

Phoenix
Academy
OF EXCELLENCE



6057/6099
PARENT/STUDENT
HANDBOOK

2022-2023

PHOENIX ACADEMY OF EXCELLENCE
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Mission Statement

The Mission of Phoenix Academy of Excellence is to promote and nurture positive personal and academic change in at-risk and underperforming students in grades 6-8 and place them on a path toward educational and life-long success.

Admission Information

A. Enrollment

1. Complete an PAOE application online or in-person at the school.
2. To complete your enrollment application, you will also be required to submit copies of your Birth Certificate, a monthly utility bill, lease, or mortgage statement. A photo ID is also required.
3. Once you have submitted your enrollment application and required documentation, you will be scheduled for an appointment. An orientation will also be conducted.
4. If enrollment exceeds capacity, Phoenix Academy of Excellence will perform a random lottery to determine what students are enrolled and what students are placed on a waiting list (in order of their selection). Any students that inquire about enrollment after the lottery is held will be placed on the waiting list on a first come, first serve basis. Admission preferences may only be given to existing students and siblings of existing students.

B. Fees

There is no tuition at the Phoenix Academy of Excellence.

C. Non-Discrimination Policy

Enrollment will not be denied to any eligible applicant based on sex, race, religion, national origin, ancestry, pregnancy, marital/parental status, sexual orientation, physical, mental, emotional, or learning disability. The school will also not discriminate in its pupil admissions policies or practices whether because of intellectual or athletic ability, measures of achievement or aptitude, or any other basis that would be illegal if used by any public school.

D. Student Immunizations

All new students are required to submit a copy of their Immunization Records, within the first 14 days that they are enrolled. Students attending school are in violation of Florida law if:

- A student's immunization record is not on file
- The student still needs their initial Measles, Mumps, or Rubella (MMR) vaccine
- The student still needs their initial dose of DTaP vaccine
- The student still needs their initial dose of Poliovaccine

If a student's Immunization Records have not been received by the school by the 15th day of enrollment/attendance, the student will be released from the district/school and will not be able

to attend until they can produce updated medical records from their last school of attendance or primary physician or until they can prove that they have begun the Immunization process and have received at least one dose of DTaP/DPT/DT, MMR, Polio and Hepatitis B. A student who has been released for not submitting a copy of their Immunization Records will be counted as an unexcused absence while the student is not attending school.

If a student has received at least one dose of DTaP/DPT/DT, MMR, Polio and Hepatitis B, s/he may remain in school. However, she/he must complete the series as soon as the scheduled intervals between doses permits. Any student with partial immunizations has until the end of the school year to complete their immunization vaccines.

For a student, grades 6-8, required doses include:

- 4 DPT, DTaP, or DT (Pediatric)
- 3 Polio Vaccine
- 2 MMR Vaccine
- 3 Hepatitis B Vaccine

All students must receive required vaccines to attend school. Parents/Guardians may obtain immunization resources by contacting The Children's Trust Hotline at 211 or the Florida Department of Health in Miami-Dade County at 786-845-0550.

E. Re-enrollment

Students who were withdrawn from Phoenix Academy of Excellence and were in the process of registering at another MDCPS school, the registrar (or staff member with access) of the receiving school should verify the required information over the phone and proceed to register the student in DSIS. All forms required for registration can be obtained online at attendanceservices.dadeschools.net or Forms Management. As needed, parents/guardians should be instructed to email or fax any forms needed to further verify the information shared during the phone conversation. However, the fact that a parent/guardian is unable to email or fax a form should not deter school site staff from registering a student.

F. Annually Required Documents

At the beginning of each academic year (August), the school must distribute and collect the following forms and documents from all students who have rolled over from the previous school year:

- Current school year Board-approved Parent/Student Handbook (no collection necessary)
- Current school year Board-approved School Calendar (no collection necessary)
- Emergency Medical Authorization – must be completed, signed by the parent or student, and collected.
- Free and Reduced Lunch Form (if applicable).
- Any additional documents required by the District and/or State or for a school completed registration/enrollment/cumulative folder.

G. Change of Address/Phone Number

It is the student's/parent's responsibility to inform Phoenix Academy of Excellence of any change of address or phone number. Any other relevant information must also be updated upon change.

H. Non-Sectarian School

Phoenix Academy of Excellence is a public, tuition-free, non-sectarian school.

Student Responsibilities

A. Code of Conduct

Phoenix Academy of Excellence recognizes that a positive learning environment cannot occur without maintaining order and discipline conducive to learning. The school has adopted the District Code of Student Conduct which is intended to standardize procedures to guarantee the rights of every student.

Students at Phoenix Academy of Excellence are required to review and become familiar with the District Code of Student Conduct and the school discipline plan. When students do not follow the behavioral expectations, they are expected to accept the consequences. The student's attitude toward the rules of the school is very important.

Corporal punishment is not permitted. No employee should threaten, inflict, or cause to inflict unreasonable, irrational, or inappropriate force upon a student. Good sense and judgment should always prevail.

The rules of the Code of Student Conduct apply to any conduct that occurs:

1. On school grounds during the school day or immediately before or after school hours.
2. On school grounds at any other time when the school is being used by a school group.
3. On or off school grounds at any school activity, function, or event.
4. Traveling to and from school, including actions on any school or public conveyance.

The following behaviors are considered OFFENSES at Phoenix Academy of Excellence and will result in corrective action, up to and including a suspension, or expulsion. According to Code of Student Conduct, the principal or designee must select at least one of the following strategies from PLANS. Principals may authorize the use of PLANS for serious or habitual infractions:

1. **Truancy** – habitual absence without permission from the school.
2. **Disruption** – interfering with school policies or classroom routine.

3. **Cellular Phone Usage** – See Wireless Communication Device Policy.
4. **Cheating** – copying someone else’s work or in any way trying to take credit for work not done by the student himself/herself.
5. **Profane Language** – use of profane or unacceptable language.
6. **Sexual Misconduct** – including, but not limited to improper public display of affection (PDA) in the school building or at any school related activity including but not limited to kissing, touching, etc. The prominent display of “hickies” or “passion marks” is prohibited.
7. **Smoking** – smoking in the school building and on school grounds is strictly prohibited.
8. **Sleeping** – activity which results in student non-performance.
9. **Disobedience to the lawful instructions of a staff member**– disobeying the lawful instructions of the principal, teacher, or other staff member.
10. **Out-of-Bounds** – being in any part of the building or grounds including bathrooms, parking lot, classrooms, or offices unless specifically scheduled to be there or unless he/she has received permission from an appropriate authority. If a student is in an area of the building without permission, other than classroom, it is grounds for removal from the school.
11. **Non-completion of assigned activities** – failure to complete academic work.
12. **Failure to provide name or identification to school employees** –refusal to provide staff with their name identification, or other necessary information including, but not limited to current phone number, address, etc.
13. **Theft** – taking the property of another without right or permission
14. **Fighting or violence** – participating in physical contact and/or verbal abuse with one or more students.
15. **Vandalism** – purposeful destruction of school or student property.
16. **Gang Activities** – participating in gang activities.
17. **False fire and/or bomb alarm** – willful intent to cause panic by submitting false information.
18. **Arson or attempted arson** – setting fire or attempting to set fire to any school or building property.
19. **Use/possession/concealment/sale/transmission of any drug, alcoholic beverage, or other illegal, or controlled substance.**
20. **Use/possession/concealment/sale/transmission of any dangerous or illegal instruments including but not limited to weapons, fireworks, etc.**
21. **Wrongful conduct** – actions that impede, obstruct, interfere with, or violate the Center’s mission, philosophy, and regulations.
22. **Destruction and or intentional harm to person or property.**
23. **Sexual harassment, misconduct, and or improper language or inappropriate touching.**
24. **Disrespect of the rights of others or other’s property** – willful destruction or rudeness towards others (staff or students).
25. **Conduct which endangers themselves or others** – any form of physical contact which jeopardizes others including but not limited to horseplay and throwing objects.
26. **Harassment, Intimidation, or Bullying** – behavior whether in the classroom, on school property, to and from school, or at school-sponsored events, is expressly forbidden.

27. **Unauthorized websites and misuse of Internet** –Student’s misuse or actions related to the Internet may lead to the loss of his/her privileges and/or disciplinary action (See Internet Safety Policy).
28. **Any other behaviors that the principal or teacher deems as offenses that will result in corrective action.**

B. Dress Code & General Guidelines

1. No hats, caps, headscarves sunglasses, bandanas, skate sneakers, jackets with hoods; camouflage, gang, alcohol, or drug paraphernalia/symbols/clothing are allowed in the school. (The only exception is for religious purposes.)
2. Each student must maintain a neat, clean, professional appearance all times.
3. Pants must be worn at waistline; belt must be worn. Any student found in violation will be required to be **picked up by their parent/guardian and/or items will be confiscated and only returned to the parent/guardian.**
4. Shirts must be tucked into pants.
5. The principal may make exceptions to the dress code based on physical disability or other conditions.
6. Students not conforming to the Dress Code will not be admitted to school, will be sent home, and will be deemed absent.
7. It is important to speak to your child to reinforce the importance of adhering to the school dress code policy and we appreciate your assistance with compliance.

All students who attend Phoenix Academy of Excellence– Miami Dade must adhere to the dress code policy as stated.

C. Attendance Policy

All students must strive to maintain a 100% attendance rate while enrolled at Phoenix Academy of Excellence.

If the student needs to miss school, the parent/guardian (if student is under 18) must call the school **on the day of the absence** and a written excuse must be brought to school upon the student’s return. Unexcused absences will reduce the student’s overall attendance percentage.

