



SECTION VI

**DISCIPLINE:
INTERVENTIONS &
CONSEQUENCES**



MISCONDUCT THAT MAY RESULT IN DISCIPLINARY ACTION (POLICY 5500.07)

In General

A student is expected to behave at school, bus stops, on school buses and during school sponsored activities and may be disciplined if they do anything (or attempt to do anything) that violates a school rule including

- A. hurt, harass or threaten others;
- B. damage property;
- C. disrupt class or school;
- D. or violate a criminal law.

In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student’s misbehavior. Any disciplinary or prosecutorial action taken against a student who violates this policy must be based on particular circumstances of the student’s misconduct.

Off-campus student misconduct can result in discipline in certain circumstances, including where the misconduct has a connection to school related activities or incidents or if the misconduct is directed at a Board official or employee or their property.

Recognizing that students may need additional support in the form of mental health services, Pinellas County Schools will ensure referrals for services are made in alignment with state and federal guidelines. Such referrals are not to be punitive or as a form of disciplinary action; however, may be made in conjunction with a disciplinary incident.

Students who commit violent or disruptive behaviors that may pose a threat to the safety of school staff, whether at school, on a school bus or bus stop or during a school sponsored activity, shall be assigned to an alternative education program or referred to mental health services identified by the school district, following the conclusion of a school-based threat assessment, district threat assessment or both. Pursuant to F.S. 1006.07(7), referral to mental health services shall be in consultation with the threat assessment team. Criminal penalties may also be imposed as determined by law enforcement agencies.

Any student or family who is interested in learning more about mental health services available in their school can speak to any student services staff member at the school. These staff can also help with referrals to community agencies. For more information on services available in the community, families can call 211 or visit their website at: <https://211bc.myresourcedirectory.com>.

Petty acts of misconduct and misdemeanors including, but not limited to, minor fights or disturbances, should ordinarily not be referred to law enforcement and should not ordinarily result in student arrest. Petty acts of misconduct are those that an administrator reasonably believes do not pose a threat to the safety of students, staff, volunteers, or other persons, or a threat of harm to Board property and includes minor fights or disturbances. Also see the Interagency Agreement between Pinellas County School Board and law enforcement regarding petty acts of misconduct.

Specific Acts/Offenses

Listed below are some acts of misconduct. These acts are not the only acts that may result in discipline (including suspension, reassignment or expulsion). They are only examples. Other acts that are not listed below may result in discipline (including suspension, reassignment or expulsion) if a student should have known that the act might hurt, harass, or threaten others, damage property, disrupt class or school, or violate a criminal law. Consequences may range from a Warning through an Expulsion.

Some, but not all, of the acts that may result in discipline are:

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| A. arson; | K. extortion; |
| B. blackmail; | L. failure to give correct name; |
| C. bullying and cyberbullying | M. false alarm, making of (this includes pulling a fire alarm); |
| D. cheating (teacher shall also record a “zero” for each act of cheating); | N. falsifying or altering records (for example, computer records or attendance notes); |
| E. chemical spray, pepper, mace; possession of; | O. fighting; |
| F. computers or electronic devices, improper use of; | P. gambling; |
| G. cyberstalking; | Q. gang participation or display of gang-like behavior; |
| H. defiance; | R. hazardous material, possession of; |
| I. disruptive demonstration, participation in; | S. hazing; |
| J. drug paraphernalia as defined by Florida Law, possession of; | T. hitting someone; |
| | U. interference with school personnel; |

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| V. | interference with the movement of another student; | EE. | sexual or other harassment; |
| W. | leaving school grounds without permission; | FF. | stealing; |
| X. | physical force, use of against someone; | GG. | threatening to hurt someone; |
| Y. | profanity; | HH. | tobacco, or other tobacco substitutes, possession of; |
| Z. | recordings of fighting or acts of bullying, assault, or battery, whether staged or real; posting or disseminating or posting to the internet; | II. | toy or replica gun or knife, possession of; |
| AA. | repeated misconduct; | JJ. | trespassing; |
| BB. | school rule, violation of a; (e.g. dress code violation); | KK. | vandalism; |
| CC. | sexting; | LL. | verbal abuse of another; |
| DD. | sexual activity at school, at a school activity, or on a school bus; | MM. | other serious misconduct which will lead to disciplinary consequences include but are not limited to the aforementioned infractions. |

Cell Phones And Other Electronic Devices

Parents are advised that the best way to get in touch with their child during the school day is by calling the child's school office.

Students may possess an electronic device, which is defined as a device designed to receive and send an electronic signal, so long as they do so in strict compliance with this policy and any rules that individual schools may impose. Any student who fails to abide by the terms of this policy forfeits any right or privilege to possess any electronic device described in this policy.

Pinellas County Schools recognizes the ever-increasing importance of technology in students' lives and the beneficial role it can play for student education and communication when used responsibly. The possession and use of such devices should not interfere with academic instruction, student safety or a positive school climate.

At no point should an electronic device be used in a manner which infringes on the privacy rights of any other person; disrupts the educational process, school programs or activities; or violates Board Policy or federal/state law including but not limited to cyberbullying, sexual harassment, threats or cheating on tests or assignments.

Violations of this policy may result in disciplinary action and/or confiscation of the cell phone or electronic device. If the cell phone or electronic device is confiscated, it will be released/returned to a parent unless an alternative arrangement is agreed to by the principal (or designee).

A student may possess a cell phone and other electronic devices in school, on school property, at school-related functions, provided these items are powered off and concealed from view while school is in session.

At the discretion and upon approval of the school administrator, students may use electronic devices on school property, on school buses, or at school-sponsored events according to the following guidelines:

- A. Before school until the beginning of the school day.
- B. During a student's lunch period.
- C. During passing periods.
- D. During class for instructional activities, with permission from the teacher.
- E. After school at the end of school day.

During official school hours the following rules apply:

- A. Students MAY NOT use electronic devices at school or school-sponsored activities to take pictures or record audio or video of students or school staff (including teachers, administrators or staff) without the prior consent of the student or staff member.
- B. Students may not use cell phones or other electronic devices on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school.
- C. The use of cell phones and other electronic devices is prohibited in locker rooms, bathrooms, and/or swimming areas.
- D. The student who brings a cell phone or other electronic device to school does so at their own risk. The student who possesses a cell phone or other electronic device is responsible for its care.
- E. Any cell phone or other electronic device left behind on a district school bus will be retained at the respective bus compounds until retrieved either by the student or parent possessing proper identification.
- F. School Board staff are not responsible for preventing theft, loss, damage, or vandalism to cell phones or other electronic devices brought onto its property, or left on school buses, including any electronic device confiscated due to inappropriate use.

What is School Environmental Safety Incident Reporting (SESIR)?

- SESIR collects data on 26 incidents of crime, violence, and disruptive behaviors.
- This collection is limited to incidents that occur on school grounds, on school transportation, and at off-campus, school-sponsored events.
- Incidents can occur 24 hours a day, 365 days per year.
- Incidents are reported by schools via their district's data system which uploads the data to the Florida Department of Education.



