CODE LEVEL III OFFENSES - Continued

313 Possession/Use of Alcohol
Possessing, carrying, concealing, consuming, or showing evidence of having consumed intoxicating substances, such as alcohol, licit or illicit drugs, or other intoxicating agents is prohibited in the Akron Public Schools.

315 Possession/Use of an Explosive or Incendiary Device
Any destructive device, which includes a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or similar device. This definition would also include any weapon or device that may be readily converted to, or expelled by the action of an explosive or other propellant, and that has a barrel with a bore of more than one-half inch in diameter.

318 Loitering/Trespassing
Unauthorized entry to school property or refusing to leave when requested by school authorities is prohibited.

319 Theft/Attempt/Possession
Unlawful taking or disposition of another’s property with the intent to deprive the person of the property is prohibited.

320 Robbery without a Weapon
Robbery is the act of taking or attempting to take by force, without the use of a weapon.

321 Robbery with a Weapon (not a Firearm or Explosive Device)
The act of taking, or attempting to take by force, with the use of a weapon that is not a firearm.

322 Robbery with a Firearm or Explosive Device
Robbery is the act of taking or attempting to take by force, with the use of a firearm or explosive device.

329 Sexual Misconduct
Engagement of any sexual acts including, but not limited to, vulgarity, obscene words or gestures, indecent exposure, possession of profane/vulgar/obscene material, possession/distribution of pictures, cards, pictures, cartoons, graffiti, or drawings on school property/buses or at school-sponsored activities is prohibited.

330 Sexual Battery
Any incident that includes threatening rape, fondling, indecent liberties, child molestation, or sodomy upon male or female students, is strictly prohibited. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).

331 Unwelcome Sexual Conduct
Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct, or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or uncomfortable educational environment for the student.

333 Rape
Any type of sexual assault involving sexual intercourse or other forms of sexual penetration perpetrated against a person without that person’s explicit consent.

335 Substantiated Bullying/Harassment/Hazing/Intimidation
Any intentional written, verbal, or physical act that a student has exhibited toward another student, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

337 Bullying/Harassment/Hazing/Intimidation Based on Race, Color or National Origin
Any intentional written, verbal, or physical act that a student has exhibited toward another student, based on race, color, or national origin, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

338 Bullying/Harassment/Hazing/Intimidation Based on Disability
Any intentional written, verbal, or physical act that a student has exhibited toward another student, based on disability characteristics, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

339 Bullying/Harassment/Hazing/Intimidation Based on Sexual Orientation
Any intentional written, verbal, or physical act that a student has exhibited toward another student, based on sexual orientation, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

340 Bullying/Harassment/Hazing/Intimidation Based on Religion
Any intentional written, verbal, or physical act that a student has exhibited toward another student, based on religious belief, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

346 Bullying/Harassment/Hazing/Intimidation Based on Sex
Any intentional written, verbal, or physical act that a student has exhibited toward another student, based on sex characteristics, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

347 Bullying/Harassment/Hazing/Intimidation Based on One’s Personal Characteristics
Any intentional written, verbal, or physical act that a student has exhibited toward another student, based on one or more of the following: race, color, national origin, gender, sexual orientation, sexual identity, gender expression, age, or physical or mental disability. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

348 Bullying/Harassment/Hazing/Intimidation Based on the Outcome of the Conduct
Any intentional written, verbal, or physical act that a student has exhibited toward another student, more than once, such that the behavior both causes mental or physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, hostile, or offensive educational environment for the other student. Therefore, the outcome of the conduct need only unreasonably interfere with a student’s access to education or create an intimidating or hostile educational environment, based upon the degree to which the conduct affected one or more students’ education; the nature, scope, frequency, duration, and location of incident or incidents; the identity, number, and relationships of person involved.

Level III consequences: Requires a mandatory out of school suspension varying from 1-10 days and may subject to expulsion for disciplinary action including, but not limited to, student confinement, parent/guardian notification, parent/guardian conference, detention, additional school work, in-school discipline, restitution, non-voluntary school transfer, alternative school, out-of-school suspension, or expulsion from school. Students found guilty of Level III offenses, in addition to above, may also include tardiness to school, tardiness to class, or “flicking” (dishonestly skipping) classes within its definition.

Level III offenses are serious. Students found guilty of a Level III violation may result in permanent exclusion from school according to applicable law. (Revised 9.18.18)
CODE LEVEL I OFFENSES - Continued

132 Noncompliance with School Rules
Failure to comply with established procedures for attending class, playground activities, hallways, or behavior protocol, use of the school facilities, and/or codes of conduct that are specific to respective buildings and/or school buses/vehicles.

150 Academic Dishonesty
Academic dishonesty includes, but is not limited to, cheating on assignments, plagiarism, and collusion. Cheating on a test includes copying from another student’s test paper, using material during a test that is not authorized by the person giving the test, collaborating with another student during the test without authority, knowingly using, buying, selling, or stealing, transporting or soliciting, in whole or in part, the contents of an unauthorized test, substituting for another student, or permitting another student to substitute for oneself to take a test, bribing, or paying another person to obtain a test that is to be administered, or securing copies of a test or answers to the test in advance of the test. Plagiarism means the appropriation of another’s work and the unacknowledged incorporation of that work in one’s own written work for credit. Collusion means the unauthorized collaboration with another person in preparing written work offered for credit.

180 Inappropriate Bus or Transportation Behavior
Any behavior or action that distracts a bus driver, or creates a dangerous situation, or disturbs the orderly operation of school transportation is considered inappropriate bus behavior. Students must comply with the Ohio Department of Education regulations posted on the bus or transportation vehicle.

