



**Hillsborough County**  
**PUBLIC SCHOOLS**  
Preparing Students for Life

2021-2022

# Student Code of Conduct

& Resource Guide

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## Letter from the Superintendent

Dear Hillsborough County Public Schools,

Our Hillsborough County Public Schools Student Code of Conduct is reviewed and revised annually to reflect current Florida law and district policy. We invited a diverse group of parents/guardians, teachers, students, community members, school administrators and local legislators to look at our code of conduct and make recommendations. This document is a result of their work and commitment to our student's education and safety. We are certain that the yearly updates adjusted for the Student Code of Conduct will only improve the procedures currently in place.

The HCPS Student Code of Conduct is designed to foster relationships with students and community that are critical to school climate, where staff and students are positively engaged in the learning process and respect the rights of all individuals. Two components of the HCPS disciplinary system are the use of "Positive Behavior Interventions and Supports" and "Progressive Discipline" for all grades.

If you have questions about the Hillsborough County Public Schools Student Code of Conduct, please contact the General Director of Student Engagement, Joshua Kristol at (813) 558-1100. We look forward to our continued teamwork in creating a positive and safe environment for our students to learn.

Sincerely,  
Addison Davis  
Superintendent of Hillsborough County Public Schools



## Letter from the School Board

Dear Parents and Guardians,

It is my great pleasure to welcome you and your student to a brand, new school year. I invite you to work collaboratively with both your child's school and the District to ensure that everything is in place for him or her to be successful.

The Student Code of Conduct is a tool that was developed to provide you with School District policies and procedures, inform you of the rights and responsibilities of our students and parents/guardians, and share with you the interventions and supports that are in place to support student achievement.

Please read this document carefully and review it with your child. Upon completion of this review, we are requesting that both you and your child sign the Student Code of Conduct Acknowledgement Form found at the end of this document, and return it to your child's school.

Thank you for trusting Hillsborough County Public Schools with your child's education. Our school district, the 7<sup>th</sup> largest in the nation, is proud of our award-winning work in equity and diversity, the arts, STEM education and so much more. We have a large variety of programs and opportunities for our students to take advantage of that will enhance their educational experience. Our amazing teachers, in tandem with these programs and your involvement as parents and guardians, will ensure that we are Preparing Students for Life.

Lynn Gray, Chair  
Hillsborough County School Board

## **Hillsborough County Public Schools – Who Are We?**

Hillsborough County Public Schools is proudly one of the most culturally diverse school districts in the United States. With approximately 200,000 students matriculating at 268 schools Hillsborough Public Schools is the 7<sup>th</sup> largest school district in the United States of America.

## **Hillsborough County Public Schools Vision**

Preparing Students for Life

## **Hillsborough County Public Schools Mission Statement**

To provide an education and the supports that enable each student to excel as a successful and responsible citizen.

### **Purpose**

#### **The Student Code of Conduct & Resource Guide:**

- Is designed to provide consistent language with clear, explicit expectations and guidelines governing student behavior, activities, and progressive discipline.
- Provides a tiered framework with a continuum of supports that will increase positive behaviors, academic performance, and staff retention
- Improves safety, connects with the community, improves social emotional skills and connections for students.

### **Continuous Notification of Nondiscrimination**

Pursuant to Title VI, Title IX, Section 504/Title II and other civil rights regulations, the School District of Hillsborough County does not discriminate nor tolerate harassment on the basis of race, color, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, marital status, genetic information or pregnancy in its educational programs, services or activities, or in its hiring or employment practices; and it will take immediate action to eliminate such harassment, prevent its recurrence, and address its effects. The district also provides equal access to its facilities to the Boy Scouts and other patriotic youth groups, as required by the Boy Scouts of America Equal Access Act.

The following person has been designated to handle inquiries regarding the non-discrimination policies: Dr. Pansy Houghton, Executive Officer, Compliance, (813) 272-4000; [pansy.houghton@hcps.net](mailto:pansy.houghton@hcps.net); 901 East Kennedy Boulevard, Tampa, FL 33602.

## Language Assistance

English: ATTENTION: If you do not speak English, language assistance services, free of charge, are available to you. Call **(813) 273-7311 for assistance.**

Español (Spanish): ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al **(813) 273-7311**

繁體中文 (Chinese): 注意: 如果您使用繁體中文, 您可以免費獲得語言援助服務。請致電 **(813) 273-7311**

Kreyòl Ayisyen (Haitian Creole): ATANSION: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele **(813) 273-7311**

Polski (Polish): UWAGA: Jeżeli mówisz po polsku, możesz skorzystać z bezpłatnej pomocy językowej. Zadzwoń pod numer **(813) 273-7311**

한국어 (Korean): 주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다. 번으로 전화해 주십시오. **(813) 273-7311**

## STUDENTS' AND PARENT/GUARDIANS' RIGHTS AND RESPONSIBILITIES

It is the intent of the Student Code of Conduct to make students aware that individual rights involve associated responsibilities, and that individual rights must be viewed in relationship to the health, safety, and welfare of the entire school community. The principal shall assume administrative responsibility and instructional leadership under the supervision of the Superintendent, and in accordance with rules and regulations of the School Board for planning, management, and operation of the school to which the principal is assigned. The faculty and staff shall assist in the orderly operation of the school and assure the rights of students.

### Academics

#### **Students have the right and responsibility to:**

- Review grades with their teachers
- Be informed by the school of their academic progress
- Have periodic reviews of their instructional achievement by the school staff
- Earn grades that fairly and objectively represent their academic progress
- Become informed of the grading criteria and any updates to grading rubrics
- Appeal grades through the established grievance procedure to the Principal
- Attend school daily, be prepared for class and complete assignments to the best of their ability
- Perform all tasks required for the successful completion of the course
- Have equal educational opportunity with regard to academic programs and extracurricular activities
- Be informed of district curriculum course descriptions that will facilitate informed choices
- Receive instruction in courses of study under competent instructors and in an atmosphere free from bias and prejudice
- Receive access to instructional materials and resources for the subject(s) they are studying
- Pursue participation in academic programs and extracurricular activities of interest and that are commensurate with ability
- Actively pursue assistance from qualified school staff with course selection that is consistent with ability and program of study
- Cooperate fully and exert every effort to achieve mastery at the highest level possible
- Take care of instructional materials/resources issued to them and to pay for lost or damaged instructional materials
- See Appendix for HCPS School Board Policy on Student/Parent Rights

### Attendance

#### **Students have the right and responsibility to:**

- Physically attend a public school within their attendance area
- Attend a Technical or Exceptional Student Center when they qualify and are accepted for enrollment
- Participate in a choice option – Magnet, School Choice, Charter, Hillsborough Virtual K-12 (HVK12), McKay, etc.
- Receive information concerning attendance policies at their school to include excused and unexcused absences and tardies; make up any work missed because of excused absences
- Request a transfer to another school outside their attendance areas when they experience severe hardships. All requests must be submitted to the Office of Student Planning and Placement (School Choice)
- Homebound instruction if confined to the home or hospital due to a medically diagnosed physical or psychiatric condition that is chronic, acute, catastrophic or results in a repeated intermittent illness (at least 15 days)
- Attend classes daily and on time unless circumstances beyond their control prohibit
- Request make-up work from their teachers after the absences have been adequately explained
- Attend school until the age of 16. Students ages 16-18 who desire to leave school prior to graduation may do so only upon completion and filing of an "Intent to Terminate Enrollment" form and completing an exit interview with their school
- Abide by School Board attendance policies
- See Appendix for HCPS School Board Policy

#### **Parents/Guardians have the right and responsibility to:**

- Notify school personnel about their child's absence from school on the day of the absence
- Submit required documents to the Exceptional Student Education Hospitalized/Homebound program office if a student is in need of hospitalized/homebound instructional services



- Notify school personnel if the family is moving out of town or out of the school’s attendance boundary
- Be aware of the Student Academic Calendar and coordinate trips, vacations, and personal business to support attendance on school days
- Parents/guardians must provide school personnel with accurate telephone contact numbers (home, cell, and work for parents or legal guardians) and ensure the number(s) are correct if there is a change during the school year. This information must be specified on the Emergency Contact Card provided by the school at the beginning of the school year and updated as changes occur.
- Be informed by their child’s school of student absence through Parent Link, phone call or email.

### **Reporting your Student’s Absence**

It is the responsibility of the student’s parent or guardian to explain a student’s absence to the designated office in person, in writing or by telephone. Parents/guardians are expected to notify the school the day of the absence. Schools may require additional documentation upon a student’s return.

Students in attendance for “meaningful instruction” during any part of the school day are counted present for the day. Additionally, attendance for students in grades 6-12 shall be recorded each period. **To be considered present in any period, a student must be present for at least one-half of that period.**

### **Behavior**

**Students have the right and responsibility to:**

- Understand and adhere to this Student Code of Student Conduct and the school-wide behavior plan of each school
- Speak with their parents/guardians to understand and abide by these policies and procedures by recognizing that unacceptable behavior shall be subject to disciplinary action
- Be respected as an individual and treated courteously, fairly, and respectfully by other students and school staff
- Treat teachers, staff, other students, themselves and property with respect
- Take part in all school activities on an equal basis regardless of race, religion, religious practices, sexual orientation, gender, national origin, ethnic group, political affiliation, age, or disability; pending eligibility
- Participate in, or refrain from, activities involving loyalty oaths, saying a pledge, singing an anthem, saluting a flag, or taking part in a patriotic ceremony
- Not interrupt the educational rights of others
- Not interfere with the rights of other students to express or refrain from expressing patriotism; remove any headdress when the national anthem is played, except when such headdress is worn for religious purposes; stand at attention, when possible
- Contribute to a positive, safe classroom and school culture that is respectful and conducive to learning
- Follow district, school, classroom, and bus rules and procedures
- Have proper notice of a behavioral infraction, an opportunity to be heard, and a fair hearing (if required)
- Privacy and shall be free from unreasonable search, as well as seizure of personal property. These rights shall prevail unless there is reason to believe that it is necessary to set them aside to protect the safety, health, and property of the school, students, and staff
- Privacy of their personal possessions unless there is reason on the part of the principal, or his or her designee, to believe that the student is concealing a weapon, illegal drugs, or other material that is inappropriate or dangerous to himself or herself, others, property, or in violation of existing HCPS policy that would bring rise to a search
- Be given prior notification of any searches except in case of emergency or exigent circumstances
- Request the presence of their parent/guardian or a responsible adult/advocate during any criminal investigation
- Not carry, possess or conceal any material that is prohibited by law and accept the consequences for their actions in cases where unlawful materials are found in their possession or in their lockers

### **Language Assistance**

**Students have the right and responsibility to:**

- A competent interpreter to assist him/her if the student has difficulty speaking/understanding English

### **Programs and Associations**

**Students have the right and responsibility to:**

- Access a relevant curriculum that is responsive to their immediate and future needs

- Voice their opinions in the development of their curriculum
- Pursue their education under competent instruction; and participate in instructional and extracurricular activities, pending eligibility
- Join school organizations and lawfully assemble in such a manner so as not to disrupt the orderly process of the school's program
- Lawfully assemble
- Organize associations within the school for social, athletic and other proper and lawful purposes, providing that no such group denies membership to any student because of race, sex, religion, sexual orientation, or for any reasons other than those related to the purpose of the organization
- Exercise the right to assembly so that the assembly does not disrupt the school program nor the orderly conduct of the school
- Know and observe qualifications for membership in student activities and to refrain from activities that interfere with school discipline
- Conduct themselves in a manner that is representative of the school and the organization of which they are members

## **Records**

Student records maintained by Hillsborough County Public Schools are updated and revised in accordance with the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C.S.1232g and Florida Statutes 1002.22 and 1002.221. In accordance with Section 1002.22(2), Florida Statutes (FS), and 34 CFR 99.7, the district is to inform eligible students or parents or guardians of their rights pertaining to access to student records and confidentiality of student information as described below: Student education records are records maintained by the school and in some cases other locations which directly relate to a student. Education records are maintained in accordance with policies of the School Board of Hillsborough County and contain identifying data (student and parent/guardian name, address, birth date, sex, race), academic record, standardized test results, attendance records, and health data. The record may also contain family background information, verified reports of serious or recurrent behavior patterns, record of extracurricular participation and participation in special programs, psychological reports and anecdotal records of professional staff. The principal may maintain a separate disciplinary file for students involved in misconduct including, but not limited to, description of misconduct, suspension notice(s), and record of disciplinary action(s) taken. These records are updated annually and information no longer pertinent is removed as per Florida Statute 257.36.

Parents/guardians and eligible students over the age of 18 may inspect and review that list upon oral or written request. The Director of Student Placement, is the custodian of student records. Records for K-12th grade are kept at the last school attended. The records for students who graduated or withdrew from high school more than one year ago are permanently maintained at the Erwin Technical Center in the Student Records Department.

The principal shall decide whether to amend the education records within a reasonable period of time. If the principal refuses to amend the records, he or she shall inform the parent/guardian or eligible student of that refusal, and advise the parent/guardian or eligible student of the right to file a grievance.

Parents/guardians or eligible students have the right to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with the requirements of FERPA. Whatever rights are vested in the parent/guardian shall pass to the student whenever the student has attained 18 years of age or is attending an institution of post-secondary education. Parents/guardians may have access to their dependent children's records regardless of age and may have the right of signing for the release of dependent children's records.

### **Students have the right and responsibility to:**

- Be protected by legal provisions prohibiting the release of personal information to other than legally-authorized persons without the consent of the parent, guardian, or student

### **Parents, guardians or eligible students over the age of 18 have the right and responsibility to:**

- Inspect, review, and challenge the information contained in the records appeal any disagreement of records to the principal
- Provide the school with any information that could be useful in making appropriate educational decisions
- Authorize release of information to those individuals or agencies who are working for the benefit of the student
- Follow School Board policies for release of student information through the school
- Make an appointment with the school when they wish to review a record

- Request in writing to inspect and review all education records. The request will be granted within a reasonable period of time, not to exceed 30 days. This inspection and review of records shall be held in the presence of an official of the school system
- A response to reasonable requests for explanations and interpretations of the records
- Obtain copies of the education records of a student. The schedule of fees for copies is on file with each principal. No fee for copying may be charged to any parent/guardians if it would effectively prevent that parent/guardian from exercising his or her right to inspect and review the records
- Request in writing an informal conference with the principal for the purpose of amending any record believed to contain information that is inaccurate, misleading or violating the privacy or the rights of the student

### **Access to Student Records**

The following persons can access a student's records: parent or legal guardian, eligible students over the age of 18, school officials, a party with the written permission of the parent/guardian or eligible student, certain state and local officials who are part of the juvenile justice system, federal grand jury or other law enforcement agency or any agency issuing a valid subpoena or court document directing information to a particular party. The term "parents" includes legal guardians or other persons standing in loco parentis (such as grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to students who are 18 years of age or older, or who are enrolled in a postsecondary institution, regardless of age.

In addition, a court may order nondisclosure of a subpoena or information provided in response to a subpoena. In cases of separation or divorce, both natural parents have access to their child's educational records. If a court order restricts this access to records, the residential parent shall provide the school with a certified copy of the order, including any modifications, which will then be placed within the student's cumulative file.

A release of information without parent/guardian or student (over the age of 18) consent can be made to school officials with a legitimate educational interest. A school official is considered to have a legitimate educational interest if the school official needs to review a student record in order to fulfill his or her professional responsibility. A school official is a person employed by the district, such as an administrator, supervisor, teacher or support staff (including health and medical staff and law enforcement personnel); a person serving on the School Board; a person or company with whom the district has contracted to perform a certain task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian or student on an official committee, such as disciplinary or grievance committee; or another school official performing his or her professional responsibility.

### **Religion & Patriotism**

#### **Students have the right and responsibility to:**

- Study, examine, discuss, criticize or support religious ideas and institutions for their literary and historic qualities when presented objectively as part of a program of education;
- Release time from school to observe religious holidays, which is an excused absence with written parental permission
- Practice their religion.
- Not endanger the physical health or safety of themselves or others or disrupt the educational process;
- Develop tolerance and respect for the beliefs of others;
- Inform school officials through their parents/guardians about any religious practices or beliefs that may be in conflict with school rules or regulations
- Show love for their country and allegiance to its flag; recite and display their feeling of patriotism;
- Participate in, or refrain from, activities involving loyalty oaths, saying a pledge, singing an anthem, saluting a flag, or taking part in a patriotic ceremony;
- Refrain from reciting the Pledge of Allegiance upon written request by their parent/guardian and to remain seated/stand quietly while the pledge is recited by others.
- Decide for themselves whether or not they wish to take part in any religious activity.
- Not interrupt the educational rights of others
- Not interfere with the rights of other students to express or refrain from expressing patriotism; remove any headdress when the national anthem is played, except when such headdress is worn for religious purposes; stand at attention, when possible.
- See Appendix for HCPS School Board Policy

## **Student Support Services**

### **Students have the right and responsibility to:**

- Consult with Student Services Personnel (School Social Worker, School Counselor, School Psychologist, Student Success Coach) for support with mental health, personal and social development, educational planning, and/post-secondary opportunities
- Be informed of available supports and services provided by the school-based student services team and have knowledge of how to access student services team members
- Be informed of available community-based mental health/counseling services and how to obtain referrals for these services from the student services team

## **Students with Disabilities**

Students with disabilities are afforded protections not available to nondisabled students. Students with disabilities include students who are eligible for an individual educational plan (IEP) per the Individuals with Disabilities Education Act, and students who are 504-eligible per Section 504 of the Rehabilitation Act of 1973. The protections for students with disabilities address disciplinary actions which may and may not be imposed, and other actions which may be required in addressing the needs of students with disabilities, relative to behavior and/or discipline. For more information regarding discipline procedures for students with IEPs or who are 504 eligible, contact the Assistant Director for Compliance and Staffing, at (813) 273-7060.

