

# **HOLLY HILL ACADEMY DISCIPLINE HANDBOOK**

## **HOLLY HILL ACADEMY DISCIPLINE STATEMENT**

**HHA BOARD OF DIRECTORS 2/10/2019**

At HHA it is important for our students to understand that they have responsibilities and rights. It is also important that they understand their individual rights are balanced against the rights of other students, staff and teachers within the school. The handbook outlines the student's rights and responsibilities and provides a guide for the Head of School to balance those rights against her responsibility to provide a safe environment for all students.

HHA tolerates neither the misuse of drugs or alcohol by members of HHA nor the illegal supply of these substances. HHA is committed to the health and safety of its students and will take action to safeguard their well-being.

The school recognizes the right for a parent to disagree. However, the school will not tolerate situations or discussions (in person or via social media) that undermine teachers, the administration, or the policies of the school. If such situations occur, the administration reserves the right to hold a conference with the parent, take disciplinary action for the actions of the parent, and if necessary, require the parent to withdraw the student from school.

HHA will not tolerate any type of statements made either indirectly or directly on social media that implies intimidation, bullying or defamation of character toward any student, faculty or staff member on social media.

**CATEGORY 1 OFFENSES (Definitions are provided for bold words. See appendix.)**

- 1-1** Lying or giving false information either verbally or in writing to a teacher, administrator, or school staff member. Examples: deliberate forgery of parent/educator signatures or changing/deleting information sent home by the school to the parent; making false accusations about a staff member also falls within this section.
- 1-2** Failure to properly identify self when requested to do so by any school official.  
This is applicable at all school events on and off campus.
- 1-3** Disrespect to teacher or staff member or other adult approved by the school to supervise students, including volunteers. Class disruption or disruption of school activities and/or persistent disobedience.
- 1-4** Disrespect to others, i.e., verbal ridicule, pulling wedgies, ankling/zippering, etc. (Ankling/zippering is defined as pulling down the pants of another.)
- 1-5** Extortion or attempting to extort through threat of force.
- 1-6** Inappropriate physical contact, including, but not limited to, pushing or shoving.
- 1-7** Possession of fireworks, live ammunition, or other incendiary devices. (This includes stink/smoke bombs and vials of noxious gases/liquids.)
- 1-8** Unauthorized or inappropriate use of school equipment, including, but not limited to, computers.
- 1-9** Using or possessing (seen or heard) an electronic device during school hours. All devices must be turned off and not visible during school hours. Phones can be used during break and lunch times.
- 1-10** Possession of electronic entertainment devices (not related to instruction).
- 1-11** Excessive tardiness/early dismissals.
- 1-12** Failure to attend/complete detention.
- 1-13** Possession, sale or distribution of unauthorized materials at school.
- 1-14** Violation of parking and driving regulations.

- 1-15 Violation of cafeteria rules.
- 1-16 Violation of health room rules. All medication (over the counter or prescription) brought to school by a student must be in the original container, labeled appropriately and administered by appropriate designated office staff.
- 1-17 Failure to sign in/sign out from school, by the responsible party, in the office when required.
- 1-18 Being in an unauthorized area/inappropriate use of facilities.
- 1-19 Inappropriate display of affection between students.
- 1-20 Unauthorized use of locker.
- 1-21 Cheating.
- 1-22 Possession/use of annoyances at school such as laser lights, water pistols, water balloons, whistles, etc.
- 1-23 Possession/use of skateboards/rollerblades/skates/scooters/heelies. Skating is not allowed during school hours or in any prohibited area, during an after school activity or in the immediate proximity of parked vehicles. Skateboarding is not allowed at any time on campus.
- 1-24 Throwing rocks or other objects.
- 1-25 Littering school grounds.
- 1-26 Dress code violations.
- 1-27 Profanity/obscene gesture directed toward another student or directed toward no one in particular.
- 1-28 Possession of a lighter or matches.
- 1-29 Wearing items or clothing that could pose a safety threat to one's self or others (heavy chains, not made as jewelry, studded bracelets/collars, nose/lip to ear chains, etc.).
- 1-30 **Aiding and/or abetting** another student(s) who is committing any rule violation in level 1.
- 1-31 Vandalism or theft of school or personal property where value is less than \$50.00. (This includes cafeteria items.)
- 1-32 Planning or creating a situation that may lead to a crime or rule violation.
- 1-33 Participation in gangs/gang-related activity.
- 1-34 Violation of safety rules. This includes propelling objects, spitballs, or food items at others, science lab rule violations, etc.
- 1-35 Any behavior that interferes with the safe operation of any mode of transportation to and from any HHA event.

