

CCPS STUDENT CODE OF CONDUCT



2017 - 2018



Revised 7/2017



Charles City County Public Schools

10910 Courthouse Road, Charles City, Virginia 23030

Dear Students and Families:

Maintaining a safe, caring, and effective learning environment for each of our students is a top priority of our school division. The CCPS Student Code of Conduct serves as the foundation of this effort by outlining the expectations we have for student behavior. We are providing you a copy of this booklet to help forge a partnership with you, our families, to provide the best chance of success for our children. Your partnership is critical to help your child reach their highest level of achievement.

Students will learn confidently when they feel cared for, included, and free from the worries of a negative environment that may impact learning. Our professional staff investigates anything that threatens the orderly and calm learning environment, providing due process to fully understand the situation, and offering the best solution to our students with a range of interventions that encourage our students to make positive choices.

We invite you to read and share this booklet with your child and plan together a formula for success in the coming school year. Students will be at their best in the classroom when they know what the expectations are from the start. Ensuring that they are in school every day and actively participating in learning activities while respecting the rights of fellow students are the critical steps toward achieving academic excellence.

If you have questions regarding the Student Code of Conduct, please contact your child's teacher or school administrators, who are key team members in the partnership we are forming to ensure an excellent school division.

Thank you for your continuing support of the CCPS school division. You have my best wishes for a safe, healthy, and productive school year.

Regards,

David W. Gaston, Ed.D.
Superintendent

TABLE OF CONTENTS

Charles City County Public Schools | 10910 Courthouse Road | Charles City, Virginia

- 1 Letter from the Superintendent, *Dr. David W. Gaston*
- 3 Welcome and Introduction
- 4 What Every Parent Needs To Know
- 4 Parental Responsibilities & Involvement
- 5 Student Responsibilities at School/Standards of Student Conduct
- 6 School Bus Safety
- 6 Student Dress Code
- 7-8 Things You Should Know
- 9-15 Definitions: Areas of Offenses & Definitions
- 16-19 Levels of Disciplinary Infractions
- 20 Teacher Removal of Students from Class
- 20-24 Suspensions
- 24 Search and Seizure
- 25 Student Automobile Use
- 25-26 Disciplinary Authority of School Board under Certain Circumstances
- 26 Student Discipline: Reports of Certain Acts to Parents, School Officials and Police
- 26-27 Gang Activity or Association
- 27-30 School Attendance
- 31-32 Bus Safety Rules
- 32 Camera Surveillance
- 32-33 Sexual Harassment/Sexual Violence
- 34-36 Equal Educational Opportunities/Nondiscrimination
- 37-43 Discipline of Students with Disabilities Identified under Individuals with Disabilities Education (IDEA, 2004)
- 43-44 Discipline Students with Disabilities Identified Under Section 504 Rehabilitation Act of 1973
- 45 School Directory
- 46 **Documentation of Student Discipline Rules (FORM TO SIGN AND RETURN)**

WELCOME to Charles City County Public Schools!

This handbook contains information that families and students must know, understand, and practice to ensure a safe and successful school year. The Student Code of Conduct is required by state law and is intended to promote safe schools with positive learning environments.

CCPS policies, as well as state and federal law, are legal guidelines the school division, its employees, and students must follow. The CCPS learning community strives for academic greatness; it is a place where everyone is expected to reach his/her highest level of academic achievement and become lifelong learners, critical thinkers and productive citizens.

Our staff is committed to promoting the fair treatment of all people and to value diversity. The CCPS School Board believes that all students have the right to an environment that is safe, drug-free, and conducive to learning. To that end, the Student Code of Conduct sets forth standards for student behavior and is meant to describe specific expectations regarding appropriate conduct for all students. The offenses outlined in this handbook are the most common infractions, but students may be disciplined for conduct which is not described in this handbook, and which interferes with the educational process or threatens the safety or welfare of staff or students. School officials are authorized to use any and all disciplinary actions permitted by Virginia Law.

The School Board's policy manual, including its policies relating to student rights, duties and discipline, is on the school division's website and you are urged to visit that website to familiarize yourself with those policies. As students grow older they should also be maturing; therefore, the expectations for responsible behavior increase with the age and grade of the student. As unacceptable and inappropriate behaviors increase in frequency, so will the sanctions in both severity and duration. Please thoroughly review your school handbook as well as this document to be familiar with stated behavioral expectations across the school division. All school rules apply when students are going to and returning from school, riding the bus, are on school grounds before and after school, and participating in extra-curricular activities or otherwise representing the school or under the supervision of school personnel.

VISION

*Providing educational excellence
in teaching and learning every
day for every student.*

MISSION

*To provide educational opportunities in
a safe, inviting and student-centered
environment where students are
prepared to be lifelong learners,
responsible citizens, and productive
contributors in a global society.*

What Every Parent Needs to Know

As a parent, you are your child's first teacher and you can often help to prevent problems in school by. . .

- Reading carefully the school division's Student Code of Conduct and reviewing the Student Code of Conduct with your child to ensure that he/she understands the expectations and consequences for breaking the rules.
- Building a sound foundation for responsible behavior at home and in other places by requiring your child to follow rules and to speak with respect to adults.
- Staying in touch with your child's teachers and administrators so that you are aware of his or her behavior and academic performance in school.
- Working closely with school personnel to select classes and programs where your child has the best opportunity for success.
- Complying with Virginia state codes. If your child has been found guilty or "not innocent" of breaking a law, you must inform the school.

(A parent's Guide to Understanding Student Discipline Policies and Practices, VDOE 2008)

Parent Responsibilities & Involvement

Each parent/guardian of a student enrolled in a public school has a duty to assist the school in enforcing the rules in the Student Code of Conduct and attendance guidelines in order for education to be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.

Opportunities shall be provided for family and community involvement in every school in the school division.

Each parent/guardian of a student shall sign and return to the school in which the student is enrolled, a statement acknowledging receipt of the School Board's Student Code of Conduct and notice of the requirements of Section § 22.1-279.3 of the Code of Virginia. By signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the Constitution or laws of the United States or the Commonwealth and a parent shall have the right to express disagreement with the school division's policies or decisions. Each school shall maintain records of such signed statements.

Student Responsibilities at School

The Parent Guide to Understanding Student Discipline Policies and Practices in Virginia Schools (May 2008) states the following responsibilities for students.

Students are to:

1. attend school and get to class on time.
2. follow school conduct expectations and rules set forth in the school division.
3. adhere to the Student Code of Conduct; these policies and rules apply when going to and returning from school, on the bus and at school-sponsored activities - even away from school and outside school hours.
4. follow school and classroom rules that are typically listed in school handbooks and posted in classrooms.
5. show respect to other students and school staff.
6. not bring to school, use, or possess drugs, alcohol, or tobacco products.
7. not bring to school, use, or possess any weapon or other banned object.
8. not participate in any gang or gang-related activity.
9. not participate in fights or other forms of violence.

Standards of Student Conduct

CCPS is committed to supporting the rights of students as recognized and protected under state and federal laws. The Student Code of Conduct also highlights division-wide expectations related to student behavior that, when followed by students, contribute to a positive school community.

The Student Code of Conduct is designed to promote positive student behavior and maintain order in the school, foster a climate of mutual respect, and train students to accept responsibility for conducting themselves in a manner that supports teaching and learning. Students should be encouraged and taught to be:

- **Trustworthy** – Be law-abiding, obey the rules even when no one is watching, respect the building, grounds, and property, keep the school and classrooms free from trash and graffiti
- **Courteous & Honest** – Use respectful language, tell the truth, be polite and cooperative, respect the rights and feelings of others
- **Diligent** – Participate and support the learning process, demonstrate a positive attitude, promote a sense of community, be hard-working and dependable, attend all classes regularly and on time, be prepared for class
- **Self-Confident** – Be dressed and groomed for work, participate in school and classroom activities, be informed about school opportunities, volunteer to support the school
- **Self-Regulating** – Exercise self-control and use problem-solving strategies to address and resolve conflicts in a mature manner, behave in a manner that does not disrupt teaching and learning, take responsibility for maintaining school property

School Bus Safety

The Charles City County Student Discipline Rules apply to all students coming to school, going home, on the bus, and at the bus stop (Policy & Procedures Reference Code: JFC).

The Board will require students to conduct themselves on the bus in a manner consistent with the Student Discipline Rules. Riding the school bus is a privilege and should be respected and valued. It is our goal to provide students who choose to ride the bus a safe and non-threatening environment; therefore, the bus drivers may institute and apply additional rules as needed to maintain safety and order.

The bus drivers will, as far as possible, handle their own discipline problems; however, if the conduct of a student is inappropriate or violates the expectation of safety, then school administration will be involved. When a student does not conduct him/herself properly on a bus, these instances will be brought to the attention of the building principal, or designee, by the bus driver. The principal will take the appropriate disciplinary action. Students who become serious disciplinary problems on the bus may have their riding privileges suspended or revoked. In such cases, the parent(s)/guardian(s) of the student become responsible for seeing that their child(ren) get to and from school safely.

Student Dress Code

The responsibility for the appearance of students rests with the parents and the students themselves. They have the right to determine students' dress, providing the attire complies with the health code of the Commonwealth, and does not interfere with the educational process or pose a threat to the safety of the student or others. Student dress will reflect positively on the students, school, and learning environment, and should ultimately reflect standards of dress in the workplace at large. Dress that is disruptive, distracting, or revealing is not acceptable. If contacted by the school administration, parents may be requested to come to the school to exchange unacceptable clothing.