## **Transportation**

### **Students have the right and responsibility to:**

- School bus transportation, if they live two (2) miles or more from school
- Transportation that may be provided for elementary students who live within two miles of the school if hazardous conditions as outlined by Florida Statute 1006.23 exist
- Transportation as determined by a student's Individual Education Plan (IEP)
- Stand off the roadway while at bus stops
- Wait for the bus driver to signal them across the roadway
- Walk 10-12 feet in front of the bus while attempting to board the bus
- Keep valuables at home, as the school district nor the bus driver can be held responsible for personal property brought on school buses
- Follow safety procedures and wear seatbelts when available
- Ride only the designated bus, and enter and exit the bus safely at designated stop
- Not carry onto the bus any glass items, balloons, weapons, skateboards, live animals, plants or sharp instruments.
- Personal belongings must be held on a student's lap
- Remain seated in seat assigned to them by the driver
- Sit all the way down and back, facing forward, with arms and head inside the bus at all times
- Keep aisles clear
- Obey rules and be courteous
- Refrain from using profanity, causing disruption, fighting, or destroying property
- Be silent at all railroad crossings and when requested by driver
- Not throw objects on the bus or out the windows
- Not eat, drink, or smoke on the bus
- Use the bus stop assigned based on the address of record
- Cooperate with safety patrol officers
- Obey the rules established by the bus driver, the bus attendant and the IEP team
- Respect the rights of the other student passengers and adults on the bus
- Be at the bus stop 10 minutes prior to the designated pick-up time
- Inform the bus driver or attendant of any personal needs
- Communicate to parents/guardians or school administration any concerns related to transportation services
- Wear bicycle helmets as required by law
- Securely lock the bike while at school

The school cannot be responsible for lost or stolen bicycles. The school safety patrol contributes to the safety of children on the school grounds, buses and at bus stops. Responsible students are chosen to be members of the patrol. Their role is one of assistance and direction in areas where dangers or hazards exist.

## **PREVENTION AND INTERVENTION**

Hillsborough County Public Schools seeks to provide a safe and equitable learning opportunity for each of its students, regardless of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, gender identity, or social and family background. Each school must be free from disruption that would interfere with the teachers' right to teach and the students' right to learn. Hillsborough County Public Schools recognizes that students have certain constitutional rights to which they are entitled, which shall not be limited, except by law. Therefore, Hillsborough County Public Schools has established the following Student Code of Conduct that students must follow, and schools must enforce uniformly. In addition, all schools in the district shall develop comprehensive discipline policies in accordance with the individual plans of School Advisory Councils.

Hillsborough County Public Schools will not tolerate behavior that disrupts or interferes with the education of other students. We offer assistance to parents and guardians in the form of counseling services, peer mediation/conflict resolution, and other school and community resources in order to ensure a safe and hospitable environment.

### **Multi-Tiered System of Supports (MTSS)**

In HCPS, the MTSS Department provides our schools with a framework and process to ensure students have an opportunity to receive multi-tiered instruction/interventions within the general education environment with fidelity. The district's framework incorporates a problem-solving process for ensuring that quality instruction, social emotional learning, and school-wide positive behavior supports are delivered to ALL students. In addition, a multi-tiered system of supports allows schools to effectively identify students' unique challenges and behavioral concerns and to intervene and provide support as soon as possible.

Under the MTSS framework that all schools use, evidence-based or research-informed programs and/or strategies are designed to support their students' needs and promote a safe, supportive, and positive school environment where students are recognized and feel supported. The MTSS framework is aligned with the expectation that our school environments model and teach safety, respect, equity and responsibility for every member of the school community through the **Collaborative for Academic, Social, Emotional, Learning (CASEL)** competencies of self-awareness, self-management, responsible decision-making, relationship skills, and social awareness as a part of everyday core instruction.

MTSS is a layered continuum. The layers increase in intensity from universal (every student), to targeted (some students), to intensive (few students). Every student has access to all of the layers of support as needed within the multi-tiered framework:

- Tier 1- Universal or primary approaches for ALL students that are preventative and include strategies that are used to teach social, emotional, and behavioral competencies. These strategies include explicit teaching of school expectations and assure that positive behavior is acknowledged and corrective feedback is provided.
- Tier 2- Targeted Interventions to support students who are not responding to universal prevention strategies within a school-wide positive behavior program. Tier 2 supports and interventions are more specific and supplemental to Tier 1, and may narrow the focus of instruction and intervention or extend the time allotted for intervention.
- Tier 3- Individualized Interventions that are typically provided to a small percentage of students who require intensive levels of support to meet their needs. These supports and interventions are designed to help students overcome academic, behavioral and/or social emotional barriers to learning.
- See appendix for School Board Policy

### **Social Emotional Learning (SEL) and MTSS**

The Collaborative for Academic, Social, and Emotional Learning (CASEL) defines Social and emotional learning (SEL) as an integral part of education and human development. SEL is the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective

goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions.

SEL advances educational equity and excellence through authentic school-family-community partnerships to establish learning environments and experiences that feature trusting and collaborative relationships, rigorous and meaningful curriculum and instruction, and ongoing evaluation. SEL can help address various forms of inequity and empower young people and adults to co-create thriving schools and contribute to safe, healthy, and just communities.

While cultivating the skills of SEL begin at home before students enter our schools, it must be purposefully nurtured and supplemented through safe, supportive and inclusive school and classroom environments. Beginning in Pre-K and continuing through high school graduation, collaboration between school personnel, family/guardian members, and community resources must create a network of support for fostering social emotional competencies in young people as these skills are continually acquired through classroom instruction, school activities of all kinds, and support services. Social emotional competencies are further supported by afterschool, extracurricular, and service-learning programs.

Using MTSS enables schools to proactively provide universal (Tier 1) supports and preventive interventions for all students and to customize interventions that address academic, social, emotional, and behavioral challenges for students at-risk (Tier 2 interventions, which could include targeted small group and/or one-on-one SEL) and students with more intensive needs (Tier 3 interventions).

SEL through the MTSS framework helps all stakeholders support the needs of the whole child. Systemic SEL supports strengthen the MTSS framework and continue to cultivate an environment where students and adults can thrive.

### **Positive Behavior Interventions & Supports**

Positive Behavior Interventions and Supports (PBIS) is an evidence-based three-tiered framework to improve and integrate all of the data, systems, and practices affecting student outcomes every day. This proactive approach to student behavior creates school environments where all students can succeed regardless of the demographics of the school. The framework is divided into three tiers:

- **Tier 1** includes the establishment of a universal, school-wide foundation of proactive support in order to prevent misbehaviors.
- **Tier 2** includes the practices and systems to support student who are at risk for developing more serious problem behaviors before they start. These supports help students develop the skills necessary to benefit from the core programs (tier 1) at school.
- **Tier 3** includes more intensive, individualized support to improve their behavioral and academic outcomes. At this level, schools rely on formal assessments to determine a student's need.

**Tier 3**

**Tier 2**

**Tier 1**



#### **Tier 1 foundational systems (All) include:**

- An established leadership team (inclusive of at least one administrator)
- Regular meetings to discuss implementation and data
- A commitment statement for establishing a positive, school-wide social culture
- On-going use of data for decision-making

- An evaluation plan to determine the effectiveness of implementation

**Tier 1 practices include:**

- School-wide positive expectations and behaviors are taught
- Established classroom expectations aligned with school-wide expectations
- A continuum of procedures for encouraging expected behavior
- A continuum of procedures for discouraging problem behavior
- Procedures for encouraging school-family partnership

**Tier 2 foundational systems (Some) include:**

- An intervention team with a coordinator and administrator
- An intervention team with behavioral expertise
- A behavior intervention team collects fidelity and outcome data
- An intervention teams screening process to identify students needing Tier 2 support
- Access to training and technical assistance

**Tier 2 practices include:**

- Increased instruction and practice with self-regulation and social skills
- Increased adult supervision
- Increased opportunities for positive reinforcement
- Increased pre-corrections
- Increased focus on possible function of problem behaviors
- Increased access to academic supports

**Tier 3 foundational systems include:**

- A multi-disciplinary team
- Behavior support expertise
- Formal fidelity and outcome data are collected

**Tier 3 practices include:**

- Function-based assessments
- Wraparound supports from Student Supports Services
- Cultural and contextual fit

The District expects students to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of other; obey constituted authority; and respond to those who hold that authority. In order to ensure proper implementation with fidelity, schools will be expected to integrate the following into their current behavior plan:

- Commitment from all staff for establishing a positive school-wide culture
- Build an established behavior leadership team
- Develop 3-5 School-Wide Expectations (matrix) that are explicitly taught, modeled, and practiced
- Rewards/Recognitions are based on School-wide Expectations
- Social Emotional Learning (SEL) Practices
- Areas for student reflection/cool-down zone as well as student conferencing
- A system for proactively communicating with parents/guardians
- A focus on giving positive corrective feedback to students using positive framing

## **Interventions**

In order to promote positive relationships between the school and the community the District has developed a list of research-based interventions to implement school-wide.

- Restorative Practices
- C.H.A.M.P.S.
- Student Focus Boards/Common Configuration Boards
- 7 Habits
- Leader in Me
- Second Step
- Tough Kid Toolbox
- Newspaper in Education
- Morning Meetings
- Student Focus Groups
- 7 Mindsets
- Cool Down/Reflection Area
- Peer Mentoring/Peer Mediation
- Check and Connect/Check-In and Check-Out
- AVID Strategies
- Counseling (School Counselor, School Social Worker or School Psychologist)
- STOIC Framework – Classroom Management Framework
- Get Better Faster

## **Administration of Disciplinary Actions**

### **The Office of Student Engagement**

The Office of Student Engagement (OSE) is a student-centered office that was developed through the merging of the former Change of Placement Office and the Hearing Office. It is a comprehensive, District-wide department, dedicated to determining the environment most well-suited for students who commit severe behavioral infractions. It simultaneously provides specific social emotional and mental health supports to meet the needs of our students and their families.

OSE staff members are available before, during, and after school hours to respond to schools' referrals for student behavioral infractions. The processing of cases is done daily and through electronic submission which significantly reduces students' time out of school. Additionally, all students and their families who meet with the OSE staff for referred cases are immediately provided with social emotional and mental health supports as needed. All students who are referred to the OSE are provided with a tailored Student Safety Plan, regardless of meeting outcomes, consequences, or Changes of Environment.

### **Classification of Violations**

The School Board of Hillsborough County gives principals a reasonable degree of choice in determining the level of the offense and the resulting consequences. **Students who are arrested or charged for off-campus matters that would have been Zero Tolerance Offenses or a Major Offense had it occurred on campus, may be suspended from extracurricular activities and/or excluded from school.** In accordance with Senate Bill No. 7026, any student who exhibits a pattern of continuous violent or disruptive behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety may be assigned to an alternative educational program or receive referral to mental health services as identified by the District pursuant to s.1012.584(4). Provisions of this alternative in lieu expulsion shall be in accordance with the administrative procedures established by the Superintendent.



When a formal disciplinary action is required, the principal or his/her designee will make every effort to contact the parent or guardian. If telephone contact cannot be made, written notice will be sent home with the student or placed in the U.S. mail within 24 hours. The student is responsible for the notification and delivery to his/her parent or guardian of all written communication from the school. Failure to do so could result in further disciplinary action.

The goal of the District is to ensure that all students are provided an education in a safe and supportive environment that is conducive to learning. One way to achieve this goal is through fair and appropriate implementation of student discipline policies and procedures based on research substantiated with evidence. It is critical for all stakeholders - students, parents/guardians, teachers, resource officers, and administrators to play an active role in bolstering the implementation of preventative procedures and programs to reduce the incidences of reactionary discipline. Disciplinary authorities must consider alternatives to suspension (including classroom suspensions, in-school suspensions and out of school suspensions) or other sanctions that result in removal from the educational setting in all cases except those where the safety of students and/or staff is threatened, and/or the behavior in question is such that the disruption to the educational environment can only be remedied by such a referral, or as required by law.

- "Expulsion" shall be the exclusion of a student from the schools of this District for the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place and one additional school year.
- "Change of Placement Environment" (Non-Exceptional Education Students). For the purpose of this section, "change of placement environment" shall mean assignment of a student to an alternative program for a specified period of time. Such an assignment shall be considered for students due to continuous disruptive behavior and may be considered in lieu of expulsion when deemed to be in the best interests of the student and/or other students and the District. Provisions of this alternative shall be in accordance with the administrative procedures established by the Superintendent. The decision of the Board is final and effective the day after it is made.

### **The Office of Student Engagement Hearings**

The Office of Student Engagement is designed for circumstances that warrant District-level review of intervention beyond a school administration decision. This is the case for zero-tolerance infractions, as well as school-based decisions that a parent/guardian wishes to appeal.

Hearings will be conducted pursuant to Florida Statutes 1006.07(1)(a) and 1006.08(1). Suspension hearings are exempted from provisions of Ch. 120 F.S. Expulsion hearings shall be governed by F.S. 120.57(2) and are exempt from F.S. 286.0111.

Florida Statute 1003.32(4) and 1006.09(1)(a), along with School Board policies of the Hillsborough County Public Schools, give teachers and other school staff who have control and direction of students assigned to them by the principal or the principal's designee, the authority to remove students who are disobedient, disrespectful, violent, abusive, uncontrollable or disruptive to the learning environment. If the teacher requests the student not be returned to the classroom, the principal may not return the student to that teacher's class without the teacher's consent. In the event of a disagreement on the student's return to the teacher's classroom, a committee determines that such placement is the best or only available alternative, interfered with the teacher's ability to teach, or may immediately remove a student whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively or with the ability of the student's classmates to learn.

4.3.8 The principal may not return the student to that teacher's class without the teacher's consent unless the Placement Review Committee determines that such placement is the best or only available alternative. In such an instance, the review committee must provide a written rationale for its decision and the principal must specify specific supports the school will provide to manage the student's behavior prior to returning to the class.

4.3.9 The teacher and the Placement Review Committee must render decisions within five (5) workdays of the removal of the student from the classroom.

4.3.10 The Placement Review Committee membership must include at least one teacher selected by the faculty, one teacher selected by the teacher who has removed the student, and one school staff member selected by the principal. The teacher who withheld consent to readmitting the student may not serve on the committee.

### **Transportation Rules and Consequences:**

While on the school bus, students may use their personal devices for non-disruptive activities such as completing school work, reading, privately listening to music with earphones, or playing games. However, use of personal devices is under the sole discretion of the bus driver. Failure to comply with directives given by school staff/bus driver may result in the consequences outlined in accordance with the Student Code of Conduct and Behavior Matrix (Incident Levels and Proportionate Disciplinary Response).

### **Student Discipline Procedures:**

School buses are an extension of the school. Appropriate classroom-type student behavior is needed to ensure student safety. Students who do not follow acceptable standards of conduct on the bus are subject to similar disciplinary actions as those administered for classroom or school misconduct and in accordance with the code of conduct's Behavior Matrix: Incident Levels and Proportionate Disciplinary Response. When a driver observes or suspects a student's misconduct, the driver will submit a written referral to the principal or designee. The principal or designee will determine the type and extent of consequences; a student may have bus privileges suspended if warranted.

### **Disruptions at Magnet Transfer Ramps:**

As used in this section, the term "school" means the grounds or any facility of any school, whether public or non-public. Magnet Transfer Ramps are those district locations where Magnet students change busses as part of their daily transportation routine.

Parents/guardians or citizens that cause a disruption at a Magnet Transfer Ramp are subject to the following rule and regulations:

- Florida State Statute 1006.145: Any person not subject to the rules of a school who creates a disturbance on the property or grounds of any school, who commits any act that interrupts the orderly conduct of a school or any activity thereof, commits a misdemeanor of the second degree, punishable as provided in law and statutes.
- Florida State Statute 810.097: Trespass upon grounds or facilities of a school; penalties; arrest.

### **Out of School Suspension**

When a student's actions are disruptive, violate law, Board policies, or school rules, the student may be suspended by the principal or designated representative. Suspension dictates that the student shall not be allowed to attend regular classes or school-sponsored activities for a prescribed number of days not to exceed ten. The principal may refer the student during the period of the suspension to an alternative suspension site, in-school suspension, or shall remand the student to the custody of the parent or legal guardian. Prior to suspending a student, except in emergencies, the principal or designee shall make an effort to employ parental assistance or alternative methods of dealing with the student and shall document such efforts.

