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Code of Student Conduct
For 2014-2015

Elementary (K-6)
Secondary (7-12)

School Board of
Hamilton County
Jasper, Florida 32052

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Dear Parents/Guardians and Students:

The Code of Student Conduct defines the rights and responsibilities of students of the Hamilton County School District. The document also clearly states the consequences for students whose actions disrupt the learning process. Students are expected to behave responsibly at all times.

It is vital the parents/guardians be directly involved in the education of their children, since they can be held accountable for the actions of their children. Please read and discuss the Code of Student Conduct with your child(ren). Parents/guardians are asked to sign the Notice of Receipt form and return the form to the school.

Signing the Notice of Receipt does not imply that the parent/guardian agrees with the content of the Code of Student Conduct. It indicates only that the parent/guardian has access to the document and that s/he is aware of the student's rights and responsibilities, and the consequences for inappropriate behavior.

The Code of Student Conduct was developed to provide students with a safe atmosphere conducive to learning. This safe learning environment can be maintained if we (families and the school system) work together. Thank you in advance for your attention to this important document, and for your cooperation in returning the signed Notice of Receipt to the school.

Sincerely,

Thomas P. Moffses, Jr.
Superintendent

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INTRODUCTION

This document constitutes the rules regulations governing student conduct. Blueprint 2000, Florida's plan for school reform and accountability, recognizes the importance of healthy and drug-free schools, safe school environments, and protection of civil rights with assurance of equitable treatment for all students, parents, and personnel.

This code applies to every student (pre-kindergarten through adult education) who is under the authority of the Hamilton County School System and shall be in effect on school property, at school-sponsored events, at school bus stops, and on school buses. Students not riding a school bus are not under the supervision, control or direction of the principal while en route to and from school. Nevertheless, all students are expected to follow this Code on their way to and from school. The principal or designee may take administrative action if a student's misconduct en route to or from school has a harmful effect on the health, safety, or welfare of other students and/or the school.

It is the policy of the School Board that misbehavior of any kind will not be tolerated. (Please see Glossary for definitions of misbehaviors.) In order for instruction to occur in a safe environment, there must be a cooperative relationship between students, parents/guardians, and the school system.

STUDENTS are expected to:

* assume responsibility for their own behavior.
* be in school every day, if well, and to learn.
* respect individuals and property.
* use appropriate, responsible behavior at all times.
* Help maintain a safe, alcohol-free, drug-free, weapon-free environment.

PARENTS/GUARDIANS are expected to:

* support their school's discipline plan in order to protect the learning environment.
* show interest in their child's progress and work with school personnel to solve any behavioral and/or academic problems.
* get to know their child's school, its staff, curriculum, programs, and activities by attending parent-teacher conferences and school/parent functions, such as School Advisory Council meetings and PTA meetings.
* make sure their child goes to school appropriately dressed per the dress code and on time every day, unless their child is ill or has a contagious disease.
* maintain up-to-date information at the school, including home, work, and emergency telephone numbers, addresses and health information.

The SCHOOL SYSTEM is expected to:

* administer through its teachers, staff, and administrators, appropriate consequences for misbehavior in order to ensure that teaching and learning can occur.

* provide and maintain a safe atmosphere which will encourage positive behavior and high achievement.
* provide courses of study, programs, and activities to meet the needs of all students.
* show respect for all individuals by treating them fairly and impartially.
* encourage open communication among students, parents/guardians, community agencies, and school personnel.
* discipline any student under its supervision, subject to limitations of the law and district policies.

SECTION ONE

STUDENT RIGHTS, RESPONSIBILITIES, AND RULES

This section summarizes the basic principles of student rights. With each right comes a responsibility. The principal, under the supervision of the Superintendent and within School Board regulations, shall assume administrative responsibility and instructional leadership of the school to which he or she is assigned. The faculty and staff shall assist in the orderly operation of the school and ensure the rights of students.

Attendance

Florida law states that children who are six (6) by February 1st must attend school regularly until their 18th birthday, unless they are eligible for exemption or have been expelled by the School Board. The parent/guardian is responsible for the student's attendance.

A student who has 15 unexcused absences within 90 calendar days is a habitual truant under state law. The student may be dealt with as a child in need of services under Chapter 39, Florida Statutes. In addition, the parent/guardian may be subject to criminal prosecution under Chapter 232, Florida Statutes.

A student between the age of 16 and 18 may file a formal declaration of intent to terminate school enrollment and will then not be subject to compulsory school attendance. This declaration must be signed by the student and the parent/guardian.

Student Rights:

* To be informed of School Board policies and individual school rules regarding absenteeism (excused and unexcused) and tardiness.
* To appeal a decision pertaining to an absence.
* To make up class work within an appropriate length of time when there is an excused absence.

Student Responsibilities:

* To attend classes daily and be on time.

* To provide the school with an adequate explanation and appropriate documentation to explain an absence.
* To request makeup assignments from teachers upon return to school and complete them within the same number of days they were absent. If teachers are present at school the day the student returns, the teacher will have 24 hours to provide missed assignments to students.

Excused Absences: Students must be in school unless the absence has been excused for one of the reasons listed below. It is the responsibility of each student's parent/guardian to explain the student's absence to the school in a manner satisfactory to the principal. Reasons for excused absences include:

* Sickness, injury, death in the immediate family, or some other insurmountable condition (up to three (3) absences for illness per semester with parental note).
* Documented appointments with health care professionals.
* Documented absences for religious instruction or religious holiday.
* Participation in an academic class or school-sponsored activity approved by the principal.
* Court appearances (copy of subpoena required).

For kindergarten through eighth grade only, absences due to other individual circumstances may be excused by the principal. All other absences are considered unexcused.

High school students who exceed a certain number of absences may be unable to receive credit in accordance with school board policy. Please check with the administration of the high school for specific information.

Respect for Persons Property

Public and private safety are constitutional rights. Students, parents, and school staff need to work together to see these rights are preserved in our schools. Students have an obligation to assume responsibility for their own actions in a climate which fosters respect for persons and property.

Student Rights:

* To be treated with respect by other students, school personnel and campus visitors.
* To expect that your property will be respected by other students and school personnel.
* To have a safe and orderly school.
* To protect yourself and your property against some injury attempted by another.

Student Responsibilities:

* To treat other students, school personnel and campus visitors with respect.
* To respect others' property by not damaging or taking it.
* To treat school property with respect and to act in a way that does not interfere with the rights of others and is not harmful to the health and/or safety of others.

* To avoid conflict, first seek help from an adult, if possible. Protect yourself from harm if no other option is available. Report the incident to an adult school employee as soon as possible.

Student Rules for Riding School Buses

It is a privilege to ride a school bus. Students are expected to adhere to the rules. Conversations and actions by students on a school bus may be recorded by a video and audio recorder and may be used for disciplinary action.

Students must:

1. Obey the driver.

2. Stand off the roadway while waiting for the bus.

3. Be at the bus stop on time and conform to all applicable school rules.

4. Sit according to the seating chart.

5. Remain seated when the bus is in motion.

6. Keep arms, legs, head and objects inside the windows.

7. Remain quiet. Unnecessary conversation with the driver is dangerous.

8. Observe classroom conduct at all times while aboard the bus.

9. Not eat, drink or have or use tobacco products.

10. Cross the road 10 feet in front of the bus, when boarding or departing, after the driver signals that it is clear to cross.

11. Ride only the assigned bus to and from school unless duly authorized. Written parental permissions, with principal approval, is required to get off at a different stop or ride a different bus, providing room is available on the bus. Parents assume responsibility.

12. Pay for damage to school buses or property within 10 days after billing.

13. Not bring large boxes, balloons, cages, firearms, knives, glass bottles, animals, reptiles, offensive materials, etc., on the bus. Band instruments too large to fit in the student's lap or under the seat are not permitted.

Knowledge and Observation of Rules of Conduct

Effective learning takes place in an atmosphere where students, parents/guardians, and school administrators know the rules for all students and the consequences for students who choose to violate the Code of Student Conduct.

Student Rights:

* To have a copy of clearly defined rules of student conduct explained to you.
* To expect the rules to be enforced without discrimination.

Student Responsibilities:

* To know and observe school rules and regulations which govern your conduct.

* To become familiar with the Code of Student Conduct, all school rules, all classroom rules, and all bus rules.

Right to Learn and Participate

Students have the right to be involved in their education. Age, grade, maturity, and sophistication are factors which determine the level of involvement. Course selection and participation in school activities are an integral part of learning.