The following dress practices ARE NOT ALLOWED IN SCHOOL:

- Non-religious headwear or head coverings of any kind: Hats, hoods, sweatbands, bandannas, scarves, sunglasses, combs, picks, curlers, or rakes worn in the hair.
- Any article of apparel which displays obscene words, pictures or designs, that conveys a sexually suggestive message or a pro-alcohol, drug, or gang related message.
- Clothing that is transparent or exposes the midriff, back, navel, or cleavage to include tank tops, tube tops, halter tops, one shoulder tops, spaghetti straps, strapless or backless tops (unless covered). Stretch lycra, spandex, tights, leggings, leotards, biker pants, or underwear should be worn with a cover or top garment. Pants, skirts or shorts worn below waistline ("sagging") or inside out. Pajamas/ sleepwear of any kind.
- Any supporting straps for clothing tops should be at least two inches wide.
- All clothing should reach at least fingertip length above the knee to include - dresses, skirts, skirt slits or shorts; cut-up shorts or pants with slits, rips or holes.
- Footwear must be worn at all times. Bare feet, flip flops, or slippers are prohibited.
- Jewelry or accessories that may be used as a weapon (e.g. two or three finger rings that are joined, chains, oversized or spiked accessories).

Things You Should Know

Disciplinary consequences are actions taken to correct inappropriate or unsafe behaviors. Disciplinary consequences also help students become responsible members of the school community and the larger community in which they live. Through teacher interventions and school-wide positive behavior models, our staff works to prevent inappropriate and unsafe behaviors before they start, or to intervene to stop these behaviors from escalating. Sections in the book will explain the various levels of offenses and consequences when students violate the Student Code of Conduct. In order to maintain a safe and appropriate educational environment for students and employees, all division employees are required to report such violations of the Student Code of Conduct to the appropriate school administrator.

- The use of offensive language in the school environment is unacceptable, such language includes, but is not limited to, the use of slurs or offensive language related to race, ethnicity, gender and/or gender orientation, disability and religious beliefs.
- The offenses outlined in this larger handbook are the most common infractions of school and bus rules. Students may be disciplined for conduct which is not described herein, but which interferes with the educational process or threatens the safety or welfare of the staff or students. School officials are authorized to use any and all disciplinary actions permitted by Virginia law.
- Unless specifically indicated, the list of violations shall apply to all students, on all school property, and at all school activities and functions, including, but not limited to, field trips and athletic events, before and after school programs, and summer school sessions. The rules apply to students coming to and returning from school, including, but not limited to, school bus stops and the bus.
- Additionally, many of these offenses may be considered violations of the law.
- Students and parents may be held financially responsible for damages incurred as a result of violations of the Student Code of Conduct. The school board may take action against a pupil or the pupil's parent(s) for any loss, breakage, or destruction of or failure to return property owned by or under the control of the school board. Such action may include seeking reimbursement from a pupil or the pupil's parent(s) for any such loss, breakage, or destruction of or failure to return school property.
- Any violation of school rules can result in disciplinary action; however, serious or repeated violations will result in an automatic referral for a disciplinary hearing and can result in suspension or expulsion.
- Metal Detectors of either the hand-held or walk-through variety may be used during the course of any school activity, including, but not limited to, entering or leaving a school bus; entering or leaving a building; school athletic events; or when there is cause to suspect the presence of contraband.
- Video Surveillance Equipment may be used to monitor security and student behavior in high traffic areas of the school or on the school bus.

- Drug and Munitions Dogs may be used to detect the presence of illegal drugs and/or weapons.
- Gang Activity will not be tolerated by Charles City County Public Schools. Symbols of gang membership are expressly prohibited (i.e., clothing that symbolizes associating, rituals associated with, or activities by a determinable group of students).
- Confiscated items will not be returned to the students. This statement will appear in several places in the rules section of this Student Code of Conduct and Attendance Policy Handbook marked by (*). The Charles City County Public Schools are not responsible for any lost or stolen items that are in a student's possession during the school day on the school bus or building, such as, but not limited to, cellular or smartphones, electronic devices, laptops, or technology devices owned by the student or his/her family.

Definitions

For the purposes of this handbook, unless the context clearly indicates otherwise:

Incident –

An incident is the event itself (such as a fight) that may involve one or more student offenses. An event may involve one or more infractions.

Infraction –

An infraction is the problem behavior exhibited by the student(s) involved in an incident. (Also known as an offense)

Primary Offense –

The primary offense is the most important or most severe offense responsible for the student's receiving disciplinary sanctions.

Disposition –

A disposition is the disciplinary outcome imposed on a student for his/her misconduct. (Also called the sanction or consequence)

Referral –

A referral is the written notice to the administration regarding an incident of misconduct.

Infraction Code –

Infraction codes are the numerical and alphabetical codes assigned to describe an incident. They are used by CCPS for state reporting purposes.

Areas of Offenses and Their Definitions

The following offenses are violations of School Board policy:

1. **General School/Classroom Disruption.** Physical or verbal actions which distract students and staff or which otherwise interfere with or disrupt the teaching/learning process.
2. **Disrespect/Defiance of School Staff's Authority.** A verbal or non-verbal refusal to comply with a reasonable request from school personnel, including, but not limited to, refusal to work in class or refusal to report to an assigned location. This shall include being in an area without authorization.
3. **Unexcused Absence/Tardiness/Cutting Class.** Absence from school or class without authorization or approval from school personnel.
4. **Dress Code.** Student dress and appearance is to be neat, clean, and conducive to the educational process. Clothing that may be disruptive to the normal educational process of the school or promotes a violation of school rules may not be worn.
5. **Bus Misconduct.** Actions in violation of standard bus safety rules or which may divert the driver's attention and jeopardize the safety of riders.
6. **Inappropriate Conduct/Language.** Printed or recorded materials, spoken language, horseplay, rough-housing, pushing, shoving, hitting, conduct or

gestures that are abusive, obscene, vulgar, or profane, including inappropriate sexual conduct.

7. **Cheating or Plagiarism.** Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. Plagiarism includes the copying of the language, structure, idea and/or thought of another and representing it as one's own original work.
8. **Lying/Falsification.** The verbal or written statement of any untruth and/or misrepresentation of person, fact, official record, or other document.
9. **Gambling.** Participation in games of chance for money and/or things of value. Making, placing, or receiving any bet or wage of money or other thing of value dependent upon the result of the game, contest, or any other event with an uncertain outcome.
10. **Inflammatory Actions/Harassment/Gang Activity.** Actions, comments, hazing, written messages, or taunting intended to cause the student or others to fight or be intimidated; to throw objects at someone, or to create a public disturbance, violence, disorder, or tumult on school property. Students shall not participate in gang activities as defined in Policy JFCE, incorporated by reference.
11. **Trespassing.** Coming on school property or attending a school activity without proper authority, including, but not limited to, the period of a student's out-of-school suspension or expulsion.
12. **Smoking/Tobacco Possession.** The use, distribution, selling or possession of any tobacco products including smokeless tobacco, e-cigarettes or vaping paraphernalia or related smoking paraphernalia, such as matches, lighters, etc. is prohibited on school grounds at school sponsored events and/or on school transportation.
13. **Fighting.** Intentionally striking a student with the purpose of causing harm or injury; this action may extend to mutual physical contact by pushing, wrestling, hitting or other aggressive actions, which could result in harm or injury to either party, to by-standers or school property.
14. **Reckless Driving/Driving Violations/Permit Violations.** Driving any vehicle on school property or while under jurisdiction of school authority with disregard for the safety of persons or property. Violating parking permit policies and rules.
15. **Stealing.** The act of taking, possessing, or transferring the property of another without the consent of the owner.
16. **Vandalism.** The willful or malicious destruction or defacing of school property or the property of others. Student/parent(s) will be held financially responsible as allowed by Virginia law.

17. **Extortion.** To obtain or attempt to obtain money, goods, a promise to act, or information from another by force or intimidation.
18. **Evidence Rendered Inaccessible or Destroyed.** Rendering inaccessible or destroying or refusing to surrender any material, item, weapon, or object in one's possession which a school employee has requested the student to surrender.
19. **Burglary.** Breaking into a school room, building, or school property, such as a bus, for the purpose of stealing.
20. **Reports of Conviction or Adjudication of Delinquency Pursuant to § 16.1-305.1.** A student who is convicted or adjudicated delinquent of an offense and whose offense is noted to the Superintendent/School Division as outlined under the Code of Virginia, 1950 as amended, § 16.1-305.1, may be suspended or expelled.
21. **Portable Communication or Electronic Devices.** Use and/or possession of any device or object including but not limited to portable communication devices that disrupts the educational setting.
 - **Secondary School (Grades 7-12):** All portable electronic communication devices (to include cell phones) and earbuds/headphones may be used with teacher permission in the classroom. Only one earbud will be allowed for use if permission is granted by the teacher for classroom use.
 - **Elementary School (Grades PK-6):** All portable electronic communication devices (to include cell phones) and earbuds/headphones must be turned off and stowed away during school hours immediately upon entrance into the school building.
 - The devices may only be used outside of the school building or facility before and after regular school hours (to include bus rides). Students who attend after school extracurricular activities as spectators or participants may have a cellular telephone in their possession.
 - All students are prohibited from possessing laser pointers at all times.
 - Under no circumstances may students use any device to photograph, video record, or audio record any student, employee, or member of the public on school grounds.
 - No student, unless authorized by the school principal/designee, shall bring or possess any object that has no educational purpose and may distract from teaching and learning (i.e. Toys, iPads, Kindles, Nooks, iPods, other MP3 and CD players, Digital or Tape Recorders, or any other portable communication devices).
 - Charles City Public Schools will assume no responsibility in any circumstances for loss, destruction, damage or theft of any such item. Students who choose to bring such items do so at their own risk. ***These items may be confiscated and sanctions for violating these guidelines are the same as outlined above for the cell phones/two-way communication devices.***
22. **False Fire Alarm/Misuse of 911.** Intentional false reporting or activation of emergency alarms, misuse of 911 emergency systems, or false activation of AED equipment. Student/parent(s) will be held financially responsible as allowed by Virginia law.

