

SCPS

Code of Student Conduct



CODE OF STUDENT CONDUCT

A. GENERAL PROVISIONS

1. Positive Expectations of All Students.

As part of our Division's mission and strategic objectives, schools use a positive behavioral system. Positive behavioral interventions are interrelated with the Code of Student Conduct, both of which focus on ways to prevent violations of the student standards of conduct and create an environment that nurtures positive behavior.

2. Rights and Responsibilities of Students.

Students' rights include, but are not limited to:

- a. Attending school and receiving a free and appropriate public education.
- b. Expecting that school will be a safe and orderly place that is focused on providing equitable educational opportunities.
- c. Being respected and treated courteously and fairly by other students and school staff.
- d. Expressing ideas verbally and/or in writing in accordance with SCPS policies and procedures.
- e. Dressing in a way that expresses one's personality while following the SCPS dress code.
- f. Having appropriate opportunities to participate in school activities.
- g. Having access to relevant information concerning drug and alcohol abuse.
- h. Helping create a school environment that is free from bullying, intimidation, harassment, or discrimination.

Student responsibilities include but are not limited to:

- a. Attending school daily, regularly, and on time, performing to the best of one's ability, being prepared to learn, and taking advantage of educational opportunities.
- b. Being aware of all expectations regulating behavior and conducting oneself in accordance with these guidelines.
- c. Abiding by all laws of the Commonwealth of Virginia.
- d. Dress appropriately according to the SCPS dress code.
- e. Seeking information and services that can help address personal problems.
- f. Reporting and encouraging others to report any incidents of bullying, intimidation, harassment, or discrimination.
- g. Reporting and encouraging others to report anything that negatively impacts the safety of self or others.

3. Rights and Responsibilities of Parents/Guardians.

Parent/guardian rights include but are not limited to:

- a. Being actively involved in their child's education.
- b. Being treated courteously, fairly, and respectfully by all SCPS employees.
- c. Receiving information about the policies and procedures of the Spotsylvania County School Board that relate to your child's education.
- d. Receive regular reports (written or oral) from school staff regarding your child's academic progress or behavior, including but not limited to report cards, behavior progress reports, and conferences.
- e. Receiving information and prompt notification of inappropriate or disruptive behaviors by your child and any disciplinary actions taken by administrators or school staff.
- f. Receiving information about due process procedures for disciplinary matters concerning your child, including information on conferences and appeals.
- g. Receiving information from school staff about improving your child's academic or behavioral progress.
- h. Receiving information about services for students with disabilities and English language learners, when applicable.
- i. Receiving communication through provided translators when appropriate.

Parent/guardian responsibilities include but are not limited to:

- a. Have your child regularly attend school on time and communicate reasons for absences and tardiness to school staff.
- b. Informing SCPS staff about any concerns and/or complaints in a respectful and timely manner.
- c. Working with school administrators and teachers to address any academic or behavioral problems your child may experience.
- d. Supporting SCPS by communicating to your child about acceptable and expected school behavior.
- e. Becoming familiar with and complying with the policies of the Spotsylvania County School Board, administrative regulations, and the Code of Student Conduct.
- f. Providing and maintaining updated contact information to SCPS and your child's individual school.
- g. Supporting student participation in offered academic support programs.
- h. Being respectful and courteous to staff, other parents/guardians, and students at all times.
- i. As permitted by Virginia Code Section 22.1-279.3 (C), parents will sign a statement of receipt after receiving the Code of Student Conduct. Note that a parent's signature does not waive but expressly reserves their rights protected by the constitutions or laws of the United States and the Commonwealth.
- j. As permitted by Virginia Code Section 22.1-279.3 (d), parents and guardians may be requested to meet with the principal or designee to review the school board's Standards of Student Conduct. The parent or parent's responsibility is to participate with the school in disciplining the student and maintaining order, ensure the student's compliance with the compulsory attendance law, and discuss improvement of the child's behavior, school attendance, and educational progress.