Student Rights:

* To receive district curriculum descriptions that will help you make informed choices.
* To have equal opportunity with regard to academic programs and extracurricular activities without regard to race, color, religion, gender, national origin, age, marital status, or disability.
* To receive instruction under competent instructors in an atmosphere free from bias and prejudice.
* To participate in quality academic programs in elementary, middle and senior high schools.

Student Responsibilities:

* To ask for assistance from school personnel in selecting courses.
* To request participation in academic programs and extracurricular activities that match with your abilities.
* To cooperate with the teacher and contribute to a free, unprejudiced atmosphere.
* To cooperate fully and exert every effort to achieve mastery of the Sunshine State Standards.

Free Speech, Student Publication, and Assembly

Citizens are guaranteed self-expression under the first and fourteenth amendments of the United States Constitution. One of the basic purposes of education is to prepare students for responsible self-expression and the free exchange of ideas in group discussions.

Student Rights:

* To express your viewpoints responsibly in writing or orally without jeopardizing your relations with other students, your teachers, or the school administration.
* To print and distribute publications only under the supervision of the principal/designee.
* To conduct meetings on school grounds or in school buildings in accordance with school rules and scheduled use of facilities.

Student Responsibilities:

* To recognize the rights of others by expressing yourself in a manner which does not disrupt the orderly process of education, violate school rules, or infringe on the rights of others.
* To observe guidelines provided by school administrators and follow the rules of responsible journalism so as not to slander or libel other persons.
* To conduct yourself and your activities consistently with the educational objectives of the school, to refrain from disrupting the educational process and endangering the health, safety or welfare of others.

Students Rules for Computer Use

Students are responsible for good behavior on computers at school. Computer files, including e-mail, are not private. The use of the school's computers and computer networks, computer software, data files, Internet access, and intellectual property is a privilege and is intended for educational purposes only. Students must have a signed AUP on file each year in order to have access to the Internet at school. The privilege may be revoked or other disciplinary action taken for violation of any of the following rules:

1. Sharing computer account IDs and passwords, except when authorized.

2. Creating, copying, receiving, or using data, language or graphics which are obscene, abusive, harassing, or otherwise inappropriate at school.

3. Accessing, changing or deleting computer programs, data files or electronic mail belonging to others, without express permission.

4. Stealing or destroying the school's computer hardware or peripherals (printers, mouses, monitors, modems, cables, connectors, etc.).

5. Stealing or destroying computer software or date files owned by the school or other persons.

6. Violating or attempting to violate the security of the computer/network systems.

7. Taking unauthorized actions which deny access to, disrupt, or destroy the service of the computer/network systems.

8. Making unauthorized or unlawful installation of personal computer software on the school's computers or the computer network, including, but not limited to, games, virus programs, and applications software. Student-provided software must be used only in accordance with the license agreement.

9. Using computers, computer networks, or computer peripherals (printer, mouses, monitors, modems, etc.) to commit a forgery or to create a forged instrument.

10. Using computers, computer networks, computer software, data files or intellectual property in any unauthorized way.

Privacy

Federal and state laws provide persons with reasonable expectation of privacy in addition to freedom from unreasonable search and seizure of property. Such guarantees are not unlimited and must be balanced by the school's responsibility to protect the health, safety, and welfare of all students and faculty.

Students Rights

* To have privacy of your personal possessions unless appropriate school personnel have reasonable cause to believe a student has any object or material, which is prohibited by law or School Board.

* To expect that schools will keep student records safe and private.

* To learn how information is gathered, used, and what it means in your school records.

Student Responsibilities:

* Not to carry or conceal any such material prohibited by law, school board policy, or that would detract from the educational process.

* To accept the consequences for any contents stored within the student's locker, bookbag, purse, instrument case or other items as deemed necessary.

Dress Code

Student Rights:

* To learn without being offended or distracted by the way other students are dressed.

Student Responsibilities:

* To come to school or school-sponsored events fully clothed in accordance with the school dress code.

Students are expected to dress for school and school activities in a way that contributes to their health and safety that promotes a positive school learning environment and does not disrupt the events and activities of the school.

General Dress Code Requirements

This general dress code applies to students from the time the student arrives on school property until the end of the school day and at all school activities during the school day. Exceptions may be made by the principal for field trips or other special activities.

Girls: The dress code for girls is a long or short-sleeved shirt of any color.

Shirts/blouses/dresses must cover midriff, back, and sides at all times; and must be fastened with no visible cleavage or undergarments.

Shorts/skirts/jumpers/skorts/dresses shall be worn no shorter than three inches above the kneecap. Leggings, tights or hosiery can be worn underneath appropriate length dresses, skirts, or shorts.

Boys: The dress code for boys is a long or short-sleeved shirt of any color.

Clothing must be the appropriate size for you, not be oversized or undersized. The waist of the garment shall be worn so that the waistband is worn at the waist and not below the waist. You may not wear baggy/saggy pants. If pants have loops a belt is required and must be inserted within the loops and properly fastened.

Shoes

Shoes must be safe and appropriate. You may not wear bedroom slippers or shoes with wheels. A manufacturer's logo/image is acceptable. Shoes must have a closed toe and closed heel. You may not wear platforms, heels higher than two inches, sandals, flip flops, slides, crocs or jellies. Students must wear athletic shoes during physical education activities.

You may not wear:

A. clothing and accessories that are dangerous to health or safety and are distracting or disruptive.

B. clothing in a way that reveals private body area(s) or undergarments.

C. clothing, haircuts, display items/body art with markings or an accessory (such as backpacks, jewelry, buttons, and purses) that:

1. promote drugs, alcohol, tobacco, gang identification, weapons, or lewd sexual behavior; or

2. denigrate or promote discrimination for or against an individual or group on the basis of age, color, disability, national origin, sexual orientation, race, religion or gender.

D. clothing that is not properly fastened.

E. clothing that is torn, has holes, or pants that are frayed.

F. athletic shorts, cut-off pants, short-shorts, swimming shorts/bathing suits, or running shorts.

G. visible undergarments, sleeveless shirts, sleepwear or outer garments traditionally designed as undergarments such as boxer shorts, or bras.

H. hats, headgear, or other head coverings, including rags and bandannas inside the school building except when approved by the principal/designee.

I. body piercing jewelry, except for earrings on the ears. All other body piercing jewelry must be removed or concealed by clothing (i.e., tops/bottoms).

J. jewelry or accessories that may be used as weapons, such as chains, spiked jewelry or arm bands and rubber bands.

K. combs, curlers, or hair picks. Personal grooming such as combing, brushing, or spraying hair and applying cosmetics are allowed only in restrooms or designated areas.

L. sunglasses on face or head inside the school building. You may wear sunglasses, hats, or other sun protective wear while outdoors during school hours.

DISCIPLINE

The principal or designee has the authority to decide if your clothing complies with Board policy. If the principal determines that your clothing does not comply with Board policy, discipline will be according to the Code of Student Conduct.

Non-Discrimination

A number of federal and state laws prohibit discrimination. Board Policy 2.18 prohibits discrimination in any educational program or activity.

Student Rights:

* To attend school and learn where all students and adults are treated equitably without regard to race, color, religion, national origin, age, gender, marital, status, or disability.

* To attend school and learn in an environment free of harassment.

Student Responsibilities:

* To treat others equitably and fairly.

* To conduct yourself and your activities so as not to harass others and to report harassment or discriminatory situations to school administrators.

SECTION TWO

DISCIPLINE BY LEVELS

To establish reasonable consistency in the schools, a uniform Discipline Code has been developed. Definitions of terms used can be found in the Glossary. Consistent with the Code of Student Conduct, **the principal or designee is responsible for discipline** and determines the level of the behavior and its appropriate consequence. Schools and teachers may develop individual rules and disciplinary practices which supplement the Code but do not conflict with it. It is the intent of the School Board of Hamilton County that the principal or designee of each school has a reasonable degree of choice in determining the level of a student's behavior and the resulting consequences. The factors to consider include, but are not limited to:

* Seriousness of offense
* Premeditation, impulse, or self-defense
* Age and/or disability
* Strength of evidence
* Cooperation/remorse
* Disciplinary history

Behaviors and their consequences are divided into four levels. Each level represents progressively more serious misbehavior and consequence.

Under the Individuals with Disabilities Education Act (IDEA), students who have been identified as educationally disabled and are receiving ESE services are subject to additional disciplinary guidelines that are different than those for non-disabled students.