23. **Misuse/Abuse of Technology, Including Computers and Networked Computer Systems.** Unauthorized access to or inappropriate use of information on technology resources contrary to the educational mission of the school or school division or in violation of the acceptable use policy.
24. **Threats of Harm or Violence.** To use direct or indirect threats (whether verbal, written, electronic or behavioral) which imply or create fear of bodily harm or violence to another student or an adult.
25. **Bullying.** Intentional repeated oppression, physical or psychological, including through electronic means, which over time inflicts or threatens to inflict physical or emotional injury or discomfort upon another person's body, feelings or possessions. Bullying may be overt or covert.
26. **Sexual Harassment.** Sexual harassment may include, but is not limited to, written and/or verbal harassment or abuse, indecent propositions, subtle pressure for sexual favors, unwelcome touching or sexual advances, indecent exposure, or inappropriate physical contact of a sexual nature which substantially interferes with a student's performance or creates an intimidating, hostile or offensive school/work environment.
27. **Arson.** Intentionally damaging or attempting to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.
28. **Assault & Battery.** The use of physical force with the intent to commit bodily harm against any other student, staff member, or any other person. This action may extend to hitting or other aggressive actions, which could result in the harm or injury to a by-stander.
29. **Weapons/Dangerous Objects.** Students shall not possess, handle, brandish, conceal, use, threaten to use, or transport any weapon, dangerous object, look alike, or any object that can be reasonably considered a weapon, or a substance that could cause harm or irritation to another person.

Weapons include, but are not limited to, handguns, pistols, shotguns, or any device designed or intended to propel an object of any kind by any means (zip guns, starter guns), any pneumatic gun or rifle (BB guns, paint ball guns, pellet guns, etc), taser guns or stun guns, any weapon that is designed to or may readily be converted to expel projectiles by action of an explosion of a combustible material, including live ammunition, knives or any sharp-edged instrument that is classified as a knife, any weapon that is designed to explode with the use of a triggering device and is used as a destructive bomb, or any instrument, or object that is represented as a weapon or is utilized in such a manner as to create alarm or harm in another: said objects include but are not limited to, school supplies, toy weapons, laser pointers, etc.

Dangerous Objects include, but are not limited to; any object that is utilized in such a manner as to create alarm or cause a disturbance may be considered a dangerous object; for example, pepper sprays, mace, fireworks, stink bombs, etc. In compliance with the Federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), a school board shall expel from school attendance for a period of not less than one year any student whom such school board has determined, in accordance with the procedures set forth in this Student Code of Conduct, to have possessed a firearm on school property or at a school-sponsored activity as prohibited by §18.2-308.1, or to have possessed a firearm or destructive device as defined in § 22.1.277.07, subsection D, or a firearm muffler or firearm silencer, or a pneumatic gun as defined in subsection E of § 15.2-915.4 on school property or at a school-sponsored activity.

30. **Bomb Threats.** Conveying by any means, whether verbally or in writing, a plan, intent, or threat to detonate or ignite a destructive explosive device.

31. **Alcohol & Drugs.** The possession, use, or facilitating the use of, or being under the influence of alcohol, anabolic steroids, or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or controlled substance as defined in the Drug Control Act of Chapter 34 of Title 54.1 of the Code of Virginia and as defined in 21 U.S.C. § 812(c), imitation controlled substance or drug paraphernalia is prohibited. Students may bring only clear water bottles to school to fill using water filling stations located throughout the school building. Any other water containers other than clear bottles or water containers that are brought to school with liquid in them will be prohibited.

Prescription Medications:

CCPS personnel may give prescription medication to students only with a physician's written order and written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent/guardian of the student.

Non Prescription Medications:

CCPS personnel may give nonprescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medication is to be given. Such medication must be in the original container and delivered to the principal, school nurse or school division designee by the parent/guardian of the student.

Definitions

For the purposes of this handbook, unless the context clearly indicates otherwise:

Drug paraphernalia

Shall mean those items described in Section § 18.2-265.1 of the Code of Virginia.

<http://leg1.state.va.us/000/cod/18.2-265.1.HTM>

Imitation controlled substance

Shall mean a pill, capsule, tablet, or other item which is not a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana, but which by overall dosage unit appearance, including color, shape, size, marking or package, or by representations made, is intended to lead or would lead a reasonable person to believe that such a pill, capsule, tablet or other item is a controlled substance, an alcoholic beverage, anabolic steroid, or marijuana.

Medication

Shall mean any drug or other substance used in treating diseases, healing, or relieving pain, including all over-the-counter drugs such as aspirin, cough syrups, gargles, caffeine pills, and the like.

Self-Administration of Medication:

Self-administration of any medication with the exception of asthma and epinephrine medication and medication/supplies for diabetic care is prohibited for students in grades K-8. Students in grades nine through twelve may be allowed to possess and self-administer non-prescription medicine if:

- written parental permission for self-administration of specific non-prescription medication is on file with the school;
- the non-prescription medication is in the original container and appropriately labeled with the manufacturer's directions;
- the student's name is affixed to the container; and
- the student possesses only the amount of the nonprescription medicine needed for one school day/activity.

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

- written notice from the student's health care provider must be on file with the school, indicating the identity of the student, stating a diagnosis of asthma anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto-injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication;
- an individualized health care plan must be prepared, including emergency procedures for any life-threatening conditions.
- information regarding the health condition of the student may be disclosed to schoolboard employees in accordance with state a federal law governing the disclosure of Information contained in student scholastic records.

Self-Administration of Insulin and Self-Care for Students diagnosed with Diabetes

- written notice from the student's health care provider must be on file with the school, indicating the identity of the student, stating the diagnosis of diabetes and approving self-administration of insulin that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication;
- written notice from the student's health care provider must be on file with the school, indicating the identity of the student, stating the diagnosis of diabetes and approving carry with him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and (ii) self-check his own blood Glucose levels on a school bus, on school property, and at a school-sponsored activity.
- an individualized health care plan must be prepared, including emergency procedures for any life-threatening conditions; and
- information regarding the health condition of the student may be disclosed to schoolboard employees in accordance with state and federal law governing the disclosure of Information contained in student scholastic records.

In compliance with § 22.1-277.08 of the Code of Virginia, the school board shall expel from school attendance for a period of not less than one year any student whom such school board has determined, in accordance with the procedures set forth in this Student Code of Conduct, to have brought a controlled substance, imitation controlled substance, or marijuana as defined in § 18.2-247 onto school property or to a school sponsored activity. The school board may determine, based on the facts of the particular case, that special circumstance exists and another disciplinary action is appropriate.

32. **Robbery.** Attempting to take or taking of personal property from another person by the threat or use of force or violence.
33. **Assault with a Firearm or Other Weapon.** Causing bodily harm to an individual with a weapon.
34. **Malicious Wounding Without a Weapon.** Intentionally causing another person bodily injury by any means, other than use of a weapon, with the intent to maim, disfigure, disable or kill.
35. **Aggravated Sexual Battery.** Attempted sexual intercourse or a violent or aggressive action of a sexual nature committed against another person by force, threat, or intimidation resulting in mental distress or bodily injury
36. **Kidnapping/Abduction.** Unlawfully holding or forcing the relocation of a person against his/her will under threat of physical or psychological harm (and as further defined in Section § 18.2-47 of the Code of Virginia).
37. **Sexual Assault.** Sexual penetration without consent; includes statutory rape and carnal knowledge of a minor.
38. **Homicide.** Death of a student, staff member, or other person resulting from causes other than natural, accidental, or suicide.
39. **Use of a Bomb.** Detonation or ignition of a destructive explosive device.
40. **Other Good and Just Cause.** Students may be suspended, expelled or subject to other disciplinary action for good and just cause.

Levels of Disciplinary Infractions

Incident is the event itself (such as a fight) that may involve one or more student offenses

An **infraction** is the problem behavior exhibited by the student (s) involved in an incident (also known as an **offense**).