EXCUSED ABSENCES

Excused absences require **written documentation** such as a doctor's note, verification from the court or employer, or any other documentation as stated below. All students are required to submit written documentation regarding excused absences to Phoenix Academy of Excellence on the first day they return to school. An excused absence or tardy will be granted if the student is not in school for the following reasons:

1. Medical appointment

- With appropriate written documentation
- 2. Under a doctor's care
 - With appropriate written documentation
- 3. Automotive
 - With appropriate tow truck or repair shop receipt
- 4. Scheduled road test for a driver's license
 - With appropriate written documentation
- 5. Employment (which cannot be conducted outside of school hours)
 - With appropriate written documentation from employer
 - Will be verified by Phoenix Academy of Excellence
 - Must conflict with school hours
- 6. Death of an immediate family member
 - With appropriate written documentation
 - Will be verified by Phoenix Academy of Excellence
- 7. Personal Illness
 - With appropriate written documentation
 - Will be verified by Phoenix Academy of Excellence
- 8. Court appointment
 - With appropriate written documentation
- 9. Other appointments which cannot be scheduled outside of school hours (case workers, probation officer, signing a lease)
 - With appropriate written documentation
 - Will be verified by Phoenix Academy of Excellence
- 10. Other absences as deemed appropriate by the principal

Any prolonged absence due to illness or other documented reason will also be excused. Excused absences with documentation, such as a doctor's note or verification from the court, can still count against a student's average attendance percentage.

UNEXCUSED ABSENCES

Unexcused absences include the following:

1. Any absence that is not excused.
2. Any absence where a student fails to provide appropriate written documentation of the absence (Students should have written documentation for absences in-hand on the first day that they return to school.)
3. Leaving school early without proper authorization.

D. Truancy Policy

The school will act according to any federal, state, county and/or local laws or rules for any student who is deemed as truant.

E. Tardy Policy

1. Students are required to arrive to school on time. Students arriving after the start of school **must be accompanied by a parent/guardian.**
2. Students who are tardy more than three (3) times within any one month may be subject to disciplinary action.

The principal will handle all special circumstances on a case-by-case basis.

F. Suspension & Expulsion Procedures

Rules of suspension and expulsion follow due process requirements as mandated by the district in which the school operates.

Suspension

1. The Principal or the Principal's designee (i.e., Dean of Discipline) may suspend students.
2. No suspension shall exceed ten (10) schooldays. *
3. The Principal or Principal's designee must give verbal or written notice of the intention to suspend and the reason to the student.
4. The student shall be given the right to appear at an informal hearing before the principal or school attendance committee and has the right to challenge the reason for the intended suspension or otherwise explain. This informal hearing can take place within three (3) days, if practicable, immediately following the infraction.
5. A verbal notice and/or written notice of suspension shall be given or sent within one calendar day of the anticipated suspension to the parent/guardian if the student is under the age of 18. The notice shall contain the reasons for the suspension and the right of the student to appeal to the Principal or Board of Directors.
6. Any student suspended under the age of 18 must have a Student/Parent/Administrative Staff meeting prior to returning to school.
7. A parent/guardian has the right to appeal the suspension, which must be submitted, in writing, to the principal within fourteen (14) school days of the written notice of suspension. The principal shall immediately forward this written appeal to Phoenix Academy of Excellence's appeal hearing designee.

**Rule 6A-6.03312, Florida Administrative Code, Discipline Procedures for Students with Disabilities states that students may not be removed from the school for more than 10 consecutive school days for any violation of school rules, unless his behavior is a manifestation of his disability.*

Expulsion

1. The principal may recommend expulsion to the school district.
2. Expulsion is the removal of a student from school for the remainder of the year plus

- one additional year.
3. The principal shall provide the student and the parent/guardian written notice of the recommendation for expulsion. The written notice shall include reasons for the intended expulsion.
 4. The principal will abide by all school district policies regarding expulsion.
 5. All expulsion proceedings will be handled by the school district.
 6. The time frame for expulsion will be determined by the school district.

G. Emergency Outdoor Suspension

The school Principal may perform an emergency outdoor suspension of a student from curricular or extracurricular activities or from the grounds if the student's presence poses a threat and/or danger to any person or property, or if the student's presence poses an on-going disruption to the educational process. This outdoor suspension may be done without immediate notice or hearing.

Any student removed will be given written notice and provided with a hearing within three (3) school days after the removal as defined in the Suspension section of this Handbook. If it is probable that the student is going to be expelled, the procedures outlined in the Expulsion section of this Handbook will be followed.

H. Withdrawal Policies and Procedures

Voluntary Withdrawals

If a parent wishes to withdraw their student from Phoenix Academy of Excellence, they must complete and sign a Withdrawal form.

I. Parent & Student Surveys

Parents and students may be asked to complete a Parent & Student Satisfaction Survey as well as any other school surveys deemed appropriate by the school's Principal.

J. Wireless Communication Devices

Wireless communication devices include two-way communication devices, such as cellular phones, mobile phones, MP3 players, smartwatches, electronic games, beepers, pagers, portable computers, personal organizers, and similar wireless devices. Possessing a wireless communication device is not a violation of the Code of Student Conduct. However, a student should not disrupt the educational process or interfere with the safety-to-life issues of students by using a wireless communication device. The following rules must be followed regarding the possession, use, and display of wireless communication devices:

1. Students may possess, display, and use wireless communication devices before or after the instructional day.
2. Students shall avoid classroom disruptions, by not displaying, using, or activating wireless communication devices during the instructional day. This includes during

class, in the library, during lunch breaks, during class changes and during any other structured activity.

3. Students must ensure that devices are turned off during the instructional day.
4. Students shall not use wireless communication devices while being transported on a school bus.
5. Students must conceal wireless communication devices in a backpack, pocket, purse, or other container during the instructional day.
6. The school is not responsible if a student's wireless communication device is lost or stolen.

The sole possession of a cellular telephone or wireless communication device is not a violation of the Code of Student Conduct. However, the possession of a cellular telephone or wireless communication device that disrupts the educational process, the use of the cellular telephone or wireless communication device during school hours, use of a cellular phone or wireless communication device to commit a crime, and the possession or use of a cellular telephone or wireless communication device that disrupts or interferes with the safety-to-life issue for students being transported on a school bus, are infractions of the Code of Student Conduct.

Administration

A. Student Records Policy

Phoenix Academy of Excellence will allow access to records in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 as pertaining to release of records. In compliance with FERPA, parents have the right to inspect student records. Parents are required to submit their request to inspect student records in writing to the principal to allow him/her to schedule a reasonable and appropriate time and date for the parent to review the record. Records will be provided for parental inspection only under the direct supervision of Principal or his/her designee. Phoenix Academy of Excellence must comply with the parent's request for inspection within forty-five (45) days. Copies of records only will be provided as required under FERPA.

Parents have the right to request corrections to student records. Requests for corrections must be submitted in writing to the principal in a letter that includes the basis for such correction. Parents have the right to a response to reasonable requests for explanations and interpretations of the records. Parents also have a right to obtain copies of the records or make other arrangements where circumstances would effectively prevent the parent or student from exercising the right to inspect.

Parents and students 18 years or older (or a former student 18 years or older) have the right to request a school to amend information contained in the student's records that is deemed inaccurate, misleading, or violation of the student's privacy or other rights.

1. Parents and students 18 years and older must submit requests for correction in writing to the principal in a letter that includes the basis for such correction.
2. The principal must respond to the request in writing or in person within fourteen (14)

- days of receipt as to whether the school will comply with the request.
3. If the School refuses to amend the record, the school must inform the requesting parent or student and advise him/her of the right to a hearing.
 4. The parent or student can then request a hearing in writing to the President of the Board of Directors.
 5. The President responds to the hearing requests in writing within thirty (30) days.
 6. Hearings will be scheduled for the Board meeting that immediately follows the date of the President's response and the requesting parent or student must be given notice of the date, place, and time of the hearing.
 7. Regardless of the decision whether to change the record, the decision must be put in writing and must include a summary of the evidence presented and reasons for decision.
 8. If the School determines that the record in question should be amended, the school must do so and notify the parent or student in writing.
 9. If the School determines that the record in question should not be amended, the school must inform the parent or student of the right to place in the student's records a statement commenting upon the challenged information and/or setting forth any reasons for disagreeing with the school's decision.
 10. Parents have the right to file a complaint with the Department of Education if they think the school is not complying with the federal laws or regulations regarding student records.

B. Non-Custodial Parent Records Access and Release

Phoenix Academy of Excellence will only give access to or release records to parents who have a legal right to the records of their child. If a parent has ever been to court for custody, those court documents must be on file with the school. Both custodial and non-custodial parents have equal access to the following unless there is a court order to the contrary:

1. Cumulative file (including the Enrollment file, Academic file, and Title One file)
2. Health records
3. Psychological records
4. Parent conferences and lab observations

Only the custodial parent can have access to Due Process where the child is classified as being handicapped and only the custodial parent can make decisions about the child.

The stepparent does not have access to the stepchild's records unless the stepparent has adopted the child, the natural parent has given power of attorney, or the natural parent himself/herself shows the record to the stepparent.

D. Student Directory Information

It is the policy of Phoenix Academy of Excellence not to release any personal information such as names, home address, and phone numbers or any directory information, as that term is defined by Florida and Federal law, to outside agencies or requesting parties without the

direct written consent of the parent or guardian or as otherwise required by law, such as military recruiters, etc. unless a parent/guardian or adult student permits the distribution of any personal information, the School will not release the information.