*Pursuant to Florida Statute 1006.09(1)(b), no student who is required by law to attend school shall be suspended for unexcused tardiness, or absences. Therefore, suspension is not an appropriate disciplinary action for truancy as it relates to students who fall within the mandatory state attendance requirements.*

### **Procedures for OSS**

- Prior to suspension, the student shall be advised of why he/she is being suspended (i.e., infraction code), be provided an opportunity to refute the charges, and be given an opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident. It should be noted that any statement a student makes may be used, along with other documentation, to prove whether the student committed the infraction.
- Written notice shall be sent to parent(s) or guardian regarding the reason disciplinary action was taken. All reasonable attempts to conference with parent/guardian via phone or in person must be made during the suspension process.

- If the immediate suspension of the student is justified because the student's presence endangers others or school property, the necessary notice and conference, if requested, will follow as soon as possible.
- The school is required to provide all work assignments to be completed by the student. The parent/guardian may request make-up work within three days of student's return.
- The Understanding Compliance Manual shall be referenced in cases involving students with disabilities.

### **Appeal of Disciplinary Actions (How do I appeal?)**

- The school principal, after reviewing the case with the parent/guardian or adult student, will either affirm the length of suspension as originally stated in the suspension notification, or reduce the length of suspension upon consideration of the results of the parent/guardian conference. This change shall be made on the electronic referral in the Student Information System.
- The parent/guardian, or adult student, at the initial conference should be advised of his/her right to appeal the action to The Office of Student Engagement.
- If the parent/guardian, or adult student feels that they were not afforded a fair hearing, or disagree with a result at the school, he/she shall appeal to the Office of Student Engagement in writing within 3 days.
- The Office of Student Engagement shall hear any additional testimony that may be deemed necessary to rectify any procedural errors.
- The Office of Student Engagement's recommendation will be presented back to the school for a modification of the original suspension decision or uphold the original suspension and add to it other disciplinary actions.

### **Expulsion**

A principal may recommend to the Superintendent the expulsion of a student. The principal will provide the Superintendent an adequate history of the student's actions and alternative measures taken relevant to the recommendation. When the Superintendent makes a recommendation for expulsion to the Board, written notice will be given to the student and the parent or legal guardian setting forth the charges against the student and advising the student and the parent or legal guardian of their right of due process.

- Expulsion is the removal of the right and obligation of a student to attend a public school for a period of time and under conditions set by the Board not to exceed the remainder of the term or school year and one additional year of attendance.
- The Understanding Compliance Manual shall be referenced in cases involving students with disabilities.

### **Reasons for Removal/Expulsions**

#### **Off-Campus Arrest**

Any student who is formally charged with an off-campus felony (or with a delinquent act which would be a felony if committed by an adult) may be suspended from school if that incident is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled, the school in which the student is enrolled. Any student who is found by a court to have committed a felony (or delinquent act) may be expelled by the Board or may be given a disciplinary reassignment. Such expulsion or disciplinary reassignment shall not affect the delivery of educational services to the student in any residential, nonresidential, alternative, daytime, or evening program outside of the regular school setting. Parents/guardians should be aware that the School District does not have the authority to discipline students for off-campus incidents unless there is a clear indication that the incident had an adverse impact on campus. See *Morse v. Frederick*, 551 U.S. 393 (2007); *M.T. v. School Board of Manatee County*, 779 So.2d 338 (2d DA 1979). A suspension resulting from an adverse impact determination may exceed ten (10) days, as determined by the Superintendent. The suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in a daytime alternative education program, or an evening alternative education program, where appropriate. 1006.09(2), F.S. Any student who is subject to discipline or expulsion for an off-campus felony involving a substance controlled under Chapter 893, F.S. may be entitled to a waiver of the discipline or expulsion if the student commits himself/herself or is referred by the court in lieu of a sentence to a state-licensed drug abuse program and successfully completes the program.

6A-1.0956 Suspension on the Basis of Felony Charges.

When a student is formally charged with a felony by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, but which incident is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled, the principal shall, in accordance with Section 1006.09(2), F.S., conduct an administrative meeting for the purpose of determining whether or not the student should be suspended pending court determination of his or her guilt or innocence, or the dismissal of the charge, is made by a court of competent jurisdiction. The following procedures shall be followed by The Office of Student Engagement in instituting and conducting the administrative meeting; provided, however, that a school board may, upon written approval of the Commissioner, utilize its own hearing policy in lieu of this rule.

(1) Upon receiving proper notice that a student has been formally charged with a felony, The Office of Student Engagement shall immediately notify the parent or guardian of the student, via phone call, email and in writing, of the specific charges against the student and of the right to a meeting prior to disciplinary action being instituted under the provisions of Section 1006.09(2), F.S.

(2) Such notice (The Principal's Disciplinary Letter) shall stipulate a date for meeting which shall be not less than two (2) school days nor more than five (5) school days from postmarked date, or delivery, of the notice and shall also advise the parent/guardian of the conditions under which a waiver of suspension may be granted, as prescribed in subsections (2) and (3) of Section 1006.09, F.S. Pending such meeting, the student may be temporarily suspended by the principal.

(3) The meeting shall be conducted by The Office of Student Engagement, and may be attended by the student, the parent or guardian, the student's representative or counsel, and any witnesses requested by the student, the parent or guardian, 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 consequences or later disciplined for refusal to testify.

(5) In conducting the meeting, The Office of Student Engagement shall not be bound by rules of evidence or any other courtroom procedure, and no transcript of testimony shall be required.

(6) Following the meeting, The Office of Student Engagement within five (5) school days, shall provide the student and parent or guardian with a decision, in writing, as to whether suspension will be made. In arriving at this decision, The Office of Student Engagement shall consider the conditions prescribed by subsections (2) and (3) of Section 1006.09, F.S., under which a waiver of suspension may be granted, and may grant such a waiver when he or she determines such action to be in the best interests of the school and the student. Provided, however, that any suspension pending adjudication of guilt shall be made only upon a finding, based upon conclusive evidence, that a felony charge has been formally filed against the student by a proper prosecuting attorney. The Office of Student Engagement shall have authority to modify the decision to either grant or deny a waiver, at any time prior to adjudication of the student's guilt by a court, provided that any such modification adverse to the student shall be made only following a meeting conducted in accordance with this rule.

Rulemaking Authority 1001.02, 1006.09(2) FS. Law Implemented 1006.09(2) FS. History—New 2-18-74, Re-promulgated 12-5-74, Amended 9-6-78, Formerly 6A-1.956, Amended 8-30-88, 5-3-10. A student who has been suspended or expelled by another district may be temporarily denied admission to the District's schools during the period of suspension or expulsion even if that student would otherwise be entitled to attend school with the District. Prior to denying admission, however, the Superintendent shall offer the student an opportunity for an informal hearing to review the circumstances of the suspension or expulsion and any other factors the Superintendent determines to be relevant.

The Superintendent will act as the Board's representative at all hearings regarding the appeal of a suspension. The Board will hear the appeal of an expulsion.

A copy of this policy is to be posted in a central location in each school and made available to students and parents/guardians upon request. Key provisions of the policy should also be included in the Student Code of Conduct & Resource Guide.

Students may be excluded from the educational program of school after being afforded due process as provided herein. In addition to the procedural safeguards and definitions set forth in this policy and the Student Handbook, the procedures set forth in Policy 5605 - Suspension/Expulsion of Students with Disabilities shall apply to students with disabilities under the IDEA and/or Section 504 of the Rehabilitation Act of 1973.

**Administrator Requested Student Engagement Meeting Single Event**– In the event that a student commits an incident(s) that warrants a request for a change of environment, the school will contact The Office of Student Engagement via the “Request for Change of Environment Link”. The request for change of environment will result in a disciplinary meeting that could change the student’s environment to a more educationally conducive location or create a plan that keeps the student at their current school with district level interventions. The student code of conduct’s behavior matrix states that through progressive discipline the student must have committed multiple offenses to be considered for a change of environment. However, if a student commits any of the following incidents, they may be referred immediately for a change of environment without having previous incidents.

AGGRAVATED BATTERY
ARSON
HOMICIDE
KIDNAPPING
SEXUAL BATTERY
BURGLARY
DISRUPTION ON CAMPUS - MAJOR
DRUG SALE/DISTRIBUTION
HAZING
OTHER MAJOR
ROBBERY
SEXUAL ASSAULT
SEXUAL HARASSMENT
STUDENT CONFRONTATION W/ SCHOOL BOARD EMPLOYEE
THREAT/INTIMIDATION
WEAPONS POSSESSION
LARCENY/THEFT > \$750

**Change of Environment for Multiple Egregious Referrals Non-Felonies:**

To move forward with a request for Change of Environment the school principal must have determined that the student is responsible for the incident(s). Qualifications for Multiple Egregious Referrals are when a student has committed:

- I. four or more Level 3 incidents in one quarter (45 days); excluding the infractions listed above.
- II. two or more Level 2 incidents in one quarter (45 days); excluding the infractions listed above.
- III. five or more Level 3 or Level 2 incidents in one school year (180 days); excluding the infractions listed above.
- IV. Principal’s/District discretion – if a student commits an offense that is not listed above or there is a district investigation taking place.

**Procedures for Expulsion**

Prior to a meeting with the District Hearing

- Office, the student shall be advised by the principal as to why he/she has been recommended for expulsion, be provided with an opportunity to refute the charges in a meeting with the principal or principal designee, and be given the opportunity to submit to the administrator a list of names of other individuals who might have witnessed the incident leading to the recommendation.
- At the hearing, the parent/guardian or adult student may request to have any willing witnesses that they deem appropriate who were involved in the case be present.
- The parent/guardian or adult student shall also be advised in the principal hearing of the right to appeal and be advised of the appeal procedures to the District Discipline Review Committee.
- Once the hearing is completed, a referral is made to the Office of Student Engagement for final review and consideration of expulsion recommendation to the Superintendent.

- If the parent/guardian or adult student feels they have not been afforded a fair hearing at the school and district level, they have the right to request in writing a hearing before the School Board.

For purposes of this policy and the Superintendent's administrative procedures, the following shall apply:

- "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an on-going threat of disrupting the educational process provided by the District.
- "Suspension" shall be the temporary exclusion of a student from the District's program for a period not to exceed ten school days.

Hillsborough County Public Schools may consider the following factors to determine whether to suspend or expel a student:

- Age
- Disciplinary history
- Eligibility as a student with a disability
- Seriousness of the infraction
- Threat posed to other students and staff
- Likelihood that a lesser intervention would properly address the violation.

F.S. 1002.20, 1003.02, 1006.07, 1006.09

F.A.C. 6A-6.03312

18 U.S.C. Section 921

20 U.S.C. 8921

In the event that a student who has been recommended for expulsion withdraws from Hillsborough County Public Schools, the expulsion proceedings with the School Board shall continue as though the student had not withdrawn. The Superintendent and School Board shall not delay action on an expulsion recommendation pending re-entry/reregistration of the student in Hillsborough County Public Schools.

### **Assignment to an Alternative Program in Lieu of an Expulsion**

If a student is involved in specified offense (listed in the Matrix on page 24):

- The student will be referred to the Office of Student Engagement.
- A Notice of Intent to Expel letter will be mailed to the parent(s)/guardian(s)/ legal custodian(s).
- The Office of Student Engagement is notified and then contacts the parent(s)/guardian(s)/legal custodian(s) with date and time of the hearing/meeting
- The student and parent(s)/guardian(s)/legal custodian(s) may bring a representative(s) to this hearing.
- During the hearing, The Office of Student Engagement Hearing Committee will review the facts from the investigation to determine if any expulsion is warranted.
- The student and parent(s)/guardian(s)/legal custodian(s) will be given an opportunity to explain their position.
- After the hearing, The Office of Student Engagement Hearing Committee will decide the corrective strategy to be taken.

The results of the expulsion hearing and information on the appeal process will be mailed to the parent(s)/guardian(s)/legal custodian(s) within one day after the hearing. A student may be assigned to an Alternative Program in lieu of expulsion. In the event that Parents/Guardians fail to attend the meeting held by The Office of Student Engagement and prior notification has been confirmed then the meeting will proceed. The determination will be mailed to the parents/guardians. The family may still challenge the results of the meeting by submitting, in writing, the challenge within 10 days of the

decision. Submit the challenge to the General Director of Student Engagement, Joshua Kristol at Joshua.Kristol@hcps.net or the Chief of Schools, Kim Bays at Kim.Bays@hcps.net

## **Resources (Discipline Matrix and Codes and Definitions)**

### **Discipline Matrix**

The Hillsborough County Public Schools Discipline Matrix provides recommendations for school administrators regarding disciplinary actions. These recommended options are proportionate to behavioral offenses and allow for increasing severity in alignment with the number of times incidents occur or are repeated.

**There are 5 Levels of infractions as follows:**

- **Level 0 Codes are reserved for documentation purpose only.** These are required for state reporting and student behavior records. Any actions/interventions can be administered and recorded in the student information system at the Principal's discretion. Suspension of any kind should not be used with these codes.
- **Level 1 Codes are for the most serious acts of misconduct.** All Level 1 infractions are grounds for expulsion and will result in a mandatory 10-day suspension. These are criminal acts and require administrative actions that result in immediate removal of the student from the school, intervention of law enforcement, and/or action by the Superintendent and Hillsborough County School Board.
- **Level 2 Codes are for major acts of misconduct.** These include serious disruptions of school order and threats to the health, safety and property of others. These acts of misconduct must be reported promptly to school administrators, who may remove the student from the school or activity immediately.
- **Level 3 Codes are for acts of misbehavior whose frequency and seriousness tend to disrupt the learning climate of the school.** These infractions usually result from a continuation of Level 4 misbehavior and require administrative personnel intervention. This misconduct must be reported to the appropriate school administrator for disciplinary action. The administrator will follow the procedures designated for Level 4 minor violations.
- **Level 4 Codes are for relatively minor acts of misbehavior.** These infractions may be acts of general, minor disruption that interfere with the orderly educational process in the classroom or other areas.

Administrators must recognize that the **Levels of infractions increase in severity from Level 4 to 3 to 2 to Level 1 being the most critical offenses.** Administrators have the flexibility to choose to invoke consequences from the options for each Level and for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> offenses. Consequences may be assigned multiple times. Any Out-of-School Suspensions (OSS) assigned for 5 days or more must be confirmed through the Office of Student Engagement.

**Hillsborough County Public Schools Behavior Matrix & Definitions**  
**Incident Levels & Proportionate Disciplinary Response**

The Actions below are the recommendations from the Hillsborough County Public Schools Student Code of Conduct and the Office of Student Engagement. Please note that any Out of school suspension given that is 5 days or longer must be confirmed by the Office of Student Engagement at (813) 558-1100. Each action is a recommendation, please see a list of more suggested actions for student offenses. Each action listed is a School Environmental Safety Incident Reporting (SESIR) code and is defined by the State of Florida.