### LOWER SCHOOL CONSEQUENCES (PreK – 5)

To the extent possible, the following categorical consequences are applied. However, decisions of administrators and other staff members responsible for discipline may vary from the information provided below based upon details of investigations, unique situations, and age of students. The ultimate goal is to correct fairly, effectively, and efficiently a behavior that is interfering with students' learning. Maintaining a safe, secure learning environment and protecting the rights of others are factors that will influence administrative decisions.

### CATEGORY 1

- 1<sup>st</sup> offense - Student conference and warning; parent contact at administrative discretion
- 2<sup>nd</sup> offense - Parent contact, detention and/or work detail (age appropriate)
- 3<sup>rd</sup> offense - Parent contact, detention and/or work detail (age appropriate)
- 4<sup>th</sup> offense - Parent contact and conference, in-school suspension
- 5<sup>th</sup> offense - Parent contact and conference, Saturday detention which includes work detail (4 hours)
- 6<sup>th</sup> offense - Parent contact and conference, suspension from school 1-3 days
- 7<sup>th</sup> offense - Parent contact and conference, suspension from school 4-8 days with possible recommendation for expulsion
- 8<sup>th</sup> offense - Parent conference and recommendation for expulsion

### UPPER SCHOOL CONSEQUENCES (6 – 12)

To the extent possible, the following categorical consequences are applied. However, decisions of administrators and other staff members responsible for discipline may vary from the information provided below based upon details of investigations, unique situations, and age of students. The ultimate goal is to quickly and fairly correct a behavior that is interfering with students' learning while also ensuring a safe learning environment and protecting the rights of others.

### CATEGORY 1

**1<sup>st</sup> offense** - Student conference and warning or parent contact, work detail 1-2 days

**2<sup>nd</sup> offense** - Parent contact and work detail 3-4 days

**3<sup>rd</sup> offense** - Parent contact, in-school suspension

**4<sup>th</sup> offense** - Parent contact and Saturday detention which includes work detail (4 hours)

**5<sup>th</sup> offense** - Parent contact and conference, suspension 1-4 days

**6<sup>th</sup> offense** - Parent contact and conference, recommendation for expulsion

**Administration Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Parents Signature** \_\_\_\_\_ **Student Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

### **LEVEL 2 – DISCIPLINE RESPONSE CODE**

- A Level 2 offense is misconduct which interferes with the orderly operation of the classroom, a school function, extracurricular or co-curricular programs or transportation and is more serious than a Level 1 offense. It may also include repeated acts of misconduct and acts directed against persons or property but which do not seriously endanger the health or safety of others. This misconduct must be reported to the Head of School for disciplinary action. The Head of School will determine the appropriate discipline, after review of the student's conduct, explanation, consultation with staff members, and investigation of any other relevant factors. Consequences for the student's action will be the assigned using the levels provided by the Board.

### CATEGORY 2 OFFENSES (Definitions are provided for bold words. See appendix.)

#### **2-1 Hazing**

#### **2-2 Harassment**

**2-3** Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school while representing HHA. Planning and/or organizing and/or instigating and/or participating in an activity that cause substantial disruption to the educational program.