Directory Information consists of:

- Student's Name
- Student's Address
- Student's Telephone Number
- Student's Date of Birth
- Dates of Attendance
- Date of Graduation
- Scholarships Received
- Awards and Honors Received
- Participation in Officially Recognized Activities and Sports

E. Audio-Visual Information

Phoenix Academy of Excellence recognizes the value of audio-visual and other types of electronic communication in providing our students with an effective education. In communicating our school-related activities, opportunities exist to photograph and /or videotape students and their work in a variety of activities. However, individual student records (academic, behavioral) will not be disclosed. Communications may include Phoenix Academy of Excellence newsletters, local newspapers, community access cable channel, school-sponsored web pages, marketing materials and other publications. Highlighting the achievements and celebrating student successes in our schools is an integral part of the reporting responsibility to the community.

However, we will respect your wish for privacy in this area. Please call the school, should you have any questions or concerns. You may also notify the school in writing if you prefer that we do not use your student's name, picture and/or work product for presentations or other uses.

F. Child Find

Phoenix Academy of Excellence is participating to assist the State of Florida in identifying, locating, and evaluating all children who may have disabilities that may be hindering their ability to receive FAPE (Free and Appropriate Public Education).

School districts across the state of Florida are also participating in this effort to identify disabilities such as hearing impairments, visual impairments, speech or language impairments, specific learning disabilities, emotional disturbances, multiple disabilities, cognitive impairments, physical impairments, autism, traumatic brain injury, and other health impairments.

We are committed to affording all children their right to a free and appropriate education, regardless of any disability a child may have. However, to accomplish this, we must know that a need is present. Phoenix Academy of Excellence is interested in meeting the needs of

children with disabilities.

If you know a child who may have disabilities, contact the Center for more information.

G. Parent's Right to Know Teacher Qualifications

The Center will annually notify parents of their right to request the following regarding their child's teacher(s):

Licensure and certification information
Emergency or provisional status educational background
Qualifications of Instructional Aides (if applicable)

H. Parent Involvement Policy

The Phoenix Academy of Excellence seeks to foster and enhance parent-involvement in the school. The goal of Phoenix Academy of Excellence is to involve parents in their children's learning and to form an open line of communication between school and home. This will be accomplished through the following policies:

1. Information. Parents are informed about school activities and events through interim progress reports, report cards, and notes sent home, parent newsletters, parent/teacher conferences and informal personal and telephone conferences.
2. Open Door Policy. Parents are invited to come to the school to observe the education of their children on any day with prior notification and administrative approval. The school may limit public access in accordance with reasonable regulations set by the school. All parents will be required to follow sign in procedures, classroom observation requests, and authorization to access to different areas on campus. Photographs cannot be from being taken on premises, particularly of students, without prior authorization.
3. Volunteer Program. All parents are invited to volunteer in the school on any given day of the week with prior notification.
4. Curriculum. We provide a rigorous, quality curriculum to enable our students to meet high standards and prepare for the Florida Standards Assessment (FSA) and other standardized or progress monitoring assessments. We share these results with parents and provide an explanation of the results with parents during the school year.

I. Test Security Policy

So that the measurement accuracy of our students' achievement is not compromised, test security for all tests is of extreme importance. Accordingly, security measures are to be followed, as set forth below.

The Test Coordinator is responsible for all test security during the entire time such tests are in

their possession (from the moment materials are received by the school until after the testing is completed and they are shipped back to the appropriate provider).

1. The principal is responsible for designating a Test Coordinator for the school site and that individual will serve as the contact person for all testing programs. The testing coordinator will conduct pre-testing workshops for all testing Administrators and Proctors to administer the spring and fall testing programs in accordance with the Test Manual/ Handbook prepared and distributed by the Department of Education.
2. The Test Coordinator is responsible for all correspondence/materials received concerning all formal tests. This will be monitored by the principal or designee.
3. Upon receipt at the School, the Test Coordinator shall be the only person to open all test boxes and ensure accurate inventory of test materials.
4. It shall be the Test Coordinator's responsibility to check received tests to ensure they are correct in number and form.
5. At no time shall any test materials be left unattended or unsecured.
6. All testing materials shall be secured in a dedicated, locked storage cabinet that is only accessible to the Test Coordinator, Principal, or a designee. Except when tests are being distributed, used, and/or collected, they are always to remain secured or attended.
7. The Test Coordinator shall develop a list of all persons designated as Test Administrators and Proctors, and the number of tests copies each Test Administrator and Proctor is to be given.
8. For each testing location and session, the Test Administrators and Proctors shall develop, monitor, and implement a sign in/out system, which shall include, where applicable, the code numbers of each test distributed, as well as the signature of the person taking/returning the tests.
9. All Test Coordinators and Proctors shall abide by the test publishers designed testing procedures and will not participate in the reproduction of any tests or procedures or distribute such materials to any person other than the appropriate person(s) at the time of testing.
10. Each Test Coordinator and Proctor is responsible for ensuring that all test security provisions are met while each test administration session is in progress. He / She must account for all test materials received from the principal. Each day at the end of the testing session, each Test Coordinator will return all test materials to a secured location.
11. Only the Principal or authorized personnel may be present in the testing room while the tests are being administered.
12. Any suspected test security violations, including, but not limited to cheating or missing test materials, shall be reported to the principal immediately upon discovery.
13. Within ten (10) school days of the conclusion of the principal's investigation of a possible violation, he/she shall notify the proper authorities at the Department of Education if a violation has, in fact, been found or remains unresolved.
14. If circumstances warrant that the Department of Education needs to assign an investigator to hold a hearing regarding any alleged breach, a school representative shall be present at all such hearings. It is imperative that all employees shall testify honestly and openly.
15. If the result of the investigation reveals cheating or wrongdoing by a staff member, it shall be grounds for termination.

16. In addition to the above policy guidelines, all Department of Education guidelines for test security shall be followed.

J. Wellness Policy

With the passing of the Child Nutrition and Women, Infants, and Children WIC Reauthorization Act of 2004 by Congress, the school recognizes the role it can play in building nutrition knowledge and skills in children to promote healthy eating and physical activity choices. This law requires local education agencies participating in a program authorized by the National School Lunch Act or the Child Nutrition Act of 1966 to develop a local wellness policy. The objectives of the wellness policy are to improve the school nutrition environment, promote student health, and reduce childhood obesity.

The main goal of nutrition education is to influence students' eating behaviors. Healthy eating patterns are essential for students to achieve their full academic potential, full physical and mental growth and lifelong health and well-being. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases. Schools and school communities have a responsibility to help students acquire the knowledge and skills necessary to establish and maintain lifelong healthy eating patterns.

The purpose of this policy is to ensure a total school environment that promotes and supports student health and wellness, helps to reduce childhood obesity, and meets the requirements of the Child Nutrition and Women, Infants and Children WIC Reauthorization Act of 2004. These requirements include, but are not limited to the following:

1. Goals for nutrition education, physical activity and other school-based activities designed to promote student wellness.
2. Nutrition guidelines for all foods available during the school day.
3. A plan for measuring implementation including designating one or more persons charged with operational responsibility; and
4. Involving parents, students, school food service providers if available, school administration, and the public in developing a wellness program.

K. Medication Administration

No medication will be administered by the staff at the school including asthma inhalers.

However, pursuant to the F.S. 1002.20(3)(h) students are permitted to possess and use a metered dose or dry powder Asthma Inhaler to alleviate or prevent asthmatic symptoms. In addition, F.S. 1002.20(3)(i) permits a student to carry and use an epinephrine auto injector to treat anaphylaxis (an intense allergic reaction) aka epi-pen.

To carry either an inhaler or an auto-injector, written approval must be obtained from the student's physician, and, if the student is a minor, from the student's parent or legal guardian.

The physician's written approval must include the following information:

1. The name and address of the student.
2. The school in which the student is enrolled.
3. The name and dose of the medication contained in the inhaler or auto injector.
4. The name of the medication and the dosage to be administered.
5. The times or intervals at which each dosage of the medication is to be administered.
6. The date the administration of the medication is to begin.
7. The date the administration of the medication is to cease (if applicable).
8. Acknowledgement that the prescriber has determined that the student can possess and using the auto injector appropriately and has provided the student with training in the proper use of the auto injector.
9. Any severe adverse reactions that should be reported to the prescriber and one or more phone numbers at which the prescriber can be reached in an emergency.
10. Special instructions for administration of the medication by the student.
11. Instructions outlining procedures to follow if the medication does not provide adequate relief.
12. A list of adverse reactions that may occur to a child for whom the medication was not intended who uses the medication; and
13. And any other special instructions.

Phoenix Academy of Excellence must have the above stated documentation provided by the physician and parent or guardian, if the student is a minor, in order to allow a student to use an asthma inhaler or epinephrine auto injector or any other necessary self-administered medication.

A school employee will request assistance from an emergency medical service provider whenever a student is administered epinephrine at a public school or at an activity, event, or program sponsored by the school or in which the school is a participant. This request for medical assistance applies whether the student self-administers the medication, or a school employee administers it to the student.

L. Complaint Policy and Procedure

The Board of Directors (“Board”) and “Phoenix Academy of Excellence” believe that complaints from parents or other members of the community should be addressed thoroughly and completely. The people involved should treat one another with the highest level of respect and dignity. Complaints are best resolved where the issue originated, typically with the teacher.

Initially, complaints shall be addressed formally or informally with the school. Complaints must be made in a civil/respectful manner if to be considered by school personnel. Where appropriate, the complaint should be in writing on a form developed by the principal and should contain a statement of the facts and the specific outcome desired by the parent/guardian or other person making the complaint (“Complainant”). The Complainant may sign the complaint and should be given a copy. The teacher should work with the Complainant to resolve the issue in a timely, professional, and courteous manner. The efforts used to resolve the complaint and the outcome should be noted on the form. Allegations involving illegalities

should be reported immediately to the principal, who will advise “Phoenix Academy of Excellence” Designated Representative, their counsel, and the Board’s legal counsel.