Action	1 <sup>st</sup> Incident	2 <sup>nd</sup> Incident	3 <sup>rd</sup> Incident
<b>LEVEL 0</b> - Level 0 codes are reserved for documentation purposes only for state reporting purposes and student behavior records. Any actions/intervention can be administered and recorded in the student information system at the principal's discretion. Suspension of any kind should not be used with these codes.			
<p><b>MULTIPLE EGREGIOUS REFERRALS/CDB</b></p> <p>four or more Level 3 incidents in one quarter (45 days); excluding the infractions listed above.</p> <p>two or more Level 2 incidents in one quarter (45 days); excluding the infractions listed above.</p> <p>five or more Level 3 or Level 2 incidents in one school year (180 days); excluding the infractions listed above.</p> <p>Principal's/District discretion – if a student commits an offense that is not listed above or there is a district investigation taking place.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> </ul>	
<p><b>OFF CAMPUS NON-SCHOOL RELATED-CODE 81</b></p> <p>Any student who is formally charged with an off-campus felony or with a delinquent act which would be a felony if committed by an adult</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days Delayed Action Pending</li> <li>• DEPA</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Delayed Action Pending</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Delayed Action Pending</li> </ul>
<p><b>ROOM CLEARING EVENT (Elementary)</b></p> <p>Room Clearing Event – When a student is in a state that creates an unsafe learning environment and the other students in the room are forced to leave the learning environment.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• 1 Day OSS</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days OSS</li> </ul>
<p><b>UNSUBSTANTIATED BULLYING</b></p> <p>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 definition of bullying as listed in the Jeffrey Johnston Stand Up for all Students Act (Florida Statute 1006.147).</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Call</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• HOPE Scholarship</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• Peer Mediation</li> <li>• HOPE Scholarship</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• Peer Mediation</li> <li>• HOPE Scholarship</li> <li>• OSE Meeting</li> </ul>



<p><b>UNSUBSTANTIATED HARASSMENT</b> Unsubstantiated Harassment – After a complete investigation and follow up of a 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 (Florida Statute 1006.147).</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Call</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• HOPE Scholarship</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• Peer Mediation</li> <li>• HOPE Scholarship</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Flexible Seating</li> <li>• Peer Mediation</li> <li>• HOPE Scholarship</li> <li>• OSE Meeting</li> </ul>
<p><b>VIOLATION OF DISTRICT SAFETY PLAN/CONTRACT</b> If a student violates the school’s or district’s safety plan.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> </ul>	
<b>Action</b>	<b>1<sup>st</sup> Incident</b>	<b>2<sup>nd</sup> Incident</b>	<b>3<sup>rd</sup> Incident</b>
<p><b>LEVEL 1 - Level 1 acts of misconduct are the most serious. All Level 1 infractions are grounds for expulsion, and will result in a mandatory 10-day suspension. These acts are clearly criminal and are serious enough to require administrative actions that result in immediate removal of the student from school, the intervention of law enforcement authorities, or action by the Superintendent and Hillsborough County School Board.</b></p>			
<p><b>AGGRAVATED BATTERY</b> (intentional great bodily harm) A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>ARSON</b> (intentionally setting a fire on school property) To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>HOMICIDE</b> (murder, manslaughter) The unjustified killing of one human being by another. Bottom of Form</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>KIDNAPPING</b> (abduction of an individual) Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>SEXUAL BATTERY</b> (attempted or actual) Forced 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 foreign object. Both males and females can be victims of sexual battery.</p>	<ul style="list-style-type: none"> <li>• <b>Mandatory Parent/Guardian Conference</b></li> <li>• <b>Parent/Guardian Conference – Required</b></li> <li>• <b>Offer Counseling – Required</b></li> </ul>		

	<ul style="list-style-type: none"> <li>• <b>Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</b></li> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<b>Action</b>	<b>1<sup>st</sup> Incident</b>	<b>2<sup>nd</sup> Incident</b>	<b>3<sup>rd</sup> Incident</b>
<b>LEVEL 2 - Level 2 infractions are major acts of misconduct. They include serious disruptions of school order and threats to the health, safety and property of others. The misconduct must be reported promptly to a school administrator, who may remove the student from the school or activity immediately.</b>			
<p><b>BURGLARY</b> (illegal entry into a facility) Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>DISRUPTION ON CAMPUS – MAJOR</b> (major disruption of all or a 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. Examples of major disruptions include bomb threats, inciting a riot, or initiating a false fire alarm.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>DRUG SALE/DISTRIBUTION</b> (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.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p><b>FIGHTING</b> (mutual combat, mutual altercation) When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>
<p><b>HAZING</b> Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization. "Hazing" includes, but is not limited to: (a) pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or (b) any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>	

<p align="center"><b>INAPPROPRIATE USE OF TECHNOLOGY</b></p> <p>Inappropriate use of Technology/Wireless Communication Devices - When the possession of a wireless communication device disrupts the educational process. This includes the unauthorized use of a wireless communication device to capture images or recordings without permission during school hours, attaching power cords to school devices, and/or the unauthorized use on school buses in the absence of an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay).</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>
<p align="center"><b>LARCENY/THEFT &gt; \$750</b></p> <p>(taking of property from a person, building, or a vehicle) (\$750 threshold) The unauthorized taking, carrying, riding away with, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p align="center"><b>PHYSICAL ATTACK</b></p> <p>An actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p align="center"><b>ROBBERY</b></p> <p>(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.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p align="center"><b>SEXUAL ASSAULT</b></p> <p>An incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault.</p>	<ul style="list-style-type: none"> <li>• <b>Mandatory Parent/Guardian Conference – Required</b></li> <li>• <b>Offer Counseling – Required</b></li> <li>• <b>Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</b></li> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		
<p align="center"><b>SEXUAL HARASSMENT</b></p>	<ul style="list-style-type: none"> <li>• <b>Mandatory Parent/Guardian</b></li> </ul>		

<p>(undesired sexual behavior) Unwanted verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation or unreasonably interfere with the individual's school performance or participation (6A-19.008(1) SBE Rule) (Word).</p> <p>NOTE: As a result of recent changes in the Title IX regulations, the following criteria must be met in in order for the behavior to be considered SEXUAL HARASSMENT UNDER TITLE IX:</p> <ul style="list-style-type: none"> <li>• The conduct was sexual in nature or based on sex-stereotyping.</li> <li>• The conduct was unwelcome.</li> <li>• The conduct was sufficiently severe, pervasive, persistent, and objectively offensive.</li> <li>• The incident effectively denies the student equal access to the school's educational program or activity.</li> </ul> <p>Please refer to: <b>INAPPROPRIATE SEXUAL BEHAVIOR</b></p>	<p><b>Conference – Required</b></p> <ul style="list-style-type: none"> <li>• <b>Offer Counseling – Required</b></li> <li>• <b>Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</b></li> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>		
<p><b>STUDENT CONFRONTATION W/ SCHOOL BOARD EMPLOYEE</b> Student Physical Confrontation/ School Board Employee - A student who intentionally engages in a physical confrontation involving a school board employee.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> </ul>	
<p><b>THREAT/INTIMIDATION</b> (instilling fear in others) An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> </ul>	
<p><b>VANDALISM &gt; \$1000</b> (destruction, damage, or defacement of school or personal property) (\$1,000 threshold) 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. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>		

<p><b>WEAPONS POSSESSION</b> (possession of firearms and other instruments which can cause harm) Possession of a firearm or any instrument or object that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> </ul>	
Action	1 <sup>st</sup> Incident	2 <sup>nd</sup> Incident	3 <sup>rd</sup> Incident
<p><b>LEVEL 3 - Level 3 infractions are acts of misbehavior whose frequency and seriousness tends to disrupt the learning climate of the school. These infractions usually result from a continuation of Level 4 misbehavior and requires administrative personnel intervention. This misconduct must be reported to the appropriate school administrator for disciplinary action. The administrator will follow the procedure designated for minor violations (Level 4) when investigating the situation and deciding on disciplinary action.</b></p>			
<p><b>BULLYING</b> (intimidating behaviors that are repeated, intentional, and involve a power imbalance) Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> <li>• No-Contact Contract</li> <li>• Flexible Scheduling</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>	
<p><b>DISOBEDIENCE/INSUBORDINATION</b> Refusal or failure to obey, marked by resistance to authority. The flagrant or hostile challenge of the authority of a school staff member, bus driver, or any other adult in authority.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• School Chores</li> <li>• 1-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• No-Contact Contract</li> <li>• School Chores</li> <li>• 1-3 Days OSS</li> </ul>
<p><b>DISPUTE/ROUGH HORSEPLAY</b> Student who deliberately pushes, pulls, shoves, strikes, taunts, antagonizes, or mutual physical altercation with another student or students or by acts or words that does not result in any injuries.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• School Chores</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> </ul>
<p><b>DRUG USE/POSSESSION</b> (illegal drug possession or use) The use or possession of any drug, narcotic, controlled substance, or any substance when 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.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> </ul>	
<p><b>HARASSMENT</b> (one-time, insulting behaviors) 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</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• No-Contact Contract</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>

effect of substantially interfering with a student’s educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.	<ul style="list-style-type: none"> <li>• 1-3 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> </ul> Flexible Schedule	
<p><b>INAPPROPRIATE SEXUAL BEHAVIOR</b></p> <p>Any written, verbal, nonverbal, or physical conduct towards or in the presence of another student, teacher, or other adult that is inappropriate and sexual in nature. To include inappropriate:</p> <ul style="list-style-type: none"> <li>• language (cursing, slang, profanity, or language that is sexual in nature);</li> <li>• physical display of affection or unwanted touch;</li> <li>• physical gesture or movement;</li> <li>• gender stereotyping and technology violations (posting and/or sharing sexual images, content, or text as well as making inappropriate comments of a sexual nature).</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory Parent/Guardian Conference – Required</li> <li>• Offer Counseling – Required</li> <li>• Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</li> <li>• Safety Plan</li> <li>• No-Contact Contract</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days ISS</li> <li>• 1-2 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory Parent/Guardian Conference – Required</li> <li>• Offer Counseling – Required</li> <li>• Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</li> <li>• Safety Plan</li> <li>• No-Contact Contract</li> <li>• Referral to Student Service Personnel</li> <li>• 1-3 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory Parent/Guardian Conference – Required</li> <li>• Offer Counseling – Required</li> <li>• Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</li> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>
<p><b>LEFT CAMPUS WITHOUT PERMISSION</b></p> <p>Unauthorized leaving of school grounds.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• No-Contact Contract</li> <li>• School Chores</li> <li>• 1-3 Days OSS</li> </ul>
<p><b>OTHER MAJOR</b></p> <p>(major incidents that do not fit within the other definitions) Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. This includes any drug or weapon found unattended and not linked to any individual; such incidents must be coded with the appropriate Related element (such as Drug-related or Weapon related) and incident involvement must be reported as unknown.</p>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Restitution</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>	
<p><b>PETTY THEFT</b></p> <p>The taking of property while on school grounds or from a vehicle on school property worth under \$300</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 3-5 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>	

<p><b>POSSESSION OF AN INAPPROPRIATE OBJECT (NON-CONTROLLED SUBSTANCE)</b></p> <p>Possession and/or use of items or contraband designated by the school as inappropriate materials that cause distraction and/or damage to persons or property or otherwise interferes with learning. An example is the possession of a pocket knife which may be potentially dangerous or harmful to others.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• Threat Assessment</li> <li>• Peer Mediation</li> <li>• 1-3 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Parent/Guardian Conference</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>
<p><b>RESPONSE TO AGGRESSION</b></p> <p>Used when the investigation identifies a clear offender and the person responding was defending themselves either verbally or physically.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• School Chores</li> <li>• 1 Day ISS</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• Threat Assessment</li> <li>• No-Contact Contract</li> <li>• School Chores</li> <li>• 1-3 Days OSS</li> </ul>
<p><b>SEXUAL OFFENSES (OTHER)</b></p> <p>(lewdness, indecent exposure) Other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. (Law enforcement must be notified to investigate.)</p>	<ul style="list-style-type: none"> <li>• Mandatory Parent/Guardian Conference – Required</li> <li>• Offer Counseling – Required</li> <li>• Submit the Inappropriate Sexual Behavior Notification Form as part of the Title IX process</li> <li>• No-Contact Contract</li> <li>• Referral to Student Services Personnel</li> <li>• 1 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• No-Contact Contract</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>
<p><b>SOCIAL MEDIA DISRUPTION</b></p> <p>SMD is defined is the intentional use of digital devices such as cell phones, computers, tablets etc. to send, post, or share negative/harmful content that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. Negative/harmful content can in turn cause discomfort or humiliation, or unreasonably interfere with the school’s ability to maintain routine safety and order on campus. This offense includes the transmission of negative/harmful content regardless of who the initial recorder was; i.e. if a student is sent the information and then in turn sends out the same information, they too are held accountable. This offense includes the intentional posting or sharing of messaging that is insensitive,</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• No-Contact Contract</li> <li>• Referral to Student Services Personnel</li> <li>• Peer Mediation</li> <li>• 1-3 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> <li>• Flexible Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 10 Days OSS</li> </ul>

inappropriate, harmful, and/or slanderous to individuals and/or to groups.			
<b>TRESPASSING</b> (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.	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Threat Assessment</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>	
<b>VAPE/PRODUCTS</b> The possession, use, distribution, or sale of vape products and vape/vaping related products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 18.	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 1-5 Days OSS</li> <li>• TOP – Tobacco Online Program</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 2-5 Days OSS</li> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>
<b>Action</b>	<b>1<sup>st</sup> Incident</b>	<b>2<sup>nd</sup> Incident</b>	<b>3<sup>rd</sup> Incident</b>
<b>LEVEL 4</b> <i>Level 4 infractions is relatively minor misbehavior or general classroom disruption that interferes with the orderly educational process in the classroom or other areas.</i>			
<b>ALCOHOL</b> (possession, use, or sale) Possession, sale, purchase, or use of alcoholic beverages. 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. Alcohol incidents cannot be drug-related.	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>
<b>DRESS CODE</b> To dress in a manner that would constitute a disruption in the school, create a safety hazard or exhibit impropriety. Non-conformity to the general code of appearance as outlined in Board Policy.	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• 1 Days ISS</li> <li>• Restorative Practices</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• School Chores</li> <li>• Restorative Practices</li> <li>• 1-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• Restorative Practices</li> <li>• 1-3 Days OSS</li> </ul>
<b>FALSIFICATION OF RECORDS</b> Providing False Information Lying/Forgery - Giving false or misleading information, either oral or written, which may injure another person's character or reputation or disrupt the orderly process of the school. Intentionally providing false or misleading information to, or withholding valid information from, a school staff member. This includes Forgery - to fashion or reproduce for fraudulent purposes, such as signing parents/guardians' name to a note.	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Days ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• School Chores</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 5 Days OSS</li> </ul>
<b>OTHER MINOR INCIDENTS</b> Violation of specific posted or written school rules that are not necessarily a disruptive behavior. Breaking behavioral contract, thereby progressing to the next disciplinary level as specified in the school student handbook.	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• 1-3 Day ISS</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Flexible Schedule</li> <li>• Peer Mediation</li> <li>• School Chores</li> <li>• 1-3 Day ISS</li> <li>• 1-3 Days OSS</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>



<p><b>PROFANITY</b> Abusive, profane, obscene or vulgar language (verbal, written, or gestures) or conduct in the presence of another person.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1-3 Day ISS</li> </ul>
<p><b>SKIPPING CLASS</b> If the student does not report to their assigned class but has been marked present throughout the school day or if the student reports 15 minutes or later to their assigned class.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Letter of Apology</li> <li>• Class Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1-3 Day ISS</li> <li>• Referral to Attendance Intervention Team (AIT)</li> </ul>
<p><b>TARDINESS</b> Late to class or school; if the student arrives 15 minutes after the beginning of class w/o permission then the student is considered SKP/skipping class.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Letter of Apology</li> <li>• Class Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1-3 Day ISS</li> <li>• Referral to AIT</li> </ul>
<p><b>TOBACCO</b> (cigarettes or other forms of tobacco/nicotine) The possession, use, distribution, or sale of tobacco or nicotine products on school grounds, at school sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> <li>• 1-5 Days ISS</li> <li>• TOP -Tobacco Online Program</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 3-5 Days OSS</li> <li>• Parent/Guardian Conference</li> <li>• Safety Plan</li> <li>• Referral to Student Services Personnel</li> </ul>	<ul style="list-style-type: none"> <li>• Office of Student Engagement Meeting</li> <li>• 10 Days OSS</li> </ul>
<p><b>VIOLATION OF CLASSROOM RULES</b> Violation of posted or written class rules that are not necessarily a disruptive behavior. Breaking behavioral contract, thereby progressing to the next disciplinary level as specified in the student code of conduct.</p>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Letter of Apology</li> <li>• Class Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1 Day ISS</li> </ul>	<ul style="list-style-type: none"> <li>• Parent/Guardian Conference</li> <li>• Referral to Student Services Personnel</li> <li>• Letter of Apology</li> <li>• Class Detention</li> <li>• 1-3 Day ISS</li> <li>• Referral to AIT</li> </ul>

## **Codes and Definitions**

### **Level 0**

Level 0 codes are reserved for documentation purposes only for state reporting purposes and student behavior records. Any actions/intervention can be administered and recorded in the student information system at the principal's discretion.

Suspension of any kind should not be used with these codes.

**MULTIPLE EGREGIOUS REFERRALS/CDB** four or more Level 3 incidents in one quarter (45 days); excluding the infractions listed above.

- Two or more Level 2 incidents in one quarter (45 days); excluding the infractions listed above.

- Five or more Level 3 or Level 2 incidents in one school year (180 days); excluding the infractions listed above.
- Principal's/District discretion – if a student commits an offense that is not listed above or there is a district investigation taking place.

**OFF CAMPUS NON-SCHOOL RELATED – CODE 81** Any student who is formally charged with an off-campus felony or with a delinquent act which would be a felony if committed by an adult.

**ROOM CLEARING EVENT** When a student is in a state that creates an unsafe learning environment and the other students in the room are forced to leave the learning environment.

**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 definition of bullying as listed in the Jeffrey Johnston Stand Up for all Students Act (Florida Statute 1006.147).

**UNSUBSTANTIATED HARASSMENT** After a complete investigation and follow up of a 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 (Florida Statute 1006.147).

**VIOLATION OF DISTRICT SAFETY PLAN/CONTRACT** If a student violates the school's or districts safety plan.

### **Level 1**

Level 1 acts of misconduct are the most serious. All Level 1 infractions are grounds for expulsion, and will result in a mandatory 10-day suspension. These acts are clearly criminal and are serious enough to require administrative actions that result in immediate removal of the student from school, the intervention of law enforcement authorities, or action by the Superintendent and Hillsborough County School Board.

**AGGRAVATED BATTERY** (intentional great bodily harm) A battery where the attacker intentionally or knowingly causes more serious injury, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.

**ARSON** (intentionally setting a fire on school property) To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.

**HOMICIDE** (murder, manslaughter) The unjustified killing of one human being by another.

**KIDNAPPING** (abduction of an individual) Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.

**SEXUAL BATTERY** (attempted or actual) Forced 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 foreign object. Both males and females can be victims of sexual battery.

Examples:

- Student or other raping someone.
- Student or other attempting to rape someone.

Non-Examples:

- Students engaging in consensual sex acts. (Consensual sex is not Sexual Battery. Refer to SXO: Sexual Offenses (Other) as a possible alternative code.)

## Level 2

Level 2 infractions are major acts of misconduct. They include serious disruptions of school order and threats to the health, safety and property of others. The misconduct must be reported promptly to a school administrator, who may remove the student from the school or activity immediately.

