DEFINITION OF INFRACTIONS

Student conduct, which is considered to be a violation of the Code of Student Conduct, is defined and described in this section of the handbook. When a student has committed an infraction, the misbehavior is to be classified according to the definition that best describes it. The consequence to be imposed is then to be determined by referring to the matrix of Behaviors and Consequences.

**Aggravated Assault (threat with a weapon) (Zero Tolerance)** – an assault with a deadly weapon with the intent to do violence. (F.S.S. 784.021)

**Aggravated Battery (Zero Tolerance)** – a battery where a person intentionally or knowingly causes great bodily harm, permanent disability or permanent disfigurement; or uses a deadly weapon. (F.S.S. 784.045)

**Alcohol Violation (Zero Tolerance)** – possessing, using, storing, selling, distributing, or being under the influence of any alcoholic beverage. (F.S.S. 562.111)

**Armed Robbery (Zero Tolerance)** – the taking of money or other property from another, with the use of a firearm or other deadly weapon. (F.S.S. 812.13)

**Arson (Zero Tolerance)** – the intentional damage, or attempt to damage, any real or personal property by fire or incendiary device. (F.S.S. 806.01)

**Assault** – any intentional, unlawful threat, by word or act, to do violence to another person, coupled with an apparent ability to do so, and doing some act that creates a well-founded fear in another person that violence is imminent. (F.S.S. 784.011)

**Assault/Staff Member or Volunteer (Zero Tolerance)** – making an intentional, unlawful threat, by word or act, to do violence to a school employee or volunteer, coupled with an apparent ability to do so. (F.S.S. 784.081)

**Battery** – the actual and intentional touching or striking of another person against his/her will, or intentionally causing bodily harm to an individual. (F.S.S. 784.03)

**Bomb Threat** – intentionally making a false report to any person, including school personnel, concerning the placement of any bomb, dynamite, explosive, or arson causing devices. (F.S.S. 790.163)

**Bullying / Hazing** – a form of aggression that occurs when a person willfully subjects another person to an intentional, unwanted, and unprovoked hurtful verbal or physical action.

**Burglary** – the unlawful entry into a building or other structure or vehicle with the intent to commit a crime. (F.S.S. 810.02)
**Bus Rules / Procedures Violation** – engaging in conduct or behavior which interferes with the orderly, safe, and timely transportation of students. (F.S.S. 1006.22)

**Cheating / Plagiarism / Perjury** – the inappropriate and deliberate distribution or use of information, notes, materials, or work of another person in the completion of an academic exam, test or assignment. (F.S.S. 817.29)

**Computer / Technology Misuse** – the inappropriate use of a computer, including, but not limited to, breaking into restricted accounts or networks, modifying or destroying files without permission, illegally copying software, entering, distributing or printing unauthorized files, or utilized to threaten or harass other students or staff. (F.S.S. 815.04)

**Contraband** – the possession or storage of items which are prohibited at school.

**Counterfeiting** – falsely making, altering or forging a public record, document, or certificate, with the intent to defraud, injure or to gain advantage over another. (F.S.S. 831.01)

**Dangerous Instrument** – anything, although not specifically designed to do harm to another person, that is used to cause or attempt to cause injury, or is used to put someone in reasonable fear of injury, including, but not limited to belts, pencils, pens, compasses, combs, and hair brushes.

**Disorderly Conduct** – committing any act which seriously disrupts the orderly conduct of a school function, or substantially disrupts the learning environment, or poses a threat to the health, safety, or welfare of others. (F.S.S. 877.03)

**Disorderly Conduct / Horseplay** – engaging in rowdy, rough behavior that interferes with the safe or purposeful order of a school. (F.S.S. 877.03)

**Disrespect** – the use of words or acts which demean, degrade, antagonize, or humiliate a person or group of persons.

**Disruption of the Orderly Operation of the School** – willfully inciting, leading, or participating in any disruption, disturbance, or acting in a manner that interferes with the education process, that results in significant damage or destruction to public or private property, causes personal injury to participants or others, or otherwise poses a threat to the health, safety, or welfare of students, staff, or others. (F.S.S. 877.13)

**Dress Code Violation** – failure to comply with the established dress code policy.

**Drug Paraphernalia** – possessing, using, or storing any equipment or device for the purpose of preparing or using drugs, including, but not limited to, items listed in F.S.S. 893.145, and items which may be determined to be drug paraphernalia under the criteria set out in F.S.S. 893.146.
Drug Violations – (Zero Tolerance) – possessing, using, storing, selling, distributing, or being under the influence of any substance defined as a controlled substance under Florida Statute 893, including, but not limited to, marijuana, hallucinogens, inhalants, or any substance which is represented to be a controlled substance, as well as over-the-counter medication, or any substance which requires a physician’s prescription, or any substance represented to be an illegal substance, such as “designer drugs.” (F.S.S. 893)