Complaints unresolved through a parent/teacher communication or complaints involving teachers or staff members should be in writing as noted in above and directed to the principal. The principal shall investigate and attempt to resolve the issue in a fair and timely manner. The outcome should be noted on the form and further documented by letter or email as appropriate under the circumstances. If the Principal cannot resolve the issue, the complaint (with documented history or preceding steps) is forwarded in written form to the School Designated Representative.

The Phoenix Academy of Excellence’s Designated Representative shall conduct an independent investigation by contacting appropriate persons involved. The outcome of the investigation should be noted on the form and further documented by letter or email as appropriate under the circumstances. If the Phoenix Academy of Excellence’s Designated Representative cannot resolve the issue, the complaint (with documented history of preceding steps) shall be forwarded to the Sponsor Representative assigned to the school and the Board’s attorney. The Sponsor Representative shall investigate by contacting all parties involved and report the results to the Board, Phoenix Academy of Excellence, and the Sponsor. The Board shall inform the Complainant, and any other necessary parties about the results of its investigation. The Complainant may address the Board during the Public Comment period at a Board meeting. Where appropriate, it should also be slated as an item for report on the Board’s next meeting agenda and handled in accordance with all confidentiality restrictions.

The resolution of any complaint reaching the Board shall be filed as part of the Board’s records.

Complaints received directly by the Board, the Sponsor or the District shall be handled in accordance with the Board’s Complaint Policy and Procedure and should go through steps 1 and 2 when possible. Upon receipt of a Complaint, the Sponsor shall forward it to the principal to address the Complaint at the local level first. Upon receipt of a complaint from the Sponsor, the Principal shall forward a copy of this Complaint Policy and Procedure to the Complainant and request that the Complainant complete the designated Complaint form. The Sponsor shall facilitate the complaint by:

Directing the complaint to the appropriate school official first.

Notifying the appropriate Phoenix Academy of Excellence Designated Representative of the complaint; Investigating the complaint if warranted or if requested by school officials; and reporting the resolution of the complaint to the Sponsor so that the complaint may be tracked and closed.

Upon closure of a complaint, the principal will issue a letter to the Complainant of one of the following:

- Compliance – (findings were unsubstantiated, and school has complied); or
- Non-Compliance – (Noting the areas of non-compliance, recommending possible

changes/technical assistance and statement that the school will respond to complainant with a corrective action(s) plan letter)

All documentation of the complaint, findings and any corrective action(s) plan will be placed in the appropriately marked complaint file for closure.

PHOENIX ACADEMY OF EXCELLENCE PARENT/STUDENT COMPLAINT FORM

- A School complaint must be signed by the complainant (faxed or e-mail signatures will not be accepted). The individual filing the complaint must forward a copy of the complaint to the school.
- A School complaint must include:
 - A statement that Phoenix Academy of Excellence has violated a requirement or State law/regulation related to students with disabilities.
 - Facts on which the statement is based.
 - Contact information of the person filing the complaint.
 - Alleging violations with respect to a specific student, include:
 - Name and address of the student.
 - Case of a homeless student or youth, available contact information for the child
 - Description of the nature of the problem of the student (the concerns that led you to file the complaint), including the facts relating to the problem; and
 - Proposed/sought resolution of the problem to the extent known and available at the time the person is filing the complaint.
- The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received.
- The school will give the procedural safeguards notice to persons in parental relation to student's parent at the beginning of each school year.
- The parent, individual or organization filing the complaint could submit additional information, either orally or in writing, about the allegations in the school complaint.
- The Staff Member can respond to the school complaint, including, at a minimum: (a) a proposal to resolve the complaint and (b) an opportunity for the school/staff and the parent who filed the complaint to voluntarily engage in mediation.
- Within 30 calendar days after a complaint is filed (received), the school will issue a written decision to the complainant that addresses each allegation in the complaint and contains findings of fact and conclusions and the reasons for the final decision. The school will include, if needed, procedures for effective implementation of its final decision, including technical assistance, negotiations, and corrective actions to achieve compliance.

To file a formal complaint, please fill out this form completely and hand delivery or send U.S.

mail to the principal. All complaints will be heard in accordance with the governing board Complaint Policy.



Complaint Contact Information (Complainant)

Name of Person/Organization filing the complaint:	Date:
Relationship to the Student/School-Check One:	
<input type="checkbox"/> Parent or Person in Parental Relationship <input type="checkbox"/> Surrogate Parent <input type="checkbox"/> Parent's Attorney <input type="checkbox"/> School District/State Agency Representative <input type="checkbox"/> Other _____	
Mailing Address of Complainant:	Telephone: _____ Day: _____ Work: _____
What is the best time to contact you (the complainant) and at what phone number?	

Student's Name:	
Address of Student's Residence (if any):	
Name and Address of the School the Student Attends:	

Additional Contact Information for Homeless Student or Youth (if available):

Parent's Name (if different):

Parent's Address (if different):

Nature of Complaint (summary):

This form must be signed, or it cannot be processed and will be returned for signature.

Complainant (Please Print):

Complainant (Please Sign):

Have you sent a copy of this complaint to the principal of the school district or public agency that you are alleging violated special education law or regulation? Yes No

Complaint Information

If you have more than one complaint issue, please complete a separate page for each alleged violation of law or regulation relating to the education of students with disabilities.

Allegation Information

Provide a statement of how you believe the school district or public agency has violated Part B of IDEA or a State law or regulation relating to the education of students with disabilities. You do not need to know specifically what law or regulation might have been violated. Attach additional pages if necessary. (The complaint must allege a violation that occurred not more than one year prior to the date that the State complaint is received.)

What are the facts upon which the above allegation statement is based?

If you are alleging a violation with respect to a specific student:

1. Describe how the alleged violation affected the student and include facts to support this allegation.

2. If you have a proposed resolution for an allegation regarding a violation with respect to a specific student, describe what you believe should occur to correct the problem or how the district could resolve the alleged violation. Attach additional pages if necessary.

This issue is currently/or has been addressed in a due process impartial hearing. Yes No

School Contact: Lalalei Kelly, Conflict Resolution Designee- 786.865.1346.

School Facilities

A. Hours of Operation and School Address

Phoenix Academy of Excellence hours of operation are **8:00 a.m. 3:20 p.m. Monday – Friday**. If you need to contact the school after hours, voice mail is available. The hours of operation may vary based on the needs in each community. The address is: 13301 NW 24th Ave., Miami, Fl. 33167. The phone number is 786.391.3652.

B. Smoking and Eating

The law prohibits smoking in the building or on the grounds of Phoenix Academy of Excellence. Food and beverages are allowed in the cafeteria and or PE field only. Vending machines or snacks are also available for student use during assigned passing time, and after school.

C. Parking

If you drive, you may park only in the area designated for students.

D. Transportation

The school does provide transportation and is easily accessible by various city public bus services. **The school may provide transportation to students who live more than two (2) miles from the school and satisfy the attendance and academic requirements.**

E. Visitors

Phoenix Academy of Excellence is a closed campus school. If an emergency arises the student will sign out and if need be, the party picking up the student will also sign with information as required by the school. All students must and will be accounted for while on campus (See school safety plan).

Parents, graduates, and other visitors are always welcome with advanced notice and approval of Phoenix Academy of Excellence office. Exceptions to the advanced notice and approval are made in the event of an emergency. No children are permitted in the classroom at any time. If children would like to visit the school, an appointment for a tour must be scheduled with the main office.

All visitors are required to report to the school office prior to their visit and may be escorted while in the building. All visitors must sign in upon arrival and sign out before leaving the building and must wear a visitor's pass while in the building. Visitors will need to have a valid picture ID or Driver's License upon signing in; this information may be input into the national sexual predator database system for safety and security of our students based on the Jessica

Lunsford Act.

Visitors must pre-arrange any meetings or visits with teachers or Administrators prior to entering the building. Visits should be limited to 1/2 hour unless other arrangements have been made for an extended period.

Parents are asked not to attempt a parent teacher conference while students are in the classroom.

F. Emergency Phone Calls

Students may give the school's phone number to relatives for emergency purposes only. The main office will take a message and forward it to a student as soon as possible. NO phone calls shall be made from the main office.

G. School Closure Policy

Should it be necessary to close Phoenix Academy of Excellence due to weather or other unforeseen emergencies, information will be given over radio and television stations. Students are asked not to call the school (See the school safety plan).

Safety

A. Fire Alarm

When the fire bell rings, exit the building through the nearest exit in an orderly fashion according to instructions given by the attending adults. Instructions are also posted in each classroom.

B. Reporting Injuries

If a student is injured at Phoenix Academy of Excellence, he/she must immediately report the injury to a teacher or Administrator. The main office will complete a copy of the injury report.

C. Drug-Free School

In accordance with Federal Law, Phoenix Academy of Excellence prohibits the use, possession, concealment, or distribution of drugs by a student on school grounds, or in the school building. Drugs include alcoholic beverages, steroids, dangerous controlled substances as defined by State statute, or any substance that could be considered a "look alike." Any student who violates this policy will be subject to disciplinary action, up to and including expulsion from the Phoenix Academy of Excellence.

If a student comes to school under the influence of drugs, he/she shall be sent home for the day and the parent/guardian shall be notified if the student is under the age of 18.

The complaint process in effect ensures that all matters will be investigated and resolved in accordance with the steps outlined in the Board of Director's Complaint Policy and Procedure.