4. Attendance.

All students aged 5 to 18 shall attend school regularly as outlined in Section 22.1-254 of the Code of Virginia. See School Board Policies JEA (Compulsory Attendance Ages), JED, JED-F, and JED-R (Student Attendance), and this Handbook for more information. The Virginia Department of Education (VDOE) defines chronic absenteeism as a student missing 10% or more of their school year for any reason, including excused absences, unexcused absences, and suspensions. Based on a 180-day school year, that means approximately 18 days per year or 2 to 3 days per month.

5. Authority of School Officials Over Pupils.

- a. In accordance with Section 22.1-78 of the Code of Virginia, the power of school authorities is not limited to violations occurring on school property during school hours. The school has authority over the conduct of students who are on their way to and returning home from school, regardless of whether the student is using school bus transportation, private vehicle, or walking. While such authority does not alienate students from proper parental authority, students may be subject to discipline for violations of school regulations, which are detrimental to the interests of the school or adversely affect school discipline. The school also has authority over students who are participating in or are in attendance at a school-sponsored activity or school-related event.
- b. In accordance with Section 22.1-277.2:1 of the Code of Virginia, any student who has been charged with certain criminal offenses may be placed in an alternative education program, even if the offense did not occur on school property or during school time. If such an offense did occur on school property, students are subject to disciplinary action, including suspension and expulsion, regardless of whether the student has been charged criminally.

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c. In accordance with Section 22.1-277 of the Code of Virginia, students who are adjudicated delinquent or convicted of certain criminal offenses may be suspended, expelled, or placed in the alternative education program, even if the offense did not occur on school property or during school time.

d. Further, while the school division does not desire to infringe upon the individual rights of students, when certain off-campus conduct of students detrimentally affects other students, school personnel, and/or the educational process, such conduct may subject students to discipline. Specifically, conduct and speech that occurs off school property may expose students to disciplinary action if such conduct or speech creates a substantial disruption to the educational process or is detrimental to the welfare or safety of other students or school personnel.

6. Consistent Enforcement.

Consistent enforcement of rules and regulations by teachers and administrators is an essential component of an effective school discipline program. Communication among teachers and/or administrators plays an important role in the consistent enforcement of rules and regulations. In the case of administrators, if more than one administrator is involved in decisions regarding discipline, conferences should be held on a regular basis concerning how certain situations are being handled so as to establish and maintain consistency. In the case of teachers, using a specific plan of action agreed upon by the faculty and administration is essential. Exceptions to consistent enforcement of consequences for misbehavior occasionally need to be made. Exceptions to routine enforcement procedures, however, should be made on a consistent basis.

7. Communication of Code of Student Conduct to Parents and Students.

A copy of the Code of Student Conduct (or other appropriate document that details and explains the expectations and consequences identified in the Code) shall be made available to every parent and every student at the beginning of the school year or upon registration for those students who enroll thereafter.

Signatures from a parent and from the student (grades 3-12) shall be required on an appropriate form which indicates receipt of a copy of the Code, the signee having read the Code and the signee accepting the responsibility of abiding by the Code. The assistance of parents (or guardians) in this regard is required by Section 22.1-279.3 of the Code of Virginia (state law).

The Code of Student Conduct will be available for all families upon your initial sign into StudentVUE and ParentVUE prior to the start of school. Parents and students have the ability to electronically view and acknowledge receipt of the Code of Conduct.

8. Violent Criminal Conduct Involving Dangerous Weapons or Devices or Drug-Related Crimes.

This Code of Student Conduct provides that whenever a student engages in violent criminal conduct involving dangerous weapons or devices or drug-related crimes, action will be taken in accordance with Sections C & D.

9. Teacher Removal of Students From the Classroom.

School Board policy allows a teacher to remove or request the removal of a student from the classroom for disruptive behavior, as detailed in Policy JFCA. This policy does not negate or replace the normal disciplinary referral process used by the schools to report violations of the Code of Student Conduct by teachers to the school administration and subsequent disciplinary action taken by the administrators.