SESIR CODES

Level 1

- Aggravated Battery*
- Arson
- Homicide
- Kidnapping*
- Sexual Battery

Level 2

- Burglary
- Drug Sale/Distribution*
- Physical Attack Simple Battery*
- Robbery*
- Sexual Assault*
- Weapons Possession*

Level 3

- Disruption On Campus
- Drug Use/Possession
- Hazing
- Fighting
- Larceny/Grand Theft*
- Sexual Harassment*
- Sexual Offenses (Other)
- Threat/Intimidation*
- Trespassing*
- Vandalism Criminal Mischief*
- Other Major Offenses

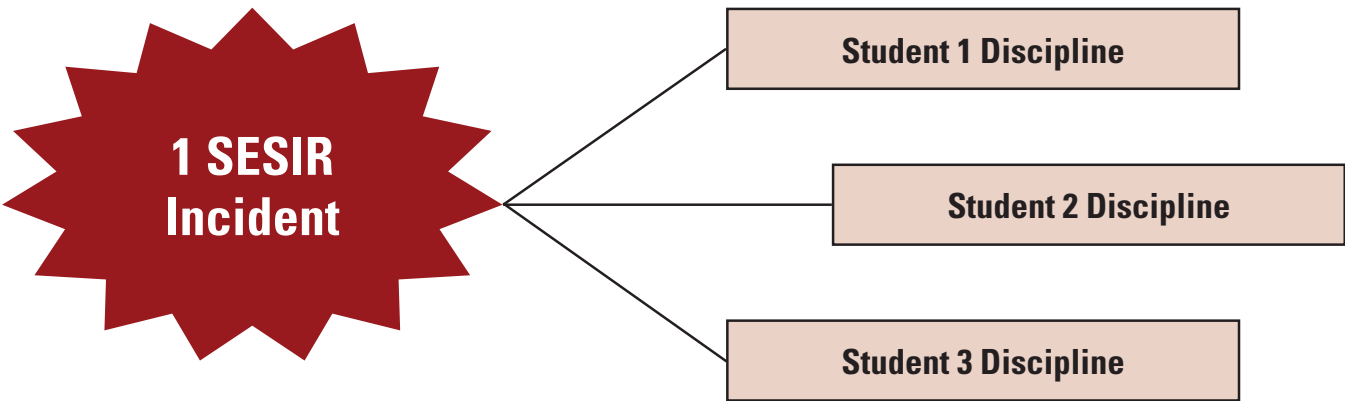
Level 4

- Alcohol*
- Bullying*
- Tobacco*
- Harassment*

* Denotes definition change

SESIR Reporting

- SESIR incidents are per incident. Report only ONE incident even when there are multiple students involved in the same incident.
- Discipline actions are per student.



DEFINITIONS OF TERMS/ADMINISTRATIVE CODING

Some but not all definitions of terms and/or student conduct which are considered to be violations of the Code of Student Conduct are described in this section. The use of words, such as battery and arson, are not meant to be considered equivalent to or to carry the same standards and consequences as the same words, which are defined in the criminal context in the Florida Statutes. The School Board retains the flexibility and right to attach definitions found in Board Rule to such words without attaching any criminal standards set by the courts or legislature. When a student has committed an infraction, the misbehavior is to be classified according to the definition which best describes it.

The notation * next to the three-letter violation code listed below represents the School Environmental Safety Incident Reporting (SESIR) definitions and guidelines required by the Department of Education. Some but not all offenses are SESIR related. SESIR collects data on 26 incidents of crime, violence, and disruptive behaviors. This collection is limited to incidents that occur on school grounds, on school transportation, and at off-campus, school-sponsored events. Incidents can occur 24 hours a day, 365 days per year. Incidents are reported by schools via their district's data system which uploads the data to the Florida Department of Education. SESIR incidents are per incident. Report only ONE incident even when there are multiple students involved in the same incident. Discipline actions are per student.

The number next to the violation represents the administrative coding of the offense which is entered into the student database.

Aggravated Battery * (BAT) – SESIR Level I / 03S – A battery where the attacker intentionally or knowingly causes more serious injury as defined in paragraph (8)(g) of this rule, 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.

Alcohol * (ALC) – SESIR Level IV / 01 – Possession, sale, purchase, distribution, or use of alcoholic beverages. Use means the person is caught in the act of using, admits using or is discovered to have used in the course of an investigation. Alcohol incidents cannot be Drug-related.

Arson * (ARS) – SESIR – Level 1 / 26 – 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.

Bullying * (BUL) – SESIR - Level IV / 38 – Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes instances of cyberbullying, as defined in Section 1006.147(3)(b), F.S. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systemic or chronic behavior, evaluate for Harassment.

Burglary * (BRK) – SESIR – Level II / 27 – Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.

Bus Misconduct / 14 – The act of engaging in conduct or behavior, which interferes with the orderly, safe, and timely transportation of students.

Cellular/Electronic/Communication Device / 37 – The act of utilizing any personal communication/electronic device such as, but not limited to alarm devices, pagers/beepers, cellular phones/ not use this code for students defying authority, disobeying or showing disrespect to others, using inappropriate language or gestures, minor fights or classroom disruptions.)

Cheating / 15 – The act of inappropriately and deliberately distributing or using information, notes, materials, or work of another person in the completion of an academic exam, test, or assignment. Not telling the truth.

Criminal Mischief (Felony Vandalism) * (VAN) >\$1K – SESIR – Level III / 17S – Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. 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.

Dangerous Implement / 13 – The act of possessing or using devices which are designed to inflict or could inflict pain or injury to another individual. The act of possessing any item, although not specifically designed to do harm to another person, which is used to cause or attempt to cause injury or is used to put someone in reasonable fear of injury, or the item is considered disruptive on a school campus.

Defiance of Authority/Willful Disobedience / Insubordination/ 07 – A flagrant or hostile act challenging the authority of a school staff member, bus driver, or any other adult in authority. The act of deliberately refusing or failing to follow a direction or an order from a school staff member, bus driver, or any other adult in authority.

Disruption Classroom / 16 – The act of behaving inappropriately which disrupts the learning environment, which inhibits the instructor's ability to teach, or interferes with other students' opportunity to learn.

Disruption on Campus – Major * (DOC) – SESIR – Level III / 16S – 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.

Dress Code / 39 – The act of failing to comply with the established dress code policy. Wearing or displaying any clothing, jewelry, accessories, makeup, tattoo, or any other appearance or apparel which may be considered gang related in any manner which is associated with being a member of or participating in a gang or gang related activity.

Drug Sale/Distribution * (DRD) – SESIR - Level II / 04D – The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.

Drug Use/Possession Excluding Alcohol * (DRU) – SESIR – Level III / 04S – 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 using or is discovered to have used in the course of an investigation.

Excessive Tardies to Class/School / 21 – The act of arriving late to a class or to school on a repeated basis.

Extortion/Blackmail / 48 – The willful or malicious threat of harm, injury, or violence to the person, property, or reputation of another with the intent to obtain money, information, services, or items of material worth. This offense may include, but is not limited to, threatening to accuse another of a minor offense or crime in order to obtain lunch money.

False and/or Misleading Information (FMI) / 45 – The act of Intentionally providing false or misleading information to or withholding valid information (knowingly not being truthful). The behavior does not disrupt the school campus.