**2-4** Threatening, bullying or intimidating other students, and/or a pattern of threatening, bullying or intimidating behaviors toward other students. This also includes any violation to the bullying policy listed in the HHA Student and Parent Handbook.

- 2-5 Engaging in verbal abuse or profanity/obscenity, racial or ethnic slur directed to a staff member or to any adult authorized by the school to supervise students, including volunteers. or derogatory statements addressed publicly to others, that may disrupt the school educational program or incite violence.
- 2-6 Making serious threats to a staff member or any other person authorized by the school to supervise students.
- 2-7 Direct refusal to obey a staff member or any adult authorized by the school to supervise students, including volunteers, in a **crisis** situation.
- 2-8 Creating or participating in a classroom disturbance that interferes with the instructional process.
- 2-9 Vandalism or theft of **personal** or school district **property** where value is \$50.00 or more.
- 2-10 **Under the influence** of alcohol, drugs, inhalants or other controlled substances. This includes being present on school property after using any amount of these substances.  
Note 1: In determining whether a student is under the influence of alcohol or any other controlled substance, the student's appearance/manner, his/her behavior and/or the presence of an alcohol odor, as well as statements made by the student as to consumption of alcohol or use of substance will be considered. Upon investigation administration will request that the student take a drug or alcohol test. Parents and/or guardians will be notified of the request.
- 2-11 Selling, possessing, transferring or using items represented as being illegal or **controlled substances** (without regard to amount). This also applies to prescription drugs. "Controlled Substance" under this subsection includes any substance containing nicotine along with any other substance under the statutory definition of controlled substance under SC Law.
- 2-12 Selling, possessing, transferring or using items that are substantially similar in color, shape, size, or gradings to a controlled substance, i.e., Wizard Smoke, etc. "Items" under this subsection include, but are not limited to, vaping devices, any attachments, pods, jules, vape liquid or juice charger, any other vape accessory, whether operational or not.
- 2-13 Use of **inhalants**.
- 2-14 Possession of **drug paraphernalia**.
- 2-15 Possession/use or transfer of tobacco or tobacco products.
- 2-16 **Trespassing**. Possession or use of mace or pepper gas.
- 2-17 Detonating (in any way causing to go off) fireworks, incendiary devices, smoke and/or stink bombs or other noxious gas devices.
- 2-18 Unauthorized striking or lighting a match/lighter or igniting caps or use of poppers on school property.
- 2-19 Possession or use of any item not generally considered as a weapon but USED as a weapon to inflict bodily harm. Such items include, but are not limited to, a knife with a blade two inches or less, starter pistol, replica gun, paintball gun, or bat. This also includes possession of ammunition.
- 2-20 **Simple assault**.
- 2-21 **Fighting** - Provoking or simulating a fight.
- 2-22 **Sexual harassment**.
- 2-23 **Indecent exposure**.
- 2-24 **Health code violation**.
- 2-25 Fraudulent request for emergency services.
- 2-26 Possession or transfer of stolen property (school or personal).
- 2-27 Possession/distribution of pornographic or obscene material.
- 2-28 Gambling (games of chance for money or profit).
- 2-29 Tampering with, changing or altering records or documents of the school by any method, including, but not limited to, computer access or other electronic means.
- 2-30 Leaving or attempting to leave school grounds without permission, whether or not the school day has actually begun. This includes unauthorized driving/riding to an off campus class. Walking out of class (without teacher approval) and cutting class/school.
- 2-31 Intentional creation of, on-line use of and/or downloading of materials using a computer which would not be permissible in the schools in any other form.
- 2-32 Unauthorized storage and/or loading of a computer program, system or data file. This may also be a copyright violation and as such is subject to copyright laws. Unauthorized access or duplication of computer programs, systems or data files. Use of any computer access accounts other than those assigned to the individual. This also includes any violation of technology agreement in HHA Student and Parent handbook.
- 2-33 Unauthorized and deliberate tampering with a computer setup. Examples: Switching cables,

disabling fans, deliberately introducing a virus, etc.. Unauthorized and deliberate tampering/deletion/destruction of any computer programs, systems or data files.