Level IV Discipline

Level IV offenses are minor acts of misconduct which interfere with orderly classroom procedures, school functions, extracurricular programs, approved transportation, or a student's own learning process. These offenses may be handled first by the teacher or other staff member involved. If additional action is necessary because of continued violation or other concerns, the student will be referred to the principal or designee for appropriate disciplinary action. The teacher or school administrator/designee, after review of the student's explanation, consultation with other persons involved and further investigation (when needed), will determine appropriate disciplinary action consistent with the Code and attempt to contact parents.

Level III Discipline

Level III offenses are intermediate acts of misconduct which require administrative intervention, including, but not limited to, repeated minor misconduct and acts directed against persons or property but which do not seriously endanger the health or safety of others. School support staff and/or community resource agencies may be involved. After review of the student's explanation, consultation with other persons involved, and further investigation (when needed) the school administrator/designee will determine appropriate disciplinary action consistent with this Code and attempt to contact parents.

Level II Discipline

Level II offenses are serious acts of misconduct, including, but not limited to, repeated similar misbehavior, serious disruptions of the orderly conduct of school, threats to health, safety, or property and other acts of serious misconduct. These offenses must be reported to the principal/designee and may result in immediate removal of the student from the school or extracurricular activities. The principal/designee will investigate the behavior and determine appropriate disciplinary action consistent with this code and contact parents.

Level I Discipline

The most serious acts of misconduct are included in this level; they must be reported immediately to the principal/designee. These violations are so serious that they may require district administrators, outside agencies and/or law enforcement. **Such acts may also result in criminal penalties being imposed.** The principal/designee may recommend the expulsion of any student who has committed a **serious breach of conduct.**

Discipline Charts

A minor to major discipline chart listing recommended consequences is included on the following pages. A range of consequences is available for each inappropriate behavior. If a principal / designee needs to deviate from the suggested range, she / he must write the rationale and place it in the student's discipline folder. The principal is authorized to take appropriate action in response to

other misbehaviors not included in the chart and in lieu of the recommended consequences may substitute another appropriate consequence.

SECTION THREE

PROHIBITIONS AND NOTICES

Notice: Prohibition of Violence Against School District Personnel

Battery against any school personnel by a student is a level I violation of the Code of Student Conduct. A student who deliberately and knowingly commits an act of battery against school personnel shall be suspended from school. The principal shall recommend expulsion and will offer to assist the staff member in pressing such charges as are appropriate. Subject to federal and state mandates, any student charged with a violation of section 784.081, F.S. (assault, aggravated assault, battery, or aggravated battery upon a school employee) shall be removed from the classroom immediately and suspended or placed in an alternative school setting pending disposition. Any student found to have committed a violation of section 784.081, F.S. shall be expelled or placed in an alternative school setting for a minimum period of one year. [F.S. 1006.13 (4)]

Notice: Prohibition and Zero Tolerance of School-Related Crimes

The School Board has zero tolerance for crimes, violence, weapons and drugs. This policy includes the reporting of delinquent acts and crimes occurring whenever and wherever students are under the jurisdiction of the School Board.

1. Students found to have committed the following offenses on school property, school-sponsored transportation or during a school-sponsored activity shall receive the most severe consequences provided by Board Policy.

    a. homicide (murder, manslaughter);
    b. sexual battery;
    c. armed robbery;
    d. aggravated battery;
    e. battery or aggravated battery on a teacher or other school personnel;
    f. kidnapping or abduction;
    g. arson;
    h. possession, use, or sale of any firearm;
    i. possession, use, or sale of any fireworks, explosive, destructive device;
    j. possession, use, or sale of controlled substances
    k. makes a threat or false report as defined by 790.162, F.S. and 790.163, F.S.

2. Appropriate due process procedures will be followed. If a student committing one of the offenses outlined above is identified as disabled, school personnel will follow the special procedures for such student.

3. Local law enforcement authorities shall be notified when any crime or delinquent act is committed on school property, on school sponsored transportation or during a school-sponsored activity. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parents or legal guardian if the victim is a minor of the offense and of the victim's rights to press charges against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights as provided by law. [Rule 6A-1.0404, FAC]

Notice: Prohibition of Weapons

Weapons and use of weapons are prohibited on school property, including buses, at school-sponsored activities and in any vehicle brought onto school property or to a school-sponsored activity. Violation of this prohibition shall be considered a serious breach of conduct. The term "weapon" shall include, but not be limited to, any pointed, sharp or blunt instrument which has no legitimate educational purpose for the student at school and/or items that closely resemble weapons or operate similarly, such as pellet guns, BB guns and starter pistols.

1. Firearms/Explosives/Destructive Device,

For firearms/explosive/destructive device violations, a student shall be suspended from school for ten (10) days, and the principal shall recommend expulsion. Violations include possession, sale, distribution, display, transfer or use of any firearms/explosive, whether operable or inoperable, loaded or unloaded.

Any student who brings a weapon, as defined in Chapter 790, F.S., to school will be expelled from the regular school for not less than one year and referred for criminal prosecution. [F.S. 1006.07]

Any student who **brings** a firearm to school will be expelled from the regular school for not less than one year and referred for criminal prosecution. [F.S. 1006.07]

2. Other Weapons

A student **possessing, selling, distributing, displaying** or **transferring** a weapon of any type, other than a firearm/explosive/destructive device, shall be suspended from school for five (5) to ten (10) days and the principal may recommend expulsion. Violations include possessing, selling, distributing, displaying or transferring firecrackers, fireworks and M80s.

Any student who brings a weapon, as defined in Chapter 790, F.S., to school will be expelled from the regular school for not less than one year and referred for criminal prosecution. [F.S. 1006.07]

A student **using** a weapon of any type, including pointed or sharp instruments such as ice picks, penknives or razor blades, shall be suspended from school for ten (10) days and the principal shall recommend expulsion.

3. Non-Weapons Used as Weapons

A student **using as a weapon** any article or substance not normally considered to be a weapon (e.g., rocks, pens, pencils) shall be suspended for ten (10) days, and the principal shall recommend expulsion. For students with disabilities, the mandatory penalties provided by this policy shall be subject to the procedures for discipline of students with disabilities.

Notice: Prohibition of Alcohol and Drugs

The use of illegal drugs and the unlawful possession and use of alcohol is wrong and harmful and is a Level I violation of this code. Possession, sale, transfer, distribution or use by any elementary, middle or high school student of any form of alcoholic beverage, drugs with abuse potential, hallucinogens or similar items, except those specifically prescribed by a licensed physician, is prohibited on school property, including buses, and at school-sponsored activities. Drugs with abuse potential are defined as those classified as "designer drugs" under Florida Statutes. Any drug with abuse potential prescribed by a licensed physician must be delivered to the school clinic and administered under the supervision of a school employee.

1. Violation of this prohibition shall be considered a serious breach of conduct. Appropriate law enforcement officials and parents or guardian will be promptly notified.

2. A student in **possession of, using** or **being under the influence of** any item listed above, except under the direction of a licensed physician for that student, shall be immediately suspended from school for a period of ten (10) days for the first offense and the principal may recommend expulsion. The student may be required to show proof of enrollment in an appropriate rehabilitation program prior to readmission to regular classes and may be placed on probation. For a second offense, the student shall be suspended for ten (10) days and the principal shall recommend expulsion.

3. A student **selling** any item listed above or represented by the student to be any item listed above shall be immediately suspended from school for a period of ten (10) days for the first offense and the principal shall recommend expulsion. **Soliciting a sale** and **transfer** or **distribution** other than selling shall result in immediate suspension for a period of ten (10) days and the principal may recommend expulsion. For a second transfer or distribution or distribution offense, the suspension shall be for ten (10) days and the principal shall recommend expulsion.

4. The application of this policy applies to the **use of any legal substance to attain a mood-altering effect** and the **possession** of any equipment or device for preparing or taking drugs.

5. State law provides additional penalties for students formally charged with a felony, including those allegedly occurring off school property. By their nature, such incidents shall be considered to represent an adverse impact on the educational program, discipline

or welfare in the school. A student adjudged guilty of a felony under Chapter 893, Florida Statutes, may be recommended for expulsion from all educational programs in the Hamilton County public school system.

6. Pursuant to state law, any student may be entitled to a waiver of discipline or expulsion if he divulges information leading to the arrest and conviction of the person who supplies such controlled substance to him or if he voluntarily discloses his unlawful possession of such controlled substance prior to his arrest. A waiver also may be granted if the student successfully completed a state-licensed or school board approved drug abuse program. [F.S. 1006.09]

7. For students with disabilities, the mandatory penalties provided by this policy shall be subject to the procedure for discipline of students with disabilities.