A **consequence** is the disciplinary outcome imposed on a student for his/her misconduct. (Also called the **sanction** or **disposition**)

Level	Description/ Definition	Infractions	Possible Consequences
1	<p>Level 1 disciplinary infractions are those infractions that are a disruption to the school and classroom environment. These behaviors could be isolated or habitual; disorderly or insubordinate. All of these behaviors cause our school staff to be distracted from the mission of our school division and interrupt the school day, compromising the climate and/or jeopardizing the mission of the division.</p>	<p>Attendance - Violations of State, School Division or School Policy relating to Attendance</p> <p>Disrespect (walking away, etc.)</p> <p>Defiance (refuses requests)</p> <p>Possession of Obscene or Disruptive Literature</p> <p>Classroom or Campus Disruption</p> <p>Using Obscene or Inappropriate Language or Gestures</p> <p>Minor Insubordination</p> <p>Fighting With No Injury or Minor Injury</p> <p>Inappropriate Personal Property (i.e. dress code violation, water containers, etc.)</p> <p>Misrepresentation (i.e. Lying, Cheating or Plagiarism)</p> <p>Tobacco Use (includes smokeless tobacco, e-cigarettes and vaping)</p> <p>Tobacco Possession</p> <p>Tobacco Sales/Distribution</p> <p>Tobacco Paraphernalia</p> <p>Cellular Telephones</p> <p>Electronic Devices</p> <p>Unauthorized Use of Technology or Information</p> <p>Causing/Attempting to Cause Damage to Computer Hardware, Software or Files</p> <p>Violations of Acceptable Use Policy</p> <p>Violations of Internet Policy</p> <p>Other School Code of Conduct Violation Not Otherwise Included</p>	<p>Consequences for violating school rules may include any combination of, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Parent Notification • Verbal Correction, Warning/Reprimand • Removal from Class, Time Out, Lunch Detention • Behavior Essay • After-School Detention • Probation • Saturday School • In-School Suspension (ISS) • Students can secure or cover loose, sagging or inappropriate clothing. • Behavior Contract • A Remedial Discipline Plan • Work Detail/Community Service • Denial of Extra Curricular/School Activities or Privileges • Confiscate any portable communication or electronic devices • Send Home with Parent or Guardian • Denial of Bus Privileges • Referral for Disciplinary Hearing • Out-of-School Suspension up to 10 days (OSS)

Levels of Disciplinary Infractions

Level	Description/ Definition	Infractions	Possible Consequences
2	<p>Level 2 disciplinary infractions are those infractions that are offensive and seriously infringe on the rights of others. These behaviors are presumed to be deliberate, overt, and destructive. These behaviors cause distractions on an individual level and demonstrate unacceptable and intolerable citizenry.</p>	Bullying	<p>Consequences for violating school rules may include any combination of, but are not limited to, the following:</p>
		Cyber Bullying	
		Fighting/ Altercation	
		Threat/Intimidation Against Staff	
		Threat/Intimidation Against Student	
		Harassment, Nonsexual (Physical, Verbal, or Psychological)	<ul style="list-style-type: none"> • Parent Notification • Verbal Correction, Warning/Reprimand • Removal from Class, Time Out, Lunch Detention • Behavior Essay • In-School Suspension (ISS) • After-School Detention • Probation • Saturday School • Behavior Contract • Work Detail/Community Service • Restitution/Restoration • Denial of Extra Curricular/ School activities or Privileges • Loss of Access to Technology Resources • Confiscate any portable communication or electronic devices • Send home with Parent or Guardian • Denial of Bus Privileges • Referral to Police/Court Services • Out-of-School Suspension up to 10 days (OSS) • Referral for Disciplinary Hearing • Recommendation for Long-Term Out-of-School Suspension (LTS) • Recommendation for Expulsion • Referral to Alternative Educational Setting
		Hazing	
		Inciting a Riot	
		Attempting To Incite a Riot	
		Theft of School Property	
		Theft of Staff Property	
		Theft of Student Property	
		Possession of Stolen Property	
		Attempted Theft of Motor Vehicle	
		Extortion	
		Attempted Extortion	
		Gambling	
		Trespassing	
		Vandalism of School Property	
		Vandalism of Private Property	
		Graffiti	
		Sexual Harassment	
		Sexual Offense/Offensive Touching Against Staff	
		Sexual Offense/Offensive Touching Against Students	
		Sexual Offenses Without Force	
		Weapon-Other Weapon	
		Pneumatic Weapon (BB Gun)	
		Possession of Ammunition	
		Weapon/Chemical Substance	
		Weapon/Look-alike	
Bringing Razor Blades/Box Cutters Less than 3 inch blade knife to School or School Events			
Bringing Fireworks, Firecrackers, or Stink Bombs to School or School Event			
Possession of Taser Gun			
Possession of Stun Gun			
Habitual/Repeated Level 1 Offenses			

Levels of Disciplinary Infractions

Level	Description/ Definition	Infractions	Possible Consequences
3	<p>Level 3 disciplinary infractions are those infractions that are excessive, serious, and possibly unlawful. Law enforcement agents will be notified of these behaviors by school personnel. These behaviors could be subject to criminal charges separate from the recommended school disciplinary action.</p>	Weapon- Knife -Possessing or bringing to school or a school-sponsored event any sharp-edged instrument that is classified as a knife with a blade of three inches or more.	<p>These behaviors are more severe in nature and may result in a 10-day out of school suspension with an automatic referral for a disciplinary hearing with a recommendation for long term suspension or expulsion. A disciplinary hearing may result in other or additional consequences.</p>
		Assault/Battery With No Firearm or Weapon Against Staff	
		Assault/Battery/No Weapon/ With No Firearm or Weapon Against Student	
		Gang Activity	
		Stalking	
		Sexual Battery against Staff	
		Sexual Battery against Student	
		Arson: Actual	
		Arson: Attempted	
		Lighted Firecrackers, Cherry Bombs, or Stink-bombs that Contribute to a Damaging fire	
		Bomb Threat	
		Chemical/Biological Threat	
		Terrorist Threat	
		Setting off False Fire Alarm	
		Burglary: Actual	
		Burglary: Attempted	
		Alcohol	
		Alcohol Use	
		Alcohol Possession	
		Alcohol Sale/Distribution	
		Schedule I & II Drugs Marijuana/Anabolic Steroid Use and Possession	
		Schedule I & II Drug Use	
		Schedule I & II Drug Possession	
		Marijuana Use	
		Marijuana Possession	
		Anabolic Steroid/Use and Possession	
		Schedule I & II Drugs Marijuana/Anabolic Steroid Sale/Distribution	
		Schedule I & II Drug Sale/Distribution	
		Marijuana Sale/Distribution	
		Anabolic Steroid Sale/Distribution	
		Schedule III-VI Drugs/Use/Possession/Sale/Distribution	
		Other Drug Use/Overdose	
		Other Drug Possession/Paraphernalia Possession	
Other Drug Sale/Distribution			
Other Drug Violations			
Over-the Counter Medicine/Use			
Over-the-Counter Medicine/Possession			
Over-the-Counter Medicine Sale/Distribution			
Possession of Inhalants			
Use of Inhalants			
Substances Represented as Drugs (Look-alikes)			

Levels of Disciplinary Infractions

Level	Description/ Definition	Infractions	Possible Consequences
4	<p style="text-align: center;">Level 4 disciplinary infractions are those infractions that often are also seen as unlawful, criminal, illegal, illicit, and could label the school as persistently dangerous. Law enforcement agents will be notified of these behaviors by school personnel. These behaviors could be subject to criminal charges separate from the recommended school disciplinary action.</p>	Homicide-Staff-Firearm	The consequence for violating these school rules is a mandatory 10-day out of school with an automatic referral for a disciplinary hearing with a recommendation for expulsion.
		Homicide-Student-Firearm	
		Homicide-Staff-Other Weapon	
		Homicide-Student-Other Weapon	
		Forcible Sexual Assault Against Staff	
		Forcible Sexual Assault Against Student	
		Attempted Forcible Sexual Assault Against Staff	
		Attempted Forcible Sexual Assault Against Student	
		Use of a Bomb	
		Assault Against Staff with Firearm or Weapon	
		Assault Against Student with Firearm or Weapon	
		Malicious Wounding without a Weapon	
		Kidnapping/Abduction	
		Actual or Attempted Robbery	
		Aggravated Sexual Battery on a Student	
		Illegal Possession of Handgun	
		Illegal Possession of Rifle or Shotgun	
		Illegal Possession of Any Other Projectile/Weapon	
		Illegal Possession of Bomb	
Illegal Possession of Other Firearms			
Illegal Possession of Controlled Drugs and Substances with Intent to Distribute or Sell			

Teacher Removal of Students from Class

Teachers have the initial authority to remove a student from a classroom for disruptive behavior. The removal of the student from a classroom shall not be used as a routine classroom management strategy. For minor disruptions, the teacher may choose to send the student to “time out”.

For more serious incidents that significantly disrupt the learning environment, students may be removed from the classroom to an alternative setting in which the student will continue to receive an education and will be supervised by another staff member.

Suspensions

A. Short-Term Suspensions

A student may be suspended out-of-school for violations of the Student Code of Conduct. The principal or assistant principal may suspend a student out-of-school for ten days or less using the following procedures:

1. Informal Hearing

Except in an emergency situation requiring the student’s immediate removal, no student shall be suspended from school prior to having an informal hearing before the assistant principal or principal.

- At such an informal hearing, the student shall be informed of the charges and given an opportunity to respond.
- If the student denies the charges, the assistant principal or principal shall give the student an explanation of the evidence supporting the charges and an opportunity to explain his/her version of the facts.
- If appropriate, the assistant principal or principal may conduct a further investigation into the matter before taking action.

In emergency situations where a student’s presence may pose a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, the student may be suspended from school immediately without the informal hearing set forth above. In such cases, the student shall be given the informal hearing as soon as possible, but not later than (3) school days after the immediate suspension.

Definitions

For the purposes of this policy, unless the context clearly indicates otherwise:

Short-term suspension

Short-term suspension means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

Long-term suspension

Long-term suspension means any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days.