D. Weapon-Free School

Phoenix Academy of Excellence is also a Weapon-Free School. No student at any time, for any reason, shall knowingly possess, handle, transmit, or use any object, which can be reasonably considered a weapon in or on the property of Phoenix Academy of Excellence or at any Phoenix Academy of Excellence sponsored activity held away from school property. Any student who violates this policy will be subject to disciplinary action, up to and including expulsion from Phoenix Academy of Excellence.

The complaint process in effect ensures that all matters will be investigated and resolved in accordance with the steps outlined in the Board of Director's Complaint Policy and Procedure.

E. Gang Activity

Students are prohibited from engaging in gang activities while at School, on school property, to or from school, or at a school related function or event.

F. Lost and Found

Any personal items that have been left at Phoenix Academy of Excellence will be taken to the main office. If students find personal items that belong to others, they should turn the items into the main office as soon as possible. Phoenix Academy of Excellence is not responsible for lost money, jewelry, or other personal items.

G. Backpacks, Desks, and Other Personal Storage Areas

Desks and other storage areas provided to students for their use remain the property of Phoenix Academy of Excellence. Students by State Statute have no expectation of privacy in any storage area assigned to them. No student shall lock or otherwise impede access to any storage area.

Upon authorization of the principal, backpacks, desks, and other personal storage areas may be searched at any time for any reason. The principal may at any time, with reasonable suspicion, call upon the assistance of the local police authorities to conduct a search of backpacks, desks, and other personal storage areas, and the contents contained therein.

H. Cell Phone Policy

Phoenix Academy of Excellence fosters a learning environment that is free from the distraction of personal communication devices including, but not limited to cellular phones, mobile communication devices, smartwatches, tablets, portable music devices, etc. To ensure that students make the most of their time at PAOE, these devices must be surrendered by the student at the beginning of their respective shift. The device will be signed over by the student, placed in an individually numbered bag by the student, and held in the administrative offices under lock and key until the conclusion of the school day. The student will have the mobile device returned to them prior to exiting the building. PAOE maintains a "zero tolerance" policy

as it pertains to students and mobile devices. If a student is seen in possession of a prohibited device, they will incur an automatic 3-day outdoor suspension.

I. Bullying, Harassment and Hazing Policy

Introduction

It is the policy of Phoenix Academy of Excellence (“the school”) that all of its students, administrator(s), educators and staff have an educational setting that is safe, secure and free from bullying, harassment or hazing in any form. The school will not tolerate bullying, harassment and/or hazing of any type. Conduct that constitutes bullying, harassment and/or hazing is prohibited. Students who engage in bullying, harassment and/or hazing are subject to disciplinary action, which may include counseling, suspension, or expulsion from school.

Bullying, harassment and/or hazing are conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. It is important to change the social climate of schools and the social norms regarding bullying, harassment and/or hazing. This requires the efforts of everyone in the school environment - administrators, educators, staff, parents or legal guardians, and students. The purpose of the “Bullying, Harassment and Hazing Policy” (“the policy”) is to assist in the prevention and to respond to acts of bullying, harassment and/or hazing.

This policy applies not only to students, administrator(s), educators, and staff who directly engage in an act of bullying, harassment and/or hazing, but also to students or school administrator(s), educators, and staff who, by their conduct, condone or support another student's act of bullying, harassment and/or hazing.

The misuse of technology to tease, intimidate, defame, threaten, or terrorize a student, administrator, educator, staff, volunteer, or visitor by sending or posting e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs, also may constitute an act of bullying and/or harassment regardless of whether such acts are committed on or off school property and/or with or without the use of school resources.

This policy applies to any student or school administrator, educator or staff whose conduct at any time or in any place constitutes bullying, harassment and/or hazing that interferes with, or obstructs, the mission or operations of the school or the safety or welfare of the student, other students, or administrator(s), educators, or staff subject of the conduct.

Statement of Policy

The school prohibits bullying, harassment and/or hazing of any type directed at a student, administrator, educator, or staff by either a student or a group of students, administrator, educator, staff, volunteer, or visitor. Bullying, harassment and/or hazing are expressly prohibited on school property or at school related functions.

1. No administrator, educator, staff, volunteer, or visitor shall permit, condone, or tolerate

- bullying, harassment and/or hazing.
2. The apparent permission or consent by a student being bullied, harassed, or hazed does not lessen the prohibitions contained in this policy.
 3. Reprisal or retaliation against a victim, an individual who reports the conduct in good faith, or a witness of bullying, harassment and/or hazing is prohibited.
 4. False accusations or reports of bullying, harassment and/or hazing against another student are prohibited.
 5. A person who engages in an act of reprisal or false reporting of bullying, harassment and/or hazing, or permits, condones, or tolerates bullying, harassment and/or hazing shall be subject to discipline for that act in accordance with school policy.
 6. The school will act to investigate all complaints of bullying, harassment and/or hazing and will discipline or take appropriate action against any student, administrator, educator, staff, volunteer, or visitor of the school who is found to have violated this policy.
 7. The submission of a good faith complaint or report of bullying, harassment and/or hazing will not affect the grades or employment of the individual reporting the conduct.

Definitions

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or school administrator(s), educators, or staff. Bullying is ongoing and involves an imbalance of power. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an individual including students, 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; that may involve, but is not limited to:

1. Teasing
2. Social exclusion
3. Threat(s)
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, or racial/ethnic harassment
9. Public humiliation
10. Damage to or destruction of property
11. Placing a student in reasonable fear of harm to his or her person or property
12. Cyber bullying, as defined herein.
13. Cyber-stalking as defined herein.

Course of conduct means a pattern of conduct composed of a series of acts over a period, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct." Such constitutionally protected activity

includes picketing or other organized protests.

Cyber bullying means the use of electronic communication or technology devices, including, but not limited to, email messages, instant messaging, text messaging, cellular telephone communications, internet blogs, social websites (e. g. Instagram, Twitter, Facebook, etc.), internet chat rooms, internet postings, digital pictures or images, and defamatory websites to engage in acts of bullying and/or harassment regardless of whether such acts are committed on or off school property and/or with or without the use of school resources. Cyber bullying includes off-campus conduct, when the off-campus conduct causes, or threatens to cause, a substantial disruption at school or interference with the rights of students to be safe and secure.

Cyber stalking means to engage in a course of conduct to communicate, or to 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.

Harass means to engage in conduct directed at a student, administrator(s), educator, or staff that causes substantial emotional distress in such person and serves no legitimate purpose.

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written or 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; or
3. Has the effect of substantially disrupting the orderly operation of the school.

Hazing means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student enrolled at the school for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of the school. "Hazing" includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

Bullying and Harassment also include:

Any act of retaliation by a student, administrator, educator or staff against another student, administrator, educator, or staff member who alleges, asserts or reports a violation of this

policy or participates in the investigation of a bullying, harassment and/or hazing complaint. A report of an act of bullying, harassment and/or hazing that is not made in good faith is considered retaliation.

Perpetuation of conduct listed in the definition of bullying, harassment and/or hazing by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student, administrator, educator, or staff by:

1. Incitement or coercion.
2. 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 school's system.
3. Acting in a manner that has an effect substantially like the effect of bullying and/or harassment.
4. Cyber stalking as defined herein; or
5. Hazing.

Unwanted harm means conduct directed towards a student about his/her actual or perceived traits or characteristics, including, but not limited to, age, gender, race, creed, national origin, handicap, religion, marital status, sexual orientation, gender expression and/or identity, physical attributes, physical, mental or educational ability or disability, ancestry, socio-economic background, political beliefs, linguistic preferences, or familial status.

Immediately means as soon as reasonably possible but within 24 hours or the next school day.

On school property or at school-related functions means all school buildings, school grounds, and property adjacent to school grounds, bus stops where students enter/exit public transit, public transit buses used by students to travel to and from school, and the grounds where school related functions, school-sponsored activities, events, or trips. School property includes a student's route to or from school by foot travel for purposes of attending school or school related functions, activities, or events. Notwithstanding the school prohibiting bullying, harassment and/or hazing, the school is not responsible for providing supervision, nor does the school or the educational service provider (WHLS of Florida, Inc.), assume any responsibility or liability for the conduct at the referenced locations and/or school related functions, activities, or events.

Expected Conduct on School Property or at School Related Functions

The school expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with proper regard for the rights and welfare of other students, administrator(s), educators and staff and the care of school facilities and equipment. In addition to conducting themselves in an appropriate and professional manner with supervisors, colleagues, and students, the school administrator(s), educators, staff, volunteers, and visitors will treat others with civility and respect, and will refuse to tolerate bullying, harassment and/or hazing. The school finds that bullying, harassment and/or hazing, in an active or passive form, of any student or school administrator, educator or staff, volunteer

or visitor is prohibited:

The school believes that standards for student behavior must be set cooperatively through interaction among the students, parent(s) or legal guardian(s), administrators, educators, staff and community members, to create 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 school property on the part of students, the administrator(s), educators, and staff.

All administrators, educators, and staff will collaborate with students, parents, guardians, and community members to incorporate methods to recognize and promote, through positive reinforcement, good conduct, conformance to reasonable standards of socially acceptable behavior by respecting the person, property, and rights of others, obedience to authority, responsiveness to those who hold that authority, self-discipline, and good citizenship.

Students are encouraged to support other students, refrain from acts of bullying, harassment and/or hazing, and report such acts to the school Principal or his/her designee.

Students are expected to conform to reasonable standards of socially acceptable behavior; respect other persons, property, and rights; obey authority; and respond to the principal, educators, and staff at the school.

Prohibited Conduct

During school and any school related program, function, or activity, bullying, harassment and/or hazing is prohibited.

1. During school and any school-related or school-sponsored program, function, or activity.
2. While on school property as defined by this policy; or
3. Using any electronic device, computer, or computer software that is accessed through a computer, computer system, or computer network of the school. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.

