

STATE BOARD OF EDUCATION

January 21, 2003

SUBJECT: Approval of Amended Rules 6D-7.007, Code of Student Conduct, and Rule 6D-7.0072, Grounds for Disciplinary Action, Florida School for the Deaf and the Blind

PROPOSED BOARD ACTION

For approval.

BACKGROUND INFORMATION

Rule 6D-7.007, Code of Student Conduct, establishes the rights, responsibilities and conduct of students enrolled in the Florida School for the Deaf and the Blind. The rule indicates that the code requires adherence to all applicable law and further indicates specific grounds for disciplinary action and the procedures to be followed for acts requiring discipline. The amendment deals with a student's suspension and states that the student who has been suspended for a period not to exceed 10 days "will be remanded to the custody of the student's parent(s)/legal guardian with specific homework assignments for the student to complete."

Rule 6D-7.0072, Grounds for Disciplinary Action, establishes the actions which constitute specific types of violations to the Code of Student Conduct for students enrolled in the Florida School for the Deaf and the Blind. Previously, the rules prohibited students from possessing electronic pagers and portable telephones, in accordance with statute banning cell phones and pagers. The School asked the Department to consider waiving this ban and was initially advised that such a waiver was not appropriate. Subsequently, the School asked for an opinion from the Department's General Counsel, who found in a memo of August 7, 2002, that the Florida School was not required to act as a school district in all regards, but was a separately established school governed by a board of trustees with authority to manage the school. The proposed amendment strikes the ban on the possession of pagers and portable phones.

The rules have been approved by the School's Board of Trustees, at a meeting held on December 14, 2002, and have been properly noticed in the Florida Administrative Weekly. They are duly submitted for approval by the State Board of Education.

Supporting Documentation Included: Proposed amended Rules 6D-7.007, Code of Student Conduct, and Rule 6D-7.0072, Grounds for Disciplinary Action.

Facilitators/Presenters: