

Mandatory Tribunal, Disciplinary, and Informal Hearing Referrals

See FCBOE Procedural Rule 8 (c) and (d)

Alleged student violations of the following FCBOE Codes of Conduct will necessitate a referral to the Office of Student Discipline.

- **Bomb threats (Rule 1j)**

"A student shall not. . .(j) threaten to plant a bomb or falsely inform others that a bomb or other explosive has been planted (a) on school grounds; (b) off school grounds at a school function, activity or event; or (c) on any school vehicle or other school property."

- **Physical or Verbal Assault or battery upon any teacher, other school official or employee (Rule 4i, 4ii, 4iii, and 4iv)**

"A student shall not (i) intentionally make physical contact which causes physical harm to a school employee unless such physical harm was in defense of himself or herself; (ii) intentionally make physical contact of an insulting or provoking nature with a school employee; (iii) attempt to cause physical injury, threaten bodily harm, or behave in such a way as could reasonably cause physical injury to a school employee; or (iv) use in such employee's presence opprobrious or abusive words, or obscene language, pictures or gestures tending to cause a breach of the peace: (a) on the school grounds at any time; (b) off the school grounds at a school-sponsored activity, function or event; or (c) en route to and from school or school-sponsored activity.

NOTE: The school employee must determine whether or not he/she wishes to bring this incident to a hearing in a timely manner so that the school administrators can complete required paperwork and submit the packet of information to the Office of Student Discipline within two (2) work days of the incident. Hearings for all rule #4 violations are at the discretion of the employee alleging the physical or verbal assault.

- **Physical or Verbal Assault or battery upon another student (serious injury, repeated, group or gang fight) (Rule 5i)**

"A student shall not (i) intentionally make physical contact which causes physical harm to another person; (a) on the school grounds at any time; (b) off the school grounds at a school activity, function or event; or (c) en route to and from school or school-sponsored activity. At the discretion of the school administration, the student and the parent may be offered the opportunity to attend a violence prevention program in lieu of a portion of any suspension period."

NOTE: Hearings for rule #5i violations are held ONLY in the cases where there is serious physical injury, repeated numbers of fights, or group/gang fights. Referrals for rule #5i violations are made at the discretion of the school administrator after investigating the fight and considering the age and progressive discipline level of the student.

- **Intentionally causing substantial damage to school property, personal property belonging to a teacher, other school official, employee or student (Rule 2 or 3)**

"A student shall not cause or attempt to cause damage to school property; alter or attempt to alter school property; set fire to or attempt to set fire to school property; steal or attempt to steal school property; or possess or distribute school property without appropriate school/school system authorization."

"A student shall not cause or attempt to cause damage to private property; alter or attempt to alter private property; steal or attempt to steal private property or possess or distribute private property without appropriate authorization: (a) on the school grounds at any time; (b) off the school grounds at a school activity, function or event; or (c) under the jurisdiction of school district transportation."

- **Setting fire to or attempting to set fire to school or private property (Rule 2 or 3)**
- **Distribution, sale or attempted sale of controlled substances, alcohol, prescribed medicines, counterfeit or look-alike drug or controlled paraphernalia (Rule 9)**

"Use of illicit drugs and the unlawful possession and use of alcohol is illegal, wrong, and harmful; therefore, a student shall not possess, sell, attempt to sell, or transmit any narcotic, hallucinogen, amphetamine, barbiturate, marijuana, drug analog or designer drug, alcoholic beverage, prescription drug, steroids, illegal drugs, drug paraphernalia or psychoactive substance of any kind, or abuse any substance that may have a mind-altering or intoxicating effect: (a) on the school grounds at any time; (b) off the school grounds at a school activity, function or event; or (c) en route to and from school or school-sponsored activities. A student shall not possess, sell, attempt to sell or transmit any substance under the pretense that it is, in fact, a narcotic, hallucinogen, amphetamine, barbiturate, marijuana, drug analog, alcoholic beverage, or psychoactive substance of any kind. Personal use of a drug authorized by a medical prescription or directive from a licensed physician by the patient for whom it is prescribed shall not be considered a violation of this rule. Appropriate use or simple possession of personal hygiene products or other household products that have a regular school use shall not be considered a violation of this rule. However, use or distribution for use of any such substances for intoxicating or mind-altering purposes will constitute a violation of this rule. First offenders for possession or use only must be offered the opportunity to attend an approved substance prevention education program in lieu of a portion of the suspension period."

- **Repeated use of alcohol or controlled substance (Rule 9)**
- **Use or possession of Category I weapon (Rule 8)**

"A student shall not possess, display, transmit or threateningly use a knife, razor, ice pick, nunchakus, explosive, machete, brass knuckles, pistol, rifle, shotgun, BB/pellet gun, stun-gun, incendiary device, self-defense sprays such as mace or pepper gas, or other object that reasonably can be considered a weapon: (a) on the school grounds at any time; (b) off the school grounds at a school activity, function or event; or (c) en route to and from school or school-sponsored activity."
- **Use or possession of a Category II weapon if the student possesses the weapon with the purpose of intent to threaten or harm others or for personal protection (Rule 8)**
- **Third incident of bullying in a school year (Rule 16)**

"A student shall not willfully attempt or threaten to inflict injury on another person, when accompanied by an apparent present ability to do so or shall not intentionally exhibit a display of force such as would give the victim reason to fear or expect immediate bodily harm: (a) on the school grounds at any time; (b) off the school grounds at a school activity, function or event; or (c) en route to and from school or school-sponsored activities."

Except as otherwise required by law, any student in grades six through 12 who commits the offense of bullying for the third time during a school year shall be assigned to an alternative school program in addition to any other disciplinary action deemed appropriate. For students in grades K through five, disciplinary action should be taken as deemed appropriate.