**BURGLARY** (illegal entry into a facility) Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.

**DISPUTE/ROUGH HORSEPLAY** Student who deliberately pushes, pulls, shoves, strikes, taunts, antagonizes, or mutual physical altercation with another student or students or by acts or words that does not result in any injuries.

**DISRUPTION ON CAMPUS – MAJOR** (major disruption of all or a 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.

Examples:

- Student or other making a bomb threat.
- Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group.
- Student or other causing an incident that results in closing the cafeteria.
- Student or other inciting a riot.
- Student or other pulling the fire alarm.
- Student or other deliberately crashing the school computer system.
- Student or other causing an incident that prevents others from proceeding to the next class or prevents egress.

Non-Examples:

- Disruption of a single classroom.
- Student defying authority.
- Student disobeying or showing disrespect to others.
- Student or other using obscene or inappropriate language or gestures.
- Student not sitting in seat and/or talking loudly while school bus is moving.

**DRUG SALE/DISTRIBUTION** (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.

**FIGHTING** (mutual combat, mutual altercation) When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR.

Examples:

- Student or other engaging in a fight/combats with another and physical restraint is necessary to stop it
- Student becoming engaged in a fight which results in the need for first aid or medical attention for one or both of the participants

Non-Examples:

- Student verbally confronting another student/teacher
- Student or other engaging in pushing and shoving who is easily separated or stopped
- Student or other engaging in a fight which is resolved without injury or need for physical restraint

**HAZING** Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation with any school-sanctioned organization.

"Hazing" includes, but is not limited to: (a) pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or (b) any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

Examples:

- Pressuring, coercing or forcing a student into: 1) violating state or federal law; 2) consuming and food, liquid, drug, or other substance; or 3) participating in physical activity that could adversely affect the health or safety of the student.

Non-Examples:

- Requiring new team member to attend additional supervised practices.

**INAPPROPRIATE USE OF TECHNOLOGY** Inappropriate use of Technology/Wireless Communication Devices - When the possession of a wireless communication device disrupts the educational process. This includes the unauthorized use of a wireless communication device to capture images or recordings without permission during school hours, attaching power cords to school devices, and/or the unauthorized use on school buses in the absence of an emergency concerning safety-to-life issues (defined as a bus accident, mechanical breakdown which delays the normal route, and/or thirty (30) minutes or more in a route delay).

**LARCENY/THEFT > \$750** (taking of property from a person, building, or a vehicle) (\$750 threshold) The unauthorized taking, carrying, riding away with, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.

**PHYSICAL ATTACK** An actual and intentional striking of another person against his/her will, or the intentional causing of bodily harm to an individual.

Example:

- Throwing an object and hitting someone hard enough to cause injury.

Non-Examples:

- Student or other engaging in a fight/combat with another and physical restraint is necessary to stop it. o Student becoming engaged in a fight which results in the need for first aid or medical attention for one or both of the participants. (Refer to Fighting as a possible alternative code.)

**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.

**SEXUAL ASSAULT** An incident that includes threatened rape, fondling, indecent liberties, or child molestation. Both males and females can be victims of sexual assault.

Example:

- Student or other threatening to rape another.

Non-Example:

- Kindergarten student threatening another with a sexual act.

**SEXUAL HARASSMENT** (as defined by SESIR) (undesired sexual behavior) Unwanted verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation or unreasonably interfere with the individual's school performance or participation (6A-19.008(1) SBE Rule) (Word).

Examples:

- Student or other causing unwanted and ongoing episodes of leering, pinching, grabbing.
- Student or other making repeated suggestive comments or jokes or actions of a sexual nature.
- Student or other pressuring one to engage in sexual activity.
- Teacher threatening to lower a student's grade if sexual favors are not given.
- Student or other repeatedly showing a photograph, poster or other images of nudity, lewd or sexual activity.
- Student or other pressuring another student for sexual favors by threatening to prevent him/her from participating in a school activity.

Non-Examples:

- Student engaging in consensual sex. (Refer to Sexual Offenses (other) code as a possible SESIR code.
- Student unintentionally brushing up against another in the hallway.
- A single incident of a kiss that may be unwanted.

**STUDENT PHYSICAL CONFRONTATION W/ SCHOOL BOARD EMPLOYEE** A student who intentionally engages in a physical confrontation involving a school board employee.

**THREAT/INTIMIDATION** (instilling fear in others) An incident where there was no physical contact between the offender and victim, but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.

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 – that the threat is heard or seen by the person who is the object of the threat
- Fear – a reasonable fear or 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

Examples:

- Student or other willfully and repeatedly following another or stalking with intent to cause the person to fear for their safety
- Student or other who willfully and repeatedly uses email or text messages to cause another to fear for their safety or cause substantial emotional distress (cyber stalking)

Non-Examples:

- Student or other engaging in mutual combat with another
- Student or other actually using force or violence against another. (Refer to Battery or Fighting as possible alternative codes.)
- Student waving to another student in the hallway, waiting after class to talk to him/her and calling to ask him/her out

**VANDALISM > \$1000** (destruction, damage, or defacement of school or personal property) (\$1,000 threshold) 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. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.

**WEAPONS POSSESSION** (possession of firearms and other instruments which can cause harm) Possession of a firearm or any instrument or object that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

### Level 3

Level 3 infractions are acts of misbehavior whose frequency and seriousness tends to disrupt the learning climate of the school. These infractions usually result from a continuation of Level 1 misbehavior and requires administrative personnel intervention. This misconduct must be reported to the appropriate school administrator for disciplinary action. The administrator will follow the procedure designated for minor violations (Level 4) when investigating the situation and deciding on disciplinary action.

**BULLYING** (intimidating behaviors that are repeated, intentional, and involve a power imbalance) Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.

### **Anonymous Bullying Hotline - Bully and Harassment Prevention and Reporting**

The School Board is committed to providing an educational setting that is safe, secure, and free from harassment and bullying for all of its students and school employees. The District will not tolerate unlawful bullying and harassment of any type. The District in consultation with District students, parents/guardians, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies have developed a District policy as part of a comprehensive plan intended to prevent bullying and harassment. District's Policy on Bullying and Harassment a reporting system has been created to appropriately identify, report, investigate, and respond to situations of bullying and harassment. Online Form to Report a Bully. The District has also created this website as a resource and tool to help cultivate a learning environment where everyone involved can thrive and achieve excellence in education.

**HCPS Bullying Hotline Link** can be found at:

**HCPS website at <https://www.hillsboroughschools.org/bullyprevention>**

**Anonymous Bullying Form** [https://forms.office.com/Pages/ResponsePage.aspx?id=-f2oEP\\_CDU6cGR\\_iwYgWSIfHKK0R9cNEu-CHNB5dB91UOV02S0RJN00wVzVHSjVMRjJJWDRPWTFKOSQIQCN0PWcu](https://forms.office.com/Pages/ResponsePage.aspx?id=-f2oEP_CDU6cGR_iwYgWSIfHKK0R9cNEu-CHNB5dB91UOV02S0RJN00wVzVHSjVMRjJJWDRPWTFKOSQIQCN0PWcu)

**Cyberbullying** means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, Internet communication, instant messages, texting, posting or facsimile communications. Cyberbullying means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. Cyberbullying is covered under the district's Bullying and Harassment policy (5517.01). Students must not engage in cyberbullying and must report any suspicion of cyberbullying to a staff member teacher or administrator as outlined in the bullying section of this Student Code of Conduct.

- Creation of a profile or post in which the creator assumes the identity of another person
- Knowingly impersonating another person as the author of posted content or messages
- Distribution by electronic means of communication, or the posting of material on an electronic medium that may be accessed by one or more persons, of material that creates any of the conditions enumerated in the definition of bullying
- Mean, threatening, or harassing text messages, emails, etc.
- Rumors or false accusations transmitted electronically or posted on social networking sites
- Sending or posting embarrassing pictures or videos through electronic means, including text message, email, or social media

**DISOBEDIENCE/INSUBORDINATION** Refusal or failure to obey, marked by resistance to authority. The flagrant or hostile challenge of the authority of a school staff member, bus driver, or any other adult in authority.

**DRUG USE/POSSESSION** (illegal drug possession or use) The use or possession of any drug, narcotic, controlled substance, or any substance when 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.

**HARASSMENT** (one-time, insulting behaviors) Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

Example:

- One student approaches another student and makes an insulting gesture. The targeted student runs off in tears and is visibly upset

Non-Example:

- Two students approach each other and one student makes an insulting gesture towards the other student. Both students are good friends no offense was taken by either student from the interaction

**INAPPROPRIATE SEXUAL BEHAVIOR** Any written, verbal, nonverbal, or physical conduct towards or in the presence of another student, teacher, or other adult that is inappropriate and sexual in nature. To include inappropriate: language (cursing, slang, profanity, or language that is sexual in nature); physical display of affection or unwanted touch; physical gesture or movement; gender stereotyping and technology violations (posting and/or sharing sexual images, content, or text as well as making inappropriate comments of a sexual nature).

**LEFT CAMPUS WITHOUT PERMISSION** Unauthorized leaving of school grounds.

**OTHER MAJOR** (major incidents that do not fit within the other definitions) Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified. This includes any drug or weapon found unattended and not linked to any individual; such incidents must be coded with the appropriate Related element (such as Drug-related or Weapon related) and incident involvement must be reported as unknown.

Examples:

- Student produces or knowingly uses counterfeit money.
- Student participates in gambling activities i.e., throwing quarters for money.
- Student possesses pornographic materials depicting others under the age of 18.
- Student possessing drug paraphernalia.

Non-Examples:

- Student arrested for violating probation.
- Student or other arrested for committing crimes off-campus.

**PETTY THEFT** The taking of property while on school grounds or from a vehicle on school property worth under \$300

**POSSESSION OF AN INAPPROPRIATE OBJECT (NON-CONTROLLED SUBSTANCE)** Possession and/or use of items or contraband designated by the school as inappropriate materials such as, lighters, pocket knives, illicit materials, etc. and any other items that cause distraction and/or damage to persons or property or otherwise interferes with learning. An example is the possession of a pocket knife which may be potentially dangerous or harmful to others. These items will be confiscated.

**RESPONSE TO AGGRESSION** Used when the investigation identifies a clear offender and the person responding was defending themselves either verbally or physically.

**SEXUAL OFFENSES (OTHER)** (lewdness, indecent exposure) Other sexual contact, including intercourse, without force or threat of force. Subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner. (Law enforcement must be notified to investigate.)

Examples:

- Student or other participating in sexual activity in front of a student
- Two or more students engaging in sexual activity
- Student or other soliciting or encouraging a person to commit a sexual act.

Non-Examples:

- Students kissing consensually
- A first-grade student hugging another

- Student inadvertently touching breasts or buttocks of another

**SOCIAL MEDIA DISRUPTION (SMD)** SMD is defined is the intentional use of digital devices such as cell phones, computers, tablets etc. to send, post, or share negative/harmful content that creates an adverse impact on a school's learning environment. Negative/harmful content can in turn cause discomfort or humiliation, or unreasonably interfere with the school's ability to maintain routine safety and order on campus.

- This offense includes the transmission of negative/harmful content regardless of who the initial recorder was; i.e. if a student is sent the information and then in turn sends out the same information, they too are held accountable
- This offense includes the intentional posting or sharing of messaging that is insensitive, inappropriate, harmful, and/or slanderous to individuals and/or to groups

**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.

**VAPE/PRODUCTS** The possession, use, distribution, or sale of vape products and vape/vaping related products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 18.

#### **Level 4**

Level 4 infractions is relatively minor misbehavior or general classroom disruption that interferes with the orderly educational process in the classroom or other areas.

**ALCOHOL** (possession, use, or sale) Possession, sale, purchase, or use of alcoholic beverages. 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. Alcohol incidents cannot be drug-related.

**DRESS CODE** To dress in a manner that would constitute a disruption in the school, create a safety hazard or exhibit impropriety. Non-conformity to the general code of appearance as outlined in Board Policy.

**FALSIFICATION OF RECORDS** Providing False Information Lying/Forgery - Giving false or misleading information, either oral or written, which may injure another person's character or reputation or disrupt the orderly process of the school. Intentionally providing false or misleading information to, or withholding valid information from, a school staff member. This includes

Forgery - to fashion or reproduce for fraudulent purposes, such as signing parents/guardians' name to a note.

**OTHER MINOR INCIDENTS** Violation of specific posted or written school rules that are not necessarily a disruptive behavior. Breaking behavioral contract, thereby progressing to the next disciplinary level as specified in the school student handbook.

**PROFANITY** Abusive, profane, obscene or vulgar language (verbal, written, or gestures) or conduct in the presence of another person.

**SKIPPING CLASS** If the student does not report to their assigned class but has been marked present throughout the school day or if the student reports 15 minutes or later to their assigned class.

**TARDINESS** Late to class or school; if the student arrives 15 minutes after the beginning of class w/o permission then the student is considered SKP/skipping class.



**TOBACCO** (cigarettes or other forms of tobacco/nicotine) The possession, use, distribution, or sale of tobacco or nicotine products on school grounds, at school sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related.

**VIOLATION OF CLASSROOM RULES** Violation of posted or written class rules that are not necessarily a disruptive behavior or breaking a classroom contract.

## **FEDERAL, STATE AND HILLSBOROUGH COUNTY SCHOOLS POLICIES AND PROCEDURES**

### **Arrest by Law Enforcement Officers**

Ordinarily, it should not be necessary for law enforcement officers to arrest or take custody of students during school hours at school for crimes committed outside of school hours. No law enforcement officer shall arrest or take custody of any student in school during school hours unless upon lawful request by the principal or unless the officer has “probable cause” to arrest for a violent felony, has an arrest warrant for a violent felony, or juvenile commitment order from a judge for an immediate appearance. In cases where the student is to be taken into custody, the law enforcement officer shall first contact the principal and advise him/her of such fact. The student shall first be summoned to the office by the principal. The services of a school law enforcement officer in making an arrest, if available, should be requested by the arresting officer. In emergency situations, where the commission of a crime or offense involving felony or breach of the peace in school has been witnessed by a law enforcement officer, or if the law enforcement officer is in “hot pursuit” of the student for such crime, the officer has the legal right to take direct and unhindered action in schools. The principal must be notified of the action as soon as possible.

### **Attendance**

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session. School attendance shall be the responsibility of parents/legal guardians and students. Absences shall be reported to the school attendance office by the parent/legal guardian on the day the absence occurred.

If the absences are excused, all educational requirements for the course shall be met before a passing grade and/or credit is assigned. A student whose absence has been excused shall be permitted to make up the work missed provided that the student makes arrangements with teachers within three days of the student's return to school. It is the student's responsibility to make these arrangements. Students shall submit make up work within the deadlines set by the teachers. Students on school business shall be counted present and required to make up work missed.

The Board considers the following factors to be reasonable excuses for time missed at school:

- Personal illness of the student. A student who has demonstrated a pattern of absences due to illness may be required to present medical verification to the principal
- Court appearance of the student
- Medical appointment of the student. A note from a health care provider may be required
- Therapy services for treatment of Autism Spectrum Disorder
- An approved school activity Absences will be recorded but not reported
- Emergencies that are acceptable to the principal
- Other absences as approved by the principal. A written request from the parent/legal guardian is submitted to the principal at least three days prior to the date of absence. The parent/guardian will be notified of the decision.
- Attendance at a center under Children and Families Services supervision
- Accident resulting in injury to the student
- Significant community events with prior permission of the principal.
- When more than one school is involved, the Region Superintendent will determine the status of the absence.
- Observance of an established religious holiday

- Death of a close relative. For purposes of this policy, close relatives shall be defined as the father, mother, brother, sister, husband, wife, son, daughter (or in-law), stepfather, stepmother, stepbrother, stepsister, half-sister, half-brother, stepchild, uncle, aunt, niece, nephew, grandparents, grandchild, or members of his/her own household.

Absences not included in excused absences listed above shall be unexcused.

### **Unexcused Absences:**

Unexcused absences shall not be grounds for suspension from school but may result in detention or placement in existing alternative programs.

Unexcused absences include absences that:

- are caused by truancy of the student
- are caused by an out-of-school suspension (students in grades 6-12 see section on Education, Prevention, and Intervention—EPIC Level 1 Prevention Centers).

### **Tardiness to Class**

A student is tardy when the student arrives after the beginning of the school day or when he/she is not in his/her assigned seat or station when the tardy bell rings. A student's tardiness shall be excused when the reason given is acceptable to the principal or designee. Examples of acceptable reasons for tardiness are the same as the examples of acceptable reasons for excused absences.

### **Sign-in Procedures**

Any student arriving to school after the session has begun must report to the Main Office or Office of Student Affairs. An admit shall be issued indicating excused or unexcused tardy or absence. For the student to receive an excused sign-in, a parent or guardian must accompany the student to the Main Office and give an excusable reason. More than two sign-in's in a grading period shall require medical or other documentation and/or a parent/guardian must be present in order to be considered excused.

### **Sign-out Procedures (preapproved & emergency)**

**Elementary Students:** Once students arrive on campus, they may not leave without permission from an administrator or designee. In the event a student must leave early; the parent/guardian must make the request in person in the Main Office. A picture ID must be presented.