Expulsion

Expulsion means any disciplinary action imposed by the School Board or a committee thereof, as provided in School Board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

Exclusion

Exclusion means the School Board’s denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

2. Notice of Suspension

Once a decision to suspend is made, the assistant principal or principal shall observe the procedures listed below:

- (a) The assistant principal or principal will attempt to notify the parent(s)/guardian(s) as soon as possible by telephone, and shall notify the parent(s)/guardian(s) and student in writing, of the suspension and the reasons thereof. The written notice shall also state any conditions of the suspension, e.g., required parental conference, prohibition of coming onto school property, and the date that the student may return to school; shall indicate any recommendation or referral for a disciplinary hearing; and shall also inform the parent(s)/guardian(s) in writing that the suspension decision may be subject to review by the Superintendent/designee. Except in an emergency, a student is not to be dismissed during the school day without prior notice to the parent(s)/guardian(s).
- (b) A copy of the written notice of a suspension shall be transmitted by the assistant principal or principal to the Superintendent's designee within two school days.

3. Review of Short-Term Suspension

If a student is suspended by the assistant principal or principal, the student and/or parent(s)/guardian(s) may request in writing within two (2) school days that the Superintendent or designee review the suspension, which review will be on the record. The decision of the Superintendent or designee will be final. The failure to request a review of the suspension in writing within the prescribed time will constitute a waiver of the right to a review of the short-term suspension. *The suspension shall remain in place during the review process.*

B. Long-Term Suspensions

1. Procedures Governing Long-Term Suspensions

If a student is recommended for long-term suspension, the following procedures shall be observed:

- (a) The principal and/or assistant principal shall notify the student's parent(s)/guardian(s) and the student in writing of the recommendation for long-term suspension and the reasons thereof.
- (b) A copy of the written notice of the recommendation for long-term suspension shall be transmitted to the Superintendent's designee within two (2) school days.
- (c) The Superintendent's designee will conduct a hearing within ten (10) days of the recommendation, unless the student and his/her parent(s)/guardian(s) agree to an extension of the hearing.

- (d) The Superintendent's designee may uphold the recommendation and/or recommend various forms of other disciplinary action, including, but not limited to, disciplinary probation, community service work assignments, placement in alternative education programs, or referral to other public agencies. Violation of a disciplinary probation contract may be cause for long-term suspension.
- (e) The parent(s)/guardian(s) will be provided a copy of the Appeal Process at the conclusion of the hearing.

2. Appeal of Long-Term Suspension

If the Superintendent's designee decides to long-term suspend the student, the principal, the student, and the student's parent(s)/guardian(s) shall be advised in writing of the decision, including any conditions placed on the student, and of the student's right to appeal the decision to the School Board, which appeal shall be decided upon the record. The appeal must be made in writing to the Superintendent within five (5) administrative days from the date of the decision or the right to appeal to the School Board will be waived. Upon a timely appeal, the School Board will decide the appeal on the record within 30 days of the appeal. *The suspension shall remain in place during the appeal process.*

C. Expulsion

1. Procedures Governing Expulsion

If a student is recommended for expulsion, the following procedures shall be observed:

- (a) The principal shall notify the student's parent(s)/guardian(s) and the student in writing of the recommendation for expulsion and the reasons thereof.
- (b) A copy of the written notice of the recommendation for expulsion shall be transmitted to the Superintendent's designee within two (2) school days.
- (c) Once the Superintendent's designee receives notification of a recommendation for expulsion, the Superintendent's designee shall conduct a hearing to determine whether to recommend expulsion to the Board. If the recommendation of expulsion is upheld, the parents/guardian(s) and student shall receive notification in writing as to the date, time and location for the School Board meeting at which their case will be heard. The student shall be suspended pending the outcome of the hearing before the school board.

If the Superintendent's designee decides to impose a lesser disciplinary action for an offense which carries a mandatory recommendation of expulsion and the student and parent(s)/guardian(s) agree to such action,

the student and parent(s)/guardian(s) shall indicate, in writing, their agreement to the imposition of such action without further hearing or appeal. The school board shall be advised of the Superintendent's designee's action and if it refuses to accept such action, the Superintendent shall notify the student and parent/guardian of such refusal and of the right of the student and parent(s)/guardian(s) to a hearing before the school board upon the original recommendation of expulsion. The Superintendent shall present recommendations of expulsion or a lesser disciplinary action to the school board for its consideration. *The student shall remain suspended until the matter is decided by the School Board.*

- (d) Recommendations of expulsion shall be heard by the full school board or the committee thereof. A student will only be expelled upon vote of the school board or the committee thereof.
- (e) The procedure for the hearing before the school board, or the committee thereof, shall be as follows:
 - (i) The school board/committee shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be closed unless otherwise specified by the school board/committee.
 - (ii) The school board/committee may ask for opening statements from the principal or his/her representative and the student or his/her parent(s)/guardian(s) or their representatives and, at the discretion of the school board/committee, may allow closing arguments.
 - (iii) The parties shall then present their evidence. Because the Superintendent has the ultimate burden of proof, he shall present his evidence first. After the Superintendent concludes his evidence, the student shall present his evidence. Witnesses may be questioned by the school board/committee members and by the parties or their representatives. The school board/committee may, in its discretion, vary this procedure, but it shall afford full opportunity to both parties the right of cross examination; provided, that the school board may take testimony of student witnesses outside the presence of the student, his/her parent and their representative if the school board/committee determines, in its discretion, that such action is necessary to protect the student witness.
 - (iv) The parties shall produce such other evidence as the school board/committee may deem necessary. The school board/committee shall be the judge of the relevancy and materiality of the evidence.

- (v) Exhibits offered by the parties may be received in evidence by the school board/committee and, when so received, shall be marked and made a part of the record.
- (vi) The school board/committee may, by majority vote, uphold, reject or alter the recommendation.
- (vii) The school board/committee shall transmit its decision to the student, his/her parent(s)/guardian(s), the principal and the Superintendent.
- (viii) If the hearing was conducted by a committee of the school board and its decision was not unanimous, the student and his/her parent(s)/guardian(s) may appeal the committee's decision to the full school board, which appeal will be decided by school board upon the record within 30 days.
- (ix) A student who has been expelled from school by the school board may file a petition for readmission with the Superintendent no less than 300 and no more than 320 calendar days after the effective date of the expulsion. The school board will consider and act upon such petition prior to the expiration of 365 days from the effective date of the expulsion. If the petition is denied, subsequent petitions for readmission may be filed a year later unless a different time period is set by the school board when ruling on the initial petition for readmission.

Search and Seizure

School administrators have the right to search any student's person and/or personal effects (e.g., purse, book bag, etc.) when there is a reasonable suspicion that the student possesses an item which violates law, school policies and regulations, or which may be harmful to the school or its students. Additionally, metal detectors and wands may be used to check students in the mornings as they arrive at school. Random searches of book bags may also be conducted as part of this morning safety check as conducted by school administration and personnel.

Student desks and lockers are the property of the school, and school officials reserve the right to search desks and lockers. A general search of lockers or desks may be conducted to repossess school property or to locate contraband. The student's individual right to privacy and freedom from unreasonable search and seizure is balanced by the school's responsibility to protect the health, safety, and welfare of all persons within the school community. Should contraband be found during the search, law enforcement officials will be notified.

Student Automobile Use

Students are permitted to park on school premises as a matter of privilege, not of right. A student must apply for permission to park a vehicle in a student lot. Students issued a parking permit may park their vehicles on school property, and only in areas designated for student parking. Students may not access their vehicles for reasons of personal use during the school day without written permission from an administrator.

The school retains authority to conduct routine patrols of student parking lots and inspections of the exterior of student automobiles on school property. Vehicles and their contents are subject to search and seizure guidelines while parked on school property or at school events. The interiors of student vehicles may be visually inspected at any time, and physically inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice and without student consent.

Only a limited number of student parking permits are available to students. Important restrictions are included in the parking application. Priority will be given to students in programs with modified schedules, such as Bridging Communities, CTE, and Marketing programs, mentorships and concurrent college classes. The standard rules of proper use of an automobile will apply at all times. *Students who endanger others by improper use of their vehicles will be denied parking privileges and will be subject to disciplinary action.*

Disciplinary Authority of the School Board under Certain Circumstances

The school board may, in accordance with the procedures for long-term suspensions or expulsions, as the case may be, require any student who has been (a) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (b) found guilty or not innocent of an offense relating to the Commonwealth's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or for which the disposition ordered by a court is required to be disclosed to the superintendent of the school division pursuant to Va. Code § 16.1-260.G; (c) found to have committed a serious offense or repeated offenses in violation of school board policies; and (d) suspended or expelled pursuant to school board policies, to attend an alternative education program. The school board may require such student to attend an alternative education program regardless of where the crime occurred. The school board may also require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of school board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent(s)/guardian(s), to participate in a treatment program.

As used in this section, the terms "charged" means that a petition or warrant has been filed or is pending against a pupil, and "alternative education program" shall

include, but shall not be limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

The division superintendent or his designee is authorized to require students to attend an alternative education program consistent with the above provisions after (i) written notice to the student and his parent that the student will be required to attend an alternative education program and (ii) notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the division superintendent or his designee regarding such placement. The decision of the superintendent or his designee regarding such alternative education placement shall be final unless altered by the school board, upon timely written petition, established for appeals of long-term suspensions, by the student or his parent, for a review of the record by the school board.

