

HILLSBOROUGH COUNTY PUBLIC SCHOOLS

CODE OF STUDENT CONDUCT

INTRODUCTION AND PHILOSOPHICAL BASIS

Hillsborough County Public Schools seeks to provide a safe and equal learning opportunity for each of its students, regardless of race, religion, color, creed, sex, marital status, national origin, or disability. 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 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 guidance services, peer mediation/conflict resolution, and other school and community resources in order to ensure a safe and hospitable environment.

Students are responsible for understanding and adhering to this Code of Conduct and the individual discipline plans of each school.

Parents are responsible for helping students understand and abide by these policies and for recognizing that unacceptable behavior shall be subject to disciplinary action.

School personnel are responsible for being aware of the specifics of the code and to apply them appropriately. Schools are responsible for conveying information regarding individual school policies and procedures to students and parents.

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 which would have been zero tolerance offenses or a major offense had it occurred on campus, may be suspended from extra curricular activities or excluded from school.

Factors that are considered include, but are not limited to:

- ❖ age or disability;
- ❖ seriousness of offense;
- ❖ premeditation, impulse, or self-defense;
- ❖ strength of evidence;
- ❖ cooperation or remorse;
- ❖ disciplinary history;
- ❖ gang-relationship.

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/or delivery to his/her parent or guardian of all written communication from the school. Failure to do so could result in further disciplinary action.

LEVEL ONE – ZERO TOLERANCE OFFENSE

Offenses include but are not limited to the following:

- arson;
- aggravated battery;
- battery on, threat or intimidation of a school board employee, agent, or student;

- bomb threats or general threats to school population;
- breaking/entering of school board property;
- false fire alarms;
- gang related activities;
- homicide;
- kidnapping;
- major disruption to a school function;
- misrepresentation of facts resulting in public slander toward school board employee or school;
- motor vehicle theft;
- passing counterfeit money;
- possession, sale, purchase, or use of alcoholic beverages;
- possession, use, or sale of a firearm, bombs, explosives or a weapon;
- possession, use, sale, distribution, purchase, or being under the influence of a controlled substance;
- possession, or purchase, either knowingly or unknowingly, of any drug paraphernalia;
- possession, or purchase, either knowingly or unknowingly, of any illegal drugs or substance;
- robbery;
- sale or distribution, or purchase of any substance represented by a student as being a controlled substance;
- sexual battery (attempted or actual);
- threats/intimidation;
- use of a non-weapon as a weapon;
- willfully and knowingly attempting to do bodily harm to a school board employee, agent or student.

CONSEQUENCES INCLUDE:

- mandatory parent conference;
- report to the appropriate area director and, absent of special circumstances, a recommendation for expulsion or change of placement;
- three to ten days out-of-school suspension;
- report to law enforcement agency as appropriate which could result in arrest and prosecution or civil citation.
- sanctions.

Additional Consequences of first Marijuana Offense (less than twenty grams) and first Alcohol Offense Include:

- o ten days mandatory out-of-school suspension for marijuana and three to ten days for alcohol;
- o report to law enforcement;
- o referral to the Juvenile Drug Court Program/Goodwill Program;
- o participation in a Drug Court Program/Goodwill Program and/or treatment center where failure to successfully complete the respective program and/or treatment center may result in a recommendation for a change of placement;
- o sanctions.

Consequences of Felony Drug-Related Incidents Include:

- o expulsion from Hillsborough County Public Schools for one year;
- o permission to attend an alternative placement if the student participates in a drug treatment program.

LEVEL TWO – OTHER MAJOR OFFENSE (SERIOUS ACT OF MISCONDUCT)

Offenses include but are not limited to the following:

- bullying;
- computer/internet misuse;
- defiance, disrespect or profanity directed at school board employees, agents, or students;
- falsely reporting incidents of bullying/harassment (sexual or otherwise);
- fighting;
- gang related activities;
- larceny or theft;
- property offenses against school board employees, agents, or students that when referred to law enforcement could result in criminal charges;

- pattern of continuous disobedient/disruptive behavior;
- possession or use of tobacco or tobacco products;
- sexual harassment;
- sexual offenses;
- trespassing;
- vandalism.

Consequences Include:

- notification of parent or guardian;
- in-school suspension or;
- up to ten days out-of-school suspension;
- sanctions;
- principals may consult with their area director for further recommendation of disciplinary action that may include a recommendation for change of placement.

Consequences of fighting include:

- o up to ten days suspension;
- o successful completion of peer mediation, conflict resolution or anger management training;
- o report to law enforcement as appropriate (see page 14 for consideration factors) resulting in possible arrest or civil citation;
- o sanctions.