Notice: Prohibition of Tobacco Products

Use, possession, distribution and sale of tobacco products are prohibited on school property, at school-sponsored events, at school bus stops and on school buses. In addition it is unlawful for any person under 18 years of age to knowingly possess any tobacco product. [F.S. 386.212; 569.11]

Notice: Medications or Medical Treatment

Should a student require medication administration or medical treatment during school hours, State Statutes and School Board Policy states written permission must be obtained from the student's parent and physician. The medication form is available on the Hamilton County School Board website and from the school nurse at each school. The medication form must be signed by both the parent and the prescribing physician. A parent or an authorized person must deliver the medication to the Health Room. The medications are verified and counted upon receipt. Do not send medication to school with your child. Medications must be in the pharmacy container with the original, valid, unaltered, updated prescription label attached. Medications cannot be transported back and forth for nighttime or weekend doses. Only medications prescribed during school hours will be administered at school.

Notice: Prohibition of Misconduct on School Bus/at Bus Stop

Students who use Board bus privileges are expected to follow the Code of Student Conduct. Disruptive behavior on a school bus or at a school bus stop may be a Level IV violation of the Code of Student Conduct. **Students may have their bus riding privileges suspended and may also be suspended from school for misbehavior on the bus.**

Notice: Prohibition of Sexual Harassment

The School Board forbids discrimination against any student on the basis of sex. The Board will not tolerate sexual harassment activity by any of its students. A substantiated charge against a

student shall subject that student to disciplinary action, including but not limited to suspension or expulsion, consistent with this Code.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature, when such conduct substantially interferes with a student's academic performance or creates an intimidating, hostile or offensive environment. It is sexual harassment for a student to subject another student to any unwelcome conduct of a sexual nature. Students who engage in such conduct shall be subject to discipline.

1. Sexual harassment, as defined above, may include but is not limited to the following:

    * verbal harassment or abuse;
    * pressure for sexual activity;
    * repeated remarks to a person with sexual or demeaning implications;
    * unwelcome or inappropriate touching;
    * suggesting or demanding sexual involvement accompanied by implied or explicit threat.

2. Any student who alleges sexual harassment by another student may use the student grievance procedure or may complain directly to the principal. Filing of a complaint or otherwise reporting sexual harassment will not affect the student's status, extracurricular activities, future grades or work assignments.

3. The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

4. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Superintendent or designee has the responsibility of investigating and resolving complaints of sexual harassment.

Notice: Prohibition of False Accusations

It is a Level IV violation for a student to intentionally make false accusations that jeopardize the professional reputation, employment or professional certification of a teacher or other member of the school staff. [F.S. 1006.09]

Notice: Removal of Student from Class

Each school shall develop progressive discipline guidelines for removal of chronically disruptive students from the regular classroom. A student may be removed from class by a teacher for behavior which interferes with the teacher's ability to communicate effectively with the class, or with the ability of the student's classmates to learn. Under these circumstances and subject to

federal and state mandates, the student will not be returned to the teacher's class without the teacher's consent. If a teacher withholds consent, a placement review committee will determine the student's placement. [F.S. 1003.32].

Notice: Prohibition of Display or Use of Electronic Telephone Pagers & Cellular Telephones

Display or use of electronic telephone pagers (beepers) on school property or at a school-sponsored activity is grounds for discipline. Other electronic items including mp3 players, Ipods, cd players, game consoles, cameras, etc. are also prohibited from being brought on school grounds without the specific permission of the Principal for instructional purposes.

Display or use of cellular telephones on school property during regular school hours is grounds for discipline. Confiscated telephones or other electronic devices will only be returned to the student upon completion of the assigned discipline. **The school will not be responsible for the loss or theft of items that are confiscated as a result of a student's violation of this policy.** Return of the item at an earlier date will only occur with a parent/guardian meeting with the principal or designee to discuss the violation.

Notice: Prohibition of Threats or False Reports (Including Fire Alarms and Bomb Threats)

Any student who is determined to have made a threat or false report as defined by 790.162 F.S. and 790.163 F.S. involving school or school personnel's property, school transportation, or a school-sponsored activity will be expelled from the regular school for not less than one year and referred for criminal prosecution. Whoever, without reasonable cause, by outcry or the ringing of bells or otherwise, makes or circulates or causes to be made or circulated, a false alarm of fire shall for the first conviction be guilty of a misdemeanor of the first degree and punishable by law (s. 775.082, 775.083). A second or subsequent conviction under this section shall constitute a felony of the third degree, punishable as provided by law (s. 775.082, 775.083, or 775.084). It is unlawful for any person to threaten to throw, project, place, or discharge any destructive device with intent to do bodily harm to any person or with intent to do damage to any property of any person, and any person convicted thereof commits a felony of the second degree and punishable by law (s. 775.082, 775.083, or 775.084). It is also unlawful for any person to make a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, other deadly explosive, or weapons of mass destruction as defined in s. 790.166 and any person convicted thereof commits a felony of the second degree and punishable as defined in law (s. 775.082, 775.083, or 775.084).

SECTION FOUR

PROCEDURES

Student Detention, Search and Seizure

1. Any designated instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that the student has committed, is committing or is about to commit a violation of Florida Statutes or School Board Rules. No student shall be temporarily detained longer than is reasonably necessary.

2. If, at any time before or after the onset of the temporary detention, a reasonable suspicion arises that the detained student is concealing weapons, stolen goods, illegal substances, mood modifiers or any other prohibited items on his / her person, or within his / her locker, vehicle or other student storage space, an administrative staff member may search the personal property of the student and his / her locker, vehicle or other storage space for the purpose of locating suspected stolen or illegal property. Strip searches of students by School Board personnel are prohibited. Any search of a student's clothes or personal items will be conducted in accordance with applicable federal and state laws.

3. Stolen or illegal property which is seized during a search of the personal property of a student or his / her locker, vehicle or other student storage area shall be given to law enforcement authorities, when appropriate.

4. Each principal shall place a sign, clearly visible to students and in prominent location(s) within the school, which contains the following text:

Notice to Students

School authorities may search student lockers, vehicles or other storage areas upon reasonable suspicion that a prohibited or illegally possessed substance or object is contained within the area. [F.S. 1006.09(9)]

5. Metal detectors and trained dogs may be used to screen for prohibited weapons and substances. The following provisions shall apply to canine screening for illegal substances:

   a. Canine sniffers shall be used primarily for school purposes to bring disciplinary action against students who are found to be in possession of illegal substances.

   b. The Superintendent shall determine whether and at what times the canine sniffers shall be utilized. The principal or designee will be notified each time the canine sniffers are brought on campus.

      1) The canine sniffers shall be controlled and directed at all times by qualified handlers from the Sheriff's Department or local police departments.

2) Sniff screening shall be conducted at the qualified handler's direction in cooperation with the school's administrative personnel. Student lockers, vehicle and storage areas may be sniff screened; individual students may not.

3) School administrative personnel shall be responsible for necessary parental notification, student disciplinary action, student due process and public relations related to such screening.

4) Custody, analysis and disposal of the illegal substance shall be the responsibility of law enforcement.

Student Suspension

Suspension, also referred to as out-of-school suspension, is the temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the principal or designee, for a period not to exceed ten (10) school days. The student will be released to his/her parents/guardians. Specific homework assignments will be provided to the parent or student within 24 hours of the student's return to school. The principal or administrative designee shall have the right to suspend a student from school for a serious act of misconduct (Level I-IV offense under the Code). For a student with a disability, the principal shall follow the discipline procedures for students with disabilities. The procedure below shall be followed for suspension from school:

1. The student will be told of the charges and the evidence against him or her. In a conference, the student will have an opportunity to respond to the charges and to explain his/her behavior. Except as stated in paragraph 5 below, a suspension shall not be made prior to the conference opportunity.

2. The principal or designee will determine whether the student has committed the misbehavior and, if so, what will be the consequence. If the principal or designee determines that there are sufficient grounds for suspension, then the student will be informed that he/she is being suspended from school and for what length of time. The student will normally be suspended effective at the end of the school day.

3. The principal or designee will make a good faith effort immediately to inform the student's parent or guardian by telephone of the suspension and the reasons for it and will also send written notice to the student's parent or guardian within 24 hours of the start of the suspension or on the next regular work day. Delivery will be by U.S. mail and also, if appropriate, by hand. The notice will state the length of the suspension and the reasons for it. Parent or guardian must be notified before an out of school suspension can begin. Student will remain in isolation until the parent can be contacted. Parents/guardians are responsible for providing the school with current contact information.