The principal or his designee may impose a short-term suspension upon a student who has been charged with an offense involving intentional injury enumerated in subsection G of § 16.1-260 to another student in the same school pending a decision whether to require that such student attend an alternative education program.

Student Discipline: Reports of Certain Acts to Parents, School Officials, & Police

By Virginia law, certain illegal or violent incidents on a school bus, school property, or at a school-sponsored activity must be reported to the Superintendent and to the principal or his/her designee. The principal or designee shall notify the parent(s)/guardian(s) of any student involved in an incident required to be reported, regardless whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice shall relate to only the relevant student's involvement and shall not include information concerning other students. The principal shall promptly report to law enforcement officials certain acts that may constitute a criminal offense.

Gang Activity or Association

The school board acknowledges the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. Gang activity is defined as:

- 1) wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other item that is evidence of membership or affiliation in any gang;
- 2) committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
- 3) using any speech or committing any act or omission in furtherance of the interests of any gang, including:

- a) soliciting, hazing, and initiating others for membership in any gang,
 - b) requesting any person to pay for protection or otherwise intimidating or threatening any person,
 - c) committing any other illegal act or other violation of school policy and
 - d) inciting other students to act with physical violence;
- 4) inappropriate congregating, bullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees, or visitors.

School Attendance

In accordance with Code of Virginia § 22.1-254. Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article.

- A. Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year, and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational, or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent, or provide for home instruction of such child as described in § 22.1-254.1.

As prescribed in the regulations by the Board of Education, the requirements of this section may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational, or parochial school or by a public or private degree-granting institution of higher education. Further in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by sending the child to any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

Instruction in the home of a child or children by the parent, guardian, or other person having control or charge of such child or children shall not be classified or defined as a private, denominational or parochial school.

The requirements of this section shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention,

intervention, or remediation as provided in subsection C of § 22.1-253.13:1 and in § 22.1-254.01. The requirements of this section shall not apply to (a) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing a general educational development (GED) certificate but is not enrolled in an individual student alternative education plan pursuant to subsection E, and (b) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or a GED certificate, or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

B. A school board shall excuse from attendance at school:

1. Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, “bona fide religious training or belief” does not include essentially political, sociological or philosophical views or a merely personal moral code; and
2. On the recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil’s health, as verified by competent medical evidence, or by reason of such pupil’s reasonable apprehension for personal safety when such concern or apprehension in that pupil’s specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

C. Each local school board shall develop policies for excusing students who are absent by reason of observance of a religious holiday. Such policies shall ensure that a student shall not be deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, for any which he missed by reason of such absence, if the absence is verified in a manner acceptable to the school board.

D. A school board may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or
2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

E. Local school boards may allow the requirements of subsection A to be met under the following conditions:

For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

- a. Career guidance counseling;
- b. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local school board with attendance requirements that provide for reporting of student attendance by the chief administrator of such GED preparatory program or approved alternative education program to such principal or his designee;
- c. Counseling on the economic impact of failing to complete high school; and
- d. Procedures for reenrollment to comply with the requirements of subsection A.

Student enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

- F. A school board may, in accordance with the procedures set forth in Article 3 (§ 22.1-276.01 et seq.) of Chapter 14 of this title and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § 16.1-260; (iii) suspended pursuant to § 22.1-277.05; or (iv) expelled from school attendance pursuant to § 22.1-277.06 or § 22.1-277.07 or subsection B of § 22.1-277, require the child to attend an alternative education program as provided in § 22.1-209.1:2 or § 22.1-277.2:1.
- G. Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil, regardless of whether the pupil attends the public schools it supervises or resides within its school division.

The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with (i) a crime that resulted in or could have resulted in injury to others, (ii) a violation of Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title § 18.2, or (iii) any offense related to possession or distribution of any Schedule I, II, or III controlled substance to attend an alternative education program, including but not limited to, night school, adult education, or any other education

program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

This subsection shall not be construed to limit the authority of school boards to expel, suspend, or exclude students as provided in § 22.1-277.04, § 22.1-277.05, § 22.1-277.06, § 22.1-277.07, and § 22.1-277.2. As used in this subsection, the term “charged” means that a petition or warrant has been filed or is pending against a pupil.

- H. Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.
- I. The provisions of this article shall not apply to:
 - 1. Children suffering from contagious or infectious diseases while suffering from such diseases;
 - 2. Children whose immunizations against communicable diseases have not been completed as provided in § 22.1-271.2;
 - 3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
 - 4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and
 - 5. Children excused pursuant to subsections B and D.

Further any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child’s attendance for one year.

The distances specified in subdivisions 3 and 4 of this subsection shall be measured or determined from the child’s residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education.

Bus Safety Rules

In addition to the Student Discipline Rules, the following rules are essential for the safe transportation of students:

A. Prior to loading and during the loading process (on the road and at school):

1. Be on time (five (5) minutes before scheduled pickup) at the designated school bus stops – This ensures students are all present at the bus stop and not walking/running towards the bus while it is in motion.
2. Stay off the road at all times while waiting for the bus. Be safe and wait on the side of the road with your personal belongings in your possession.
3. Wait until the bus comes to a complete stop before attempting to board the bus and remain seated until the bus comes to a complete stop and it is time to leave the bus at your school.
4. Be careful in approaching bus, use sidewalks or walk on the side of the street facing traffic (if possible), and look both ways before crossing any streets(s).
5. Students should respect the danger zone (ten (10) feet around the bus).
6. Use the handrail when entering and exiting the bus.

B. While on the bus:

1. Be seated immediately upon entering the bus and remain in that seat until you depart from the bus. Horseplay is not permitted around or on bus.
2. Keep all body parts inside the bus at all times after entering and until leaving the bus. Do not throw anything out of the bus window.
3. Assist in keeping the bus safe and sanitary at all times.
4. Remember that loud talking and laughing or unnecessary confusion diverts the driver's attention, is not allowed, and may result in serious disciplinary actions.
5. Student should never tamper with or destroy the bus or any of its equipment. Damage to the bus must be paid for by the offender.
6. Leave no books, lunches, or other articles on the bus. Items found on the bus are reported to the school's main office. Neither the bus driver, school nor the transportation department is responsible for any lost items.
7. Keep feet, books, packages, coats, and other objects out of aisles.
8. No pets or animals, balloons, skateboards, or glass vases are to be on the bus.
9. No eating or drinking on the bus.
10. Electronic devices are allowed for use on the bus with ear buds while students are being transported to and from school. Students may not use their devices for recording or photographic purposes at any time.
11. Once at school, students should remain seated until the bus driver dismisses the students.

C. After leaving the bus:

1. After leaving the bus, if it is necessary to cross the road, this should be done at least ten (10) feet in front of the bus, and only after looking to be sure no traffic is approaching from either direction.

2. The driver will not discharge students at places other than the regular bus stop at home or at school - unless by proper authorization from the parent or school official.

D. Extra-curricular trips:

1. The above rules and regulations will apply to any trip under school sponsorship.
2. Students shall respect the directions of all adults appointed by the school.

Bus Changes: Bus changes should be kept to a minimum and authorized in emergency or extreme circumstances only. Changes are not to be authorized for social events/gatherings (homework gathering, birthday parties, etc.) If a student needs to ride a different bus in the afternoon, the student must bring written permission from a parent or guardian. The student must bring the signed permission note to the main office in the morning and a staff member will issue a bus note for the bus driver. All bus changes must be in writing and approved prior to dismissal. The note must include a parent/guardian's contact number(s) so that the note may be verified by the school. Bus drivers will not admit students onto the bus without the appropriate approved forms. Bus notes/permission slips DO NOT create bus stops. Students will be released at the established bus stop nearest the location identified on the permission request. Parent(s)/guardian(s) assume responsibility for their child(ren) once they are released from the school bus.

Camera Surveillance

Surveillance cameras have been mounted in some school buses and in various locations in some of the school buildings. The purpose of this surveillance is to assure the safety and welfare of the students. Misbehavior noted on the surveillance tapes may result in disciplinary action.

Sexual Harassment/Sexual Violence

Sexual harassment is illegal behavior that harms the victim and negatively impacts the school system by creating an environment of fear, distrust, and intolerance. Because the Charles City County Schools is committed to providing a safe, healthy environment for all students that promotes respect, dignity, and equality, it is the purpose of this regulation to create and preserve an educational environment free from unlawful sexual harassment and discrimination on the basis of sex.

Charles City County Schools strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events. It shall be a violation of this regulation for any student, employee or third party (school visitors, vendors, etc.) to sexually harass any student. Sexual harassment means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, employees or third parties when:

1. Submission to the conduct is made explicitly or implicitly a term or condition of a student's education (including any aspect of the student's

participation in school-sponsored activities or any other aspect of the student's education);

2. Submission to or rejection of the conduct is used as the basis for decisions affecting a student's academic performance, participation in school sponsored activities, or any other aspect of a student's education;
3. The conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile, or offensive educational environment.

In compliance with applicable federal law, it is the policy of Charles City County Schools to investigate promptly and resolve equitably all complaints of sexual harassment and discrimination on the basis of sex. Victims of sexual harassment shall be afforded avenues for filing complaints that are free from bias, collusion, intimidation, or reprisal.