Actions taken clearly in self defense without prior physical or verbal involvement shall not be considered an intentional act.

Consequences of Vandalism of any school board facility include:

- o restitution;
- o suspension, change of placement; and/or expulsion: report to the appropriate law enforcement agency, shall be subject to arrest and prosecution or civil citation.

Consequences of Sexual Harassment and Bullying include:

- o mandatory parent conference;
- o verbal and written reprimand;
- o in-school or out-of-school suspension up to ten days;
- o change of placement and/or expulsion.

Consequences of tobacco or tobacco products include for:

first offenses:

- o mandatory parent conference;
- o referral to law enforcement;
- o mandatory anti-tobacco education;
- o and/or sanctions.

subsequent offenses:

- o referral to law enforcement subject to arrest and prosecution or civil citation;
- o in-school suspension;
- o up to ten days out-of-school suspension;
- o and/or sanctions.

LEVEL THREE – OTHER OFFENSES

Examples of Level three offenses:

- horseplay which leads to aggressive behavior;
- acts of misconduct that interfere with orderly classroom procedures, school functions, extracurricular programs, approved transportation, or a student's own learning process;
- violations of the dress code;
- tardiness;
- plagiarism/cheating;
- display or use of cell phone/electronic devices;
- possession of lighters or matches.

The Following are Examples of Possible Consequences for Level Three Offenses:

- assignments or duties other than class tasks;
- assignment to a time-out room;
- consultations with administrative personnel;
- counseling by special services personnel or by teachers;
- detention;
- in-school suspension;
- mediation;
- notification of parent or guardian;
- out of school suspension up to ten days;
- parent shadowing;
- parent and/or teacher administrative conferences;
- peer mediation/conflict resolution;
- referral to other community agencies;
- referral to school administration;
- report to law enforcement as appropriate;
- restitution;
- student self improvement contracts;
- work detail.

Dress code violation consequences can be found in the Dress Code section found on page 26.

Examples of Plagiarism and Cheating: a student who participates in using, copying, or providing another student with any test answers, answer keys or another person's work representing it to be his or her own work (plagiarism). Use of a cell phone during a test or quiz is considered cheating.

Consequences of plagiarism and cheating include:

- o phone call to the parent;
- o a zero for the assignment;
- o up to ten days in-school or out-of-school suspension;
- o any work cheated on will not be allowed to be made up.

BULLYING:

It is the policy of Hillsborough County Public Schools that all of its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The district will not tolerate bullying or harassment of any type. Conduct that constitutes bullying or harassment, as defined herein, is prohibited.

Definitions:

“Bullying” means systematically and chronically inflicting physical hurt or psychological distress on one or more students, employees, or visitors. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

- a. Teasing
- b. Social Exclusion
- c. Threat
- d. Intimidation
- e. Stalking
- f. Cyberbullying
- g. Cyberstalking
- h. Physical violence
- i. Theft
- j. Sexual, religious, or racial harassment
- k. Public humiliation
- l. Destruction

Examples or types of bullying include, but are not limited to:

- **physical** - punching, shoving, poking, strangling, hair-pulling, beating, biting or excessive tickling;
- **verbal** - hurtful name-calling, teasing or gossip;
- **emotional (psychological)** - rejecting, terrorizing, extorting, defaming, humiliating, blackmailing, rating/ranking of personal characteristics such as race, disability, ethnicity, or perceived sexual orientation, manipulating friendships, isolating, ostracizing or peer pressure;
- **sexual** - many of the actions listed above as well as exhibitionism, voyeurism, sexual propositioning, sexual harassment and abuse involving actual physical contact and sexual assault . In many cases, gender and cross-gender sexual harassment may also qualify as **bullying**;
- **cyber-bullying** - the use of information and communication technologies such as email, cell phone, and pager text messages, instant messaging (IM), defamatory personal web sites, and defamatory online personal pooling web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to threaten or harm others, or which substantially disrupts or interferes with the operation of a school or an individual student's ability to receive an education.

“Harassment” means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

- a. places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property; or
- b. has the effect of substantially interfering with a student's education performance, opportunities, or benefits; or
- c. has the effect of substantially disrupting the orderly operation of a school

Bullying and harassment also encompasses:

- a. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
- b. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
 1. Incitement or coercion;
 2. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system; or
 3. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

“Harassment” or **“bullying”** also includes electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless hand-held device) directed toward a student(s) or staff member(s) that causes mental or physical harm or is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

Cyberstalking as defined in s.784.048(1)(d), F.S., 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.

Expected Behavior

Hillsborough County Public Schools expects students and school employees to conduct themselves appropriately for their levels of development, maturity, and demonstrated capabilities, with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior; treat others with civility and respect, and refuse to tolerate bullying or harassment.

