



## Akron Public Schools

### 2022-2023 APS CODE OF STUDENT BEHAVIOR

Each of the following 56 misconduct behaviors are prohibited actions by Akron Public Schools pupils and may subject the perpetrator to disciplinary action including, but not limited to, student conference, 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. In cases involving criminal activity, whether committed at, or related to the School, law enforcement officials will be notified, as well as the behaviors disciplined through the District. Furthermore, certain criminal acts may result in permanent exclusion from school according to applicable law. (Revised 9.18.18)

CODE	LEVEL III OFFENSES - <i>Continued</i>
<b>313</b>	<b>Possession/Under the Influence of Alcohol</b>
	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.
<b>315</b>	<b>Possession/Use of an Explosive or Incendiary Device</b>
	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 that will, or that may be readily converted to, expel a projectile 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.
<b>318</b>	<b>Loitering/Trespassing</b>
	Unauthorized entry to school property or refusing to leave when requested by school authorities is prohibited conduct.
<b>319</b>	<b>Theft/Attempt/Possession</b>
	Unlawful taking or disposition of another's property with the intent to deprive the person of the property is prohibited.
<b>320</b>	<b>Robbery without a Weapon</b>
	Robbery is the act of taking or attempting to take anything by force, without the use of a weapon.
<b>321</b>	<b>Robbery with a Weapon (not a Firearm or Explosive Device)</b>
	Robbery is the act of taking, or attempting to take anything by force, with the use of a weapon that is not a firearm. A weapon is any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.
<b>322</b>	<b>Robbery with a Firearm or Explosive Device</b>
	Robbery is the act of taking or attempting to take anything by force, with the use of a firearm or explosive device.
<b>329</b>	<b>Sexual Misconduct</b>
	Engagement of any sexual acts including, but not limited to, vulgar/obscene words or gestures, indecent exposure, possession of profane/vulgar/obscene material, possession/distribution of derogatory/offensive poster(s), cards, pictures, cartoons, graffiti, or drawings on school property/buses or at school-sponsored activities is prohibited.
<b>330</b>	<b>Sexual Battery</b>
	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).
<b>331</b>	<b>Unwelcome Sexual Conduct</b>
	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 offensive education or work environment (i.e., pinching, grabbing, suggestive comments, gestures or jokes or pressure to engage in sexual activity) is prohibited.
<b>333</b>	<b>Rape</b>
	A type of sexual assault involving sexual intercourse or other forms of sexual penetration perpetrated against a person without that person's explicit consent.
<b>335</b>	<b>Substantiated Bullying/Harassment/Hazing/Intimidation</b>
	Any intentional written, graphic, 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, threatening, or abusive 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.

CODE	LEVEL III OFFENSES - <i>Continued</i>
<b>336</b>	<b>Bullying/Harassment/Hazing/Intimidation Based on Sex</b>
	Any intentional written, graphic, verbal, or physical act that a student has exhibited toward another student, based on sexual 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, threatening, or abusive 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.
<b>337</b>	<b>Bullying/Harassment/Hazing/Intimidation Based on Race, Color or National Origin</b>
	Any intentional written, graphic, 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, threatening, or abusive 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.
<b>338</b>	<b>Bullying/Harassment/Hazing/Intimidation Based on Disability</b>
	Any intentional written, graphic, 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, threatening, or abusive 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.
<b>339</b>	<b>Bullying/Harassment/Hazing/Intimidation Based on Sexual Orientation</b>
	Any intentional written, graphic, 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, threatening, or abusive 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.
<b>340</b>	<b>Bullying/Harassment/Hazing/Intimidation Based on Religion</b>
	Any intentional written, graphic, verbal, or physical act that a student has exhibited toward another student, based on religion, 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, threatening, or abusive 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 mandatory recommendation for expulsion. <b>Codes 335-340 DO NOT require referral to board.</b>	