Victims of sexual harassment should document the harassment as soon as it occurs and with as much detail as possible, including the nature of the harassment, dates, times, and places it has occurred; name(s) of the harasser(s), witness(es), and the victim's response to the harassment. To the extent they feel safe and comfortable doing so, victims are first encouraged to confront the harasser, verbally or in a letter and/or with someone else present, and tell the harasser to stop the conduct because it is unwelcome. Any such communication should be documented. If the victim's concerns are not resolved satisfactorily by communicating with the harasser, or if the victim feels he/she cannot discuss the concerns with the harasser, the victim should directly inform the building administrator of the complaint and should clearly indicate what action he/she wants taken to resolve the complaint. While victims are encouraged to submit a complaint in writing, complaints may be made orally.

EQUAL EDUCATIONAL OPPORTUNITIES/NONDISCRIMINATION

A. Policy Statement

Equal educational opportunities shall be available for all students, without regard to race, national origin, gender, ethnicity, religion, disability or marital or parental status. Educational programs shall be designed to meet the varying needs of all students.

B. Complaint Procedure

1. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the compliance officers designated below or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within 15 school days of the occurrence. Further, any student or school employee who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the compliance officers designated below or to any school personnel. Any complaint that involves the compliance officer shall be reported to the Superintendent. The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the division's ability to fully respond to the complaint.

2. Investigation

Upon receipt of a report of alleged prohibited discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 calendar days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the compliance officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the compliance officer determines that more than 14 days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances

giving rise to the complaint. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case-by-case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The compliance officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within five calendar days of receiving the compliance officer's report, the Superintendent or the Superintendent's designee shall issue a decision regarding (i) whether this policy was violated; and (ii) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the Superintendent determines that prohibited discrimination occurred, the division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or termination.

4. Appeal

If the Superintendent or the Superintendent's designee determines that no prohibited discrimination occurred, the student who was allegedly subjected to discrimination may appeal this finding to the School Board within five (5) calendar days of receiving the decision. Notice of appeal must be filed with the Superintendent who shall forward the record to the School Board.

The School Board shall make a decision within 30 calendar days of receiving the record.

The School Board may ask for oral or written argument from the aggrieved party and the Superintendent and any other individual the School Board deems relevant.

5. Compliance Officer

The School Board has designated the following compliance officer:
Director of Human Resources, Strategic Planning and Professional Learning
Title IX/Section 504 Compliance Coordinator for Employment
10910 Courthouse Road, Charles City, VA 23185
Telephone (804) 652-4649

The Compliance Officer shall:

- a. receive reports or complaints of discrimination;
- b. oversee the investigation of any alleged discrimination;
- c. assess the training needs of the division in connection with this policy;
- d. arrange necessary training to achieve compliance with this policy;
- e. insure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity, and has the authority to protect the alleged victim and others during the investigation.

C. Retaliation

Retaliation against students or school personnel who report discrimination or participate in the related proceedings is prohibited. The division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

D. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

E. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (i) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel; (ii) included in the student and employee handbooks; and (iii) sent to parents of all students within 30 calendar days of the start of school.

All school employees, students and their parent(s)/guardian(s) shall be notified annually of the names and contact information of the compliance officers.

F. False Charges

Students or school personnel who make false charges of discrimination shall be subject to disciplinary action.

Discipline of Students with Disabilities

A. General

A student with a disability shall be entitled to the same due process rights that all students are entitled to under the Code of Virginia and Charles City County Public Schools' disciplinary policies and procedures. In addition, children with disabilities will have access to the procedures set out below.

If the behavior of a child with a disability impedes the child's learning or that of others, the IEP team shall consider the use of positive behavioral interventions, strategies, and supports to address the behavior. The IEP team shall consider either:

1. Developing goals and services specific to the child's behavioral needs; or
2. Conducting a functional behavioral assessment (FBA) and determining the need for a behavioral intervention plan (BIP) to address the child's behavioral needs.
3. In reviewing the disciplinary incident, school personnel may review the child's IEP and any BIP, or consult with the child's teacher(s) to provide further guidance in considering any unique circumstances related to the incident.
4. School personnel may convene an IEP team for this purpose.

B. Short-term removals

1. A short term removal is a removal for ten days or less at a time.
2. A student with a disability may be removed from the student's current educational setting up to and including 10 cumulative school days in a school year for any violation of school rules to the extent a removal would be applied to a student without a disability. No educational services are required during the first ten days of removal in the school year.
3. A student with a disability may receive additional short term removals in the school year after accumulating ten school days of removal. A pattern determination must be made. The determination as to whether the discipline will constitute a pattern is made by school personnel, which typically would consist of a school administrator and the special education teacher of the child. The student must be provided with educational services during these removals. If the removal does constitute a pattern, the requirements of subsection C of this procedure must be followed.
4. Pattern: A pattern is a series of removals that, after accumulating more than 10 school days in a school year, are found to be a pattern because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals and school personnel have considered such factors as the length of each removal, the total amount of time removed, and the proximity of the removals to one another.

If there is no pattern

- (1) A manifestation determination review, a functional behavioral assessment (FBA), and a behavior intervention plan (BIP) are not required. If, however, it is believed that these processes should be utilized, they should be initiated.
 - (2) An IEP meeting is not required to determine educational services unless there is a need to revise the IEP to address the student's behavioral or academic needs.
5. The person or persons imposing the discipline should consider unique circumstances and discipline on a case-by-case basis.
 6. Educational services during the period of removal are provided to enable the student to continue to progress in the general education curriculum and to progress toward meeting the goals of the IEP. These educational services are determined by school personnel in consultation with the student's special education teacher.
 7. The student shall continue to participate in the Virginia Department of Education and division wide assessment programs.

C. Long-term removals

1. A long term removal occurs and is considered a disciplinary change in placement if:
 - a. The removal is for more than 10 consecutive school days at a time, such as a long-term suspension or expulsion; or
 - b. The removal is a short term removal after ten cumulative days have occurred in the school year and a pattern exists.
 - c. In connection with any disciplinary change in placement, Charles City County Public Schools shall notify the parent or parents of the proposed removal and provide the parent or parents with the procedural safeguards notice on the date on which the decision is made to impose a long-term removal.
 - d. A manifestation determination review meeting must be held within ten (10) school days and educational services will be determined through the IEP process.
2. Additional authority of school personnel in certain circumstances to remove a student:
 - a. School personnel may remove a student with a disability to an appropriate interim alternative educational setting (IAES) for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days regardless of whether the behavior is a manifestation of the student's behavior, if:
 - i. The student carries a weapon to or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of any school division or the Virginia Department of Education; or
 - ii. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of any

school division or the Virginia Department of Education. For purposes of this part, the definitions of 8 VAC 20-81-10 apply:

1. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 USC § 812 (c), as amended.
 2. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
 3. The term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 3 (three) inches in length.
- iii. The student inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of any school division or the Virginia Department of Education. “Serious bodily injury” means 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 mental faculty.
3. The interim alternative educational setting (IAES) and the educational services during any long term removal or disciplinary change in placement must be determined by an IEP team. The services must be selected so as to enable the student to:
 - a. Continue to participate in the general education curriculum, although in another setting;
 - b. Continue to receive those services and modifications including those described in the student's current IEP that will enable the student to progress toward meeting the IEP goals; and
 - c. Receive, as appropriate, an FBA and BIP and modifications that address the behavior violations and are designed to prevent the behavior from recurring.
 - d. Participate in any division wide or statewide assessment program.
 4. The IEP team should consider whether the student’s behavior impedes the child’s learning or that of others and consider the use of positive behavioral interventions, strategies, and supports to address the behaviors. The IEP should set out goals and services specific to the behavioral needs or conduct an FBA and determine the need for a BIP to address the behavioral needs of the child.

5. Charles City County school personnel may consider unique circumstances on a case-by-case basis when deciding whether to implement a disciplinary change in placement as a result of a violation of the Code of Conduct. School personnel may review the IEP and any BIP or consult with the teacher(s) or parents in considering unique circumstances.

D. Services during periods of disciplinary removal

1. Charles City County Public Schools is not required to provide services during the first ten (10) days of removal in a school year if services are not provided to a student without a disability who has been similarly removed.
2. For any removal after the student has received ten (10) cumulative days of removal, the student must receive educational services in a setting determined by the IEP or school personnel as appropriate.

E. Authority of the hearing officer to order a removal

1. Charles City County Public Schools may request an expedited due process hearing, or successive due process hearings, under the Virginia Department of Education's due process hearing procedures to effect a change in placement of a student with a disability for not more than 45 school days if Charles City County Public Schools believes that the student's behavior is likely to result in injury to self or others. This procedure may be repeated as necessary.
2. The due process hearing officer will follow State Regulations in the conduct of the hearing.
3. The School Board also may seek injunctive relief from the court to order a change in placement.