10. Corporal Punishment.

Section 22.1-279.1 of the Code of Virginia prohibits corporal punishment to discipline students. School personnel, however, may use "reasonable and necessary force" to maintain order and control; to remove a student from a disturbance that threatens physical injury to persons or property; to prevent self-infliction of harm or to defend oneself, or to obtain possession of weapons, controlled substances, or drug paraphernalia.

PROCEDURES FOR ADMINISTERING STANDARDS OF CONDUCT

1. Span of Coverage.

- a. These procedures are not intended to eliminate the responsibility of a classroom teacher to manage minor classroom violations of discipline.
- b. The procedures described in this section are intended to establish standards by which the principal or designee must address a non-minor violation of Student Standards of Conduct.
- c. A principal or designee shall be responsible for responding to a student violation when one or more of the following conditions are present:
 - i. the student violation of conduct has become too severe for the classroom teacher;
 - ii. the misconduct is a non-minor violation of the Student Standards of Conduct;
 - iii. the principal or designee desires to become involved in managing the student's conduct violation or
 - iv. the classroom teacher requests that the principal or designee become involved verbally or in writing.
- d. A principal or designee shall be responsible for conducting and/or supervising a thorough investigation of any alleged student violation involving (1) drug-related crimes or (2) violent criminal conduct, so that the principal or designee will be able to present a comprehensive report on such matter to any or all of the following: the law enforcement officers investigating the matter, the Commonwealth Attorney's Office, the Juvenile and Domestic Relations District Court, the Disciplinary Review Hearing Officer.

2. Investigative Stage.

In cases where a principal or designee shall be responsible for handling or investigating a student violation, the responsibilities of the principal or designee during the investigative stage are as follows:

- a. The principal or designee shall investigate violations of school rules to establish relevant facts and circumstances of the violations considered to be appropriate. As a part of that investigation, alleged victims, perpetrators, and witnesses may be interviewed. Witnesses of the alleged infringement may be recommended by the student (alleged victim or alleged perpetrator) or parent.
- b. In circumstances involving alleged crimes, law enforcement officials shall be permitted to question students under the authority of the school and following the current Memorandum of Understanding. A reasonable effort will be made to notify the student's parent/guardian unless the parent/guardian is a suspect or he/she would be interested in impeding the criminal investigation, or such notice would violate Virginia State Law. Such notification may occur after the law enforcement official questions the student. Where appropriate, a school administrator, school counselor, or school nurse may sit in during the police interview with the student following Policy KNAJ. As a part of that investigation, witnesses may be interviewed by law enforcement officials.
- c. Threat Assessment - School officials may conduct a threat assessment involving student threats. A threat assessment aims to assess the seriousness of the student's threat, assist the student being evaluated, support victims or potential victims, and take appropriate preventive or corrective measures to maintain a safe and secure school environment (Refer to EBB/EBB-R1).

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d. Searches may be conducted when a school official has reasonable suspicion to believe, based on all circumstances known to the official, that a search will produce evidence to show a violation of law or school rules. A student's failure to permit an administrator's search and seizure, either actively or passively, will be considered grounds for disciplinary action, which may include a suspension from school (Level 4 Response). (Refer to Section F of this Code and Policy JFG.)

3. Adjudicative Stage.

In cases where a principal or designee shall be responsible for adjudicating a student violation, the responsibilities of the principal or designee during the adjudicative stage are as follows:

- a. A student alleged to have violated the Standards of Conduct shall be provided with an opportunity to present his or her version of what occurred.
- b. The principal or designee shall base his or her decision of the alleged violation on the evidence obtained during the investigation.
- c. The student and parent shall be informed of the principal's or designee's finding and decision of any disciplinary response imposed.