4. A parent and /or student may appeal a suspension decision through the Student Grievance procedure.

5. In an emergency the principal may temporarily suspend a student prior to a conference when, in his/her judgment, the safety or health of students, staff or other persons in the school may be threatened by the continued presence of the student. When temporary suspension is necessary, the principal will inform the parent or guardian by the most rapid means (including telephone). As soon as feasible under the circumstances, the principal shall hold a conference with the student or parents. Following the conference, the principal may formally suspend the student; however, in no case shall the principal's temporary and formal suspensions exceed ten (10) days for the same offense.

6. Students who are assigned out-of-school suspension (OSS) or in-school suspension (ISS) are not allowed to participate in any extra-curricular activities or events until all suspension days are completed.

Student Expulsion

Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the Board, and for a period of time not to exceed the remainder of the term or school year and one additional year of attendance. The school principal may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of his staff, violence against persons or property or any other act which substantially disrupts orderly conduct of the school. For a student with disability, the principal shall follow the expulsion procedures for students with disabilities.

The procedure below shall be followed for expulsions from school:

1. The student will be told of the charges and the evidence against him or her. In a conference, the student will have an opportunity to respond to the charges and to explain his or her behavior. The student may present witnesses to the incident and may question witnesses, so long as the questioning does not threaten, harass or intimidate.

2. The principal will determine whether the student has committed the misbehavior and if so, what will be the consequence. The principal determines that there are sufficient grounds for expulsion, then the student will be informed that he/she is being suspended from school for ten (10) days and that a recommendation for expulsion is being forwarded to the Superintendent. The student will normally be suspended effective at the end of the school day.

3. The principal or designee will make a good faith effort immediately to inform the student's parent or guardian by telephone of the suspension and the reasons for it and will also send written notice to the student's parent or guardian within 24 hours of the start of the suspension or on the next regular work day. Delivery will be by U.S. mail and also, if appropriate, by hand. The notice will state that the student has been suspended for ten (10)

school days, that a recommendation for expulsion has been forwarded to the Superintendent and the reasons for the action taken.

4. Upon request, the parent or guardian or the adult student will be given an opportunity for an informal hearing with the principal on the grounds for suspension and the recommendation for expulsion. This opportunity will be provided within 48 hours of the request (excluding Saturday, Sunday and school holidays).

5. Upon receipt of a principal's recommendation for expulsion, the Superintendent or designee shall make such investigation as deemed necessary. Alternatives to expulsion shall be considered based upon sound educational reasons.

6. If the Superintendent finds a sufficient basis for an expulsion recommendation to the Board, notice of charges and a summary of the factual, legal and policy grounds for the proposed expulsion will be served on the parent. The parent, guardian or adult student may request a hearing on the charges within ten (10) calendar days from receipt of the Superintendent's notice. Failure to timely request a hearing or failure to appear at a hearing after notice of the date of hearing shall be deemed a waiver of any hearing on the matter. However, upon presentation of good and sufficient reasons for nonappearance, the hearing may be rescheduled at a time convenient to the parties.

7. When Board action on a recommendation for expulsion is pending, the Superintendent may extend the suspension beyond ten (10) school days if such suspension expires before the next regular or special meeting of the Board. The parent or guardian will be informed in writing of any such extension.

8. Hearings will be conducted in accordance with Florida Statutes and the Uniform Rules of Procedure relating to informal administrative hearings, and Policy 5.12.

9. The hearing for expulsion shall be before the School Board.

10. The Superintendent shall notify the parent and student of the Board action.

Suspension From Bus-Riding Privileges

Bus misconduct reports shall be made for student actions which distract the driver, disrupt order on the bus or endanger the health or safety of other students. Misconduct reports shall be referred to the principal for appropriate action, which may include temporary bus suspension, for up to ten (10) school days, or a recommendation to the Superintendent for long-term bus suspension, for more than ten (10) school days.

On recommendation of the Superintendent, the Board may suspend bus riding privileges of students. Long-term suspension of bus privileges shall be based on persistent student misconduct which disrupts order on the bus and endangers the health, safety and welfare of other students riding the bus.

Reassignment to Alternative Education Center

1. An alternative Dropout Prevention/Disciplinary program is offered for students in grades 6-12. Assignment may only be made through approval by the school board. For a student with a disability, the principal shall follow the discipline procedures for students with disabilities.

2. School Board determines eligibility of student to attend Alternative Ed Program during expulsion hearing or at a subsequent hearing on a request, in writing, filed on behalf of the student by the parent. The parent is given a form to request student placement in alternative program at completion of expulsion hearing.

3. A written performance contract is signed by student and parent prior to attendance. The Alternative Education Oversight Committee will review any contract violations by the student in the alternative program. Students recommended for removal from the program will be scheduled for a second hearing before the school board to determine the student's status.

4. Student is tested upon initial enrollment using TABE test to determine areas of weakness.

5. An individual study plan is developed using the results of the TABE test. For students in need of credit recovery, programs will be used to receive lost credit. The Florida Virtual School will be available for those students who desire to pursue other coursework while in the alternative education program. Credit will be awarded on a performance based method.

6. Students work independently on areas of the plan using both print materials and technology (computer programs).

7. The teacher serves as a facilitator to the student when needed for assistance. Teachers with experience will be recruited to work in the program. Multiple teachers may be used to staff the program.

8. Upon completion of alternative education period or with recommendation from the oversight committee, the student is allowed to enter the Adult Education program (must be 16 years of age or older) to pursue GED or return to high school campus for possible entry into the regular curriculum. For students returning prior to end of alternative placement period, a recommendation will be made to the school board at the next regular or special called meeting.

Student Transfer - Felony Charges

Florida Statutes provides for the transfer to an alternative program of a student enrolled at school who:

* has been formally charged with a felony or with a delinquent act which would be a felony if committed by an adult by a prosecuting attorney, and

* the incident for which he has been formally charged occurred on other than school property, and

* under circumstances in which the student would not already be subject to the rules and regulations of the Hamilton County Schools, and

* the incident would have an adverse impact on the educational program, discipline or welfare of the school in which the student is enrolled.

The following procedures shall be followed if the principal proposes a felony transfer pending determination of the student's guilt or innocence, or the dismissal of the charge, by a court of competent jurisdiction:

1. Upon receiving proper notice that a student has been formally charged with a felony or with a delinquent act which would be a felony if committed by an adult, the principal shall notify the parent/guardian of the student, in writing, of the specific charges against the student and of the right to a hearing.

2. Such notice shall set a date for the hearing which shall be not less than two (2) school days nor more than five (5) school days from date of postmark or delivery. It shall also advise the parent/guardian of the conditions under which a waiver of discipline may be granted. A hearing can be held without the attendance of the parent/guardian after proper notification.

3. The hearing shall be conducted by the principal and may be attended by the student, the parent/guardian, the student's representative or counsel, the principal's designee and any witnesses requested by the student or the principal

4. The student may speak in his or her own defense, may present any evidence indicating his or her eligibility for waiver of disciplinary action and may be questioned on his or her testimony. However, the student shall not be threatened with punishment or later punished for refusal to testify.

5. In conducting the hearing, the principal or designee shall not be bound by rules of evidence or any other courtroom procedure and no transcript of testimony shall be required.

6. Following the hearing, the principal shall provide the student and the parent/guardian with a decision, in writing, as to whether or not student transfer for felony charges will be made and, if so, the effective date of such transfer. In arriving at this decision, the principal shall consider the conditions under which a waiver of discipline may be granted and may grant such a waiver when she or he determines such action to be in the best interests of the school and the student.

7. If the court determines that the student did commit the felony or delinquent act which would have been a felony if committed by an adult, the principal may recommend that the student be expelled. [F.S. 1006.09, Rule 6A-1.0956, FAC]

SECTION FIVE

GRIEVANCE PROCEDURES FOR STUDENTS AND PARENTS/GUARDIANS

Student Right:

*Students have a right to present a complaint regarding unfair treatment.

Student Responsibility:

*Students have a responsibility to learn and follow procedures for filing complaints.

Grievance procedures are used to handle serious problems when students believe there has been a violation of the code of Student Conduct, including due process. Except in instances where there is a clearly defined procedure other than the one described here, a student grievance may be pursued in order through three levels.

Level I - Informal Discussion: The student or parent/guardian should discuss the grievance with the person responsible for what the student or parent/guardian believes to be unfair treatment under the Code of Student Conduct. The discussion should occur within five (5) school days of the time of the alleged unfair treatment. No grievance will be processed until after such informal discussion. **For allegations of discrimination or harassment, the school principal is the first point of contact and the administrative assistant is the second point of contact. If further assistance is needed, the equity coordinator should be contacted. For discrimination or harassment complaints, there is a sixty (60) day time limit for the initial reporting of the incident. Once reported, the district will conduct an investigation and complete the case within twenty (20) days.**

Level II - School Principal: If the grievance has not been resolved at the informal level, the parent/guardian and/or student may submit a written Student Grievance to the principal within five (5) school days of the Level I discussion. The principal will have five (5) school days after receipt of the grievance in which to hold a conference and give a written decision.