Investigation of Complaints

The school shall investigate any complaint filed or otherwise complained of which, if legally sufficient, would be caused to substantiate a violation(s) of the policy.

When it is alleged that a school administrator(s), educator, or staff has violated this policy, and if the conduct affects the health, safety, or welfare of a student, the school will immediately suspend the administrator(s), educator, or staff from regularly assigned duties, with pay, and reassign the suspended administrator(s), educators, or staff to a position that does not require direct contact with students. Said suspension shall continue until the completion of the investigation and the determination of sanctions, if appropriate.

Consequences for Prohibited Conduct, False Reporting and Reprisal or Retaliation

To determine that conduct constitutes a violation of this policy requires that an investigation be conducted to determine the facts and circumstances of the alleged conduct. The location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action. When an act of bullying, harassment and/or hazing, false reporting, reprisal, or retaliation is committed, the following consequences shall be applicable:

1. Students who commit an act of bullying, harassment and/or hazing shall be disciplined up to and including suspension or expulsion.
2. Administrators, educators, or staff who commit an act shall be disciplined in accordance with the PAOE policies. Additionally, an act of bullying, harassment and/or hazing by certified educators may result in a sanction against an educator's state issued certificate.
3. Parent(s), guardian(s), visitor(s), or volunteer(s) who commit an act of bullying, harassment and/or hazing shall be addressed as determined by the principal.
4. Consequences for a student, administrator, educator, staff, parent, guardian, volunteer, or visitor may include reporting the conduct to a law enforcement agency or the district.
5. The principal is responsible for the imposition of any disciplinary sanction.

Reporting of Prohibited Acts

The school Principal or designee shall be responsible for receiving a complaint alleging violations of this policy.

1. Any person who believes he or she has been subject of bullying, harassment and/or hazing or any person with knowledge or belief of conduct that may constitute bullying, harassment and/or hazing shall report the alleged acts immediately to the school Principal or designee.
2. All educators and staff who receive a report of, observe, or have other knowledge or belief of conduct that may constitute bullying; harassment and/or hazing shall inform the school Principal or designee immediately.
3. The school Principal shall establish and prominently publicize to students, educators, staff, volunteers, visitors, parents, and guardians how a report of bullying, harassment and/or hazing may be filed and how the report will be addressed.
4. A student, parent or guardian, volunteer or visitor may report bullying, harassment, and/or hazing incidents anonymously, on a designated complaint form, or in-person to the school Principal or designee. However, a student may make a report of bullying, harassment and/or hazing to any school employee. The school employee will assist the student in reporting the conduct to the school Principal or designee.
5. The school Principal or designee will develop a procedure for the anonymous filing of a report of bullying, harassment and/or hazing by a student, parent, guardian, volunteer, or visitor. Such formats may include electronic, drop-box, or telephone techniques for reporting, but the chosen format must promote safety and privacy. Although a report may be made anonymously by a student, parent, guardian, volunteer or visitor, formal disciplinary action may not be based solely on an anonymous report. Independent evidence corroborating the anonymous report will be necessary for any disciplinary

- action to be imposed.
6. Any written or oral reporting of an act of bullying, harassment and/or hazing will be considered an official report of said conduct.

Investigation of Complaints

1. The investigation of a reported act of bullying, harassment and/or hazing is deemed to be a school related activity and begins with a report of said conduct.
2. The school Principal or designee will conduct a prompt investigation of the reported incident, but such investigation shall be commenced no later than the following school day. The individual investigating the conduct may not be the accused perpetrator or the individual subject to the conduct. The investigation will be conducted during the subsequent ten (10) school days. The investigation will be completed on or before the tenth school day, unless good cause is present to extend the period for a reasonable time.
3. The investigation will include interviews of the individual subject to the conduct, alleged perpetrator, and witnesses. Interviews will be conducted individually, in private, and will be confidential. Everyone (subject to the conduct), alleged perpetrator, and witnesses will be interviewed separately. At no time will the alleged perpetrator and individual subject to the conduct be interviewed together. The individual conducting the interview will document the interview(s) by preparing a written document to memorialize the interview.

The individual investigating the conduct will collect and evaluate the following, including, but not limited to:

1. Description of conduct, including the nature of the behavior.
2. Context in which the alleged conduct(s) occurred.
3. How often the conduct occurs.
4. Whether there were past incidents or a continuing pattern of behavior.
5. The relationship between the parties involved.
6. The characteristics of parties involved, i.e. age, gender, physical or mental status of the individuals involved, etc.
7. The identity and number of individuals who participated in bullying, harassing and/or hazing behavior.
8. Where the alleged incident(s) occurred.
9. Whether the conduct adversely affected the student, subject of the conduct, education, or educational environment.
10. Whether the student, subject of the conduct, felt or perceived an imbalance of power because of the reported conduct; and
11. The date, time and method in which parents or guardians of all parties involved were contacted.
12. Whether a particular action or conduct constitutes a violation of this policy shall require a determination based on the facts and circumstances. The determination shall include:

13. Recommended remedial steps necessary to stop the bullying, harassing and/or hazing behavior.
14. The individual investigating the conduct will prepare a written report that includes the above referenced information to memorialize the investigation, including the findings; and
15. A written final report by the school Principal will be prepared if the principal did not conduct the investigation.
16. If the school Principal or designee is directly involved with a complaint, either as an alleged perpetrator, witness or victim or has a close relationship with the party involved in the complaint, the school Principal shall excuse himself/herself from the process. In response, the management company will be responsible for conducting the investigation.

Notification to Law Enforcement

The principal may, because of the allegations made, submit the complaint concerning bullying, harassment and/or hazing to a law enforcement agency or the district for investigation.

Notification to Parents or Guardians

The principal or designee shall promptly report to the parent or guardian of a student who has been reported as an individual subject to bullying, harassment and/or hazing, and the custodial parent or guardian of the alleged perpetrator of the act of bullying, harassment and/or hazing. Said notification will occur at the start of an investigation, and may be made by telephone, electronic mail, U.S. mail, or personal conference. All notifications shall be consistent with the student privacy rights.

If the incident results in the perpetrator(s) being charged with a crime, the school Principal or designee shall by telephone, electronic mail, U.S. mail or personal conference, inform the parent or guardian of the student subject of the investigation.

Publication, Training and Education

This policy shall be referenced in the Board Manual Policy and the PAOE Parent/Student Handbook, and other means as determined by the school Principal.

The school may implement programs and other initiatives to prevent bullying, harassment and/or hazing to respond to bullying, harassment and/or hazing in a manner that does not stigmatize the individual subject of the conduct, and to make resources or referrals to resources available to victims of bullying, harassment and/or hazing.

Reporting of Bullying and Harassment

Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline required under Section 1006.09(6), Florida Statutes. The school

Principal or designee will report each incident of bullying and harassment, and the resulting consequences, including discipline and referrals, in the Safety Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data. The report shall also include bullying/harassment as an incident code, as well as the “bullying-related” element code to situations that meet the definition of bullying along with an accompanying behavior, i.e. “Battery, Bullying-related,” as required by state laws.

On-going Reporting to Target's Parents/Guardians

Following an appropriate investigation, the school Principal or designees will report to the parent or guardian of the student subject of the conduct what steps have been taken to protect the student. Follow-up reports will be designed based on the interventions and will continue in a manner that is deemed necessary by the school Principal. Notification will be consistent with the student’s privacy rights.

Privacy and Confidentiality

To the greatest extent possible, all complaints will be treated as confidential and in accordance with Fla. Stat. § 1002.22(3) (d); the Family Educational Rights and Privacy Act ("FERPA"); and any other applicable laws.

Limited disclosure may be necessary to complete a thorough investigation as described above. The school’s obligation to investigate and take corrective action to ensure the health, welfare and safety of the students may supersede an individual's right to privacy.

The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed.

Constitutional Safeguard

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions or debate that is conducted at appropriate times and places during the school day and is protected by federal and state laws).

J. SafeSchoolPolicy

Florida law establishes a zero-tolerance policy concerning crime and victimization on school grounds or at school activities, events, and functions. The goal is to allow students to learn in a safe environment.

In conjunction with the Phoenix Academy of Excellence (“PAOE” or “the school”) rules for a “Drug Free School,” a “Weapons Free School,” the “Administrative Search Policy” and other PAOE policies, the “Safe School Policy” (“the policy”) is established. The policy is adopted to place all students who attend PAOE, as well as and their respective parents and guardians on notice that the school will have “zero-tolerance” for:

1. Crime and substance abuse, including the failure to report delinquent acts and crimes occurring at school and school related activities, events, and functions, whether on school premises or off the premises where the school related activity, event or function is conducted; and
2. Victimization of students, including the failure to take appropriate steps to protect the victim of any violent crime from further victimization at school or at school related activities, events, and functions on the school premises or off the premises at school related activities, events or functions.

Definitions

1. "Firearm" means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term "firearm" does not include an antique firearm unless the antique firearm is used in the commission of a crime.
2. "Weapon" means any dirk, metallic knuckles, slingshot, billie, tear gas gun, stun gun, chemical weapon or device, or other deadly weapon carried on or about a person in such a manner as to conceal the weapon from the ordinary sight of another person.
3. "Controlled substance" means any substance named or described in Schedule IV of s. 893.03, Florida Statutes. Controlled substances are deemed to be contraband.
4. "Drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, transporting, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of s. 877.111, Florida Statutes. Drug paraphernalia is deemed to be contraband.
5. "False report" means willfully providing, orally or in writing, false information, or a report regarding the possession of a firearm or weapon or the threat to use a firearm or weapon.
6. "Possess" means to have personal charge of or exercise the right of ownership, management, or control over the firearm or weapon.
7. "School" means the Phoenix Academy of Excellence facility and/or grounds.