190 Misconduct off School Grounds
Students may be subject to discipline for their misconduct even when it occurs off school property when the misconduct is connected to activities or incidents that occurred on property owned or controlled by the District. Misconduct is defined as any violation of the Student Discipline Code.

Level I consequences: Classroom and or school behavioral interventions, suspension, or recommendation for expulsion.

CODE LEVEL II OFFENSES

206 Verbal assault
Verbal assault is any threatening language directed at a staff member. Threatening language includes an express declaration or implication of an intentional or determination to inflict injury upon a person, upon a member of that person’s family, or upon an individual subjected to hazing shall not lessen the prohibitions contained in this rule. All incidents of hazing must be reported immediately to one or more of the following District personnel: the building principal or other administrator; teacher; coach; student club advisor/supervisor; athletic director; or Superintendent. Students who engage in hazing may also be liable for civil and criminal penalties under relevant statutes.

223 Internet and New Media Technology Misuse
Misappropriating or inappropriately accessing digital content through District technological resources or any computer user ID or passwords are considered to be forgery/falsification.

231 Hazing
Performing any act, or coercing another, including the victim, to perform any act of violation into any classes, activities, or organizations, that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the protections contained in this rule. All incidents of hazing must be reported immediately to one or more of the following District personnel: the building principal or other administrator; teacher; coach; student club advisor/supervisor; athletic director; or Superintendent. Students who engage in hazing may also be liable for civil and criminal penalties under relevant statutes.

232 Inappropriate Physical Contact
Shared, mutual physical and emotional affection between students is personal and should not be displayed, kissing, or engaging in sexualized contact on school grounds, at school-related activities, or while on buses transporting students to and from school-related events.

234 Inappropriate Use of Personal Communication Devices
Any use of an electronic device that violates the District’s Acceptable Use Policy or Personal Communication Device adopted Board policies.

240 Threats of Physical Attack without a Weapon
An intentional threat by word or action to do violence to another student, or his/her property; in addition, any act which creates a well-founded fear within the student or other individual of imminent harm to their person or property.

242 Threats of Physical Attack with a Weapon
Intentional threat with a weapon to do violence to another student, or his/her property; in addition, any act which creates a well-founded fear within the student or other individual of imminent harm to their person or property.

244 Threats of Physical Attack with Firearm or Explosive Device
Intentional threat with a firearm or explosive device to do violence to another student, or his/her property; in addition, any act which creates a well-founded fear within the student or other individual of imminent harm to their person or property.

Level II consequences: Requires a mandatory out of school suspension varying 1-10 days or a recommendation for expulsion.

CODE LEVEL III OFFENSES

230 Possession/Use/Sale/Distribution of a Firearm
A firearm is any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm muffler or firearm silencer; or any machine gun. This includes zip ties and any object of substance (e.g., toy guns, cap guns, bb guns, pellet guns and any other look-alike firearm, yet may use a spring-loaded device or air pressure by which to propel an object of substance (e.g., toys, guns, starter guns, air guns). It also includes “look-a-like” firearms, including air guns, gas repellant, stun gun, as a weapon or used as a weapon [e.g., box cutter, utility knife of any size, any razor (e.g., straight, regular, retractable, double or single edge), gas repellant, stun gun, firearms, metal/brass or any artificial knuckles, rings, pipes, knife under 2 1/2 inches studied or pointed bracket] that is capable of causing death or serious bodily injury is prohibited.

232 Possession/Use of a Dangerous Weapon/Look-a-Like Weapon/Poison Gas (other than a firearm)
Possession of, on or about their person (locker, desk, book bags or bus) or at school, school-related activities, a device, weapon, instrument, material or substance designed as a weapon or used as a weapon (e.g., box cutter, utility knife of any size, any razor (e.g., straight, regular, retractable, double or single edge), gas repellant, stun gun, firearms, metal/brass or any artificial knuckles, rings, pipes, knife under 2 1/2 inches studied or pointed bracket) is capable of causing death or serious bodily injury is prohibited.

300 Possession/Use/Sale/Distribution of a Weapon
Possession of, on or about their person (e.g., locker, desk, book bags or bus) or at school, school-related activities, a device, weapon, instrument, material or substance designed as a weapon or used as a weapon (e.g., box cutter, utility knife of any size, any razor (e.g., straight, regular, retractable, double or single edge), gas repellant, stun gun, firearms, metal/brass or any artificial knuckles, rings, pipes, knife under 2 1/2 inches studied or pointed bracket) is capable of causing death or serious bodily injury is prohibited.

301 Possession/Use/Sale/Distribution of a Dangerous Weapon (Knife) other than a firearm or explosive, incendiary or poison gas
Possession of, on or about their person (e.g., locker, desk, book bags or bus) or at school, school-related activities, a device, weapon, instrument, material or substance designed as a weapon or used as a weapon (e.g., box cutter, utility knife of any size, any razor (e.g., straight, regular, retractable, double or single edge), gas repellant, stun gun, firearms, metal/brass or any artificial knuckles, rings, pipes, knife under 2 1/2 inches studied or pointed bracket) is capable of causing death or serious bodily injury is prohibited.

302 Possession/Use of a Lethal Weapon
Possession of, on or about their person (locker, desk, book bags or bus) or at school, school-related activities, a device, weapon, instrument, material or substance designed as a weapon or used as a weapon (e.g., box cutter, utility knife of any size, any razor (e.g., straight, regular, retractable, double or single edge), gas repellant, stun gun, firearms, metal/brass or any artificial knuckles, rings, pipes, knife under 2 1/2 inches studied or pointed bracket) is capable of causing death or serious bodily injury is prohibited.