Level III - Superintendent's Office: If the grievance has not been resolved at Level II, the parent/guardian and/or student may, within five (5) school days after receipt of the principal's decision, submit a written Student Grievance Form to the Superintendent's Office and the Superintendent or Superintendent's designee who will review the grievance, and will respond in writing within ten (10) school days after receipt of the grievance form.

The Superintendent or Superintendent's designee shall coordinate all student grievances under this code.

Appendix A

Elementary Discipline Chart -- Grades K-6

	Level IV					Level III					Level II				Level I		
	Verbal Reprimand	Time Out	Withdraw Privileges	Parent Notified	Counseling	Work Detail/ Restitution	Detention	Behavior Contract	Corporal Punishment	In-School Suspension	Bus Suspension (1-10 Days)	Out-of-School Suspension (1-4 Days)	Out-of-School Suspension (5-9 Days)	Out-of-School Suspension (10 Days)	Recommend Long-Term Bus Suspension	Recommend Alternate Placement	Recommend Expulsion
Dress Code Violation																	
Skipping																	
Abusive Language																	
Disorderly Conduct																	
Harassment/Bullying																	
Unsafe Act																	
Defiant																	
Computer Misuse																	
Cheating																	
Bus Misconduct																	
Unauthorized Equipment/Items (Including Electronics)																	
Fighting (SESIR or Non SESIR)																	
Theft/Larceny																	
Vandalism																	
Sexual Harassment																	
Trespassing																	
Smoking/Tobacco/Non-controlled Substances																	
Assault																	
Burglary/Breaking and Entering																	
Other Major - Forgery/Extortion, etc.																	
Sexual Offenses																	
Alcohol																	
Battery on Student																	
Battery on Personnel																	
Aggravated Battery																	
Motor Vehicle Theft													■				
Kidnapping													■				
Robbery													■				
Arson													■				
Sexual Battery													■				
Drugs - First Possession/Transfer/Use												■●					
Second Possession/Transfer/Use														■●			●
Selling														■●			●
Weapons - (not guns)												●					
Weapons - Firearms/Explosives														■●			●
Weapons - Use														■●			●
Homicide														■●			●

*The principal is authorized to take appropriate action in response to other behaviors not included in this chart. ■ Report to Law Enforcement ● Mandatory Penalty

HAMILTON COUNTY HIGH SCHOOL **Appendix B**

Minor to Major Discipline Chart of the Code of Student Conduct

Discipline Chart Terms – Consequences Listed in Ascending Order of Severity	
Code	**Description**
MASP	Monday After School Program (MASP) is a supervised academic activity as an alternative to other disciplinary actions.
CP	Corporal Punishment (CP) subject to the rules of the District School Board, the Principal or designee may administer CP in the presence of an adult witness with parental consent. Corporal punishment will not be administered more than 3 times in a school year.
ISS	In School Suspension (ISS) In School Suspension is the temporary removal of a student from the student=s regular schedule and placed in an alternative program. Students must successfully complete assigned work in ISS prior to return to regular classes.
OSS	Out of School Suspension (OSS) is the temporary removal of a student from all classes of instruction on public school grounds and denied participation in all school related activities for a period not to exceed 10 days per incident.
AP	Alternative Placement (AP) is offered for students in grades 6-12 at the Success Academy Alternative Program. Placement in the program can only occur as a result of approval by the school board.
SRO	School Resource Officer (SRO) will be utilized to help counsel and modify behavior of students committing major acts of misconduct.

	Incident Type and SESIR Definition	**1st Referral**	**2nd Referral**	**3rd Referral**	**Repeated**
1	Alcohol: Possession, sale, purchase, or use of alcoholic beverages. Use should be reported only if the person is caught in the act of using or is discovered to have used in the course of an investigation. (Level IV) * Must be reported in SESIR and expected to be reported to Law Enforcement.	10 Days OSS and Recommendation for School Board Review	10 Days OSS and Recommendation for School Board Review		
2	Arson: Intentionally setting a fire on/with school property. To damage or cause be damaged by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. (Level I) * Must be reported in SESIR and expected to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	Restitution; 10 days OSS and Recommendation for School Board Review			
3	Battery: Physical attack or harm. The physical use of force or violence by an individual against another. The attack must be serious enough to warrant consulting law enforcement and result in more serious bodily injury. (To distinguish from fighting, report an incident as Battery only when the force or action is carried out against a person who is not fighting back. (Level I) * Must be reported in SESIR and must be reported to Law Enforcement. This is a violent incident that must be reported as injury related.	10 Days OSS and Recommendation for School Board Review			

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
4	Breaking / Entering, Burglary: Illegal entry into a facility. The unlawful entry with force, or unauthorized presence in a building or other structure, or conveyance with evidence, of the intent to damage or remove property or harm a person(s). Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	10 Days OSS and Recommendation for School Board Review			
5	Disruption on Campus – Major: Disruption of all or significant portion of campus activities, school-sponsored events, and school bus transportation. Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others. These include bomb threats, inciting a riot, and initiating a false fire alarm. (Level III) * Must be reported in SESIR and expected to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	10 Days OSS and Recommendation for School Board Review			
6	Drug Use / Possession Excluding Alcohol: Illegal drug possession or use. The use or possession of any drug, narcotic, controlled substance, or any substance used for chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. (Level III)* Must be reported in SESIR and expected to be reported to Law Enforcement.	10 Days OSS and Recommendation for School Board Review	10 Days OSS and Recommendation for School Board Review		
7	Fighting: Mutual combat and/or mutual altercation. When 2 or more persons mutually participate in use of force or physical violence that requires either physical restraint or results in injury requiring first aid or medical attention. (Level III) ** Must be reported in SESIR and may not need to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	3 – 10 Days OSS; Possible referral to SRO; Subject to arrest	5 – 10 Days OSS; Possible AP; Referral to SRO; Subject to arrest	10 Days OSS pending AP; Referral to SRO; Subject to arrest	10 Days OSS and Recommendation for School Board Review
8	Homicide: Murder or manslaughter. The unjustified killing of one human being by another. (Level I) * Must be reported in SESIR and must be reported to Law Enforcement. This is a violent incident that must be reported under injury-related.	Immediate arrest by SRO; Recommendation for School Board Review			
9	Kidnapping: Abduction of an individual. Forcibly, or by threat, confining, abduction, or imprisoning another person against his/her will and without lawful authority. (Level I) * Must be reported in SESIR and must be reported to Law Enforcement. This is a violent incident and must be reported under injury-related.	Immediate arrest by SRO; Recommendation for School Board Review			
10	Larceny / Theft: Taking of property from a person, building, or vehicle. The unauthorized taking, carrying, riding away, or concealing the property of another person, without threat, violence, or bodily harm. **The item must be $300 or more to report in SESIR**. (Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement.	10 Days OSS and possible Recommendation for School Board Review; Restitution	10 Days OSS and Recommendation for School Board Review		

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
11	Harassment : Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that caused substantial emotional distress in such a person and serves no legitimate purpose.	1 – 5 Days ISS: Referral to Guidance Counselor	1 – 3 Days OSS: Referral to SRO	3 – 10 Days OSS: Referral to SRO	10 Days OSS: Recommendation for School Board Review
12	Robbery: Using force to take something from another. The taking or attempted taking of anything of value that is owned by another person or organization, under the confrontational circumstances of force or threat of force or violence and/or by putting the victim in fear. (Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	10 Days OSS and Recommendation for School Board Review; Restitution			
13	Sexual Battery: Forced, actual, or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object. (Level I) * Must be reported in SESIR and must be reported to Law Enforcement. This is a violent incident and must be reported as injury-related.	10 Days OSS and Recommendation for School Board Review			
14	Sexual Harassment: Undesired sexual behavior. Unwanted and repeated verbal or physical behavior with sexual connotations by an adult or student that is severe or persuasive 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. An incident when one person demands a sexual favor from another person under the threat of physical harm or adverse consequence. (Level III) ** Must be reported in SESIR and may not need to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	3 – 10 Days OSS and Referral to Guidance	10 Days OSS and possible Recommendation for School Board Review hearing	10 Days OSS and Recommendation for School Board Review	
15	Sexual Offense (Other): Other sexual contact, including intercourse, without force or threat of force, or subjecting an individual to lewd, sexual gestures, or exposing private body parts in a lewd manner. Law enforcement must be notified to investigate. (Level III) * Must be reported in SESIR and expected to be reported to Law Enforcement.	3 – 10 Days OSS and Referral to Guidance	10 Days OSS and possible Recommendation for School Board Review hearing	10 Days OSS and Recommendation for School Board Review	