**Secondary Students:** Once students arrive on campus, they may not leave without permission from the assistant principal for Student Affairs. Students who must leave school during school hours must have their parent/guardian request this release by phone or in person to the Office of Student Affairs in order to obtain pre-approval. More than four sign-outs' in a grading period shall require medical or other documentation and/or a parent/guardian must be present in order to be considered excused.

### **Attendance Intervention Team (AIT)**

The Attendance Intervention Team, will provide a proactive response for students who have been deemed habitually truant. The habitually truancy can be due to existing issues at school, going to and returning from treatment, diversion, detention, commitment, and jail facilities. This Team ensures the students are actively enrolled and successfully participating in an educational program that results in a high school diploma. The Attendance Intervention Team reports directly to the General Director of Student Engagement.

### **Make-Up Work**

**Elementary Students:** A student who has been absent and whose absence is excused is permitted to make up the work missed after returning to school. Parents/guardians should contact the school and request make-up work at least 24 hours in advance.

**Secondary Students (Grades 6-12):** A student who has been absent and whose absence is **excused** is permitted to make up the work missed, provided that the student makes arrangements with teachers within three days of the student's return to school. The student is responsible for making these arrangements. Make-up work must be submitted within the deadline(s) set by the teacher(s).

## **Release of Students**

During school hours a principal or designee shall permit a child to leave school only in custody of one of the following adults:

- Parent/guardian of the student with photo ID
- Person listed on Emergency Contact Card, with photo ID
- A law enforcement officer
- An authorized worker from the Department of Children and Families

At the end of the school day, students are released at a specified time and place and are expected to go directly home. Parents/guardians must notify the school office in writing regarding any change in the student's normal transportation. Car riders should be picked up immediately in the school's designated area. Students riding buses are expected to unload from the bus at their designated stop. Students must enter and exit at their assigned bus stop; requests for changes will not be honored.

Kindergarten students must be met at the afternoon bus stop by a designated adult or parent/guardians. If the adult or parent/guardian is not at the bus stop, the kindergarten student will be returned to the school after the elementary run is complete. Further information is available at the school.

## **Additional Secondary (6-12) Attendance Information**

Students in grades 6-12 not in class at least one half of the class period shall be counted absent from that class. Students in grades 6-12 in attendance for any part of the day are counted present for the day, but shall be counted absent for any class missed.

Any student who fails to attend any regularly scheduled class and who has no excuse for absence should be referred to the appropriate administrator. Disciplinary action should include notification to parents or legal guardians. Chronic truancy or deliberate nonattendance in excess of 15 school days within a semester shall be sufficient grounds for withdrawal of students 16 years of age or older, who are subject to compulsory school attendance under F.S. 1003.21.

Such regulations should provide that a student's grade in any course is based on the performance in the instructional setting and is not reduced for reasons of conduct. If a student violates the attendance or other rules of the school, appropriate consequences should be imposed; the student's grades should be based upon what the student can demonstrate in the learning environment.

Whenever any student has a total of 15 days of unexcused absence from school during any semester, the student will be considered habitually absent. The Board authorizes the Superintendent to inform the student and parents/legal guardians of the record of excessive absences as well as the District's intent to notify the Department of Highway Safety of Motor Vehicles (DHSMV) of the student's excessive absences.

Students may not be given excused absences to remain out of school for the purpose of working unless the job is an integral part of the student's instructional program.

## **Behavioral Threat Assessments**

In support of maintaining school safety, staff will investigate reports of, or evidence regarding, student behavior on or off school grounds that could pose a threat to the safety or welfare of others.

### **Threat Assessment Teams**

*Per state statute and board policy, each school requires a behavioral threat assessment team.*

The Superintendent, or his or her designee, shall develop procedures for the establishment of Threat Assessment Teams at each school whose duties shall include the coordination of resources, assessments and interventions with individuals whose behavior may pose a threat to the safety of school staff or students. The procedures shall include processes for referrals to mental health services identified by the school district pursuant to section 1012.584(4), Florida Statutes.

Each Threat Assessment Team shall include persons with expertise in counseling, instruction, school administration, and law enforcement. The Threat Assessment Teams shall identify members of the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school or self.

A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. Threats may be explicit or implied, directed at the intended target or communicated to a third party. Behavior such as possession of a weapon, fighting, or menacing actions should be investigated to determine whether a threat is present (Comprehensive School Threat Assessment Guidelines).

In assessing the potential level of danger of a student's behavior, school staff may conduct a threat assessment following district policy. Families may be invited to assist school staff in completing the assessment. However, family refusal to assist staff in completing the assessment will not prevent staff from completing those parts of the assessment about which staff is knowledgeable. Hillsborough County Public Schools may also make a determination of risk based on information received from law enforcement agencies, court personnel, mental health professionals, human services, or other agency partners.

Families will be notified when a threat assessment is being conducted, or as soon as possible after such assessment has been conducted, regarding their student. Applicable records of student behavioral threat assessments shall be provided to families upon request. Students and families may be required to participate in the development of a monitoring and safety plan and comply with such plan.

### **Bullying and Harassment**

The School Board is committed to providing an educational setting that is safe, secure, and free from bullying and harassment for all students and employees.

The Board will not tolerate bullying and harassment. Conduct that constitutes bullying and harassment, as defined herein, is prohibited:

- during any education program or activity conducted by the District;
- during any school-related or school-sponsored program or activity or on a school bus of the District;
- through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the District; or
- through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the District or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by the District or school or substantially disrupts the education process or orderly operation of a school. This subpart does not require a school to staff or monitor any non-school related activity, function, or program.

### **Bullying**

Bullying is defined as any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student, or would be reasonably assumed to cause harm. Bullying is prohibited against any student for any reason, including but not limited to, any such behavior that is directed toward a student on the basis of academic performance, or against whom federal and state laws prohibit discrimination.

To guide the investigation of alleged bullying, three key elements must be present in order to fall into the Substantiated Bullying category. This includes behaviors that are repeated, or could be reasonably repeated, intentional, and reflect a power imbalance between the individual engaged in bullying behavior and the one being bullied.

Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, or purposely excluding someone from a group. Cyberbullying is a specific form of bullying using technology to hurt, harm or humiliate another individual or group.

### **Anonymous Bullying Hotline - Bully and Harassment Prevention and Reporting**

The School Board is committed to providing an educational setting that is safe, secure, and free from harassment and bullying for all of its students and school employees. The District will not tolerate unlawful bullying and harassment of any type. The District in consultation with District students, parents/guardians, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies have developed a District policy as part of a comprehensive plan intended to prevent bullying and harassment. District's Policy on Bullying and Harassment a reporting system has been created to appropriately identify, report, investigate, and respond to situations of bullying and harassment. Online Form to Report a Bully. The District has also created this website as a resource and tool to help cultivate a learning environment where everyone involved can thrive and achieve excellence in education.

**HCPS Bullying Hotline Link** can be found at:

**HCPS website at <https://www.hillsboroughschools.org/bullyprevention>**

**Anonymous Bullying Form [https://forms.office.com/Pages/ResponsePage.aspx?id=-f2oEP\\_CDU6cGR\\_iwYgWSIfHKK0R9cNEu-CHNB5dB91UOV02S0RJN00wVzVHSjVMRjJJWDRPWTFKOSQIQCN0PWcu](https://forms.office.com/Pages/ResponsePage.aspx?id=-f2oEP_CDU6cGR_iwYgWSIfHKK0R9cNEu-CHNB5dB91UOV02S0RJN00wVzVHSjVMRjJJWDRPWTFKOSQIQCN0PWcu)**

### **Discrimination/Harassment**

Discrimination is defined as treating a person of a particular group differently based on their protected class characteristic. Harassment is defined as verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of the person's protected status and has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, or offensive education environment.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the district's premises or circulated by e-mail, phone (including voice messages), text messages, social networking sites, or other means. Harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum.

Examples of harassment includes any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

- Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property
- Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits
- Has the effect of substantially disrupting the orderly operation of a school

It shall be a violation of District policy for any student, teacher, administrator, or other district personnel to harass a student or adult through conduct of a sexual nature, or regarding race, color, sexual orientation, national origin or disability as defined by this policy.

It shall also be a violation of District policy for any teacher, administrator, or other school personnel of this District to tolerate sexual harassment or harassment based on race, color, sexual orientation, national origin, or disability by a student, teacher, administrator, or other school personnel, or by any third parties who are participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

Examples of conduct that may constitute harassment based on race, color, sexual orientation, or national origin, include:

- Graffiti containing offensive language which refers to a person's race, color, sexual orientation, or national origin
- Name calling, jokes, or rumors
- Threatening or intimidating conduct directed at a person because of his/her race, color, sexual orientation, or national origin

- Racial or ethnic slurs, negative stereotypes, and hostile acts based on another’s race, color, sexual orientation, or national origin
- A physical act of aggression or assault upon another because of, or in a manner reasonably related to, that person’s race, color, sexual orientation, or national origin
- Other kinds of aggressive conduct such as theft or damage to property which is motivated by race, color, sexual orientation, or national origin

Harassment based on a disability consists of verbal or physical conduct relating to an individual’s physical or mental impairment when the harassing conduct is so severe, persistent, or pervasive that it affects a student’s ability to participate in or benefit from services or opportunities in an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.

Examples of conduct that may constitute harassment because of a disability include:

- Graffiti containing offensive language derogatory to a person because of their physical or mental disability
- Threatening or intimidating conduct directed at another because of that person’s physical or mental disability

### **Sexual Harassment**

Sexual harassment is defined as unwelcome sexual behavior that is sufficiently severe, pervasive, persistent and objectively offensive and effectively denies the student equal access to the school’s educational program or activity. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; unwelcome touching; and display of sexually suggestive objects or pictures. Sexual harassment can take two forms: 1) hostile environment and 2) “quid pro quo” which means “you do something for me and I’ll do something for you” in a sexual context.

All public schools receiving any federal funds must also comply with Title IX of the Education Amendments of 1972. A school has a responsibility to respond promptly and effectively to a claim of sexual harassment or sexual violence. Title IX requires schools to adopt and publish grievance procedures for students to file complaints of sex discrimination, including complaints of sexual harassment or sexual violence. Schools can use general disciplinary procedures to address complaints of sex discrimination but all procedures must provide for prompt and equitable resolution of sex discrimination complaints.

### **Reporting Discrimination, Harassment and Bullying**

If you feel you have been a victim of, or witness to, discrimination, harassment, or bullying, report it immediately. Retaliation for reporting is not tolerated. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or report of harassment/bullying/hazing and the investigative procedures that follow. The following actions are encouraged in reporting this behavior.

- Students are always encouraged to report the complaint directly to a teacher, school counselor, Student Services staff member, school administrator, parent/guardian, trusted adult, or District’s Compliance Office.
- If a student or other person familiar with the situation would like to submit a report anonymously, they may do so online at [The HCPS Anonymous Bully Report](#).
- If the accused is a district employee, the student or parent/guardian should contact Human Resources.
- If the accused is an adult not employed by the school district, the student or parent/guardian should contact the school principal.
- Any student or student’s parent/guardian who believes she/he has been or is the victim of bullying or harassment should immediately report the situation to the school principal.
- Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

- All school employees are required to report alleged violations of this policy to the principal or as described above. All other members of the school community, including students, parents/guardians, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.
- Written and oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

### **Procedures for Investigating Accusations of Harassment and Bullying**

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. All complaints about bullying and/or harassment that may violate this policy shall be promptly investigated by an individual, designated by the principal, who is trained in investigative procedures. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately and shall be confidential. The investigator may not be the accused perpetrator or victim.

### **At no time shall the accused perpetrator and victim be interviewed together.**

The investigator shall collect and evaluate the facts including, but not limited to, the following:

- A description of the incident, the nature of the behavior, and the context in which the incident occurred
- How often the conduct occurred
- Whether there were past incidents or past continuing patterns of behavior
- The relationship between the parties involved
- The characteristics of the parties involved
- The identity of the alleged perpetrator, including whether the individual was in a position of power over the individual allegedly subjected to bullying or harassment
- The number of alleged bullies/harassers
- The age of the alleged bully/harasser
- Where the bullying and/or harassment occurred
- Whether there have been other incidents in the school involving the same or other students
- Whether the conduct adversely affected the student's education or educational environment
- Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident
- The date, time, and method in which the parent/guardian(s) of all parties involved were contacted
- Review the 504 Plan or IEP, if applicable

Pursuant to State law, District staff may monitor any non-school related activity, function, or program if it is related to the investigation being conducted.

If, during an investigation of reported act of bullying and/or harassment, the principal or his/her designee believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, sexual orientation, sexual identification or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

Upon the completion of the investigation to determine whether or not a particular action or incident constitutes a violation of the policy, the designated individual who has conducted the investigation shall make a determination based on all the facts and surrounding circumstances and shall include:

- A recommendation of remedial steps necessary to stop the bullying and/or harassing behavior
- A written report to the principal

The individual designated to conduct the investigation should complete the investigative procedural steps in ten school days, unless the nature of the investigation requires additional time. The highest level of confidentiality possible shall be provided

regarding the submission of a complaint or a report of bullying and/or harassment and for the investigative procedures that are employed.

The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

The investigator will provide a report on the results of the investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of District authority. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated. If the action is within the scope of the District, District procedures for investigating bullying and/or harassment shall be followed. If the action is outside the scope of the District, and believed to be a criminal act, the action shall be referred to the appropriate law enforcement agency. If the action is outside the scope of the District and believed not a criminal act, the principal shall inform parents/guardians of all minor parties.

### **Parent/guardian Notification**

The principal shall report the occurrence of an incident of bullying and/or harassment/discrimination as defined by District policy to the parent/guardian of all students known to be involved in the incident on the same day an investigation of the incident has been initiated. Notification shall be consistent with the student privacy rights under applicable provisions of the family educational rights and privacy act of 1974 (FERPA). The notice shall advise the individuals involved of their respective due process rights including the right to appeal any resulting determination or action to the state board of education. The principal shall document the date of the notification to the parent/guardian. If the bullying incident results in the perpetrator being charged with a crime, the principal shall inform the parent/guardian of the identified victim(s) involved in the bullying incident about the Choice Options.

Upon the completion of the investigation and if criminal charges are to be pursued against the perpetrator, the appropriate law enforcement agencies shall be notified.

### **Counseling Referral**

The District shall provide a referral procedure for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure will include:

- a process by which the teacher or parent/guardian may request informal consultation with school staff (e.g., school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern;
- A referral process to provide professional assistance or services that includes a process by which school personnel or parent/guardian may refer a student to the school intervention team (or equivalent school-based team with a problem-solving focus) for consideration of appropriate services (Parent/Guardian involvement is required at this point.); or If a formal discipline report or formal complaint is made, the principal must refer the student(s) to the school intervention team for determination of counseling support and interventions. (Parent/guardian involvement is required at this point.)
- A school-based action to address intervention and assistance as determined appropriate by the intervention team that includes:
  - Counseling and support to address the needs of the victim(s) of bullying or harassment
  - Interventions to address the behavior of students who bully and harass others (e.g., empathy training, anger management, etc.)
  - Interventions which include assistance and support for parents/guardians, as may be deemed necessary or appropriate



## **HOPE Scholarship**

Section 1002.40, Florida Statutes, was established during the 2018-2019 legislative session and provides the parent/guardian of a public school student who was subjected to an incident of bullying or violence (a complete list of incidents is found in section 1002.40(3), F.S.), an opportunity to transfer to another public school, or request a scholarship for the student to enroll in and attend a participating private school. The law states in part, "Upon receipt of a report of an incident, the school principal, or his or her designee, shall provide a copy of the report to the parent/guardian and investigate the incident to determine if the incident must be reported as required by s. 1006.09(6). Within 24 hours after receipt of the report, the principal or his or her designee shall provide a copy of the report to the parent/guardian of the alleged offender and to the superintendent. Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the school district shall notify the parent/guardian of the program and offer the parent/guardian an opportunity to enroll his or her student in another public school that has capacity or to request and receive a scholarship to attend an eligible private school, subject to available funding." Please go to the FLDOE website for more detailed information.

## **Cell Phones and Electronic Devices**

During school hours and while on the bus, cell phones and other electronic devices are to be used under the supervision of district staff for educational purposes only.

Students must comply with the directives of school/district staff regarding when and where electronic devices can be used.

Devices may only be used in approved areas and students must comply with the directives of school/ district staff regarding when and where electronic devices may be used. Cell phone conversations and video recording during the school day are prohibited unless under the supervision of staff/school personnel.

## **Child Abuse Reporting**

All employees and agents of the District School Board are authorized and mandated by Florida Statute 1006.061 to report all actual or suspected cases of child abuse, abandonment, or neglect to the Department of Children and Families, Central Abuse Hotline (1-800-962-2873), and to provide them with the necessary information to pursue such complaints. Employees have immunity from liability if they report such cases in good faith.

## **Civil Citations**

Recent changes in Hillsborough County law enforcement regarding the issuance of Civil Citations for juveniles, will result in positive and supportive outcomes for many of our students. The use of Civil Citations allows for the implementation of least restrictive interventions, while avoiding strictly punitive consequences for misdemeanor offenses. This is a very encouraging step in addressing student offenses and guiding our students along the path to successful decision-making. Below is an outline of the process for your reference.