Explosives (Zero Tolerance) – possessing, using, selling, storing, distributing, constructing, or detonating any combustible substance or destructive device, such as a bomb, letter bomb, pipe bomb, grenade, rocket, or similar device that is designed to explode. (F.S.S. 552.22)

Extortion – the use of threat or intimidation to obtain anything of value from another person, including, but not limited to, money. (F.S.S. 836.05)

Failure to Report for Detention / Saturday School – not attending an assigned detention or Saturday School.

False Fire Alarm / False Report of Crime – the intentional activation, without valid cause, of an alarm system, such as a fire alarm, or the intentional reporting of a false emergency, such as dialing 911 and making a false report. (F.S.S. 806.101 and F.S.S. 817.49)

Fighting – mutual participation in an altercation involving physical violence. Does not include verbal confrontations, pushing, or minor confrontations. (F.S.S. 784.03)

Firearms Violation (Zero Tolerance) – possessing, using, selling, transferring, storing, distributing, or detonating any weapon which will, if designed to, or may be readily converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device. Includes firearms of any kind (operable or inoperable; loaded or unloaded), including, but not limited to, handguns, zip guns, pistols, rifles, shotguns starter guns, bullets, or flare guns. (F.S.S. 790.115)

Fireworks – possession or ignition of firecrackers, bottle rockets, smoke bombs, or other similar devices. (F.S.S. 791.001)

Forgery – 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. (F.S.S. 831.01)

Gambling – any participation in games or activities of chance for money or items of value. (F.S.S. 849.08)

Gang-Related Activity and Secret Societies – engaging in any verbal, written, or physical act which is associated with becoming a member of a gang, being a member of a gang, or participating in gang identified rituals or behaviors. (F.S.S. 874.03)
**Harassment** – any slurs, innuendoes or other verbal or physical conduct reflecting on an individual’s race, color, religion, sex, national origin, age, disability, marital status, or sexual orientation which has the purpose or effect of creating an intimidating, hostile or offensive educational environment; has the purpose or effect of unreasonably interfering with the individual’s school performance or participation; or otherwise adversely affects an individual’s educational opportunities.

**Hate Crime** – evidencing prejudice while committing offense. The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim. (F.S.S. 775.085)

**Homicide (Zero Tolerance)** – the unlawful killing of a human being. (F.S.S. 782.04)

**Inappropriate Affection** – engaging in intimate displays of affection that are not suitable for an educational setting.

**Insubordination** – the deliberate refusal, or failure to follow a direction or an order from a school staff member, bus driver, or any other adult in authority, including the failure to comply with disciplinary consequences

**Kidnapping (Zero Tolerance)** – forcibly abducting or imprisoning another person against his or her will and without lawful authority. (F.S.S. 787.01)

**Larceny** – see Theft (F.S.S. 812.014)

**Misrepresentation / Lying** – intentionally providing false or misleading information to, or withholding valid information from, a school staff member.

**Motor Vehicle Theft** – the theft or attempted theft of a motor vehicle. (F.S.S. 812.014)

**Open Defiance** – the open or flagrant challenge of the authority of a school staff member, bus driver, or other adult in authority.

**Profane, Obscene, or Inappropriate Language/Materials** – the use of oral or written language, electronic messages, gestures, objects, or pictures which are considered to be offensive, subversive, or socially unacceptable. (F.S.S. 847.011)

**Public Displays of Affection** – When two(2) or more students are together in public, they have a responsibility to others as well as to themselves to conduct themselves appropriately. Public displays of affection are unacceptable when they are excessive. Examples of such behavior include, but are not limited to, kissing, extended hugging, lying or sitting together inappropriately, and placing hands on each other in inappropriate ways.
Racial Harassment  – all forms of discrimination prohibited by Title VI—race, color, national origin, including any verbal, nonverbal, graphic, written, or physical conduct that denigrates or shows hostility or aversion toward any student based upon race, when such conduct substantially interferes with a student’s academic performance, or creates an intimidating, hostile, or offensive school environment. Racial harassment may include, but is not limited to, the following conduct which is based upon race:

1. Epithets and slurs.
3. Threatening, intimidating, or hostile acts.
4. Written or graphic material that shows hostility or aversion toward an individual or group.