**2-34** Unauthorized activation of a fire alarm.

The Head of School reserves the right to respond to the emergence of new substances and changing circumstances as they occur, based on the definition of a drug above. We are committed to promoting a healthy, safe environment at HHA. Any staff or parent concerned that a student might be involved in drug use on campus should inform the Head of School immediately. We will always investigate any report pertaining to the use of illegal drugs and substances. This includes questioning a student, searching his/her locker and personal possessions. We will inform parents and guardians as a matter of urgency and invite them into the school to discuss the matter.

**The Head of School has the right to request that a student undergo a test for the use of illegal drugs, alcohol or other substances damaging to health, where there are reasonable grounds for suspicion. A parent, guardian or education guardian will be notified of the request.**

Any student selling or distributing drugs or otherwise actively encouraging their possession or anyone caught possessing or consuming illegal drugs while under the School's jurisdiction loses any right to immediate membership of the School and must expect expulsion. The Head of School will consult the Police about the possession, consumption or supply of an illegal drug, since it carries the possibility of being a criminal offence.

**LOWER SCHOOL CONSEQUENCES (PreK – 5)**

To the extent possible, the following categorical consequences are applied. However, decisions of administrators and other staff members responsible for discipline may vary from the information provided below based upon details of investigations, unique situations, and age of students. The ultimate goal is to correct fairly, effectively, and efficiently a behavior that is interfering with students' learning. Maintaining a safe, secure learning environment and protecting the rights of others are factors that will influence administrative decisions.

**CATEGORY 2**

- 1<sup>st</sup> offense** - Parent contact, detention and/or work detail (age appropriate)
- 2<sup>nd</sup> offense** - Parent contact, in-school suspension
- 3<sup>rd</sup> offense** - Parent contact and conference, Saturday detention (4 hours- to include work detail)
- 4<sup>th</sup> offense** - Parent contact and conference, suspension 1-3 days
- 5<sup>th</sup> offense** - Parent contact and conference, suspension 4-8 days, possible recommendation for expulsion
- 6<sup>th</sup> offense** - Parent contact and conference, recommendation for expulsion

**UPPER SCHOOL CONSEQUENCES (6 – 12)**

To the extent possible, the following categorical consequences are applied. However, decisions of administrators and other staff members responsible for discipline may vary from the information provided below based upon details of investigations, unique situations, and age of students. The ultimate goal is to quickly and fairly correct a behavior that is interfering with students' learning while also ensuring a safe learning environment and protecting the rights of others.

**CATEGORY 2**

- 1<sup>st</sup> offense** - Parent contact and conference, Saturday detention (4 hours- to include work detail)
- 2<sup>nd</sup> offense** - Parent contact and conference, suspension 1-4 days
- 3<sup>rd</sup> offense** - Parent contact and conference, suspension 6-8 days
- 4<sup>th</sup> offense** - Parent contact and conference, recommendation for expulsion

Administration Signature \_\_\_\_\_ Date \_\_\_\_\_  
Parent Signature \_\_\_\_\_ Student Signature \_\_\_\_\_ Date \_\_\_\_\_

### **LEVEL 3 – DISCIPLINE RESPONSE CODE**

- A Level 3 offense is misconduct which interferes with the orderly operation of the classroom, a school function, extracurricular or co-curricular programs or transportation and is more serious than a Level 2 offense. It may include repeated acts of misconduct; serious disruptions of school operations; threats to the health, safety and property of the student or others; and other acts of serious misconduct. Level 3 offenses must be reported immediately to the Head of School and may result in immediate removal of the student from the school or extracurricular activities. The Head of School will determine the appropriate discipline, after review of the student's conduct, explanation, consultation with staff members, and investigation of any other relevant factors. Consequences for the student's action will be the assigned using the levels provided by the Board.