Fighting/Major * (FIT) – SESIR – Level III / 05S – 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.

Fighting/Minor (FIT) / 05 – The act of two or more persons mutually participating in use of force or physical violence that may or may not result in injury. This may include pushing, shoving, or altercations that stop upon verbal command.

Forgery – Non-Criminal / 25 – The act of making a false or misleading written communication to a school staff member with either the intent to deceive or under circumstances which would reasonably be calculated to deceive the staff member, or producing, possessing, or distributing any false document, item, or record represented to be an authentic school document, item, or record.

Gambling / 47 – Any unlawful participation in games (or activities) of chance for money and/or other things of value.

Grand Theft * (\$750 threshold) (STL) – SESIR – Level III – The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, 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. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery.

Harassment * (HAR) – SESIR - Level IV / 40 – (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. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related.

Hazing * (HAZ) – SESIR – Level III / 41 – 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.

Homicide (HOM) – SESIR - Level I / 28 – The unjustified killing of one human being by another.

Horseplay (HRP) / 44 – The act of engaging in rowdy, rough behavior that interferes with the safe or purposeful order of the school (this includes uncontrolled play or pranks)

Inciting a Disturbance (IAD) / 46 – The act of encouragement or contribution of any fight, disruption, and/or any violation of the Code of Conduct, that is reasonably foreseeable to negatively impact a student's ability to learn, a teacher's ability to teach or negatively impact the school community. Encouragement/contribution includes, but is not limited to using recording, displaying, posting an incident via an electronic device/social media, or through handwritten or verbal communication to incite a disturbance.

Kidnapping (KID) – SESIR – Level I / 29 – Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against their will and without lawful authority.

Leaving Campus without permission / 06 – The act of leaving school grounds without proper administrative authorization.

Missed Detention / 18 – The act of not attending a teacher or administratively assigned detention.

Missed Saturday School / 20 – The act of not attending administratively assigned Saturday School.

Not Cooperating / 22 – The act of failing to follow the directions of a teacher, administrator, staff, or volunteer in the school setting. Behavior that violates this rule would be considered minor and would not rise to the level of defiance of authority or insubordination and would not necessarily require a referral to an administrator unless the behavior becomes chronic.

Other Major (OMC) – SESIR – Level III / 19S – (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 include student producing or knowingly using counterfeit money, participating in gambling activities, possessing child pornography, or possessing drug paraphernalia.

Other Offenses / 19 – Any minor incident that does not fit within the other definitions.

Physical Conflict (Adult) (Elementary Age) / 03 – A student who engages in unacceptable behavior or conduct which is disruptive to the educational process and results in physical conflict, including pushing, pulling, shoving, or striking an adult.

Behaviors that result in physical conflict may be the result of difficulties with sensory processing, reaction to perceived or minor provocation, or retaliatory or defensive actions due to interpersonal/group dynamics. Said behavior does not constitute a fight, physical attack, aggravated battery, or other serious breach of conduct.

Physical Conflict (Student) (Elementary Age) / 02 – A student who engages in unacceptable behavior or conduct which is disruptive to the educational process and results in physical conflict, including pushing, pulling, shoving, or striking another student. Behaviors that result in physical conflict may be the result of difficulties with sensory processing, reaction to perceived or minor provocation, or retaliatory or defensive actions due to interpersonal/group dynamics. Said behavior does not constitute a fight, physical attack, aggravated battery, or other serious breach of conduct.

Profanity/Obscene/Abusive Language / 08 – The act of using any profane, vulgar, or unnecessary crude utterance or gesture, whether directed toward a classmate, staff member, teacher, administrator, and volunteer, or merely done overtly.

Repeated Misconduct / 09 – Student misconduct that tends to seriously disrupt the school, school function, or extracurricular program or activity. Behavior that is chronic or continual even after the implementation of interventions and consequences.

Robbery * (ROB) – SESIR -Level II / 31 – The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of money or other property, under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.

Sexual Assault (SXA) - Level II / 43 – An incident that includes fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault.

Sexual Battery * (Rape) (SXB) – SESIR – Level I / 32 – 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.

Sexual Harassment * (SXH) – SESIR – Level III / 33 – Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.

Sexual Offenses * (Other) (SXO) – SESIR – Level III / 34 – 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.)

Simple Battery * (PHA) Student (Physical Attack) – SESIR - Level II / 42 – An actual and intentional touching or striking of another person against their will, or the intentional causing of bodily harm to an individual

Simple Battery * (PHA) Adult (Physical Attack) – SESIR - Level II / 42A – An actual and intentional touching or striking of another person against their will, or the intentional causing of bodily harm to an individual

Skipping Class /Skipping School / 10 – The act of not reporting to class or school without receiving proper prior approval and/or following the established procedures for checking out of school.

Stealing/Theft <\$750 / 12 – The act of unauthorized taking, carrying, riding away, or concealing the property of another person, including motor vehicles, without threat, violence or bodily harm.

Threat/Intimidation * (TRE) – SESIR – Level III / 35 – An incident where there was no physical contact between the offender and victim, but the victim reasonably believed 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.

Tobacco * (TBC) – SESIR – Level IV / 11 – The possession, sale, purchase, distribution, or use 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.

Trespassing * (TRS) – SESIR – Level III / 36 – 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. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass are required to be reported in SESIR. Trespass incidents that did not have a prior official warning, did not result in arrest, or did not involve students under suspension or expulsion should be reported as locally defined incidents according to district policies.

Unauthorized Location / 23 – The act of being present in buildings, rooms, hallways, restrooms/changing facilities or other areas of a school campus restricted to students.

Vandalism (VAN) <\$1K / 17 – The act of intentional destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it.

Weapons Possession* (WPO) – SESIR – Level II / 13S – Possession of a firearm or any instrument or object as defined by Section 790.001, F.S., that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

RELATED ELEMENT DEFINITIONS

- Bullying-related:** An incident is bullying related if the incident includes systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees.
- Drug-related:** An incident is drug related if there is evidence that those involved in the incident were under the influence of drugs at the time of the incident; if they admit to using or being under the influence of drugs; if drugs were in the possession of individuals involved in the incident, based on testing or investigation done by a law enforcement officer as a result of the incident; or if the incident is somehow related to possession, use or sale of drugs. School are not required to test for drug use.
- Hazing-related:** An incident is hazing-related if the incident includes any action or situation that endangers the mental or physical health or safety of a student at a school with any grades from 6-12 for the purposes of initiation or admission into or affiliation with any school-sanctioned organization.
- Injury-related:** All SESIR incidents that result in serious bodily injury are required to be reported as Injury-related. Less serious bodily injury means incidents which require immediate first aid or subsequent medical attention. More serious injuries include death or injuries with substantial risk of death, extreme physical pain, protracted and obvious disfigurement, and protracted loss or impairment of the function of a bodily member, organ, or mental faculty. Incidents where injury occurred, but first aid or medical attention is not needed, are not required to be reported in SESIR as Injury-related.
- Vaping-related:** All SESIR incidents that involve the use of non-combustible vaping products, including electronic cigarettes, vapes and vape pens, or any electronic nicotine delivery system (ENDS) are required to be reported as Vaping-related, if the liquid used contains nicotine or a controlled substance. Schools are not required to test for nicotine or drugs in vaping devices. Incidents involving use or possession of vaping products that do not contain nicotine or controlled substances are not required to be reported in SESIR.
- Weapon-related:** All SESIR incidents are required to be reported as Weapon-related where anyone involved possessed or used a firearm or weapon or if the incident was related to possession, use or sale of firearm or weapons, as defined in Section 790.001, F.S.