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
16	Threat / Intimidation: Instilling fear in others. A threat to cause physical harm to another person with or without the use of a weapon that includes all of the following elements: **intent** (an intention that the threat is heard or seen by the person who is the object of the threat), **fear** (a reasonable fear of apprehension by the person who is the object of the threat that the threat could be carried out), and **capability** (the ability of the offender to actually carry out the threat directly or by a weapon or other instrument that can easily be obtained. (Level III) * Must be reported in SESIR and expected to be reported to Law Enforcement.	3 – 10 Days OSS	10 Days OSS and possible Recommendation for School Board Review hearing		
17	Tobacco: Cigarettes or other forms of tobacco. The possession, use, distribution, or sale of tobacco products on school grounds, at school – sponsored events, or on school transportation by any person under the age of 18. (Level IV) ** Must be reported in SESIR and may not need to be reported to Law Enforcement.	5 Days ISS; Confiscation of items	3 Days OSS; Confiscation of Items	5 – 10 Days OSS; Confiscation of Items	10 Days OSS and possible Recommendation for School Board Review hearing
18	Trespassing: Illegal entry onto campus. To enter or remain on school grounds / campus, school transportation, or at a school sponsored event / off campus without authorization or invitation and with no lawful purpose for entry. (Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement.	3 – 10 Days OSS	10 Days OSS and possible Recommendation for School Board Review hearing	10 Days OSS and Recommendation for School Board Review	
19	Vandalism: Destruction, damage, or defacement of school or personal property. The intentional destruction, damage, or defacement of public or private/personal property without consent of the owner or the person having custody or control of it. **Damage must be $1000 or more to be reported to SESIR.** (Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement.	3 – 10 Days OSS; Restitution	10 Days OSS and possible Recommendation for School Board Review hearing	10 Days OSS; Recommendation for School Board Review	
20	Weapons Possession: Possession of firearms and other instruments as defined by Section 790.001, Florida Statutes or district code of conduct which can cause harm. Possession of any instrument or object as defined by Florida Statutes that can inflict serious harm on another person or that can place a person in reasonable fear or apprehension of serious harm. Possession of a common pocketknife is exempted from zero tolerance expulsion. However, law enforcement should be notified of all knives, including pocketknives, for investigation. (Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement.	10 Days OSS; Recommendation for School Board Review			

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
21	Other Major Offense: Major incidents that do not fit within the other definitions. Any serious, harmful incident resulting in the need for law enforcement intervention not previously classified. Examples include student producing or knowingly using counterfeit money, participating in gambling activities, or possession of child pornography, or possessing drug paraphernalia, improper computer use, unauthorized entry into computer system, altering or deleting download files, inappropriate internet sites, downloading inappropriate materials, defacing of computer equipment and student victimization. (Level III) * Must be reported in SESIR and expected to be reported to Law Enforcement. This is a violent incident if bodily injury occurs.	10 Days OSS; Recommendation for School Board Review; For computer system related offenses, 3 – 10 Days OSS and loss of computer privileges for remainder of school year	For computer related offenses, 10 Days OSS and possible Recommendation for School Board Review hearing; Loss of computer privileges for remainder of school year	For computer related offenses, 10 Days OSS and Recommendation for School Board Review	
22	Drug Sale / Distribution excluding alcohol: Illegal sale or distribution of drugs. The manufacture, cultivation, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance. (Level II) * Must be reported in SESIR and expected to be reported to Law Enforcement.	10 Days OSS; Recommendation for School Board Review	10 Days OSS; Recommendation for School Board Review		
23	Unsubstantiated Bullying: After a complete investigation and follow up of a reported bullying incident, the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under the definition of bullying as listed in the Jeffery Johnston Stand Up for all Students Act (section 1006.147, F.S.)				
24	Unsubstantiated Harassment: After a complete investigation and follow up of reported harassment incident the investigator determines that there is not enough evidence to substantiate that the incident meets the criteria of a prohibited act under definition of harassment as listed in the Jeffrey Johnston Stand Up for all Students Act (section 1006.147, F.S.)				
27	Bullying: The incident is bullying if the incident includes systematically and chronically inflicting physical hurt or psychological distress on one or more student or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation. If the bullying results in any other SESIR incidents do not code the incident as Bullying. Instead, the incident should be coded appropriately with the related element coded as bullying-related.	1 – 3 Days OSS: Referral to Guidance Counselor	3-5 Days OSS: Referral to SRO	5 – 10 Days OSS: Referral to SRO	10 Days OSS: Recommendation for School Board Review
51	Bus – Incident (Other than Fighting)	1 – 3 Day Bus Suspension	3-5 Day Bus Suspension	5 – 10 Day Bus Suspension	10 Day Bus Suspension; Recommendation for School Board Review

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
55	Disobedience / Insubordination: To include failure to follow directions of school staff member, failure to follow school rules and procedures, and defiance of authority, inciting a fight, failure to leave an area when requested to do so by an adult	1 day MASP to 3 Days of ISS	3 – 5 Days of ISS	1-5 Days of OSS	5-10 Days OSS: Recommendation for School Board Review
56	Disrespectful: Inappropriate comments or actions toward a school staff member, actions showing disrespect toward others (students and school staff), and use of profanity without intent for others to hear	1 day MASP to 3 Days of ISS	3 – 5 Days of ISS	1-5 Days of OSS	5-10 Days OSS and possible Recommendation for School Board Review hearing
57	Disruptive: To include misconduct on school campus or school sponsored activity, cafeteria misconduct, disruption of a school activity such as assembly, etc., bringing or in possession of unauthorized articles at school (music players, using cell phone or other communication devices, etc.)	1 day MASP	1 – 3 Days of ISS	3 - 5 Days of ISS	1-5 Days of OSS with possible recommendation for School Board Hearing
58	Dress Code: Violation of dress code found in Student Code of Conduct	Warning and Phone parents for appropriate clothing or student corrects violation and/or isolation	1 Day MASP Principal or Designee must meet with Parent or Guardian. Ineligible for Extra Curricular Activity for 2 days beginning date of referral	1-5 Days ISS; Principal or Designee must call Parent or Guardian. Ineligible for Extra Curricular Activity for 3 days beginning date of referral	1-5 Days OSS with possible recommendation for School Board Hearing; Principal or Designee must call Parent or Guardian. Ineligible for Extra Curricular Activity for 3 days beginning date of referral
59	Falsification of Records: Giving false information verbally or in writing, forging documents or cheating	1 – 3 Days ISS and repeat assignment for a max grade of 60 for cheating	3 – 5 Days ISS and grade is a zero for cheating	1-5 Days of OSS and grade is a zero for cheating	5- 10 Days OSS and possible Recommendation for School Board Review hearing
60	Inappropriate Behavior: To include public displays of affection, name calling, possession or distribution of candy or food items when not authorized, running in hallway or on sidewalk, littering, loitering on campus after school day, misuse of school property, or other related acts.	1 Day MASP	1-3 Days ISS	3-5 Days ISS	1-3 Days OSS with possible recommendation for School Board Hearing
61	Left Campus Without Permission: Failure of student to follow proper procedures to leave school campus, sitting in vehicle in parking lot, failure to leave parking lot to main campus in a timely fashion	1 day MASP to 3 Days of ISS	3 – 5 Days of ISS	1-5 Days of OSS	5 - 10 Days OSS; and possible Recommendation for School Board Review hearing
62	Left Class Without Permission: To include student leaving class without staff member permission.	1 day MASP to 3 Days of ISS	3 – 5 Days of ISS	1-5 Days of OSS	5 - 10 Days OSS: Recommendation for School Board Review
63	Non-Compliance With Assigned Discipline: Failure to report to assigned discipline area (After School Detention, MASP, ISS), failure to comply with discipline area rules (After School Detention, MASP, ISS)	Assignment to next severe level of discipline according to table	1 – 3 Days OSS	3 – 5 Days OSS	10 Days OSS and possible Recommendation for School Board Review hearing
64	Non Controlled Substance: Possession and/or distribution of any non controlled substance to include matches, lighter, stink bombs, non prescription medicines, or other substance not covered in any other area of discipline chart	1 – 3 Days ISS	3 – 5 Days ISS	1 – 5 Days OSS	5-10 Days OSS; and possible Recommendation for School Board Review hearing