#### **CATEGORY 3 OFFENSES (Definitions are provided for bold words. See appendix.)**

- 3-1 Possession**, transfer or use of a **firearm**: transfer of ammunition.
- 3-2 Possession**, transfer or use of a **prohibited weapon** other than a firearm including a knife with a blade over two inches, BB gun, pellet gun, razor, razor blade, martial arts throwing star and metal knuckles. Box cutters and utility/X-Acto knives containing any size blades are also considered a violation of this section.
- 3-3 Possession**, distribution or use in any amount of alcohol, marijuana (including marijuana seeds), hallucinogenic drugs, or any other **controlled** or illegal **substance**. Since alcohol consumption is illegal by minors, consumption of any amount of alcohol will constitute a violation.
- 3-4 Sexual assault**.
- 3-5** Participating in sexual conduct/activity, which also includes compromising situations and circumstances.
- 3-6 Assault of staff member** or any other adult designated by school to supervise students, including volunteers.
- 3-7 Physical assault** of a student.
- 3-8 Arson**, which is the intentional damage of school property, or attempted arson of school property.
- 3-9** Bomb threats, not limited to other threats, such as biological, radiological or nuclear.
- 3-10** Possession or transfer of dangerous explosives, plastic explosives, or chemical reaction-type and pipe bomb materials including, but not limited to, Molotov cocktails and dynamite.
- 3-11** Active participation in an act of mob violence, to include **lynching**. A mob would be described as two or more people.

#### **LOWER SCHOOL CONSEQUENCES (PreK – 5)**

To the extent possible, the following categorical consequences are applied. However, decisions of administrators and other staff members responsible for discipline may vary from the information provided below based upon details of investigations, unique situations, and age of students. The ultimate goal is to correct fairly, effectively, and efficiently a behavior that is interfering with students' learning. Maintaining a safe, secure learning environment and protecting the rights of others are factors that will influence administrative decisions.

#### **CATEGORY 3**

- 1<sup>st</sup> offense** - Parent contact and conference, suspension 4-6 days  
**2<sup>nd</sup> offense** - Parent contact and conference, suspension 8 days, possible recommendation for expulsion  
**3<sup>rd</sup> offense** – Parent conference, recommendation for expulsion

#### **UPPER SCHOOL CONSEQUENCES (6 – 12)**

To the extent possible, the following categorical consequences are applied. However, decisions of administrators and other staff members responsible for discipline may vary from the information provided below based upon details of investigations, unique situations, and age of students. The ultimate goal is to quickly and fairly correct a behavior that is interfering with students' learning while also ensuring a safe learning environment and protecting the rights of others.

**CATEGORY 3**

**1<sup>st</sup> offense** - Parent contact and conference, suspension 8 days, possible recommendation for expulsion

**2<sup>nd</sup> offense** - Parent conference, recommendation for expulsion

Administration Signature \_\_\_\_\_ Date \_\_\_\_\_  
Parent Signature \_\_\_\_\_ Student Signature \_\_\_\_\_  
Date \_\_\_\_\_

**REQUIRED: ELECTRONIC SIGNATURE (Will open in a new window)**

**[This link will take you to the signature page](#)**

**DEFINITIONS**

**AIDING AND/OR ABETTING WITH A RULE VIOLATION:** Assisting with or intentionally being in the presence of another student when a violation of policy occurs.

**ARSON:** To intentionally damage any real or personal property by fire or incendiary device.

**ASSAULT OF A STAFF MEMBER:** Any deliberate inappropriate physical contact with a staff member. Any adult who has been authorized by the school to supervise students is considered a staff member in case of an assault. In determining whether an assault has occurred, the head of school or his/her designee will determine the level of injury to the staff person, as well as the specific facts and circumstances of the incident.