Robbery  – taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence or putting the victim in fear of larcenies. (F.S.S. 812.13)

Sexual Battery (Zero Tolerance)  – any sexual act directed against another person, forcibly or against the person’s will, or not forcibly against the person’s will where the victim is not capable of giving consent because of his/her youth or because of temporary or permanent mental incapacity. (F.S.S. 784.046)

Sexual Harassment  – consists of unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, nonverbal, written, graphic, or physical conduct of a sexual nature when such conduct substantially interferes with a student’s academic performance, or creates an intimidating, hostile, or offensive school environment. Sexual harassment includes any of the following action or activities:

1. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational opportunities; submission to or rejection of such conduct is used as a basis for educational decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual’s educational performance or creating an intimidating, hostile or offensive educational environment.

2. The denial of or provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment, on the basis of sexual advances or requests for sexual favors.

3. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.
Sexual Misconduct – engaging in a sex act or physical conduct of a sexual nature. (F.S.S. 800.03)

Sex Offenses – this is unlawful sexual intercourse, sexual contact or other unlawful behavior or conduct intended to result in sexual gratification without force or threat and where the victim is capable of giving consent. Included in this category are indecent exposure (exposure of private body parts to the sight of another person in a lewd or indecent manner in a public place), pornography and obscenity (conduct by which the community standards is deemed to corrupt public morals by its indecency and/or lewdness such as phone calls or other communication; unlawful manufacture, publishing, selling, buying, or possessing materials such as literature or photographs, or computer generated images). (F.S.S. 800.03 and F.S.S. 847.011)

Skipping Class / Truancy – not reporting to or leaving an assigned class, activity, or area without receiving proper prior approval and/or following the established procedures for checking out of a class. (F.S.S. 1003.27)

Skipping School / Truancy – not reporting to school or leaving school grounds without receiving proper prior approval and/or following the established procedures for checking out of school. (F.S.S. 1003.27)

Tardiness – repeated late arrival to school or to a class.

Theft – the unlawful taking of property of another person without threat of violence or bodily harm. Less than $300 is Petit Theft. More than $300 is Grand Theft. (F.S.S. 812.014)

Threat, Bona Fide (Zero Tolerance) – a plot or plan, written or oral, alone or in concert with others, which if carried out could result in death or injury to others or the destruction of property, or the serious disruption of the school environment. Examples include but are not limited to acts of terrorism, verbal threats accompanied by frequent harassment, written threats, detailed plans that portend harm to others, documented occurrences of stalking, and conspiracies.

Threat / Intimidation / Bullying – to unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to physical attack; the declaration of intent by word or act to do violence to another person or to his/her property -- a form of aggression that occurs when a person willfully subjects another person to an intentional, unwanted, and unprovoked hurtful verbal or physical action. (F.S.S. 836.05 and F.S.S. 784.011)

Tobacco Products Violation – possessing, using, selling, storing, or distributing cigarettes, cigars, snuff, dip, pipe tobacco, chewing tobacco, and incendiary devices. (F.S.S. 569.11)

Trespassing – the unauthorized entry onto School Board owned property, into a school function, or an extracurricular activity, or remaining on School Board owned property after being directed to leave that location by a school staff member or law enforcement official. (F.S.S. 810.097)
Unauthorized Area – being present in buildings, rooms, or other areas on a school campus restricted to student access during all or portions of a day.

Unauthorized Assembly – assembly without specific permission of school officials that causes serious disruption to the orderly operation of the school or activity. (F.S.S. 877.13)

Unauthorized Publication – publication of unauthorized memos, newsletters, newspapers or similar items in print or in electronic format that results in a serious disruption of school operations.

Vandalism – willfully defacing, damaging or destroying by any means, the real or personal property belonging to the School Board or to another person. (F.S.S. 806.13)

Vehicle/Parking Violation – failure to follow established rules and regulations concerning the privilege of driving and parking vehicles on a school campus.

Weapons (Other) – possessing, using, transferring, displaying, selling, storing, or distributing any instrument or object that may inflict harm on another person, or be used to intimidate another person, including, but not limited to, fixed blade knives, folding knives, switch blade knives, common pocket knives, razor blades, sharp cutting instruments, ice picks, dirks, chains, pipe, nunchakus, brass knuckles, Chinese stars, shanks, billy clubs, chemical irritants, mace, tear gas, pepper spray, poisonous gases, sling shots, electrical weapons or devices, stun guns, BB or pellet guns, propellants, and “look-alike” weapons. (F.S.S. 790.115)