WHAT IS THE DISCIPLINE CHART?

- The Discipline Chart on the following pages is a tool for administrators to assign interventions and/or consequences for student misconduct.
- This chart does not apply to classroom management as assigned by the teacher.
- The chart is designed to offer consistency across the district so that students are disciplined fairly from school to school when their behavior requires punishment beyond the classroom.
- The chart outlines the violations in the same way as the Code of Student Conduct but in a grid format. Each incident type contains interventions or consequences for each violation. Two types of action, either mandatory (must) or potential (possible), can be taken by administration depending upon circumstances.
- It is important to note that school administrators have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the chart if he or she determines that there are mitigating or aggravating circumstances.
- Repeated instances of the same behavior may result in more severe consequences.
- Administration will make every effort to contact parents/guardians regarding all disciplinary matters. Parent contact can be used as an intervention, a consequence, or as a result of a disciplinary issue.
- In matters relating to the disciplining of students with disabilities, the Board and the District shall abide by Federal and State laws regarding suspensions and expulsion.
- Should you require further explanation of the discipline chart, please call your school administrator.

2023-24 Discipline Chart

The District School Board of Pinellas County engages in the practice of progressive discipline.

Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate student behavior and build upon strategies that promote positive behavior. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive.

Progressive discipline is designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to discipline and that the previous disciplinary history of the student and all other relevant factors will be taken into account.

P = Potential Action M = Mandatory Action

*** Secondary Only

behavior. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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Notes:

1. Repeated instances of the same behavior may result in more severe consequences.
2. **Unless required by law, school principals have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the Discipline Chart if he or she determines that there are mitigating or aggravating circumstances.**
3. SRO and/or Schools Police are also available to discuss potential criminality of situations should the need arise.
4. Administration will make every effort to contact parents/guardians regarding all disciplinary matters. Parent Contact can be used as an intervention, a consequence, or as a result of a disciplinary issue.
5. In matters relating to the disciplining of students with disabilities, the Board and the District shall abide by Federal and State laws regarding suspensions and expulsion.
6. PCS recognizes discipline from other school districts.

	W	P	R	B	P	P	D	P	S	Y	I	B	R	S	T	A	O	N	S	A	D	S	F	R	R	R	C
Level Two																											
Cheating/Academic Dishonesty / 15	P	M	P	P		P	P	P	P	P	P			P				P									
Defiance of Authority/Willful Disobedience/ Insubordination / 07	P	M	P	P	P	P	P	P	P	P	P			P	P	P	P	P									
Extortion/Blackmail / 48		M									P					P	P		P	P	P			P	P	M	
Fighting, physical confrontation without injury; also instigating or encouraging a fight (Minor) / 05	P	M	P	P	P	P	P	P	P	P	P			P	P	P	P	P							P		
Gambling / 47		M									P			P	P	P	P		P	P	P			P	P	M	P
Vandalism – Defacing and/or destroying school or personal property resulting in damages of less than \$1000 / 17	P	M	P	P		P	P	P	P	P	P			P		P	P	P		P	P				P		
Obscene/Profane gestures/language; distribution of objects, literature or materials that are inappropriate for an educational setting / 08	P	M	P	P		P	P	P	P	P	P			P		P	P	P									
Leaving campus without permission / 06	P	M	P	P		P	P	P	P	P	P			P		P		P									
Forgery – (Non-Criminal) / 25	P	M	P	P		P	P	P	P	P	P			P		P	P	P		P	P						
Chemical spray, pepper spray, mace; possession of / 13	P	M	P	P	P	P	P	P	P	P	P			P	P	P	P	P		P	P				P		M
Repeated Misconduct / 09		M				P	P	P	P	P	P			P	P	P	P		P	P	P			P			
Stealing or accessory to theft of property worth less than \$750 / 12	P	M	P	P	P	P	P		P	P	P			P	P	P	P	P		P	P						
Unauthorized Location / 23	P	M	P	P		P		P	P	P	P			P	P	P	P	P		P	P						
False and/or Misleading Information (FMI) / 45	P	M	P	P	P		P		P	P	P			P	P	P	P	P		P	P						
Inciting a Disturbance (IAD) / 46	P	M	P	P	P	P	P		P	P	P			P	P	P	P	P		P	P						
Other Offenses (Minor) / 19	P	M	P	P	P	P	P	P	P	P	P			P	P	P	P	P									
Level Three																											
Bus Misconduct / 14	P	M	P	P	P	P	P		P	P	P	P	P	P		P		P									
Disruption – Classroom/Campus (Minor) / 16	P	M	P	P	P	P	P	P	P	P	P			P		P	P	P									
Dress Code / 39	P	M	P	P		P	P		P	P	P			P				P									
Excessive Tardies / 21	P	M	P	P		P	P	P	P	P	P			P				P									
Missed Detention / 18	P	M	P	P		P	P		P		P			P				P									
Not cooperating / 22	P	M	P	P	P	P	P	P	P	P	P			P		P	P	P									
Physical Conflict (Adult) (Elementary Age) / 03	P	M	P	P		P	P	P	P	P								P									
Physical Conflict (Student) (Elementary Age) / 02	P	M	P	P		P	P	P	P	P								P									
Saturday School / 20	P	M	P	P		P	P		P		P			P				P									
Skipping class/school / 10	P	M	P	P		P	P	P	P	P	P			P				P									
Cell Phone/Electronic Devices / 37	P	M	P	P		P	P	P	P	P	P			P		P		P									P
Horseplaying (HRP) / 44	P	M	P	P	P	P	P	P	P	P	P			P		P	P	P									