Prohibited Acts

PAOE will have zero-tolerance for a student who commits the following acts. The student shall not:

1. have within his/her possession a firearm or weapon at school, on school grounds or at any school activity, event, or function.
2. make a threat concerning the use or discharge of any firearm or weapon with intent to do bodily harm to any person or with intent to do damage to any property.
3. make a false report, with intent to deceive, mislead or otherwise misinform concerning the possession or use of any firearm or weapon; and

4. victimize a student who has been subject previously to any act or conduct that violates school policy and/or the laws of this state.
5. Sanctions (SHOULD THIS BE HERE)
6. A student who commits a zero-tolerance offense is subject to expulsion by the school for one (1) year from the date of the expulsion.

K. Internet Safety Policy

The use of technology is a privilege and an important part of the school's overall curriculum. The school will, from time to time, make determinations on whether specific uses of technology are consistent with School policies for students and employees of the school but does not warrant that the technology resources will meet any specific requirements of the student or other users, or that it will be error free or uninterrupted. The school always reserves the right to monitor and log technology use, to monitor file server space utilization by users, and examine specific network usage (as may be deemed necessary) for maintenance, safety or security of the technology resources or the safety of the user. The school will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

It is the policy of the School to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity and damage to school resources; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act (CIPA) [Publ. L. No. 106-554 and 47 USC 254(h)].

Access to Inappropriate Material

To the extent practicable, technology protection measures (or "Internet filters") are used to block or filter Internet access to, or other forms of electronic communications containing, inappropriate information. Filtering, or blocking, is applied to visual depictions of material deemed obscene, child pornography, or to any material deemed harmful to minors, as defined by the Children's Internet Protection Act. The filter serves to block minors from accessing inappropriate matter on the Internet and the World Wide Web.

Additionally, it shall be the responsibility of all members of the staff to supervise and monitor usage of the online computer network and access to the Internet and ensure that the same is in accordance with this policy. By using the filter program as well as staff monitoring student use, the school is attempting to provide a safe and secure medium by which students can use the Internet, World Wide Web, electronic mail, chat rooms and other forms of direct electronic communications.

To the extent reasonable, steps are taken to promote the safety and security of users of the school online computer network. Other inappropriate network usage that the school intends to eliminate includes:

1. Unauthorized access, including so-called 'hacking,' and other unlawful activities; and
2. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Parent/Student Contract

By signing the Parent/Student Contract Page at the end of the Parent/Student Handbook, the parent and student agree:

1. To abide by all School policies relating to the use of technology.
2. To release all School employees from all claims of any nature arising from the use or inability to use the technology.
3. That the use of technology is a privilege; and
4. That use of the technology will be monitored and there is no expectation of privacy whatsoever in any use of the technology.

Disciplinary Actions

1. The parent/student further agrees and understands that the user may have his/her privileges revoked or other disciplinary actions taken against them for actions and/or misuse such as, but not limited to, the following:
2. Altering system technology, including but not limited to, software or hardware.
3. Placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages.
4. Obtaining, viewing, downloading, transmitting, disseminating, or otherwise gaining access to or disclosing materials the school believes may be unlawful, obscene, pornographic, abusive, or otherwise objectionable.
5. Using technology resources for commercial, political, or other unauthorized purposes since the school technology resources are intended only for educational use.
6. Intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users.
7. Disrupting technology through abuse of the technology, including but not limited to, hardware or software.
8. Malicious uses of technology through hate mail, harassment, profanity, vulgar statements, or discriminating remarks.
9. Interfering with others' use of technology.
10. Installation of software without consent of the school.
11. Allowing anyone else to use an account other than the account holder; and
12. Other unlawful or inappropriate behavior.

Loss of Access Privileges and/ or Appropriate Legal Action

The user also acknowledges and agrees that he/she is solely responsible for the use of his/her accounts, passwords, and/or access privileges, and that misuse of such may result in appropriate disciplinary actions (including but not limited to suspension or expulsion), loss of access privileges, and/or appropriate legal action.

The user must also know and further agrees that:

1. Should the user transfer a file, shareware, or software that infects the technology resources with a virus and causes damage, the user will be liable for all repair costs.
2. The user will be liable to pay the cost or fee of any file, shareware, or software transferred or downloaded, whether intentional or accidental.
3. Should the user intentionally destroy information or equipment that causes damage to technology resources, the user(s) will be liable for all costs; and
4. Violation of this Internet Safety Policy is also a violation of the School Code of Conduct and may result in any in other scholastic disciplinary action, other than those specifically set forth above, including but not limited to suspension or expulsion.

Definitions

1. CIPA defines the above referenced terms as follows:
2. A minor is anyone under the age of 18.
3. "Technology Protection Measure" means a specific technology that blocks or filters Internet access to visual depictions that are:
4. Obscene, as that term is defined in section 1460 of title 18, United States Code.
5. Child Pornography, as that term is defined in section 1226 of title 18, United States Code; or
6. "Harmful to minors" means any picture, image, graphic image file or other visual depiction that:
7. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion.
8. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
9. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
10. "Sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

L. Search Policy

Florida law establishes a zero-tolerance policy concerning school violence, crime, and the possession or use of firearms and weapons on school grounds or at school functions. The zero-tolerance policy is part of a comprehensive approach to reduce violence in schools. Federal Law also allows schools to take reasonable steps to provide a safe, drug-free environment for students. The goal is to allow students to learn, in a safe environment, while their respective civil rights are protected.

In conjunction with the Phoenix Academy of Excellence ("PAOE") rules for a "Drug-Free School" and a "Weapon-Free School," and the PAOE policies, an "Administrative Search Policy" ("the policy") is established. The Administrative Search Policy permits a search of any student and/or visitor who enter the PAOE charter school facility or grounds, or any student who attends any PAOE activity, function, or event regardless of whether the activity, function,

or event is at the PAOE charter school. The administrative search authorized, pursuant to this policy, provides for the search and seizure of any firearm(s), weapon(s) and/or contraband found in possession or controlled by the individual searched, or in his or her possession. Illegal firearm(s), weapon(s) and contraband include any item(s) that are in violation of local, state, or federal law, and/or in violation of any Phoenix Academy of Excellence Code of Conduct rule, policy, or guideline.

The Administrative Search Policy outlines the Phoenix Academy of Excellence policy and is supplemental by the “Procedures for School Officials” that outlines how searches will be conducted. While this is a comprehensive policy, nothing outlined in this policy restricts or limits school officials, school police officers, school security officers, or law enforcement from searching students or visitors where reasonable suspicion or probable cause, independent of an administrative search, exists. If a metal detecting device alerts to the presence of metal during an administrative search, it gives rise to reasonable suspicion. This policy also outlines searches performed when reasonable suspicion exists where an administrative search has not been conducted.

Definitions

1. “Firearm” means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term “firearm” does not include an antique firearm unless the antique firearm is used in the commission of a crime.
2. “Weapon” means any knife, dirk, metallic knuckles, slingshot, billie, tear gas gun, stun gun, chemical weapon or device, or other deadly weapon carried on or about a person in such a manner as to conceal the weapon from the ordinary sight of another person.
3. “Controlled substance” means any substance named or described in Scheduled IV of s. 893.03, Florida Statutes. Controlled substances are deemed to be contraband.
4. “Drug paraphernalia” means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, transporting, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of s. 877.111, Florida Statutes. Drug paraphernalia is deemed to be contraband.
5. “School” means the Phoenix Academy of Excellence facility, and/or grounds as well as anywhere a Phoenix Academy of Excellence sponsored, or sanctioned event may be held.
6. “School official” includes any administrator, teacher, staff, school police officer and school security officer.
7. “School police officer” means a law enforcement officer who is employed by the school for security purposes.
8. “School security officer” means an individual who is employed by a private security service who provides security pursuant to a contract.
9. “Search Team” means the school Principal or employee who is trained in conducting metal detector searches and any combination of teachers and/or staff whose primary purpose is to facilitate the administrative or reasonable suspicion search. The school police or security

officer will be part of the Search Team and will provide security and oversee an administrative search.

Administrative Searches

Introduction to Administrative Searches and General Considerations

1. The primary purpose of the metal detector searches authorized, pursuant to this policy, is to locate any firearm(s), weapon(s) and/or contraband to provide a safe school environment for students, teachers, staff, and administrators. The primary purpose of the searches is not to collect evidence for criminal prosecution or to penalize students. However, law enforcement authorities will be summoned and may arrest the individual while seeking criminal prosecution against an individual if a search reveals that the individual is in possession of any firearms (s), weapon(s) or contraband.
2. Administrative searches using a metal detector may be conducted randomly or may be at a set location at locations at the school facility, on the school grounds, or at locations where an PAOE activity, function or event is held.
3. The searches will be conducted in the least intrusive manner so that individuals' rights are balanced with the requirements of this policy. Administrative searches using a metal detector may be conducted by any member of the Search Team, regardless of gender, if the Search Team member has been trained to properly conduct searches using an approved metal detector. Pat-down searches will be conducted by an individual of the same gender as the individual being searched. Under no circumstances will a "strip search" be conducted by school officials pursuant to this policy.
4. The Search Team, including the school Principal or designee(s), will oversee all metal detector searches. The school Principal or designee(s) will be required to follow the policy about administrative searches and will be required to address the discovery of firearm(s), weapon(s) or contraband as set forth within the search policy procedures.
5. The Search Team will be trained to conduct administrative and reasonable suspicion searches.
6. Nothing in the Administrative Search Policy shall limit the authority of the school Principal, or designee(s), law enforcement, or school security officers to search an individual or an individual's possessions when reasonable suspicion or probable cause exists that the individual is in possession of an illegal firearm(s), weapon(s) or contraband.
7. All students and legal guardians are required to sign the written acknowledgement, within the first week of school, concerning this policy in addition to the PAOE Student/Parent Contract. The acknowledgement will provide written notice to the student(s), parent(s), and legal guardian(s).
8. Signs will be posted at the school facility notifying students and visitors that any student or visitor is subject to random administrative searches.