The school district upholds that school-related bullying or harassment of any student or school employee is prohibited:

- a. During any education program or activity conducted by a school sites education institution;
- b. During any school-related or school-sponsored program or activity;
- c. On a school bus or bus stop of a school sites educational institution; or
- d. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a school sites education institution.

Bullying may be limited to a single incident. However, in most cases, bullying is characterized by repeated harmful actions on the part of the bully(ies).

An individual has the legal right to report an incident(s) of bullying without fear of reprisal or retaliation at any time. **Retaliation**

is defined in the dictionary as meaning “to pay back (an injury) in kind.” When a person is accused of having engaged in an inappropriate fashion, especially **bullying**, the common reaction of that person is to be angry and want to pay the victim back (retaliate). Retaliation must **not occur**.

Some examples of retaliations are:

- attempting to discuss the matter in any way while it is under investigation;
- spreading rumors;
- following the person;
- becoming physical in any way;
- destroying property;
- using the telephone or any other electronic or written form of communication to retaliate in any way;
- ostracizing.

Therefore, allegations of **bullying** will be promptly investigated, giving due regard to the need for confidentiality and the safety of the victim and/or any individual(s) who report an incident(s) of **bullying**.

IF YOU ARE THE VICTIM OF **BULLYING**:

- o Clearly tell the “bully(ies)” to stop.
- o Don’t ignore the incident. Immediately report the incident to someone at school or seek peer mediation at school. Tell your parent(s) /guardian(s).
- o If the bullying continues after you have clearly told the bully(ies) to stop, make a written record of the incident including date, time, witness or witnesses and parties involved in the incident.
- o Report the incident immediately to an adult who has authority over the bully(ies); for example: teacher, guidance counselor, assistant principal, or principal.
- o Avoid being alone with the person(s) who have attempted to bully you in the past.
- o If you are the victim of bullying and you feel uncomfortable reporting this fact to adult personnel at your school, contact someone on the following list:
 - Guidance Services, 273-7074;
 - School Social Work Services, 273-7090;
 - School Psychological/Diagnostic Services, 273-7095;
 - The schools area director who’s phone number is available at each school;
 - Assistant Superintendent of Administration, 272-4070.

TO MINIMIZE THE RISK OF BEING ACCUSED OF BULLYING

DO:

- Keep your hands to yourself.
- Remember that NO one has a right to harm another person in any way.
- Think before you speak.
- Immediately apologize if you accidentally say or do something that has made another person feel oppressed.
- Report all incidents of bullying behavior you have witnessed to appropriate school personnel.

DON’T:

- Touch anyone without his or her permission and especially in an inappropriate way.
- Keep interacting with a person after he or she has perceived your behavior toward him or her as being “inappropriate” and has clearly told you to “stop.”
- Make remarks that may cause another person to feel “oppressed” (stressful, scared, intimidated).

HARASSMENT:

Harassment is when a person continually teases, annoys, threatens or insults another person in either a verbal, physical or written manner. Sexual harassment is when a person bothers another person using sexual words, pictures, gestures, or conduct that the other person would find offensive. Sexual harassment can also occur when a person is forced by his or her location or situation to see or overhear sexual comments, gestures, or conduct that he or she finds offensive.

Harassment is specifically prohibited by state and federal law, and instances of harassment may result in both civil and criminal liability on the part of the individual harasser as well as the school board. The board will not tolerate harassment activity by any of its students or employees.

Harassment occurs when a person subjects another person to any unwelcome conduct on account of sex (or race, origin, religion, etc.) on school property or at a school-sponsored event. Persons who engage in such conduct will be subject to a range of

punishment. The school board will not tolerate harassment at any of its sites or activities. Consequences for proven allegations of harassment are addressed in Level Two – Other Major Offense.

Some examples of retaliation are:

- o attempting to discuss the matter in any way while it is under investigation;
- o spreading rumors;
- o following the person;
- o becoming physical in any way;
- o destroying property;
- o using the telephone, mail or a computer to retaliate in any way.

TO MINIMIZE THE RISK OF BEING ACCUSED OF HARASSMENT

DO:

- o Keep your hands to yourself.
- o Think before you speak.
- o Avoid/minimize contact with harasser.

DON'T:

- o Touch anyone in an inappropriate way.
- o Keep asking a person to go out with you after he/she has said "No."
- o Be in a room alone with a person with the door closed.
- o Make remarks that have sexual overtones or implications.

IF YOU HAVE BEEN HARASSED:

DO:

- o Tell your problem to an adult who can help you figure out what to do to resolve the situation.
- o Avoid being alone with the person who has harassed you.

DON'T:

- o Think that if you just ignore the problem, it will go away

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