_\_\_\_\_  
Secretary-Clerk

cc:

Parent(s) Names and Student Name

Principal Names, Principal

Leonard Dietzen, School Board Attorney



**BEFORE THE SCHOOL DISTRICT OF SUWANNEE COUNTY, FLORIDA**

CASE NO.: CaseNumber

IN RE: THE EXPULSION OF  
Student Name,

**RECOMMENDED ORDER**

This matter came on for hearing before Hearing Officer Name, a delegated representative of the School Board of Suwannee County, Florida on date of hearing, at time p.m., at the Suwannee County School District Office located at 1740 Ohio Avenue, South, Live Oak, Florida 32064.

**APPEARANCES**

Name, Hearing Officer  
Name, Principal, Name of School  
Student Name, Student  
Parent(s) of Student Name  
Other Attendees

This matter came for hearing upon the recommendation by Principal Name for expulsion of Name, School Name student Student Name. Student Name was recommended for expulsion as a result of a date of incident incident in which Student Name was alleged to [insert student conduct that violated code] in violation of Fla. Stat. § 1006.13(?), School Board Policy #5.12 and the Suwannee County School District Student Conduct and Discipline Code.

**FINDINGS OF FACT**

1. Up until the time of his/her suspension on or about date of incident and subsequent recommendation for expulsion, Student Name was a student at Name of School in Suwannee County, Florida.
2. Student Name and his parent(s)/legal guardian(s) received notice of the expulsion hearing and attended the proceedings pursuant to this notice.
3. On date of incident, Student Name's *[continue to tell findings of fact in chronological order, for each fact, make it a new numerical paragraph; include details like teacher reported to AP; AP reported to SRO; student spoke with principal; principal contacted parents, request student be picked up, advise of suspension; principal did investigation; principal spoke to 4 students individually; during these interviews, each student advised...; student was charged with...in violation of Florida Statute...; as a result of this incident, the Threat Assessment Team convened to review this case...the Threat Assessment Team concluded...Student and his parents conceded Student was in possession of a weapon on school grounds; Student does not like school...]*

## CONCLUSIONS OF LAW

Fla. Stat. § 1006.13 provides in pertinent part:

- (1) District school boards shall promote a safe and supportive learning environment in schools by protecting students and staff from conduct that poses a serious threat to school safety.
- (2) Each district school board shall adopt a policy of zero-tolerance.
- (3) Zero-tolerance policies must require students found to have committed one of the following offenses to be expelled with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year, and to be referred to the criminal justice or juvenile justice system.
  - a. Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possession a firearm at school.
  - b. Making a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

In furtherance of this zero-tolerance policy, the Legislature has mandated that each district's Student Conduct and Discipline Code include notice to students and parent(s)/legal guardian(s) that possession of a firearm or weapon by a student on school property is grounds for disciplinary action and may also result in criminal prosecution, *see* Fla. Stat. § 1006.07(2)(g), and that any student who is determined to have brought a firearm or weapon to school **will** be expelled, with or without continuing educational services for a period of not less than one (1) full year. Florida Statutes § 1006.07(2)(1) (emphasis added).

In accordance with the Legislature's mandate, the Suwannee County School District's Student Conduct and Discipline Code advises that possession of weapons and use of weapons are prohibited on school board property, including buses, at school-sponsored activities and in any vehicle brought onto school property or to a school sponsored activity. A student who brings a firearm to school shall receive an expulsion for at least one (1) full calendar year. Suwannee County School District Student Conduct and Discipline Code, Classification of Violations, Sec. C. Class III – Major Offenses ¶ 8 entitled "WEAPONS."

The zero-tolerance policy found in Florida Statutes § 1006.13(3) has also been implemented in Policy #5.13\* of the Suwannee County School Board Policies which states:

Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and be referred to the criminal justice or juvenile justice system, unless the Superintendent of Schools requests that the Board modify the requirement by assigning the student to a disciplinary program or second chance school, in accordance with Article X:

- A. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

The District's Student Conduct and Discipline Code further prohibits threats against students, including those that threaten an injury or death to another. *See* Suwannee County School District Student Conduct and Discipline Code, Classification of Violations, Sec. C. Class III – Major Offenses at ¶ 9 and ¶ 21.