Procedures for Conducting an Administrative Search

1. All students and visitors entering the Phoenix Academy of Excellence facility or grounds or any student in attendance at any PAOE activity, function, or event regardless of whether the activity, function, or event is at the PAOE facility or grounds are subject to a hand-held metal detector search for firearms, weapons, and/or contraband. The determination as to

the random searches of students and visitors will be made pursuant to the procedures for conducting metal detector searches. The search will be random and will use neutral and even-handed criteria for determining individuals subject to the search.

2. No student or visitor shall be selected to be searched based solely upon his/her gender, race, ethnicity, physical appearance, manner of dress, or association with any group of persons.
3. Pursuant to the administrative search policy, school officials are prohibited from selecting a specific individual(s) to be searched without reasonable suspicion that the individual is in possession of a firearm, weapon, and/or contraband. This policy may not be used as a pretext to "single out" a particular individual or group of individuals.
4. Searches will be performed on random days, times, and locations. Advance notice of a search will not be provided.
5. Students and visitors to be searched will be advised that an administrative search is being conducted; will be advised of the procedures; and will have the opportunity to ask questions prior to the search.
6. Students and visitors may refuse to submit to the search.
7. No student/visitor selected to be searched will be allowed to enter or remain in the facility or on the grounds if the individual does not submit to the search. School officials should immediately advise the school police officer or security officer and contact law enforcement when an individual objects to an administrative search.
8. The individual to be searched will be asked to remove any firearm(s), weapon(s), and/or contraband from his/her person or personal possessions before the search. These items will be placed in a designated container or space, in public view, until the search is completed. Any firearm(s), weapon(s), and/or contraband removed for the search will be confiscated and seized by the school police officer or security officer.
9. After the removal of items referenced above, students and visitors will be searched with a hand-held metal detecting device. For everyone searched, there will be a body scan for any firearms, weapons, and/or contraband. Any personal possessions (i.e., backpacks, briefcases, bags, and containers) of the individual will also be scanned for firearms, weapons, and/or contraband.
10. Reasonable efforts will be made to avoid bodily contact with the individual being searched and the device.
11. If the hand-held metal detector alerts during the body scan, the school official conducting the scan will direct the individual being searched to remove any remaining metal objects from his or her person or possessions and place the item(s) in the designated container. Any firearm(s), weapon(s), and/or contraband removed will be confiscated and seized by the school police officer or security officer. The school official will then conduct a second scan.
12. If the metal detector alerts to the presence of metal during the second scan, the individual will be subject to a pat-down search. This expanded search will be based on reasonable suspicion and include a limited pat-down of the area for which the device was activated. The search will be further expanded should the pat-down, or some other grounds for reasonable suspicion, indicate a concealed firearm(s), weapon(s), and/or contraband may be in the possession of the individual. Expanded or more intrusive searches will be conducted as outlined pursuant to the Reasonable Suspicion Searches section of this policy.
13. Any weapon(s) and/or contraband will be confiscated and seized by the school police

officer or security officer. Any item(s) confiscated during the search will subject the individual possessing the item(s) to discipline pursuant to school policy. Additionally, the student and/or visitor will be subject to criminal prosecution, including arrest, detention, and incarceration.

14. Any item(s) that is not prohibited such as a firearm(s), weapon(s) and/or contraband will be re- turned to the individual at the conclusion of the search. A school official shall have the sole discretion about making the determination that the item(s) does not pose any threat to the health and/or safety of individuals within the facility and/or grounds.
15. If a student or visitor is subject to a medical condition, or pregnancy, that prevents or inhibits the use of a metal detector, the individual will be required to present proper documentation to the school Principal or designee(s) when enrolling at the PAOE charter school or prior to an administrative search. If a student who is subject to an administrative search fails to provide proper documentation, the student will not be excused from an administrative search. This documentation will be verified and kept on file by the school Administration. Documentation will be valid for the current academic year, for the duration of the medical condition or pregnancy, or if the student or visitor has a terminal or permanent condition, until the end of the current academic year. For individuals providing proper documentation for a valid medical reason, administrative searches will be conducted pursuant to a pat-down search.

Reasonable Suspicion Searches

Introduction to Reasonable Suspicion Searches and General Considerations

1. Reasonable suspicion depends on the information and observations available to the school official in determining whether there is reasonable suspicion to conduct a search. Reasonable suspicion depends on both the content of information possessed by a school official and its degree of reliability. Both factors, the quantity and quality of the information and the degree of reliability, are considered regarding the totality of the circumstances. All available information must be considered when evaluating whether there is reasonable suspicion to conduct a search. Thus, if the information available has a relatively low degree of reliability, more information will be required than if the information were more reliable.
2. Reasonable suspicion may exist independent of an administrative search. School officials may conduct searches of any student, at any time, if reasonable suspicion exists that the individual is in possession of a firearm(s), weapon(s), and/or contraband. Where reasonable suspicion is developed concerning the possession of a firearm(s), weapon(s) and/or contraband, an expanded or more intrusive search is necessary via a pat-down search.
3. Prior to conducting the search, the school Principal, or designee(s), overseeing the search, will request the student sign a Consent to Search Form. If the student refuses to consent, school officials retain the authority to conduct a search even though the student does not execute a consent form. The student is subject to discipline, including expulsion, for the failure to consent to a search. The search will be limited to the basis of reasonable suspicion, i.e., information and/or observations obtained about the individual's possession of a firearm(s), weapon(s), and/or contraband. Failure of a student to consent may result in

discipline, pursuant to the policy.

4. When there is reasonable suspicion that an individual is in possession of a firearm(s), weapon(s), and/or contraband, school officials will contact the school police officer or security officer to conduct the search.
5. During the search, if other illegal contraband is found, the item(s) will be confiscated and seized by the school police officer or security officer. The individual possessing a firearm(s), weapon(s), and/or contraband will be subject to the discipline pursuant to school policy.

Reasonable Suspicion Search Procedure

1. A search based on reasonable suspicion involves a pat-down of an individual and/or a physical inspection of the individual's possessions.
2. The pat-down search will be conducted at the school facility or on school grounds in an area a safe distance from other students. If the search is to be conducted at an PAOE school activity, event, or function, the search will be conducted in an area a safe distance from other individuals. The search will be conducted by a school official, school police officer, or security officer of the same gender as the individual being searched, whenever possible. All searches will be witnessed by school official(s), in addition to the school official, school police officer, or security officer conducting the search.
3. Where a reasonable suspicion search is conducted as the result of a metal detector activating, the search shall be conducted only around the body for which the device alerted. The search will include patting-down the exterior of the individual's clothing for the limited purpose of discovering the item(s) which may have caused the metal detector to alert to the presence of metal. If the device alerts to the individual's personal possessions, the possessions will be inspected and opened to determine the presence of a firearm(s), weapon(s), and/or contraband.
4. If the school official, school police officer, or security officer conducting the search observes or feels an object which may have caused the metal detector to alert, and there is a reasonable belief that the object may be a firearm(s), weapon(s), and/or contraband, the school official, school police officer, or security officer conducting the search will ask the individual being searched to remove the item(s). If the individual refuses, the school official, school police officer, or security officer has the authority to remove the item from the individual's person or possessions without consent.
5. If the item(s) removed is determined to be what caused the metal detector to alert the search will cease unless reasonable suspicion still exists. If reasonable suspicion exists sufficient to continue the search, the search will continue.
6. If the item(s) removed is determined to be what caused the metal detector to alert to the presence of metal, the search will cease. No further reasonable suspicion will exist. The individual and/or his/her possessions will then be re-scanned with the metal detector. If the device alerts again, the individual or his/her possessions will be subject to an additional search. If the device does not alert again, the search is complete.
7. If the removed item is a firearm(s), weapon(s), and/or contraband, it will be confiscated and seized by the school police officer or security officer. Any item(s) confiscated during the search will subject the individual possessing the item(s) to discipline pursuant to school policy. Additionally, the student and/or visitor will be subject to criminal prosecution,

including arrest, detention, and/or incarceration.

8. Any item(s) that is not prohibited as an illegal firearm(s), weapon(s), and/or contraband will be returned to the individual at the conclusion of the search. A school official shall have the sole discretion about the determination that the item(s) do not pose any threat to the health or safety of individuals within the facility and/or grounds.



Phoenix Academy of Excellence
Parent/Student Written Acknowledgement Form 2020- 2021

Student's Name: _____
(If student is under 18 years of age)

I/We have read and understood all the information contained in the Parent/Student Handbook. I/We agree to abide by and support the school's rules and regulations, **INCLUDING THE CODE OF CONDUCT AND ALL OTHER POLICIES**, as outlined in the Parent/Student Handbook.

Although this Parent/Student Handbook reflects the current policies of Phoenix Academy of Excellence, it may be necessary to make changes from time to time to best serve the needs of the school and its students.

Agreed by:

Student's Signature

Date

Parent/Guardian's Signature (if student is under 18 years of age)

Date

This agreement will be placed into the student's file.

This student is a Miami Dade County Public School student and therefore is held to the MDCPS Code of Student Conduct and Phoenix Academy of Excellence's Disciplinary Plan Handbook.