F. Manifestation Determination Review (MDR)

1. Manifestation determinations are required if Charles City County Public Schools is contemplating a removal that constitutes a disciplinary change in placement.
2. The local educational agency, the parent(s) and relevant members of the IEP team, as determined by the parent and the local educational agency, (the MDR team) shall convene immediately, but not later than ten (10) school days after the date on which the decision to take the action.
 - i. The MDR team shall determine whether the child's behavior was a manifestation of the child's disability.
 - ii. A behavior will be considered a manifestation of the student's disability if:
 1. The conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
 2. The conduct was the direct result of the Charles City County's failure to implement the student's IEP.
 - iii. If the MDR team determines that one of these two prongs was met, the behavior must be considered a manifestation of the student's disability.
3. If the behavior is a manifestation of the student's disability:
 - i. The student can be removed from the student's educational placement only through the IEP process or through placement in

an interim alternative educational setting (IAES) as permitted by subsection or through a court injunction; and

- ii. The IEP team shall conduct or review a FBA and BIP.
 - iii. If the manifestation team determines that there was a failure to implement the student's IEP, Charles City County Public Schools shall take immediate steps to remedy the failure.
4. If the manifestation team determines that the behavior of the student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to a student without a disability may be applied to the student with a disability in the same manner in which the procedures would be applied to a student without a disability. Education services must be provided and determined through the IEP process.
 5. Charles City County Public Schools must ensure that the special education and disciplinary records of the student with a disability are transmitted for consideration by the person or persons making the final determination regarding the disciplinary action.
 6. The IEP team determines the extent to which services are necessary to enable the student to appropriately participate in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP.

G. Parent appeal

1. If the student's parent or parents disagree with the determination that the student's behavior was not a manifestation of the student's disability, with any decision regarding placement under these disciplinary procedures or with the pattern determination, the parent or parents may request an expedited due process hearing.
2. Charles City County Public Schools may request an expedited due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or others.

H. Placement during appeals

1. The child shall remain in the interim alternative educational setting pending the decision of the special education hearing officer; or
2. Until the expiration of the time for the disciplinary period set forth in this section, whichever comes first, unless the parent and Charles City County Public Schools agree otherwise.

I. Protection for students not yet eligible for special education and related services

1. A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates any rule or code of conduct of Charles City County Public Schools may assert any of the protections provided in this procedure if Charles City County Public Schools had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.
2. Charles City County Public Schools shall be deemed to have knowledge that a student is a student with a disability if:
 - i. The parent or parents of the student have expressed concern in writing (or orally if the parent or parents do not know how to write or have a disability that prevents a written statement) to school

- personnel that the student is in need of special education and related services;
- ii. The parent or parents of the student have requested an evaluation of the student to be determined eligible for special education and related services; or
 - iii. A teacher of the student or school personnel have expressed concern about a pattern of behavior demonstrated by the child directly to the director of special education of Charles City County Public Schools or to other supervisory personnel.
3. Charles City County Public Schools would not be deemed to have knowledge that a student is a student with a disability if:
 - i. The parent of the child has not allowed a previous evaluation of the child or has refused services; or
 - ii. The child has been evaluated and determined ineligible for special education and related services.
 4. If Charles City County Public Schools does not have knowledge that a student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures applied to a student without a disability who engages in comparable behaviors.
 5. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
 - i. Until the evaluation is completed, the student remains in the educational placement determined by the school personnel, which can include suspension or expulsion without educational services.
 - ii. If the student is determined to be a student with a disability, taking into consideration information from the evaluations conducted by Charles City County Public Schools and information provided by the parent or parents, Charles City County Public Schools shall provide special education and related services but in an alternative placement.

J. Expedited due process hearing

1. Charles City County Public Schools may request an expedited due process hearing if there is substantial evidence that maintaining the current placement for a student with a disability is substantially likely to result in injury to the students or others.
2. The parent or parents may request an expedited due process hearing if the parent or parents disagree with the manifestation determination, any decision regarding placement under this section or with the pattern determination.

K. Referral to and action by law enforcement and judicial authorities

1. Nothing in this chapter prohibits Charles City County Public Schools from reporting a crime by a student with a disability to appropriate authorities, or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with a disability to the extent such action applies to a student without a disability.

2. In reporting the crime, Charles City County Public Schools will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom school personnel report the crime.

Discipline Procedures for Students Receiving Section 504 Services

The following procedures apply to qualified students receiving Section 504 services who are involved in disciplinary incidents.

- (1) Disciplinary removals for ten (10) school days or less at a time (“short-term removals”) are not considered a significant change in placement and therefore do not require a Manifestation Determination Review (“MDR”).
- (2) A series of short-term removals in excess of ten (10) school days may create a pattern of removals that constitutes a significant change in placement, thus, requiring an MDR. To determine whether a pattern of short-term removals exist, the following factors should be considered:
 - a. the length of each suspension;
 - b. the total amount of time that the student is excluded from school;
 - c. the proximity of the suspensions to each other; and
 - d. the substantial similarity of the student’s current behavior to previous incidents that resulted in the series of removals.
- (3) Disciplinary removals for more than ten (10) school days at a time (“long-term removals”) are considered a significant change in placement, thus, requiring an MDR.
- (4) Exceptions:
 - a. A qualified student who currently is engaging in the illegal use of drugs or in the illegal use of alcohol may be removed from his/her educational placement for a drug or alcohol offense to the same extent that such disciplinary action is taken against nondisabled students.
 - b. In such an instance, no Section 504 evaluation, MDR, or impartial hearing is available to the student nor is it required. Educational services will be provided only to the same extent as they are to nondisabled students following such disciplinary action.

When a long-term removal of a student with a Section 504 Plan is being considered or a pattern of short-term removals exists, the student's Section 504 team (i.e., a group of persons knowledgeable about the student, the evaluation data, and placement options) should convene to evaluate the relationship between the

student's disability and misbehavior in order to determine whether the misbehavior was a manifestation of the student's disability. Team members should have available current information from a variety of sources that will give them an understanding of the student's disability, such as attendance and academic records, psychological evaluation data, behavior plans, discipline records, staff observations, parent information, and annotative records when making this determination.

The Section 504 team shall determine whether or not the student's behavior was a manifestation of the student's disability. The behavior will be considered a manifestation of the student's disability if:

- a. The conduct was caused by or had a direct and substantial relationship to the student's disability; or
- b. The conduct was the direct result of the school division's failure to implement the student's Section 504 Plan.

The team's determinations should be documented in writing and provided to the student's parents along with a copy of the Section 504 procedural safeguards.

If the team determines that the misconduct was not caused by the disability, the school can impose whatever removal it would impose under the same circumstances if a student without disability were the offender. The school is not required to provide educational services to a Section 504 student during this period of removal, if such services are not provided to students without disability during such removals.

If it is determined that the misconduct was caused by the disability, the student may not be removed and the team should review the student's Section 504 Plan to determine whether the current educational placement is appropriate and the Section 504 Plan should be revised, if necessary, to address the student's current needs.

DIRECTORY

SUPERINTENDENT

Dr. David W. Gaston dwgaston@ccps.net

CCPS SCHOOL BOARD

Mrs. Helen Payne-Jones hpaynejones@ccps.net

Mr. Herbert Johnson hjohnson@ccps.net

Mr. Preston Adkins padkins@ccps.net

Dr. Steven Fuhrmann sfuhrmann@ccps.net

Mrs. Martha Harris mharris@ccps.net

**CLERK OF THE BOARD &
ADMINISTRATIVE ASSISTANT TO THE SUPERINTENDENT**

Mrs. Lisa Raponi-Davis lrdavis@ccps.net

SCHOOL BOARD STAFF

Mrs. Wendy L. Cauley Director of Teaching, Learning & Accountability
..... [wlcauley@ccps.net](mailto:wlucauley@ccps.net)

Mrs. Sue Salg Director of Finance and Federal Programs
..... ssalg@ccps.net

Dr. Lynda Byrd-Poller Director of Human Resources, Strategic Planning &
Professional Learning
..... lbyrd-poller@ccps.net

Mr. Jerome M. Tyler Supervisor of Operations
..... jmtyler@ccps.net

Charles City Elementary School (Grades Pre-K to 6)			
Administrators	Phone Number	Street Address	Mascot
Mr. Ed Van Dyke Mrs. Heather Kennedy	Phone- (804) 829-9256 Fax- (804) 829-2512	10049 Courthouse Rd Charles City, VA 23030	Tigers
Charles City High School (Grades 7 to 12)			
Administrators	Phone Number	Street Address	Mascot
Mr. Marcus Petty, Sr. Ms. Mia Pollard	Phone- (804) 829-9249 Fax- (804) 829-2644	10039 Courthouse Rd Charles City, VA 23030	Panthers

**PLEASE READ, SIGN and RETURN WITH SIGNATURES TO YOUR
CHILD'S TEACHER OR THE SCHOOL'S MAIN OFFICE**
CHARLES CITY COUNTY SCHOOLS
DOCUMENTATION OF STUDENT CODE OF CONDUCT

Statement of Responsibility and Commitment to the Code of Student Conduct School
Partnership Form

Student's Name: _____ School Year: 2017-2018

School: _____ Grade: _____

Teacher: _____ Date of Review: _____

Student's Acknowledgement

This is to acknowledge that I have received a copy of the Student Code of Conduct. I have reviewed the contents and I had an opportunity to ask questions about anything that I did not understand.

I have read and clearly understand the *Areas of Offenses* as well as the possible consequences.

In signing this document, I agree to abide by the Student Code of Conduct and to seek peaceful resolution to any conflict that affects me or my school.

I further acknowledge that I have taken this handbook home to review with my parent(s)/guardian(s).

Student's Signature

Date

Parent/Guardian's Acknowledgement

I have read the Charles City County Public Schools Student Code of Conduct and agree to discuss it periodically with my child. I realize that I may contact the school for assistance in understanding any rule, regulation, or consequence.

Parent/Guardian's Signature

Date

Parent/Guardian's Signature

Date

**A COPY OF THE SIGNED DOCUMENTATION SHALL BE RETAINED IN THE STUDENT'S
CUMULATIVE FOLDER.**