CODE	LEVEL I OFFENSES
<b>116</b>	<b>Dress Code</b>
	All clothing garments shall be neat, clean, properly sized, without holes, rips, and in acceptable state of coverage. Students may not wear anything that promotes gangs, tobacco, drug, alcohol use, sexual activity, or an illegal or immoral act. Any fashion garment or implement (i.e., dress, accessory, or hairstyle) that disrupts the educational process or presents a safety risk will not be considered permissible attire.
<b>122</b>	<b>Truancy (Truancy is an unexcused absence from school.)</b>
	Parents and guardians of school aged children shall be required to abide by Ohio compulsory education laws. School attendance violations are subject to court prosecution. When students of compulsory school age are absent without legitimate excuse, they may be classified as habitually or chronically truant, as defined by SB 181. This code violation may also include tardiness to school, tardiness to class, or "flicking" [dishonestly skipping] classes within its definition.
<b>126</b>	<b>Refusing to Accept Discipline</b>
	An intentional act by a student to avoid or circumvent an assigned disciplinary sanction, such as failure to serve a detention or complete other forms of discipline.
<b>127</b>	<b>Insubordination</b>
	Refusing to comply with any reasonable request from school personnel or disobeying any general rule of the school including: not following directions of teachers, school administrators, or other staff members (e.g., failure to comply with a directive, not ceasing an undesired behavior, or remaining in an area when asked to leave.)
<b>128</b>	<b>Aiding / Abetting</b>
	Students found guilty of being an accessory to (e.g., assisting, planning, participating, and or encouraging) any violation of school rules are subject to the same corrective action as students who are actively involved in committing such offenses. Aiding or abetting could also include any course of action that assists, promotes, or encourages the commission of a violation of the Code of Conduct.
<b>129</b>	<b>Disruptive Behavior</b>
	Intentional acts, behaviors, or conduct in the classroom, in the school, upon school grounds, to or from school, or while engaged in school-related activities that cause minor disruptions to the educational process. This may include physical contact, such as hitting, that does not rise to the level of fighting.
<b>130</b>	<b>Profanity</b>
	The production of swearing, cursing, or other improper language or gestures in school buildings, on school buses/vehicles, or on school grounds is strictly prohibited.
<b>131</b>	<b>Verbal Abuse</b>
	Abusive language, directed at a staff member, includes harsh, coarse, or insulting words which are injurious, improper, hurtful, offensive or reproachful. They may include the degrading of a person based on race, ethnicity, national origin, gender, religion, age or disability.

CODE	LEVEL I OFFENSES - <i>Continued</i>
132	<b>Noncompliance with School Rules</b>
	Failure to comply with established procedures for attending class, playground activities, hallway behavior, proper assembly conduct, use of the lunchroom facilities, and/or codes of conduct that are specific to respective buildings and/or school buses/vehicles. This code also reflects any violation of an established school rule.
150	<b>Academic Dishonesty</b>
	Academic dishonesty includes, but is not limited to, cheating on school 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 part, the contents of an unadministered 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	<b>Inappropriate Bus or Transportation Behavior</b>
	Any behavior or action that distracts a bus driver, causes 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 school transportation vehicle.
190	<b>Misconduct off School Grounds</b>
	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	<b>Verbal assault</b>
	Verbal assault is any threatening language directed at a staff member. Threatening language includes an express declaration or the implication of an intention or determination to inflict injury upon a person, upon a member of that person's family, or property. <b><i>Requires board hearing, referral for building transfer, or expulsion.</i></b>
208	<b>Gambling</b>
	The prohibited act of wagering money or other valuable tangible items on an event with an uncertain outcome with the primary intent of winning money or other possessions.
210	<b>Forgery/Falsification</b>
	Acts, including but not limited to, falsifying school records, forging signatures, making or providing false statement(s), counterfeiting, bribery, and/or using an unauthorized computer user ID or passwords are considered to be forgery/falsification.
214	<b>Fighting</b>
	A physical altercation between students, in which a student's actions do not represent reasonable self-defense, is considered to be fighting. A Fighting Code Violation also includes the mutual participation in an incident involving physical violence.
220	<b>Gross Insubordination</b>
	The failure to comply with directions or otherwise acting in defiance of school authority, after the provision of a specific warning of becoming grossly insubordinate, while occurring in the presence of others.
221	<b>Vandalism</b>
	Defacing, cutting, or otherwise damaging property that belongs to the school, district, other students, employees, or others with a disregard for the welfare of the property is prohibited. Guardians or students over age 18 shall be financially liable for damage caused to school property. Violations of this code section may rise to the level of expulsion, up to 80 days.