**CONTROLLED SUBSTANCE:** A drug, substance, or immediate precursor as defined in SC Code of Laws, Section 44-53-190 - 44-53-270. Prescription medications are considered controlled substances and any person, who knowingly or intentionally possesses, dispenses, or uses the substance unless the substance was obtained directly from his/her valid prescription will be considered in violation of the policy.

**CRISIS:** A situation that may result in the disruption of the safe and orderly operation of the school.



**DRUG PARAPHERNALIA:** Any instrument, device, article or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, or preparing marijuana, hashish or cocaine. Examples of paraphernalia include, but are not limited to: smoking screens, marijuana or hashish pipes or bowls, rolling papers, chamber pipes, drug scales and roach clips.

Drugs which are controlled/illegal substances (for example cannabis, amphetamines, ecstasy, LSD and mephedrone) also so-called legal or herbal highs, which are considered illegal under current medicines legislation to sell, supply or advertise for 'human consumption' may not be brought on school property.

Over-the-counter and prescription medicines used improperly, which can include sleeping tablets and slimming tablets - All legal drugs when misused including volatile substances and solvents, Ketamine, Khat, alkyl nitrites. -

Drugs which are misused to enhance performance (for example analgesics or steroids) may not be brought on school property.

**EXPULSION:** The action of depriving a student of membership to HHA and privileges. The process of no longer being able to attend HHA in the current school year or there after.

**EXTRACURRICULAR ACTIVITIES:** Any and all school-sponsored activities, clubs, and organizations that meet for the purpose of representing the school or district in competitions, awards ceremonies, or community appearances. This would also include athletic programs, band, chorus, and social functions, i.e., proms and school dances.

**FIGHTING:** Mutual combat.

**FIREARM:** Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by explosion or burning substance or any device readily convertible to that use. This also includes ammunition.

**GRADUATION:** The awarding of an academic degree, usually signifying the end or completion of Holly Hill Academy requirements for a diploma. Participation of any student under suspension will be prohibited from graduation exercises, programs, and ceremonies.

**HARASSMENT:** A pattern of intentional, substantial, and unreasonable verbal, written or physical contact that is initiated, maintained or repeated after being given notice by a teacher/head of school that the conduct is inappropriate.

**HAZING:** To pursue by requiring unnecessary or disagreeable work; by banter, ridicule, or criticism; or to play abusive and humiliating tricks on someone by way of initiation.

**HEALTH CODE VIOLATIONS:** For the purpose of this policy, the following are considered health code violations: Deliberate spitting on or at another person, or his/her food or beverage. Deliberate urination in a public or inappropriate location and other such health code violations will be considered as prohibited.

**HONOR CODE:** The expectation of the student to demonstrate integrity and individual responsibility, personally and academically, to maintain a fair and honest environment.

**INDECENT EXPOSURE:** To willfully expose one's private body parts to view of others.

**INHALANT:** An aromatic hydrocarbon or other such substance used for the purpose of intoxication, or inebriation. Examples of inhalants include, but are not limited to, gasoline, magic markers, glue, whiteout or nitrous oxide.

**LYNCHING:** Lynching in the second degree. Any act of violence inflicted by a mob upon the body of another person and from which death does not result shall constitute the crime of lynching in the second degree and shall be a felony.

**MOB:** A "mob" is defined for the purpose of this article as the assemblage of two or more persons, without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another.

**PERSONAL PROPERTY:** For the purposes of this policy, all property that is not owned by Holly Hill Academy is considered personal property.

**PHYSICAL ASSAULT:** Intentionally, knowingly or recklessly causing bodily injury to another person.

**POSSESSION:** Being in a student's locker, purse, gym bag, backpack, or other item carried by or belonging to the student, on the student's person, or in a car driven by or occupied by the student or items found in a car parked on school property or at a school sponsored activity. In determining whether a student intentionally or knowingly possessed an item, the principal or his/her designee will consider all the facts and circumstances of the particular incident.