Discipline Codes

01 – Alcohol (ALC) – SESIR	21 – Excessive Tardies
02 – Physical Conflict (Student) (Elementary Age)	22 – Not Cooperating
03 – Physical Conflict (Adult) (Elementary Age)	23 – Unauthorized Location
03S – Aggravated Battery (BAT) – SESIR	25 - Forgery – Non-Criminal
04S – Drug Use/Possession Excluding Alcohol (DRU) – SESIR	26 – Arson (ARS) – SESIR
04D – Drug Sale/Distribution (DRD) – SESIR	27 – Burglary (BRK) – SESIR
05 – Fighting/Minor (FIT)	28 – Homicide (HOM) – SESIR
05S – Fighting/Major (FIT) – SESIR	29 – Kidnapping (KID) – SESIR
06 - Leaving Campus without Permission	31 – Robbery (ROB) – SESIR
07 – Defiance of Authority/Willful Disobedience/Insubordination	32 – Sexual Battery – SESIR
08 – Profanity/Obscene/Abusive Language	33 – Sexual Harassment (SXB) (Rape) – SESIR
09 – Repeated Misconduct	34 – Sexual Offenses (SXO) (other) – SESIR
10 – Skipping Class/Skipping School	35 – Threat/Intimidation (TRE) – SESIR
11 – Tobacco (TBC) – SESIR	36 – Trespassing (TRS) – SESIR
12 – Stealing/Theft <\$750	37 – Cell Phone/Electronic Devices
12S – Grand Theft >\$750 (STL) – SESIR	38 – Bullying (BUL) – SESIR
13 – Dangerous Implement/Object	39 – Dress Code
13S – Weapons (WPO) – SESIR	40 – Harassment (HAR) – SESIR
14 – Bus Misconduct	41 – Hazing (HAZ) – SESIR
15 – Cheating/Academic Dishonesty	42 – Simple Battery (PHA) Student – SESIR
16 – Disruption – Classroom/Campus (Minor)	42A – Simple Battery (PHA) Adult – SESIR
16S – Disruption – Campus (DOC) (Major)	43 – Sexual Assault (SXA) – SESIR
17 – Vandalism <1K	44 – Horseplay (HRP)
17S – Criminal Mischief (Felony Vandalism) >\$1K (VAN) – SESIR	45 – False and/or Misleading Information (FMI)
18 – Missed Detention	46 – Inciting a Disturbance (IAD)
19 – Other Minor	47 – Gambling
19S – Campus/Other Major Crime (OMC) – SESIR	48 – Extortion/Blackmail
20 – Saturday School	

MISCONDUCT THAT REQUIRES SPECIFIC CONSEQUENCES (POLICY 5500.08)

In General

The district promotes a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a serious threat to school safety. District staff is encouraged to use alternatives to expulsion or referral to law enforcement agencies unless otherwise required by law. School-based administrators shall provide consistent school-based discipline, where appropriate and authorized by policy.

There are some acts that result in a specific consequence if a student is found to have done them. If the acts are considered a serious threat to school safety, or are violent misdemeanor or felony criminal offenses, they will be reported to law enforcement. Further, a threat management team consisting of personnel required by F.S. 1006.7(7) will review the incident. The threat management team will consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety. More information is contained within Policy 8405.

Petty acts of misconduct should ordinarily not be referred to law enforcement and should not ordinarily result in student arrest. Petty acts of misconduct are those that an administrator reasonably believes do not pose a threat to the safety of students, staff, volunteers, or other persons, or a threat of harm to Board property and includes minor fights or disturbances.

Students who commit violent or disruptive behaviors that may pose a threat to the safety of school staff, whether at school, during a school-sponsored activity, during school-sponsored transportation, or at a bus stop, shall be assigned to an alternative educational program or referred to mental health services identified by the school district. Pursuant to F.S. 1006.07(7), referral to mental health services shall be in consultation with the threat management team. Criminal penalties may also be imposed as determined by law enforcement agencies.

Any student or family interested in learning more about the mental health services available in their school can speak to any student services staff member at the school. These staff can also help with referrals to community agencies. For more information on services available in the community, families can call 211 or visit their website at <https://211tbc.myresourcedirectory.com/>.

Specific acts are required to be reported under the school environmental safety incident reporting (SESIR), pursuant to s. 1006.07(9).

A. **Alcohol (ALC) - Level IV**

(possession, use, or sale) Possession, sale, purchase, distribution, 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.

B. **Aggravated Battery (BAT) - Level I**

(intentional great bodily harm) A battery where the attacker intentionally or knowingly causes more serious injury as defined in Rule 6A-1.0017(8)(g), 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.

C. **Arson (ARS)- Level I**

(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.

D. **Bullying (BUL) - Level IV**

(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. Bullying includes instances of cyberbullying, as defined in Section 1006.147(3)(b), F.S. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment.

E. **Burglary (BRK) - Level II**

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

F. **Criminal Mischief (VAN) - Level III**

(destruction, damage, or defacement of school or personal property) (\$1,000 threshold) Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. 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.

G. **Disruption on Campus-Major (DOC) - Level III**

(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.

H. Drug Sale/Distribution Excluding Alcohol (DRD) - Level II

(illegal sale or distribution of drugs) The manufacture, cultivation, purchase, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.

I. Drug Use/Possession Excluding Alcohol (DRU) - Level III

(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.

J. Fighting (FIT) - Level III

(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.

K. Grand Theft (STL) - Level III

(taking of property from a person, building, or a vehicle) (\$750 threshold) The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, 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. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery.

L. Harassment (HAR) - Level IV

(one-time, insulting behaviors) Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 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. Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related.

M. Hazing (HAZ) - Level III

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.

N. Homicide (HOM) - Level I

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

O. Kidnapping (KID) - Level I

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

P. Other Major (OMC) - Level III

(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.

Q. Robbery (ROB) - Level II

(using force to take something from another) The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.

R. Sexual Assault (SXA) - Level II

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

S. Sexual Battery (Rape) (SXB) - Level I

(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.

T. Sexual Harassment (SXH) - Level III

(undesired sexual behavior) Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other

verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.

U. Sexual Offenses (Other) (SXO) - Level III

(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.)

V. Simple Battery (PHA) - Level II

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

W. Threat/Intimidation (TRE) - Level III

(instilling fear in others) An incident where there was no physical contact between the offender and victim, but the victim reasonably believed 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.

X. Tobacco (TBC) - Level IV

(cigarettes or other forms of tobacco/nicotine) The possession, sale, purchase, distribution, or use 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.

Y. Trespassing (TRS) - Level III

(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. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass are required to be reported in SESIR. Trespass incidents that did not have a prior official warning, did not result in arrest, or did not involve students under suspension or expulsion should be reported as locally defined incidents according to district policies.

Z. Weapons Possession (WPO) - Level II

(possession of firearms and other instruments which can cause harm) Possession of a firearm or any instrument or object as defined by Section 790.001(6) and (13), F.S., that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

The following acts require specific consequences:

I. Tobacco, Nicotine and Vaping

Use of tobacco, nicotine and vaping products, as well as smoking any lit or unlit product or device, on school grounds is a violation of the Code of Student Conduct.

A. Definitions

For purposes of this policy, *use of tobacco, nicotine and vaping products* shall mean all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, nicotine or vaping substance as well as any uses of electronic cigarette/cigar, vaping devices or any other product designed to imitate any of the products mentioned herein regardless of whether it contains tobacco, nicotine or vaping substance.

Use of tobacco, nicotine and vaping products shall not include use of nicotine patches or nicotine gum for their intended purposes, so long as Florida law does not prohibit the student, based upon the student's age, from possessing nicotine patches or nicotine gum.

B. Consequences for Violation

If a student is found to be using any form of tobacco, nicotine or vaping product, including use of any lit or unlit product or device, at school, at any school-sponsored activity, during school-sponsored transportation, or at a bus stop, the student will receive educational interventions, opportunities for diversion programs, along with progressive consequences for each offense.

The student must complete all components of the programs outlined in each offense level below in order to satisfactorily meet the requirements described. However, any therapeutic or educational interventions described herein can be made available to students and families, as needed, at any time during this process.