CODE	LEVEL II OFFENSES - <i>Continued</i>
223	<b>Internet and New Media Technology Misuse</b>
	Misappropriating or inappropriately accessing digital content through District technological resources is strictly prohibited. See the APS student network and internet acceptable use and safety guidelines for further information.
225	<b>Possession/Use of Tobacco or Tobacco Products</b>
	The possession, use, or distribution of any nicotine-containing product on school grounds, including cigarettes, smokeless tobacco, snuff, pipes, cigars, hookah, or electronic/vaporizing devices.
231	<b>Hazing</b>
	Performing any act, or coercing another, including the victim, to perform any act of initiation into any class, team, or organization, 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 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.
232	<b>Inappropriate Physical Contact</b>
	Shared, mutual physical and emotional affection between students is personal and should not be displayed in public. Fondling, rubbing, touching, 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 is prohibited.
234	<b>Inappropriate Use of Personal Communication Devices</b>
	Any use of an electronic device that violates the District's Acceptable Use Policy or Personal Communication Device adopted Board policies.
240	<b>Threats of Physical Attack without a Weapon</b>
	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	<b>Threats of Physical Attack with a Weapon</b>
	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	<b>Threats of Physical Attack with Firearm or Explosive Device</b>
	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
300	<b>Possession/Use/Sale/Distribution of a Firearm</b>
	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 any such weapon; any firearm muffler or firearm silencer; or any machine gun. This includes zip guns, starter guns, and flare guns. Facsimile firearms should not be reported with this Code Violation. Possession of a firearm will result in an expulsion for one (1) full year consistent with Federal Statute. The Superintendent may lessen this expulsion based on intent, age, previous discipline record, academic record, or disability on a case-by-case basis.
301	<b>Possession/Use/Sale/Distribution of a Dangerous Weapon (Knife) other than a firearm or explosive, incendiary or poison gas</b>
	Possession of, on or about their person (e.g., locker, desk, book bags or bus) or distribution of any weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury (e.g., knife over 2 1/2 inches. Possession of a knife may result in an expulsion for one (1) full year.

CODE	LEVEL III OFFENSES - <i>Continued</i>
302	<b>Possession/Use of a Dangerous Weapon/Look-a-Like Weapon/Poison Gas (other than a firearm)</b>
	Possession of, on or about their person (locker, desk, bookbags, bus, etc.) or at school/school-related activities, a weapon, device, 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, fireworks, metals/brass or any artificial knuckles, rings, pipes, knife under 2 1/2 inches studded or pointed bracelets]] that is capable of causing death or serious bodily injury is prohibited.
303	<b>Arson</b>
	Setting fire to District property.
304	<b>Physical Assault Involving a Staff Member</b>
	Purposely causing or attempting to cause physical contact, with a staff member with the intent of potential harm to the staff member, or interfere with the staff member's performance of duties.
305	<b>Persistent or flagrant violation of the Code of Student Behavior following transfer to a new school setting for adjustment reasons.</b>
	Persistent or flagrant violation of the Code of Student Behavior following transfer to a new school setting for adjustment reasons.
306	<b>Serious Bodily Injury (Without a Weapon)</b>
	An incident that results, or is intended to result, in serious bodily injury to oneself or others. Serious bodily injury is defined as any bodily injury that involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or faculty.
307	<b>Serious Bodily Injury with a Weapon</b>
	An incident involving a weapon that results or is intended to result in serious bodily injury to oneself or others. Serious bodily injury is defined as any bodily injury that involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or faculty.
308	<b>Serious Bodily Injury with a Firearm or Explosive Device</b>
	An incident involving a firearm or explosive device that results or is intended to result in serious bodily injury to oneself or others. Serious bodily injury is defined as any bodily injury that involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or faculty.
309	<b>Facsimile Firearm</b>
	Any item that resembles a firearm, but does not have the explosive characteristics of a firearm, yet may use a spring-loaded device or air pressure by which to propel an object of substance (e.g., toy guns, cap guns, bb guns, pellet guns and any other look-a-like firearm).
310	<b>Possession/Intent to Sell/Sale/Distribution/Use of Controlled Drugs/Paraphernalia/Look-a-Like</b>
	Possessing, carrying, selling, or with the intent to sell, distributing, or concealing any controlled drug or drug related paraphernalia, other than prescription medication, that has been administered in accordance with the District's policies. No such item(s) shall be in a student's possession at school-related activities, on buses, or in a student's desk or locker.
311	<b>Bomb Threats/False Alarms</b>
	Making a knowingly false statement regarding the possession or location of explosive materials. In addition, this Code violation includes intentionally giving a false alarm of a fire, or tampering or interfering with any fire alarm.
312	<b>Extortion</b>
	Obtaining money, or anything of value from another person through force or threats is prohibited.