**PROHIBITED WEAPON:** Knife with a blade over two inches long, a blackjack, a dirk (a stabbing knife such as a switchblade), a metal pipe or pole, metal knuckles, razor, razor blade, martial arts throwing star, BB gun, pellet gun,

or any other deadly weapon usually used to inflict personal injury. To determine the length of a knife blade, it will be measured from the tip to where the blade and handle (casing) meet. Box cutters and utility knives containing blades are also prohibited on school grounds. When a weapon is found in a student's possession, it is up to the head of school to determine if the student's possession was knowing or intentional. If the student maintains that he or she did not knowingly have possession, and the explanation is credible to the head of school, the student will not be suspended. If the student's explanation is not deemed credible, policy requires upper school students to be suspended with a possible recommendation for expulsion. Students who realize they have accidentally brought a weapon such as a knife to school should go immediately to a teacher or head of school and turn it in. If it is clear the student turned the item in immediately upon discovery, the student will not be suspended. Students who delay turning in such an item, or who turn in an item only after having been discovered, may be suspended with a possible recommendation for expulsion. South Carolina Law requires the school to notify local law enforcement officials when a gun, or knife with a blade in excess of two inches, is found in the possession of a student. Law enforcement officials determine if a student is to be charged and taken into custody.

**REPLICA GUN:** A device which appears to be an operable firearm and is presented as being a real gun, but which lacks the ability to expel a projectile. Replica guns do not include obvious toy guns.

**SEARCHES:** The head of school or his/her designee have the right to search a student's purse, gym bag, backpack, and any other item carried or possessed by a student, as well as the student's person, pockets, or car upon reasonable suspicion. Metal detectors may be used in accordance with South Carolina State Law. Searches of school property, including lockers and desks, may be conducted in accordance with Board policy. Canine searches are also routinely conducted in accordance with Board policy.

**SEXUAL ASSAULT:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. This definition includes forcible rape, forcible sodomy or forcible rape with an object.

**SEXUAL HARASSMENT:** Unwelcome sexual advances, sexual gestures, requests for sexual favors, and other verbal or physical conduct of a sexual nature where there is a pattern of harassing behavior or a single significant incident. Such conduct interferes with the student's education or creates an intimidating, hostile, offensive school environment. Sexual harassment may include but is not limited to: verbal harassment, including sexually offensive comments or slurs; physical harassment, physical interference with movement or work; or visual harassment such as sexually offensive cartoons, drawings, or posters. Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

**SIMPLE ASSAULT:** The intentional injury of another person that does not result in the level of injury of a physical assault. In considering whether a simple assault has occurred, the head of school or his/her designee will determine the level of injury and involvement.

**SUSPENSION:** The action of temporarily preventing a student from being on school property, attending HHA, or activities as set by the Head of School

**TOBACCO:** Smoking and the possession of smoking materials, including e-cigarettes and shisha pens, are forbidden, regardless of the nicotine content. E-Cigarettes and vaping are treated in the same way as other forms of smoking.

**TRESPASSING:** Being on Holly Hill Academy property or campus at an unreasonable hour when not involved in a school activity or present on the campus of a school not enrolled in without authorization. Unreasonable hours in this context include after 11:00 p.m. when the school facility is not in use for an approved activity. Students who are on suspended or expelled status may also be considered as trespassers if they do not have prior express authorization to be on school grounds.

**UNDER THE INFLUENCE:** In determining whether a student is under the influence of alcohol, inhalants or controlled substances, the student's appearance/manner, his/her behavior and/or the presence of an alcohol/drug odor, or statements made by the student as to consumption may be considered. Because any consumption of alcohol or drugs by a minor is illegal, any consumption, without regard to amount, of alcohol or drugs/controlled substances/inhalants will constitute under the influence for the purpose of this policy.

Alcohol shall not be brought onto the school premises. Students shall not come to school clearly having consumed alcohol elsewhere.