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
65	Parking Violations: To include parking in unauthorized areas, driving or parking without proper sticker, improper driving on campus, or unauthorized driver on campus	Referral to SRO	$10 Fine and Suspension of Driving Privileges until fine is paid	$15 Fine and Suspension of Driving Privileges for 1-45 Days	$20 Fine and Suspension of Driving Privileges for 45 Days to Rest of year
66	Petty Theft: The unauthorized taking, carrying, riding away, or concealing the property of another person which is less than $300 in value, without threat or bodily harm.	1 – 5 Days OSS; Restitution; Referral to SRO	5-10 Days OSS; Restitution; Referral to SRO	10 Days OSS and possible Recommendation for School Board Review hearing; Restitution; Referral to SRO	
67	Profanity: The deliberate use of inappropriate language (profanity) with the intent for others to hear, the use of obscenity toward a school staff member and the use of obscene gestures.	1-3 Days of ISS	3-5 Days of OSS	5-10 Days of OSS	10 Days OSS and possible Recommendation for School Board Review hearing
68	Skipping Class: To include not reporting to assigned class within 5 minutes from end of tardy bell, being in hallway without pass or permission, not being in assigned area	1-3 Days of ISS	3-5 Days of OSS	5-10 Days of OSS	10 Days OSS and possible Recommendation for School Board Review hearing
69	Tardiness to School (HCHS): Any student arriving late must go to the Attendance Office to sign in before attending class. Three (3) unexcused tardy occurrences to school will be considered one (1) absence toward the number of unexcused absences considered for truancy and driver's license attendance requirements. The recording process will begin anew with each new 9 week grading period. Excused Absences (All Schools): In order for a tardy to school to be considered excused, the list found on page 3 will be followed. Excessive tardiness to school or repeated checkouts of students from school may result in a referral to Truancy as this is considered a pattern of non-attendance. Tardiness to Class (HCHS): Students are expected to be in class on time to allow for the maximum amount of instructional minutes each period. A student will be considered tardy to class when he/she is not in the classroom when the tardy bell rings or has not met the expectation for being on time that has been shared with the students by the teacher and approved by the school Principal. Students who receive a cumulative number of 10 or more tardy referrals in a 9 weeks period may be referred to Truancy.	Warning and Automated Phone call from School	1 Day of MASP * Parent will receive phone notification from the school for each tardy	1-5 Days of ISS * Parent will receive phone notification from the school for each tardy	1-5 Days of OSS * Parent will receive phone notification from the school for each tardy
70	Truancy (Late to School or All Day)	Follow Guidelines provided by District for excessive truancy as defined by state statute and district procedures			

	Incident Type and SESIR Definition	1st Referral	2nd Referral	3rd Referral	Repeated
71	Other Minor Incidents: To include any incident not previously listed in discipline chart	1 Day MASP	1 – 5 Days ISS	1 – 5 Days ISS	1 – 3 OSS
72	Not in Designated Area	1-3 Days of ISS	3-5 Days of OSS	5-10 Days of OSS	10 Days OSS and possible Recommendation for School Board Review hearing
73	Failure to Provide Information: Failure of a student to disclose information to school staff member upon request	1 day MASP - 3 Days of ISS	3 – 5 Days of ISS	1-5 Days of OSS	5 – 10 Days OSS; Recommendation for School Board Review hearing
74	Fighting (Non-SESIR): Incidents that involve personal contact to include pushing, shoving, aggressive act toward another student or attempting to fight.	3 – 5 Days ISS	1 – 3 Days OSS	3 – 5 Days OSS	5 – 10 Days OSS and possible Recommendation for School Board Review hearing
80	Continuous Disruptive Behavior: To be used when a referral for student misbehavior will lead to AP or a recommendation for expulsion	10 Days OSS or 10 Days OSS and possible Recommendation for School Board Review hearing			

* Offense must be reported to law enforcement ** Offense may be reported to law enforcement

NOTE: An incident should be coded as reported to Law Enforcement if an official action was taken by a School Resource Officer (SRO) or local Law Enforcement Officer, such as a case number was assigned, a report filed, an affidavit was filed, an investigation was conducted and found to be an incident reportable to SESIR, or an arrest was made. The presence of, notification of, or consultation with a Law Enforcement Officer or SRO is not sufficient for an incident to be coded as "Reported to Law Enforcement."

NOTE: CP (corporal punishment) may be substituted for listed consequence upon parent conference and administration approval. See noted in corporal punishment box at beginning of this chart.

Under the Individuals with Disabilities Education Act (IDEA), students who have been identified as educationally disabled and are receiving ESE services are subject to additional disciplinary guidelines that are different than those for non-disabled students.

At the administrator's discretion, s/he may assign students to the MASP for multiple days. Transportation at the conclusion of the MASP is the responsibility of the student/parent.

Appendix C

Section 504 General Procedures

The intent of the District's Section 504 Process is to guarantee that all qualified individuals with disabilities are free from discrimination and that a free and appropriate public education is provided, when necessary, which consists of regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the individual educational needs of other students are met.

(1)(1a) Parents, teachers and private practitioners may submit their reports and/or referrals for review to the Child Study Team (CST).

(2) All referrals and private evaluations are reviewed by the CST on a case-by-case basis. The CST may elect to consider the following options:
(a) consider whether a disability exists based solely on a private evaluation and/or other supportive data (e.g. review of records, etc.);
(b) make other recommendations if the information does not support the existence of an impairment which substantially limits a major life activity;
(c) collects additional data to confirm the existence of a disability and/or the need for accommodations.

(3) CST makes other recommendations, i.e., remediation, schedule change(s), evaluation, alternative education.

(4) The CST collects information utilizing a multidisciplinary team approach. This information is used to determine the presence of an impairment as well as the adverse effect the impairment has on a student's academic, social and behavioral functioning. The CST determines what screening instruments will be utilized and then shares the responsibility for collecting this information. If data do not support the existence of a disability or the need for services under Section 504, other recommendations may be forthcoming.

(5) The CST multidisciplinary team concurs that the student's assessment data reveal that an impairment exists that substantially limits a major life activity and determines that the student is disabled. The Team then determines whether the student needs services or accommodations under Section 504 in order that the student's educational needs are met as adequately as those of nondisabled students.

If the student is determined to be in need of a Section 504 Plan, the teacher(s), parents, and support professionals collaborate in planning educational accommodation strategies. These accommodations are documented on a Section 504 Accommodation Plan. Finally, a case manager is assigned from the school staff (e.g., Section 504 school liaison, counselor, administration, team leader, etc.) to monitor the student's progress. The Section 504 school liaison is responsible for completing the Section 504 Accommodation Record form and setting timelines for implementing and monitoring the provision of accommodations.

Parents receive copies of the Section 504 Accommodation Plan and the Section 504 Accommodation Record forms, along with a formal Notice of the Rights afforded to them by Section 504 of the Rehabilitation Act of 1973.

(6) Teacher(s), parents, and/or appropriate support professionals, will participate directly in implementing the accommodations. Support professionals will remain accessible to the teacher/parent and offer additional suggestions as necessary.

(7) The effectiveness of the accommodations is evaluated by the assigned case manager from the school staff (e.g., Section 504 school liaison, counselor, administrator, team leader, etc). If the accommodations need to be modified or redesigned, the case is resubmitted to the CST.

(8)(9)(10) If accommodations have proven ineffective, the CST will make other recommendations (i.e., remedial education, Drop Out Prevention classes, schedule changes, alternative education, psychoeducational screening/evaluation). (3)

Statement of Non-Discrimination

No student or school employee shall, on the basis of race, color, religion, sex, national origin, handicap, age, marital status, or use of a language other than English, be excluded from participation in, be denied benefits of, be subjected to discrimination under any educational program or activity, nor be denied employment, except as provided by law and provides equal access to the Boy Scouts and other designated youth groups. Non-administrative employees and students are encouraged to report any violation of this equal opportunity policy and administrative personnel are required to assist in its full implementation

Statutory Authority: 1001.41 FS Laws Implemented: 1000.05; 1012.22_FS 3eCFR200.43(c):PL201.44 Code of Federal Register. State Board of Education Rule 6A-1.9001.

If you wish to file a complaint alleging any violation of this act, notify:

Mrs. Ida Daniels
Equity Coordinator
Hamilton County School Board
4280 SW CR 152
Jasper, Florida 32052
Phone: 386-792-1228
Fax: 386-792-3681