- Florida Statute 985.12 encourages the use of Civil Citations or similar prearrest diversion programs in lieu of arrests. The use of such initiatives promotes public safety and contributes to an overall reduction in the crime rate and recidivism in the state.
- Announced May 3<sup>rd</sup>, 2021, all Hillsborough County law enforcement officers, including the Sheriff's Office and 5 police departments will now be required to issue a Civil Citation for all juveniles committing first-time misdemeanors.
- Criteria for issuing Civil Citations are as follows:
  - The offender must be under 18 years of age.
  - Only first-time misdemeanor offenders may be issued a civil citation.
  - Issuing Civil Citations will be mandatory for all misdemeanors meeting the above criteria.
  - Law Enforcement Officers (LEO) must have supervisor approval for offenders under the age of 13.
  - LEOs must have supervisor approval if a Civil Citation is not being issued.

- Civil Citation procedural steps:
  - LEOs issue a Civil Citation after confirming with the Juvenile Assessment Center that the youth has no history of offenses in the Juvenile Justice Information System.
  - Prior to issuing a Civil Citation for family violence (e.g. battery, domestic violence), the LEO contacts a local shelter to inquire about availability for shelter placement.
  - When issuing a Civil Citation, the LEO will provide parents/guardians with a Juvenile Arrest Avoidance Program (JAAP) flyer and/or instruct them to contact the Juvenile Diversion Program (JDP) within 3 days.
  - The LEO will forward the electronic Criminal Report Affidavit to the JDP within 24 hours.
  - Upon receipt of the Criminal Report Affidavit, the JDP contacts the offender’s family to complete registration for the JAAP. (Note: Families may contact the JAAP themselves, following LEO recommendations.)
  - Parent/guardian permission is no longer required for youth to enroll in the program, however parents/guardians are expected to support the youth’s participation.
  - The JDP will schedule Arbitration for the youth, which consists of an interview and an Evidenced-Based Risk Assessment.
  - Case Arbitration occurs in the JDP office. Sanctioning occurs immediately and is based upon the offense, the interview responses, and the outcome of the risk assessment. The youth’s case may be referred to Teen Court for sanctioning.
  - Sanctioning is thereby determined within days of the offense, as opposed to the potential weeks and months required for scheduling court appearances for arrests.
  - Once sanctioning is completed and the youth is enrolled in the JAAP, the case is monitored. (See attached flyer for the JAAP for details of the Program.)
  - Upon successful completion of the JAAP, there is no criminal record for the youth. If the program is not completed, the case is referred to the State Attorney’s Office for prosecution consideration.
  
- Benefits of Civil Citations:
  - Issuing is at the time of the offense. Evaluation, sanctioning, and JAAP enrollment all occur within days of the offense.
  - Sanctioning is immediate and directly related to the offense as compared to the lengthy time required for processing arrests through court appearances.
  - JAAP participation includes the provision for interventions and social/mental health services for students and families. Additionally, a variety of consequences and diversion strategies are employed and tailored to the offenses, including but not limited to community service, restorative justice, and restitution.
  - There is no criminal record for a Civil Citation once the JAAP is completed.
  - Of the 400 juvenile arrests in Hillsborough County in 2020, only 41% were issued a Civil Citation. The mandatory use of Civil Citations for first-time misdemeanor offenses will significantly reduce the number of juvenile arrests.

### **Digital Citizenship**

In providing a safe, secure, technologically rich learning environment, Hillsborough County Public Schools expect students to demonstrate appropriate and responsible behavior regarding technology. Digital citizenship, as this is defined, extends from cyberbullying to information literacy. It provides a guide for navigating the web intelligently and making appropriate decisions when online. The information below is meant to educate parents/guardians and students in the various aspects of digital citizenship. If you have any doubt about whether a contemplated activity is acceptable, consult your teacher or administrator.

## **Bring Your Own Device (BYOD) Program/Personal Digital Devices**

The Bring Your Own Device Program details the procedures for complying with the district's [Access to Technology Resources from Personal Communication Devices Policy \(7542\)](#). The procedures specify, in connecting to the guest public network, students must accept the district's [Student Network and Internet Acceptable Use Policy \(7540.03\)](#); the district's guest network is filtered in accordance with the Children's Internet Protection Act. The procedures also expand on responsibilities and limited rights students have when accessing the network.

## **Electronic Devices Safety, Services, and Acceptable Use**

Hillsborough County Public Schools is committed to developing a technologically relevant and engaging learning environment for all students by providing them with the opportunity to develop collaboration, innovation, communication skills, and tools that are essential to both life and work in the 21st Century.

The [Student Network and Internet Acceptable Use Policy \(7540.03\)](#), [Access to Technology Resources from Personal Communication Devices Policy \(7542\)](#), and Bring Your Own Device Program governs safe and appropriate access to technology in the district.

The [Student Network and Internet Acceptable Use Policy \(7540.03\)](#) must be agreed to when changing passwords and connecting to the district's network. This policy outlines the limited educational purpose of the Internet as an educational tool, measures taken in protecting children from exposure to harmful content, the limitations of content filtering, and outlines a code of conduct for appropriate network usage. Similar in content to the [Access to Technology Resources from Personal Communication Devices Policy \(7542\)](#) allows students to connect a Personal Communication Device (PCD) to the district's guest network. This policy outlines the responsibilities and limited rights that students have when connecting to the district network. When personal devices are used on school board property, users lose any expectation of privacy in the content of their files on the device during investigations related to inappropriate use of the device. Moreover, the owner of a PCD bears all responsibility and assumes all risk for loss, damage or misuse of said property while it is on Board property.

## **Dress Code**

The dress and grooming of students shall be that which contributes to the health and safety of the individual and which is non-disruptive of the educational activities and processes of a school. The definition of appropriate dress shall vary with the age of the student, the program of instruction, and the heating/cooling system of the building.

Students have the right: to dress as they choose as long as their dress meets the approved dress and grooming regulations, does not disrupt school activities, is not obscene or defamatory, and does not endanger the physical health or safety of themselves or others.

Students have the responsibility: to dress and groom in such a manner so as to reflect cleanliness, modesty, safety and good taste; become familiar with and adhere to approved dress and grooming regulations of the School Board of Hillsborough County.

### **Kindergarten – Fifth Grades**

- Shoes shall be worn and be securely fastened to the feet and have a low heel height. Footwear must be suitable for outdoor physical education classes and unsafe shoes such as “skate tennis shoes” are not allowed.
- Clothing that exposes the entire shoulder, tube tops, spaghetti straps, or similar type clothing, may be worn only with a blouse or shirt. Clothing exposing the torso or the midriff, either front, back, or sides, shall not be worn. Underwear shall not be visible. Clothing shall not expose the mid-chest area. Mini-skirts, mini-dresses and short shorts are not permitted. Hemlines shall be no shorter than fingertip length. All pants and shorts shall be secured at the waist.
- Head coverings shall not be worn in the building unless required for religious observance or health-related reasons.
- Garments and/or jewelry that display or suggest sexual, vulgar, drug, gang, weapons, or alcohol-related wording or graphics, or that provoke violence or disruption in the school, shall not be worn. Wallet chains shall not be worn.

## **Sixth – Twelfth Grades**

- Shoes shall be worn. Skate tennis shoes and bedroom slippers are unacceptable and not allowed.
- Clothing that exposes the entire shoulder, tube tops, spaghetti straps, or similar type of clothing may only be worn with a blouse or shirt. Clothing exposing the torso or the midriff, either front, back, or sides shall not be worn. Underwear shall not be visible. Clothing shall not expose the mid-chest area. Clothing not properly fastened or with tears that are indecent shall not be worn. Clothing traditionally designed as undergarments or sleepwear shall not be worn as outer garments. All pants and shorts shall be secured at the waist. Boys' shirts shall have sleeves. Mini-skirts, mini-dresses, and short shorts shall not be permitted. Hemlines shall be no shorter than fingertip length.
- Head coverings shall not be worn in the building unless required for religious observance or health-related reasons.
- Garments and/or jewelry that display or suggest sexual, vulgar, drug, gang, weapons, or alcohol-related wording or graphics, or that provoke or may tend to provoke violence or disruption in the school, shall not be worn. Wallet chains shall not be worn.

### *Florida Statutory Requirements for Student Dress*

*In the 2011 Legislative Sessions, Florida's Legislature passed, and Governor Scott signed into law, changes to sections 1006.07 and 1006.15 Florida Statute requirements for district Codes of Student Conduct (commonly known as the Baggy Pants Bill). In these sections are new school board requirements to include in the code of conduct, "an explanation of the responsibilities of each student with regard to appropriate dress, respect for self and others, and the role that appropriate dress and respect for self and others has on an orderly learning environment." This law provides penalties for students who wear clothing that exposes underwear or body parts in an indecent or vulgar manner. Lastly, the law includes adherence to the Dress Code and Code of Student Conduct as a condition for participation in extracurricular activities.*

## **Due Process**

Another name for due process is fairness of procedure. A basic ingredient to due process of law is that one who is not satisfied with a decision may appeal it to a higher authority.

Students must have proper notice of the infraction, an opportunity to be heard, and the hearing must be conducted fairly. Students shall be informed of school rules that have been violated, either orally or in writing, by a school official. They shall be given the right to present evidence or witnesses concerning the charges.

Basic ingredients or steps to be followed in guaranteeing due process:

- Have PROPER NOTICE of the charge or complaint being made against them. However, charges may change as new information comes forth during an investigation. Charges and duration of suspension may change.
- Have the OPPORTUNITY TO KNOW the specific charges or complaints
- Be given a FAIR AND IMPARTIAL HEARING and have the opportunity to present evidence and/or witnesses on their own behalf at the time of the hearing
- Have had prior OPPORTUNITY TO KNOW that their actions were in violation of established rules and regulations
- Be advised that they have the RIGHT TO APPEAL to the next higher authority if not satisfied with the action or decision rendered at their hearing.

## **School Level Grievance**

A grievance is another name for a complaint. A student grievance exists when a student/parent/guardian believes that he/she has been treated unfairly or has not been afforded due process. Students wishing to register a school-level grievance must do so within 60 calendar days from the time that they became aware of the alleged infraction.

Resolving a School Level Grievance:

- The student may ask the teacher or person(s) who allegedly treated you unfairly to schedule a conference for the purpose of discussing your complaint.
- If the complaint is not resolved, the student may arrange to talk with the department head, a school counselor, a student intervention specialist, or some other person who may be able to assist.
- If the above conferences have not resolved the complaint, the student may talk with a school administrator such as an assistant principal for student affairs, an assistant principal II, or the principal.
- If necessary, the student can contact the area superintendent responsible for the oversight of the school and request that the area superintendent look into the complaint.
- Students should involve their parents or guardians in resolving school level grievance.
- Most student grievances can be resolved at the school level through informal conferences with teachers or other school personnel.
- If efforts to resolve the grievance, with school administrators and the area superintendent fail, the student, upon filing a Level I Formal Grievance with the principal, shall be given a written explanation by the principal either accepting or rejecting the student's position, and detailing the reason(s) for this decision.
- A student wishing to appeal the principal's Level I written decision must file a Level II grievance with the Office of Employee Relations, 2920 N. 40th Street, Tampa, Florida 33605, no later than 10 school days from the date of said decision. Forms for filing grievances are available in the principal's office and shall be provided upon request.
- The Office of Employee Relations will have 15 school or work days after receipt of the grievance in which to prepare the case and to schedule and hold a hearing before the Superintendent. The review board shall be composed of persons appointed by the Superintendent. The person filing the grievance may bring witnesses to the hearing.
- For grievances that involve **Inappropriate Sexual Behavior**, please contact the Office for Civil Rights Compliance at 813-272-4098.

### **Appeal Process**

If you are uncomfortable reporting this fact to adult personnel at your school, contact someone on the following list.

- School Counseling Services, 273-7346
- School Social Work Services, 273-7090
- School Psychological Services, 273-7095
- Chief of Schools, Administration, 272-4000
- The Region Superintendent for your child's school:

Transformation Network Schools	(813) 272-4845
Elementary & K-8 Schools	(813) 272-4655, (813) 272-4738
Middle Schools	(813) 272-4616
High Schools, Alternative Ed, ESE or Career Centers	(813) 272-4443

### **Equity**

#### **Non-discrimination**

Hillsborough County Public Schools seeks to provide a safe and equitable learning opportunity for each of its students, regardless of race, color, sex, age, national or ethnic origin, political beliefs, marital status, disability, sexual orientation, gender, gender identity, or social and family background. Each school must be free from disruption that would interfere with the teacher's right to teach and the students' right to learn.

In accordance with Title VI, Title IX, Section 504/Title II and other civil rights regulations, the District is committed to providing an education and work environment free from all forms of discrimination and harassment, including sexual harassment. This commitment applies to all District operations, programs and activities.

### **McKinney-Vento Homeless Assistance Act**

The McKinney-Vento Homeless Assistance Act of 2000 (Subtitle VII-B) per Title IX, Part A of the Elementary and Secondary Education Act, as amended by The Every Student Succeeds Act, requires the immediate enrollment of children and youth experiencing homelessness, even in the absence of records normally required, as well as transportation to and from the school of origin. The McKinney-Vento Act requires every school district to appoint a local homeless liaison to ensure that homeless children and youth receive all protections and services necessary to succeed in school. The HELP Students in Transition Program, including the District Homeless Liaison, is dedicated to meeting the educational needs of students who meet eligibility under the McKinney Vento Homeless Education Assistance Act. The HELP Students in Transition Program is a part of School Social Work Services, and works in collaboration with schools to further their understanding of and meeting McKinney-Vento Homeless Education Assistance Act guidelines. The program works closely with all stakeholders to ensure educational stability for students.

### **Florida Driver’s License Law for Students**

In 1997, the Florida Legislature began requiring schools to report to the Department of Highway Safety and Motor Vehicles the names, dates of birth, sex, and Social Security numbers of minors who accumulate 15 unexcused absences in a period of 90 calendar days, which is a “rolling” number, thus making the student ineligible for driving privileges. The legislation further provides that those minors who fail to satisfy attendance requirements shall be ineligible for driving privileges. If the minor does not have a license, he or she shall not be issued one upon application. The process of reinstatement is available in the Office of the assistant principal for Student Affairs. Persons ages 14 until their 18th birthday cannot get or keep their driver’s privilege or license unless they are in school, have successfully completed school, earned their GED certificate, or have a hardship waiver. A student who has had their license suspended due to unexcused absences can apply for reinstatement once they have attended school for 30 consecutive days without an unexcused absence and have completed the necessary paperwork through the Office of Student Affairs. Reinstatement is delayed a day for each excused absence during that 30-day period. For more detailed information, see: F.S. 3 22.091 and 1 003.27.

### **FortifyFL**

FortifyFL is an anonymous suspicious activity reporting tool that allows you to instantly relay information to appropriate law enforcement agencies and school officials. It is available on the HCPS student portal, and may be downloaded to any portable device through the FLDOE website.

### **Investigations and Interviews**

#### **Investigations and Interviews in Schools by School Administrators:**

Schools administrators have the right and duty to conduct student interviews relative to Student Code of Conduct violations or to determine if crimes have been committed during school hours on school property, or during a school sanctioned activity. In these situations, a school principal may interview the student without the parents/guardians being present and without giving the student constitutional warnings, regardless of the source of information. This applies to all breaches of school discipline, health and safety of the student or student body, or presence in the school building or grounds of illegal matter. If a student is a suspect or is accused of a crime not involving the foregoing or if interview of a particular student is law enforcement instigated, the interview of such student by a principal may be deemed “state action,” the student may be deemed “in custody,” a parent/guardian shall be notified, and constitutional warnings shall first be given to the student before a statement is taken. In any event, the voluntary admission or confession of the student shall later have to be established in any criminal prosecution, juvenile court proceeding or school expulsion proceeding. With the exception of those crimes that must be reported to law enforcement, a school principal may exercise his/her discretion in determining whether to request assistance of law enforcement in investigating an allegation of a crime committed in his/her school building or on school grounds during school hours. If assistance is so requested, it shall be directed to the law enforcement department of the municipality in which the school building is located.

### **By Law Enforcement at Request of School Authorities:**

If a school principal requests assistance in handling an investigation related to his/her school building or students, a law enforcement officer may conduct a general investigation within the school building and interview students as possible witnesses in school during the school day. However, unless there is an emergency, the school shall first notify a parent/guardian or guardian of the student prior to the interview. The interview may proceed if the parent/guardian is unwilling to attend. The school principal or his/her designee may be present during the interview. However, if the principal or designee are not available, the law enforcement officer may proceed with the interview.

If a school principal requests law enforcement assistance in investigating a crime and if the investigation focuses on a particular student as a prime suspect (i.e. criminal prosecution is contemplated by law enforcement or the principal), the school principal shall first notify the student's parent or guardian of the intended interview. The school principal, designee, or parent/guardian shall normally be present during the interview.

A school official cannot, on behalf of a student, waive a student's rights to be advised of the nature of the crime or to be provided Miranda warnings/rights. If the parent or guardian and the student waive these rights, the interview may commence. The principal will keep a log of the steps followed by law enforcement.