### **RECOMMENDATION**

The law is clear that there is to be zero tolerance for possession of a weapon on school grounds. In addition to the possession of a weapon on school grounds, the evidence supports a finding that Student Name used the weapon to threaten fellow students which escalated this incident and required the involvement of the CHS Threat Assessment Team and the Suwannee County Sheriff's Office who pursued criminal charges against Student Name. While I empathize with Student Name's parent(s)/legal guardian(s) and understand their desire to keep Student Name in school, in light of cite to specific evidence/testimony, I recommend expulsion of Student Name for the insert dates of school year school year [and....].

Submitted this \_\_\_\_ day of Month Year in Suwannee County, Florida.

\_\_\_\_\_  
Name, Hearing Officer

Filed with the School Board of Suwannee County, Florida this \_\_\_\_ day of Month Year.

### **NOTICE OF RIGHT TO SUBMIT EXCEPTIONS**

**ALL PARTIES ARE HEREBY NOTIFIED THAT PURSUANT TO FLORIDA STATUTE § 120.57, THEY MAY SUBMIT WRITTEN EXCEPTIONS TO THIS RECOMMENDED ORDER TO THE HEARING OFFICER WITHIN FIFTEEN (15) DAYS OF THE DATE OF SERVICE OF THE RECOMMENDED ORDER.**

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this \_\_\_\_ day of Month, Year, a true and correct copy of the foregoing was sent to the following by Certified Mail, Return Receipt Requested to: Parent(s)/Legal Guardian(s) Name, Parent(s)/Legal Guardian(s) Address, and by hand delivery to Superintendent Ted Roush, and Leonard Dietzen, Attorney for the Board.

\_\_\_\_\_  
Administrative Secretary/Student Services

Notice of Hearing:  
Date of Hearing, at Time p.m.

**BEFORE THE SCHOOL BOARD OF  
SUWANNEE COUNTY, FLORIDA**

Ted L. Roush, Superintendent of Schools for  
Suwannee County School District, Florida,

Petitioner,

vs.

CASE NO.: CaseNumber

Student Name,

Respondent.

\_\_\_\_\_ /

**NOTICE OF HEARING**

To: Parent(s)/Legal Guardian(s) Name

YOU ARE HEREBY NOTIFIED that an evidentiary hearing in the above-styled case has been schedule to be heard by a Hearing Officer appointed by the School Board of Suwannee County, Florida, on date of hearing, at time p.m., or as soon thereafter as possible, in the Suwannee County School Board Meeting Room, at 1740 Ohio Avenue South, Live Oak, Florida 32064, to consider the recommendation for expulsion of Student Name. The hearing officer may grant a continuance of a hearing for good cause shown. Except in cases of emergency, requests for continuance must be made at least five (5) days prior to the date noticed for the hearing.

The nature of the hearing is to consider all the evidence bearing upon the continued suspension or expulsion of Student Name. The Superintendent of Schools, by separate recommendation, alleges that Student Name is guilty of misconduct which constitutes grounds upon which the Board may enter a final order of expulsion.

You are advised that you are entitled, at your own expense, to consult with and be represented by counsel or other qualified representative of your own choice, and to testify and bring any and all witnesses, and you may request subpoenas from the District to compel the presence of witnesses in your behalf. Service of such subpoenas and payment of witness fees are your responsibility.

Upon oral request of an attorney or party and without praecipe, the District shall issue a subpoena for testimony before the Board, or a subpoena for the production of documentary evidence before the Board, signed and sealed but otherwise in blank, both as to the title of the action and the name of the person to whom it is directed and the subpoena shall be filled in before service by the attorney or party. Subpoenas for the taking of depositions may be obtained from the District by any party upon the filing of a notice of taking deposition with a certificate of service on it showing service upon the Superintendent of Schools.

Notice of Hearing:  
Date of Hearing, at Time p.m.

The hearing will be conducted in the manner prescribed by Section 120.57, Florida Statutes. The jurisdiction of the Board is invoked pursuant to Section 1006.07, Florida Statutes. The Board hereby waives the fourteen (14) day notice requirement of Section 120.569, Florida Statutes, without consent of the parties and fixes the above notice requirement. The hearing is not required by law to be conducted at a meeting open to the public. However, you have a right to elect to have the hearing held at a meeting open to the public. You may file with the Superintendent of Schools, at 1740 Ohio Avenue South, Live Oak, Florida 32064, any document in opposition to the recommendation of the Superintendent of Schools for expulsion prior to or at the hearing.