1. Elementary School Students

First Offense: The student shall be issued a one-day in-school suspension (ISS) and be referred to the student services team.

Second Offense: The student shall be issued a two-day in-school suspension (ISS), or after consultation with the area superintendent/chief, a one-day out-of-school suspension with a reintegration process conducted by school staff and, with consent of a parent, complete an online intervention program.

Third Offense: After consultation with the area superintendent/chief, the student shall be issued a one- or two-day out-of-school suspension (OSS) with a reintegration process conducted by school staff. The student will also be assigned an afterschool tobacco/vaping cessation class. Parents must register their student for the class and are encouraged to attend with the student.

2. Middle School and High School Students

First Offense: The student shall be issued school-based consequences (i.e. in-school suspension (ISS), work detail, detention) and complete an online intervention program to be signed off or acknowledged by a parent when completed.

Second Offense: The student shall be issued a one-day out-of-school suspension (OSS) with a reintegration process conducted by school staff. The student will also be assigned to an after-school tobacco/vaping cessation class. Parents must register the student for the class and are encouraged to attend with the student.

Third Offense: The student shall be issued a two-day out-of-school suspension (OSS) with a reintegration process conducted by school staff. The student will also be assigned to complete a mandatory FACE IT (Families Acting Collaboratively to Educate and Involve Teens) program or another district educational program with the parent.

Failure to abide by the progressive steps, as outlined above, or continual offenses may result in additional consequences. Consequences may range from suspension or reassignment to additional tobacco/vaping cessation curriculum and/or possible referral to an outside agency for therapeutic intervention.

II. Illegal Drugs, Alcoholic Beverages, Harmful, and Other Substances

A. Definitions

As used in this policy, *illegal drugs* include:

1. Any drug that is illegal under Florida law such as marijuana, cocaine, and heroin as well as prescription drugs for which a student does not have a valid prescription, and
2. Any illegal or legal substances that may be used as an intoxicant, hallucinogen, mind-altering agent, or may be used for any other unsafe purpose. Examples include, but are not limited to, inhalants, over-the-counter drugs, bath salts, and spice cannabinoid (JWH-028), and
3. Any prescription drug that is not used as prescribed or that is in the possession of someone whose name is not on the prescription. This means that a student may not give their prescription medication to anyone else, and
4. Controlled substances found in the possession of a minor that are only available for purchase by individuals of certain legal ages of majority, and
5. Any substance that a student possesses, sells or distributes that they represent to be an illegal drug (i.e. fake drug).

B. Possession or Use of Illegal Drugs or Alcohol

1. Possession or Use

A student may not possess or use illegal drugs or alcoholic beverages or be under the influence of them on school property, at any school-sponsored activity (including a field trip), on school-sponsored transportation, or at a bus stop.

2. Possession Based Upon Knowledge

If a student arrives at school or at a school-sponsored activity in a car that contains illegal drugs or alcoholic beverages, and the principal believes there is evidence that the student knew about the illegal drugs or alcoholic beverages, then the student will be considered as being in possession of the illegal drugs or alcoholic beverages.

If a student is at a school-sponsored activity where there are illegal drugs or alcoholic beverages in a specific area, then the student may be considered in the possession of the illegal drugs or alcoholic beverages, if the principal believes the evidence shows that the student knew about the illegal drugs or alcoholic beverages. If the student is at school or a school-sponsored activity and becomes aware that another student has an illegal substance, the student is expected to alert school staff or a chaperone immediately.

C. Purchase, Sale and Distribution

A student may not sell, purchase, or distribute illegal drugs or alcoholic beverages. Additionally, a student may not be involved in negotiating the sale or purchase of illegal drugs or alcoholic beverages at school, at a school-sponsored activity, or on school-sponsored transportation, even if the sale/purchase does not actually take place. The consequence for purchase, sale or distribution of illegal drugs or alcoholic beverages is reassignment.

D. Consequences for Violation

1. Elementary School Students

If a student in elementary school violates this policy, after consultation with the area superintendent/chief, the principal will discipline the student as described herein. In-school or out-of-school suspensions for these offenses will not exceed three days. If the student's parent agrees that the student will complete a district-approved drug or alcohol educational program, the student's suspension may be reduced. The program coordinator must provide proof that the student successfully completed the educational program within the allocated period of time.

2. Middle School and High School Students

If a student in middle school or high school violates this policy, and was not selling, purchasing, distributing, or intending to sell or distribute illegal substances and was not charged with a felony during the incident, the student will be assigned progressive consequences for each offense as described herein.

First Offense: The student shall be issued a one- or two-day OSS with a reintegration process conducted by school staff. The student will be assigned to complete a mandatory FACE IT (Families Acting Collaboratively to Educate and Involve Teens) program facilitated by certified instructional, student services and contracted services personnel. The program coordinator shall monitor and verify that the student completed the program.

Second Offense: The student shall be issued a three-day OSS with a reintegration process conducted by school staff. The student will complete a mandatory district-approved community partnership program. Parents must register the student for the class and are encouraged to attend with the student. The district substance abuse case manager shall monitor and verify that the student completed the program.

Students who continue to violate this policy and/or fail to take advantage of and successfully complete the district-approved drug/alcohol programs, will be immediately reassigned to an alternative educational program, after consultation with the area superintendent/chief.

E. Waiver of the Discipline

Any student who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under F.S. Chapter 893 may be entitled to a waiver of the discipline or expulsion as described herein.

If the student divulges information leading to the arrest and conviction of the person who supplied such controlled substance, or if the student voluntarily discloses their unlawful possession of such controlled substance prior to their arrest. Any information divulged which leads to such arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging such information.

III. Firearm (Gun), Weapon, Threat or False Report

In accordance with F.S. 1006.13, students found to have committed one of the following offenses will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one full year, and referred to the criminal justice or juvenile justice system. Criminal penalties may be imposed as determined by law enforcement agencies. Additionally, a school-based threat management team, a district threat management team, or both will be conducted.

A. Firearm/Gun

Any student who brings a gun to school, to any school-sponsored activity, or on any school-sponsored transportation, or any student who possesses or exhibits a gun at school, at any school-sponsored activity, or on any school-sponsored transportation, shall be suspended for no more than three consecutive days for one offense and recommended for expulsion. Guns shall mean firearms as defined by F.S. 790 and include any object which will or is designed to expel a projectile by the action of an explosive.

B. Weapons

Any student who brings a weapon to school, to any school-sponsored activity, or on any school-sponsored transportation, or any student who possesses or exhibits a weapon at school, at any school-sponsored activity, or on any school-sponsored transportation, shall be suspended for no more than three consecutive days for one offense and recommended for expulsion. Weapons are defined by F.S. 790 as any dirk, knife, metallic knuckles, slingshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon, other than a common pocketknife (foldable knife with a blade of four inches or less, and is considered a dangerous object), plastic knives, or blunt bladed table knives.