### **By Law Enforcement without Request of School Authorities:**

Ordinarily, it should not be necessary for law enforcement officers to interview student suspects in school during school hours for unrelated crimes committed outside of school hours or crimes committed in school during school hours, for which assistance has not been requested. If law enforcement deemed circumstances make it necessary to interview students at school, the law enforcement officer shall first contact the principal regarding the planned interview and inform him/her of the probable cause to investigate within the school and obtain his/ her approval. The administration shall contact the student's parent or guardian prior to the interview, when possible. The notification of parents or guardians may not apply in child abuse cases. **If criminal prosecution is contemplated by law enforcement or the principal, interviews shall not commence unless a parent/guardian or responsible adult/advocate is present.**

### **Medication**

It is recognized that medications may be essential for some students while in school. Only regulated prescribed, non-narcotic, non-cannabinoid and non-opioid medication approved by the Federal and State government and the Food and Drug Administration (FDA), prescribed for more than twice per day will be accepted for administering at school (Chapter 4-3, Section 3). Over-the-counter or sample medications must be accompanied by orders from a licensed physician, advanced practice registered nurse, or physician assistant. Students may not carry any medications at school-except the medications listed below. Possession of drugs of any kind can lead to serious disciplinary action. A designated school district employee will administer medications following policies.– All medications must be brought to school by the legal parent or guardian. Sunscreen and non-medicated Chapstick are permissible without a medical order.

When possible, all medications should be administered at home. If medication must be given at school, the following "Guidelines for Administration of Medication" (SB 87034) must be followed. Florida Statute 1006.062 is the reference for medication guidelines.

1. A signed statement by the parent/guardian requesting the administration of medication must accompany all medication. The official authorization form (SB 87034) must be returned to school within two (2) days following the initial receipt of the medication. New authorization forms are required every school year and/or when any changes with the medical orders occur.
2. Medication must be sent to school via a parent or guardian. It is not safe for children to deliver medicine to the school. This policy prevents safety concerns of lost or stolen medicines, students sharing medicines with other students, and
3. Students taking medicine without supervision.
4. Medication must be in the prescription container with the date, dosage, name of drug, and student and physician, advanced registered nurse practitioner, or physician assistant name clearly marked. Medication must remain in the container in which it was originally dispensed. Most pharmacies will provide an extra empty labeled bottle for parents/guardians if requested when the prescription is filled.

5. Parents/guardians should arrange for a separate supply of medication for school. Medication will not be transported between home and school. Exceptions by Florida Statutes 1002.20(h)(i) are life-saving medications such as asthma inhalers, insulin, glucagon, and EpiPens, which require special parent/guardian forms, and an order from a medical doctor, advanced registered nurse practitioner, or physician assistant.
6. When any medications are added or discontinued, a new authorization form is required.
7. When medications, dosages, or times are changed, both steps must be followed:
8. A written note from the parent/guardian requesting the changes must be sent to the school, and then a new signed authorization form with the correct information must be completed.
9. A new label from the licensed pharmacist or licensed medical doctor, advanced registered nurse practitioner, or physician assistant order/prescription indicating the change must be sent to the school. A fax is acceptable.
10. Medication will be stored in a locked cabinet at the school at all times. Exceptions by statutes are: asthma inhalers and EpiPens that students carry, which require special parent/guardian permission and licensed medical doctor, advanced registered nurse practitioner, or physician assistant forms/orders.
11. Possession of drugs of any kind can lead to serious disciplinary action.
12. FDA-approved oral nonprescription (over-the-counter) or sample drugs will be dispensed only when accompanied by written orders from a licensed medical doctor, advanced registered nurse practitioner, or physician assistant. Medication is always to remain in the container in which it was purchased. Written parental/guardian authorization is needed for all prescriptions. Cough drops will be treated as an over-the-counter medication. Students may not carry over-the-counter medicines at school. Sunscreen and non-medicated Chapstick are permissible without a medication order.
13. Substances not to be given at school are all unregulated and/or non-FDA approved or not approved by both state and federal government products. Herbs, food supplements, home remedy treatments, dietary supplements, and/or folk remedies are a few examples of products not to be administered at school. Parents/guardians should consult the child's physician about a schedule for using these preparations outside of school hours.
14. *No prescription narcotics, opioids or cannabinoids* are to be dispensed at school. The side effects make it unsafe for students to attend school while medicated with narcotics. Parents/guardians should consult the child's health care provider about a schedule for using these preparations outside of school hours.
15. Liquid medication will be given in a calibrated measuring device. The parent/guardian should supply a calibrated measuring device.
16. Special arrangements must be made if a student is self-medicating or attending a school-sponsored field trip, extracurricular activity or afterschool program.
17. When medication is discontinued or unfinished at the end of the school year, medication not taken home by the parent/guardian within three (3) days will be destroyed.
18. Planning and protocols for any medication or treatment which requires a one-time dosage for a specific intent are the responsibility of the Registered Nurse ONLY.
19. Parents/guardians of students attending afterschool programs will need to make arrangements with the afterschool programs when medicines or treatments are needed.

### **Search and Seizure**

The Fourth Amendment to the U.S. Constitution prohibits unreasonable searches and seizures. For reasonable suspicion to exist, the search must be justified at its inception, and the search must be reasonably related in scope. Therefore:

Students have the right to:

- privacy and shall be free from unreasonable search, as well as seizure of personal property. These rights shall prevail unless there is reason to believe that it is necessary to set them aside to protect the safety, health, and property of the school, students, and staff;
- privacy of their personal possessions unless there is reason on the part of the principal or his or her designee to believe that the student is concealing a weapon, illegal drugs, or other material that is inappropriate or dangerous to himself or herself, others, property, or in violation of existing HCPS policy that would bring rise to a search;
- be given prior notification of any searches except in case of emergency or exigent circumstances.

Students have the responsibility to:



- not carry, possess or conceal any material that is prohibited by law; to accept the consequences for their actions in cases where unlawful materials are found in their possession or in their lockers.

### **Guidelines**

Students and visitors are subject to random metal detector searches as approved by the School Board as defined in this section.

General Rules for Student Searches by School Officials on School Property:

- Students have a constitutional right to be protected from unreasonable searches by public school officials.
- The unique nature of the public-school environment and the fact that students have lower privacy expectations at schools than in other public places means that the rules governing student searches by public school officials are different from the rules governing searches in other public places.
- Student searches by school officials and school safety officers on public school property or school buses and at school events
- must be based on reasonable suspicion or inception by existing policy.

### **Search in School Buildings or on School Property**

#### **By School Administrators:**

The school administration retains control over lockers and desk space loaned to students and regulates admission and parking of automobiles on school grounds. Principals, therefore, have the right and duty to inspect and search students' lockers, desks, students' or non-students' automobiles if the principal reasonably suspects, upon information received from law enforcement or otherwise, that drugs, weapons, dangerous, illegal, or prohibited matter, or such stolen goods are likely to be found in the student's possession. The principal does so in exercise of the school's duty to enforce school discipline and to protect the health and safety of the student and/or the student body. The fruits of such search may be turned over to law enforcement for inspection or examination and may be the subject of criminal or juvenile court prosecution or of school disciplinary proceedings.

#### **By Law Enforcement at Request of School Authorities:**

Administrative — If public health or safety is involved, upon request of a principal who shall be present, law enforcement officers may make a general search for drugs, weapons or items of an illegal or prohibited nature, of students' lockers and desks or students' or non-students' automobiles.

#### **By Law Enforcement Officer without Request of School Authorities:**

Normally, law enforcement officers may not search students' lockers, desks or automobiles unless they have a search warrant and may not search a student's person in school unless the student is under arrest. However, there are specific exceptions contained in Florida Statute (probable cause or stop and frisk). Law enforcement can search with a warrant OR consent.

### **Social Media Disruption (SMD):**

- This section was added to assist schools in addressing the increasing volume of disruptions and behavioral offenses related to the use of Social Media.
- SMD is defined as the intentional use of digital devices such as cell phones, computers, tablets etc. to send, post, or share negative/harmful content that creates an adverse impact on a school's learning environment. Negative/harmful content can in turn cause discomfort or humiliation, or unreasonably interfere with the school's ability to maintain routine safety and order on campus.
- This offense includes the transmission of negative/harmful content regardless of who the initial recorder was; i.e. if a student is sent the information and then in turn sends out the same information, they too are held accountable.
- This offense includes the intentional posting or sharing of messaging that is insensitive, inappropriate, harmful, and/or slanderous to individuals and/or to groups.
- This offense is not dependent upon the subject(s) awareness of being recorded. Negative/harmful content includes, but is not limited to:
  - School fights
  - Bathroom incidents

- Vaping/smoking
- Hazing
- Intentionally creating a disturbance
- Destruction of property
- Sexual conduct

### **Student Code of Conduct**

The Code of Student Conduct applies to all students; however, students with disabilities are afforded protections not available to nondisabled students. Students with disabilities include students who are eligible for an individual educational plan (IEP) per the Individuals with Disabilities Education Act, and students who are 504-eligible per Section 504 of the Rehabilitation Act of 1973. The protections for students with disabilities address disciplinary actions which may and may not be imposed, and other actions which may be required in addressing the needs of students with disabilities, relative to behavior and/or discipline. For more information regarding discipline procedures for students with IEPs or who are 504 eligible, contact the Assistant Director for Compliance and Staffing, at (813) 273-7060.

### **Student Conduct**

Respect for law and for those persons in authority shall be expected of all students. This respect includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability, and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.

The Board has zero tolerance for conduct that poses a serious threat to school safety. Zero tolerance policies must apply equally to all students, and are not intended to be rigorously applied to petty acts of misconduct and misdemeanors. **This zero-tolerance policy does not require the reporting of petty acts of misconduct and misdemeanors to a law enforcement agency, including, but not limited to disorderly conduct, disrupting a school function, simple assault or battery, affray, theft of less than \$300, trespassing, and vandalism of less than \$1,000. The District will seek to use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to school safety.**

The District shall enter into agreements with local law enforcement specifying procedures for ensuring that acts that pose a serious threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency.

Students may be subject to discipline for violation of the Code of Student Conduct even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board. Students also may be subject to discipline for conduct that, regardless of where it occurs, is directed at a Board official or employee or the property of such official or employee.

Student conduct shall be governed by the rules and provisions of the Code of Student Conduct. This Code of Student Conduct shall be reviewed annually.

### **Student Use of School Telephones**

Students will not be called from class to take a telephone call; however, emergency messages will be taken for students.

### **Weapons and Dangerous Instruments**

A student shall not possess, handle or transport weapons. Students violating this policy are subject to suspension, expulsion and/or arrest. (see Code of Student Conduct Definitions, Weapons: guns, knives, dirks, razor blades, ice picks, explosives, chains, pipes, brass knuckles, billy clubs, nunchakus, Chinese stars, mace, tear gas or any mixture of chemicals used as a weapon, dangerous instruments, toy guns, or anything that resembles or could be considered a weapon on school grounds and on school buses, at school bus stops or at school related activities.)

## **Zero Tolerance**

It is the intent of the legislature to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a serious threat to school safety, and to encourage schools to use alternatives to expulsion or referral to law enforcement agencies by addressing disruptive behavior through restitution, civil citation, teen court, neighborhood restorative justice; or similar programs. Zero tolerance for students found to be in engaged in, or responsible for, acts of misconduct that are a violation of Levels 1, 2 or 3 may require immediate action and a referral to the Office of Student Engagement for disciplinary procedures.

Students arrested or charged for “off campus” matters that would have been Zero Tolerance Offense or a Major Offense had it occurred on a campus, may be suspended from extracurricular activities and/or excluded from school.

Students suspended from participation shall not be permitted to participate in any event-related activities, dress out for the event, practice with the group, or travel to the event with the team or group. An event is defined as a game, activity, or contest. A tournament experience is considered to be a single event, even though the tournament consists of more than one game, activity, or contest.

## **Zero Tolerance Policy**

Florida Statute 1006.13(3)(a) Any student who is determined to have brought a firearm, weapon, or destructive device, as defined in Chapter 790, to school, any school function, or on any school- sponsored transportation may be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than one full year, referred to mental health services identified by the school district pursuant to s. 1012.584(4), and referred for criminal prosecution (see Code of Student Conduct Definitions, Firearms).

Florida Statute 1006.13(3)(b) Any student who is determined to have made a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel’s property, school transportation, or a school sponsored activity may be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than 1 full year and referred for criminal prosecution and mental health services identified by the school district pursuant to s. 1012.584(4) for evaluation or treatment, when appropriate.

## APPENDIX

### Links to Policies

HCPS Student/Parent Rights Policy – 5780

[HCPS Attendance Policy - 5200](#) F.S. 1002.20, 1003.21, 1003.24, 1003.26, 1003.27

[HCPS Late Arrival and Early Dismissal Policy - 5230](#)

HCPS Religious/Patriotic Ceremonies and Observations Policy - 8800

HCPS The American Flag Policy - 8810

HCPS MTSS School Board Policy #5411

The State of Florida has mandated that MTSS be developed and implemented by all school districts (e.g., FLA. STAT. §§ 1003.41, 1003.4156, 1003.53, 1008.22, 1008.25; FLA. ADMIN. CODE 6A-6.053, 6A-6.0331, 6A-6.03018).

Removal, Suspension & Expulsion of Students

General Provisions 5610

HCPS Policy 5605 – Suspension/Expulsion of Students with Disabilities

[HCPS Student Conduct Policy 5500](#) F.S. 1006.07, 1006.13 F.A.C. 6A-1.0404

[HCPS Student Discipline Policy 5600](#)

HCPS Board Policy 8415 - Threat Assessment Teams

HCPS Board Policy 5517.01 - Bullying and Harassment

Florida Statute 985.12 gives law enforcement authorization to issue a civil citation in lieu of arrest.

[Bring Your Own Device Procedures](#)

[Access to Technology Resources from Personal Communication Devices Policy \(7542\)](#)

[Student Network and Internet Acceptable Use Policy \(7540.03\)](#)

[HCPS Student Network and Internet Acceptable Use Policy - 7540.03](#)

[HCPS Access to Technology Resources from Personal Communication Devices Policy - 7542](#)

HCPS Due Process Rights Policy - 5611

HCPS Complaints Against Instructional Staff Members Policy - 3139

HCPS Public Complaints Policy - 9130

HCPS Board Policies protecting the Civil Rights of our Students:

- 2260.03 Racial Equity

- 2260 Nondiscrimination and Access to Equal Educational Opportunity
- 2260.01 Section 504/ADA Prohibition Against Discrimination Based on Disability
- 5517.01 Bullying and Harassment
- 5517, 3310, & 4310 Anti-Harassment
- 3310 & 4310 Freedom of Speech Outside of the Workplace
- Title IX Discrimination based on Race, Color, or National Origin
- Title IX Discrimination based on Sex and Gender
- Title II and Section 504/ADA: Prohibition Against Discrimination Based on Disability

HCPS Nondiscrimination and Access to Equal Educational Opportunity Policy - 2260  
Policy - 2260.01 Section 504/ADA Prohibition Against Discrimination Based on Disability

HCPS Nondiscrimination Grievance Procedure Policy - 2260.02

HCPS Investigations and Interviews Policy - 5540

HCPS Search and Seizure Policy - 5771

HCPS Student Conduct Policy - 5500

HCPS Student Discipline Policy - 5600

**School Board**  
Lynn L. Gray, Chair  
Stacy A. Hahn, Ph.D., Vice Chair  
Nadia T. Combs  
Karen Perez  
Melissa Snively  
Jessica Vaughn  
Henry "Shake" Washington



**Superintendent of Schools**  
Addison G. Davis

## Student Code of Conduct Acknowledgement Form

I have been notified that I can review the Student Code of Conduct online at: <http://www.sdhc.k12.fl.us/conduct>

I have received, read, understand and agree to abide by the Student Code of Conduct

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

I/we have read the Student Code of Conduct and discussed it with my student.

\_\_\_\_\_  
Parent/Guardian's Signature

\_\_\_\_\_  
Date

**The Student Code of Conduct has been established to communicate the expectations for student behavior at school or school activities. Failure to return this acknowledgement will not relieve a student or the parent/guardian(s) from the responsibility of abiding by the Code of Conduct.**

Consejo Escolar  
Lynn L. Gray, Chair  
Stacy A. Hahn, Ph.D., Vice Chair  
Nadia T. Combs  
Karen Perez  
Melissa Snively  
Jessica Vaughn  
Henry "Shake" Washington



Superintendente de Escuelas  
Addison G. Davis

## Código de Conducta del Estudiante Formulario de Reconocimiento

He sido notificado que puedo revisar el Código de Conducta del Estudiante en el internet al: <http://www.sdhc.k12.fl.us/conduct>

He recibido, leído, entendido y aceptado cumplir con el Código de Conducta del Estudiante.

\_\_\_\_\_  
Firma del estudiante

\_\_\_\_\_  
Fecha

He / hemos leído y discutido el Código de Conducta del Estudiante con mi hijo(a).

\_\_\_\_\_  
Firma del padre/madre / tutor

\_\_\_\_\_  
Fecha

**El Código de Conducta del Estudiante se ha establecido para comunicar lo que se espera de los estudiantes en cuanto a comportamiento se refiere, ya sea en la escuela o en actividades escolares. El no devolver esta forma de reconocimiento no exime al estudiante, padres o tutor de la responsabilidad y obligación de cumplir con el Código de Conducta del Estudiante.**