Pursuant to Section 286.0105, Florida Statutes, you are hereby notified that if you wish to appeal any decision by the Board with respect to any matter considered at this hearing, you will need a record of the proceedings, and for such purpose you may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEASE BE GOVERNED ACCORDINGLY.

THE SCHOOL BOARD OF SUWANNEE COUNTY,  
FLORIDA

BY:

\_\_\_\_\_  
Superintendent of Schools  
Executive Officer to the School Board

cc: Name, Principal  
Name, Director of School Choice  
Leonard Dietzen, School Board Attorney

**JERRY TAYLOR**  
DISTRICT 1  
**CATHERINE CASON**  
DISTRICT 2  
**TIM ALCORN**  
DISTRICT 3



**ED DA SILVA**  
DISTRICT 4  
**RONALD WHITE**  
DISTRICT 5  
**LEONARD DIETZEN, III**  
BOARD ATTORNEY

1740 Ohio Avenue, South  
Live Oak, Florida 32064  
Telephone: (386) 647-4600 • Fax: (386) 364-2635

**TED L. ROUSH**  
Superintendent of Schools

Current Date

CASE NO.: Case Number

Parent(s)/Legal Guardian(s) Name  
Parent(s)/Legal Guardian(s) Address  
City, FL Zip Code

Dear Parent(s)/Legal Guardians Name:

As Superintendent of Schools, I am hereby advising you that a hearing has been scheduled on the recommendation for expulsion of Student Name from the Suwannee County School District. Student Name was suspended from School Name for ten (10) days, Date through Date, for *state student conduct*, prohibited by the Suwannee County School District Student Conduct and Discipline Code. Student Name will remain suspended through the date of the Suwannee County School Board meeting at which the Board will consider the Findings of Fact and Recommended Order of the Hearing Officer. You will be notified of the date, time, and place of this meeting.

An expulsion hearing before a Board-delegated representative sitting as a Hearing Officer has been scheduled for date of hearing, at time p.m., at the Suwannee County School District Office located at 1740 Ohio Avenue South, Live Oak, Florida 32064. At this hearing, you will be permitted to call witnesses and present evidence on behalf of your child, as well as to cross-examine witnesses presented by the Board and to defend your child's actions and conduct.

Pursuant to Florida Statutes § 1006.07(1)(a), you also have the right to elect that the expulsion hearing, which is ordinarily closed to the public, be held open to the public in accordance with the provisions of Florida Statutes § 286.011. You may exercise this right by notifying me in writing before noon on Date.

The scheduled hearing is pursuant to Florida Statutes §§ 120.57(2) and 120.569, and the suspension is pursuant to Florida Statutes § 1006.08 and School Board Policy #5.12.

## **SUWANNEE COUNTY SCHOOL DISTRICT**

*"Suwannee County School District will be a system of excellence ensuring all students are prepared for personal success."  
A Fully Accredited School System-SACS CASI, an Accrediting Division of AdvancED • Equal Opportunity Employer*

SCSB Form#5100-094i

Expulsion-Supt Letter to Parent-Student Notice of Hearing Form

Approved ?/?/?/????

Parent(s)/Legal Guardian(s) Name  
Date of Letter from 1<sup>st</sup> Page  
Page [insert page number]

A Notice of Hearing is enclosed with this correspondence.

Respectfully,

Ted L. Roush  
Superintendent of Schools

**Signature of Receipt**

X

Copies To:    Name, Principal of School Name  
                  Leonard Dietzen, School Board Attorney  
                  School Board Members

(PLACE ON SCHOOL LETTERHEAD)

Principal  
Principal Name

Current Date

Dear Superintendent Roush:

Student Name, a 1st-12th grade student at School Name was suspended 10 days beginning Date of Suspension, for [insert student conduct]. This student [briefly explain what happened].

Pursuant to School Board Policy #5.12, I am recommending expulsion of Student Name for the remainder of the insert date(s) of school year school year. I am also recommending that Student Name be allowed to make an application to, and if accepted, attend Suwannee Opportunity School.

The parent(s)/legal guardian(s) of Student Name have been properly notified of this recommendation followed by written notification which has been sent via certified mail.

Respectfully,

Principal Name  
Principal of Name of School

cc: Name, Director of School Choice, w/enclosures  
Name, Coordinator of Suwannee Opportunity School, w/enclosures  
Parent(s)/Legal Guardians Name, Parent(s)/Legal Guardian(s)  
Student Name, Student