C. Threat or False Report

Any student who makes a threat or false report as defined by F.S. 790.162, 790.163, and 836.10, involving school or school personnel's property, school-sponsored transportation, or a school-sponsored activity, will be suspended for no more than three consecutive days for one offense and recommended for expulsion. Threats may include but are not limited to: bomb threats, threats to use firearms in a violent manner, threats to kill or do bodily injury, and/or threats to conduct a mass shooting or an act of terrorism. In addition, if a student makes a statement or posts statements on social media alluding to the student bringing a firearm or other weapon to school, to any school-sponsored activity, or on school-sponsored transportation even if the student does not actually bring the firearm or weapon, the student will be presumed to cause a disruptive environment which will lead to disciplinary action. Criminal penalties may be imposed as determined by law enforcement agencies.

D. Possession by Knowledge

If a student is at any school-sponsored activity where there is a gun or weapon, they may be considered to be in possession of the gun or weapon, if the principal believes the evidence shows that the student knew about the gun or weapon and chose to remain in the specific area where the gun or weapon is located. The student is expected to alert school staff or a chaperone immediately.

If a secondary student arrives at school or any school-sponsored activity in a car that contains a gun or weapon, and the principal believes there is evidence that the student knew about the gun or weapon, then they will be considered to be in possession of the gun or weapon.

E. Exception

The principal may give a student written permission to possess a gun or weapon while on campus or at a school-sponsored activity when the gun or weapon is part of the curriculum of the school. An example of this is when a gun or rifle may be part of JROTC drill and firing ranges.

IV. Dangerous Objects:

Dangerous objects include, but are not limited to, common pocketknives with a blade of four inches or less, ice picks, razor blades, box cutters, air guns, bb guns, pellet guns, electric weapons such as a taser, or spring guns of any sort (whether operable or inoperable). For the purposes of this policy, a dangerous object does not include instruments used during school for school projects, such as scissors or cutting instruments during an art class.

Any student who brings a dangerous object to school, to any school-sponsored activity, or on any school-sponsored transportation, or any student who possesses a dangerous object at school, at any school-sponsored activity, or on any school-sponsored transportation, with use or threatened use in an offensive or defensive manner, will be suspended either in-school or out of school for no more than three consecutive days and recommended for reassignment and expulsion, and a school-based threat management team, district threat management team, or both will be conducted.

Any student who brings or possesses a dangerous object at school, at any school-sponsored activity, or on any school-sponsored transportation, without the use or threatened use in an offensive or defensive manner, is guilty of a serious breach of conduct and that student may be suspended either in-school or out of school for no more than three consecutive days for one offense and recommended for reassignment, and a school-based threat management team, district threat management team, or both will be conducted.

V. Computer Crimes

Computer crimes consist of the act of accessing or causing to be accessed any school or district computer, computer system, computer network or electronic device (referred to herein as computer system) with knowledge that such access is not authorized or the manner of use exceeds authorization and includes the purposeful introduction of any virus or computer or the manner of use exceeds authorization and includes the purposeful introduction of any virus or computer contaminant into the computer system. Any computer crime that threatens to harm or destroys, injures or damages Board computer systems is a violation of the Code of Student Conduct and will result in suspension, reassignment or recommendation for expulsion. Criminal penalties may also be imposed as determined by law enforcement agencies.

VI. Felony Charges and Convictions for Off-Campus Conduct (Policy 5500.08)

A. Notice of Felony Charges and Hearing

If a student commits a crime off campus and a prosecuting attorney formally charges the student with a felony or with a delinquent act that would be a felony if the student were an adult, the student may be suspended either in-school or out-of-school for no more than three consecutive days for one offense and recommended for reassignment or expulsion. Before suspending the student, the principal will call the parent to notify them that the principal has received notice that the student has been charged with a felony by the prosecuting attorney, and to inform the parent that a certified letter containing this information will be sent to the parent via U.S. mail. That written notice will tell the student's parent of the specific charges against the student and advise them that they have the right to a hearing. Upon receipt of the letter, the parent must call the principal to schedule the hearing date. Pursuant to F.S. 1006.09(2), if the hearing demonstrates that the incident would have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled, the principal may suspend the charged student.

B. Hearing Procedures

The hearing must take place within three school days but no sooner than two (2) school days from the postmark date or the delivery date of the certified notice to the student's parent. At the hearing the principal will listen to witnesses called by the principal, and the student also may present witnesses. The student may speak on their own behalf, but they do not have to do so. If the student does not speak on their own behalf, they cannot be threatened with punishment or later be punished for not speaking.

The hearing will not be conducted like a court proceeding. There will be no rules of evidence nor will there be a court reporter to provide a transcript of the hearing. After the hearing, the principal will let the student and their parent know, in writing, if the student is being suspended for no more than three days. The decision to suspend the student cannot occur without conclusive evidence that the prosecuting attorney has formally filed a felony charge against the student. The principal must also determine that the student's presence at school, after being formally charged for the incident, will have an adverse impact on the school.

C. Types of Charges That May Justify Suspension

The types of charges that may justify suspension under this provision are:

1. any felony involving violence
2. rape or sexual battery
3. lewd and lascivious act on a student under sixteen (16) years of age
4. concealed weapon
5. armed robbery
6. sale of illegal drugs
7. possession of a bomb
8. any felony involving the use of a firearm
9. battery on school system employee or official
10. aggravated battery

There may be other charges that will justify suspension under this provision, if the principal determines that the student's presence at school after being charged will have an adverse impact on the school.

D. Extension of Three-Day Suspension

If the principal suspends a student for three days, the superintendent may extend the student's suspension until the outcome of the criminal charges filed against the student is complete. During the student's suspension, pending the outcome of the criminal charges, the student will be assigned to an alternative educational program.

E. Expulsion Upon Finding of Guilt

If the court determines that a student is guilty, the Board may expel the student. During the student's expulsion, the student may still attend the alternative program to which they have been assigned.

Disciplinary Actions (Policy 5500.10)

The use of corporal punishment is prohibited. However, school personnel may use reasonable force to maintain a safe and orderly learning environment. Any use of reasonable force shall be in accordance with School Board policy and State Board of Education rules. The prohibition against the use of corporal punishment also extends to parents or guardians on school grounds. The following types of discipline may be used, as well as those found in the school discipline plan at each school.

Detention

A student can receive a detention either before school or after school. The school will give the student's parent twenty-four (24) hours' notice before they serve the detention. For elementary and middle school students, the administrator must contact the student's parent and have a conversation with the student's parent before the student serves the detention. For high school students, the administrator must make an effort to contact the student's parent by telephone or email. If the administrator is unable to contact the student's parent by telephone or receive a response via email, the student will still be required to serve the detention. The administrator must document that an attempt to contact the student's parent was made. The student's parent is responsible for the student's transportation when they have detention.

In-School Suspension

A student can be assigned and sent to designated rooms or programs (examples: IC, ABC) in their school during the school day. A student will receive full credit for class work completed while in the assigned room or program and their absence will be coded as Intervention (INT).

Student Work Assignments

If the student's parent and a school administrator agree, the administrator can assign the student to a work detail at the school for up to ten (10) hours for each offense. The principal will decide who will supervise the student's work.

Saturday School

A student can be sent to Saturday School if an administrator has contacted the student's parent and had a conversation with them at least twenty-four (24) hours in advance.

Removal from Class

A teacher may require that a student be removed from class if it has been documented that their behavior has seriously disrupted the teaching or learning in the classroom. If a student is removed from a class the principal may place the student in another appropriate classroom, in-school suspension, an alternative education program, or the principal may recommend the student for suspension or expulsion.

A student cannot be returned to that teacher's classroom unless the teacher consents or a school-based placement review committee has determined that doing so is the best or only available alternative. A decision on whether to return a student to the classroom must be made by the teacher or the committee within (5) days of the removal.

Parent Shadows Student

With reasonable notice, and if the principal and the parent agree, the parent will attend classes with a student for a day or specific period of time.

Out-of-School Suspension

A student can be suspended either in-school or out-of-school for no more than three (3) consecutive days for one offense without permission from the Area Superintendent/Chief including reassignments and expulsions. If a student is suspended they cannot be on school grounds or attend any school activities. The administrator may consider the following before deciding to suspend a student:

- A. has the student been sent to the administrator at least once before?
- B. has the student's parent been told that their behavior is a problem and that they may be suspended?
- C. has the student been referred to their guidance counselor?
- D. has the student been given a work assignment before?
- E. has the student been referred to an outside agency for assistance?

There are circumstances under which the administration will suspend a student on the first offense.

Transfer

A student may be transferred to another school, including an alternative school (such as Pinellas Secondary, TELESCHOOL, adult school, etc.). The principal must recommend the student's transfer in writing to the Area Superintendent/Chief for the student's area and provide the student's parent with a copy of the recommendation. The student's parent may appeal a transfer to the Area Superintendent/Chief within five (5) days of being notified of the transfer recommendation. The Area Superintendent/Chief will review the situation and decide whether the student will be transferred. The student or parent cannot appeal the Area Superintendent's/Chief's decision.

Disciplinary Reassignment

If the principal, after completing an investigation, determines that a student has done something wrong that requires removal from the school, including but not limited to violent or disruptive behavior, the principal will make a recommendation to the Area Superintendent/Chief. If the Area Superintendent/Chief supports the recommendation for reassignment then the student will be suspended for no more than three (3) days and then sent to an alternative school. Recognizing that students may need additional support in the form of mental health services, Pinellas County Schools will ensure referrals for services are made in alignment with state and federal guidelines.

Q. How long does a student have to attend the alternative program?

A. For one (1), two (2), or three (3) semesters. If a student does not behave or does not complete their work at the alternative school, the student may have to stay there even longer. Students may be offered the opportunity to enter into an early workback agreement if there are extenuating circumstances.

Q. What if a student gets reassigned a second time?

A. If the student is a general education student, they will be reassigned for one (1), two (2), or three (3) semesters. Most second reassignments will be to TELESCHOOL. If a student is an ESE student they may be returned to an appropriate alternative school.

Q. Can a student go back and visit their regular school or other schools while they are reassigned to an alternative school?

A. No. A student cannot go back to their school, or visit any other school, or be on any property leased or owned by the Board. A student cannot attend any school activity (sports events, graduation, performances, banquets, etc.), even as a spectator without permission from the Area Superintendent/Chief.

Q. What if a student is reassigned to attend an alternative school for the last semester of their senior year?

A. If a student is reassigned to attend an alternative school during the last semester of school before they graduate, the following rule applies:

The student's parent may appeal to a District Review Committee to ask for permission to participate in the student's regular school's graduation ceremony. The Committee will consider the following factors:

1. the nature of the offense
2. the student's discipline history
3. the student's performance, attendance, and discipline record in the alternative program
4. other factors it considers to be mitigating or aggravating

Q. When will the District Review Committee meet?

A. No later than ten (10) days before the last day of school.

Q. Who sits on the District Review Committee?

A. The District Review Committee shall consist of the Area Superintendents/Chiefs and Directors of Operations and the President of the County Council of PTAs or a designee. Area Superintendents/Chiefs and Directors shall not vote on an appeal involving a school from their area. The PTA representative shall also not hear an appeal from a school with which they are associated.

Q. Can a student appeal the decision of the District Review Committee to anyone?

A. No.

Q. What if a student is reassigned after the District Review Committee has met?

A. Then the principal will decide whether the student can attend graduation and end of the school year activities considering the same factors considered by the District Review Committee. The student cannot appeal the principal's decision.

Q. Can a student appeal their reassignment to an alternative school?

A. No, a student can only appeal the out-of-school suspension. If the suspension is removed, the reassignment will not occur.

Q. How does a student appeal a suspension linked to a reassignment?

A. Within five (5) school days of being suspended, the student or their parent writes a letter to the principal explaining why the student thinks they should not be suspended. The student's parents may prefer to have the appeal with the principal by telephone. The principal will write to the student's parents within five (5) school days to tell them whether the student's suspension is being upheld.

If the principal upholds a student's suspension, the student or their parents may write a letter to the Area Superintendent/Chief appealing the suspension within five (5) school days of receiving the principal's decision. The Area Superintendent/Chief will review the facts of the case and determine whether the student was given due process. The Area Superintendent/Chief will not reinvestigate the incident. The student cannot appeal the Area Superintendent's/Chief's decision.

Q. What does a student do about class work during the out-of-school suspension before they begin to attend the alternative school?

A. Your withdrawal grade will be established at the time of reassignment from the regular school. The alternative school staff will assign all work after that time.

Q. What if a student is reassigned at the end of the semester during high school—how does that affect their classes?

A. If a student's suspension begins fifteen (15) days or less before the end of the semester, then the regular school staff will supply the student's regular class work, and they will also supply review and testing material and arrange for the student to take their exams. In addition, if there are less than thirty (30) school days left in a semester then the period of reassignment will include the remainder of the current semester in addition to the designated semesters of reassignment.

Q. Can reassignment affect a student's curriculum?

A. Students in honors, advanced placement or magnet courses who are expelled or re-assigned to an alternative school must be aware that their curriculum will be impacted. While every attempt is made to match schedules, it is rarely possible to replicate every class. Students taking these classes must be aware that, when engaging in serious violations of the Code of Student Conduct, they are jeopardizing their academic plan and the completion of some classes may be delayed.

Expulsion

An expulsion means that a student cannot attend any District school except as allowed by the Board. If a student is serving an expulsion during the last semester of their senior year, the student is not allowed to participate in their home school graduation ceremony. If a student commits an offense that is considered exceedingly serious, (a student causes critical human injury, extensive property damage, or excessive school disruption) the Board may decide not to allow the student to attend any school, including TELESCHOOL. In this instance referrals to community resources will be made.

Q. Can a student go back and visit their traditional school or other schools while they are expelled?

A. No. A student cannot go back to their school, or visit any other school, or be on any property leased or owned by the Board. A student cannot attend any school activity (sports events, graduation, performances, banquets, etc.).

Q. May a student attend other schools or programs that are not run by the District during the expulsion?

A. Yes, a student can attend local Juvenile Services Programs, PACE, Urban League, or other such programs, but acceptance is entirely up to that program's staff. Other public schools and most private schools will not allow a student to enroll during the expulsion period.

Q. Can a student return to a traditional school upon completion of expulsion?

A. Yes, a student may enroll in a traditional school upon successful completion of expulsion.