4. Types of Administrative Responses.

Administrative responses are designed to address student behavior, reinforce school and classroom expectations for appropriate behavior, and prevent further behavioral issues. The following levels of administrator responses are grounded in a multi-tiered support approach. When a violation of Student Standards of Conduct (see paragraph C. Student Standards of Conduct below) has been substantiated, any one or more of the following types of disciplinary interventions, supports, and/or consequences may be utilized or recommended by the principal or designee, in the exercise of sound discretion. The Administrative Response Levels listed below offer school administrators guidance when determining the appropriate interventions, supports, and/or consequences for the student misconduct addressed in paragraph C below. The Administrative Response Levels represent the maximum consequence permitted for specific code violations; however, depending on the circumstances, administrators may, in addition, also provide intervention, support, or consequence from a lesser category.

5. Administrative Response Level 1

Level 1 behaviors are generally teacher-managed behaviors intended to keep the student in class and school. Establishing positive relationships with students is the most essential element of effective classroom management. Teacher responses for Level 1 behaviors should be positive, proactive, preventive, and instructional to reinforce various instructional and positive classroom management strategies before referring students for administrative intervention.

a. Examples of Classroom Teacher Responses to Level 1 Behaviors:

- Restructure/revise classroom practices based on student needs.
- Adjust the pacing of instruction to increase on-task behavior.
- Actively observe/plan for ignoring low-level misbehavior.
- Change student seating.
- Provide immediate positive feedback when students engage in expected behavior.
- Respond calmly, restating the desired behavior.
- Use progress-monitoring tools (i.e., behavior chart, on-task monitoring form, reflection sheets, etc.)
- Communicate and collaborate with parents/guardians and the student's school counselor and/or case manager regarding student behavior, teacher-based actions, and problem-solving.
- Re-teach desired behavior.
- Problem-solving the behavior during the teacher-student conference using active listening.

- Establish and consistently implement corrective responses to student misbehavior (i.e., positive practice, community service, restitution, loss of time for a valued activity, in-class time-out, time-out in another class under an adult supervisor, loss of privileges, etc.)

b. When Level 1 behaviors are referred to an administrator because the teacher's responses have not been successful, the recommended responses are as follows:

Examples of Administrative Responses to Level 1 Behaviors:

1. **Administrative Conference with Student and/or Warning.**
2. **Parental Conference:** Principals, teachers, and counselors may meet with the parent. The conference aims to review the behavior, find solutions to the problem, and address academic, personal, and social issues that may have contributed to the behavior.
3. **Intervention by a Mental Health Team Member:** When available, school members may provide assessments, psycho-educational groups, mediation, teacher consultations, and educational strategies for parents or staff (school counselor, school psychologist, social worker, etc.).
4. **Referral to a Community-Based Organization:** Students may be referred to community agencies for various services, including individual or group counseling, tutoring, conflict resolution, or leadership development.
5. **Individual/Group Counseling:** Counseling on a short-term basis that provides students with an outlet to share issues that may negatively affect their attendance, behavior, and/or academic success. Students discuss and formulate goals and learn problem-solving strategies that will enable them to overcome various personal challenges.
6. **Mentoring Program (Check In Check Out for PBIS Schools):** A mentoring program matches a student with a mentor who may be a counselor, teacher, and/or leader and serves as an adult role model. The purpose of this relationship is to foster personal, academic, and social development.
7. **Safety Plan:** Any building-created plan that maintains safety.
8. **No Contact Contract:** School-developed contract indicating that two parties (of equal power) may not contact one another.
9. **Short-term Behavioral Progress Reports:** Teachers and/or Principals may send behavioral progress reports to parents regularly until they determine that the student's behavior has improved and the student is working successfully in the classroom.
10. **Development of Individual Behavior Contract or Behavior Intervention Plan (BIP):** Contracts and BIPs address specific challenging behaviors. Both include expectations and are individualized based on student needs.
11. **Referral to Student Support Team:** Student Support Teams (SST) are school-based teams that utilize a multidisciplinary approach to encourage student success through prevention and intervention strategies and supports. If repeat meetings are necessary, parents should be included.
12. **School Community Service (with parent consent):** Students may receive school community service opportunities to gain a greater appreciation of their school community and develop skills to become positive social change agents. School community service can help students occupy their time with positive activities, avoid negative behavior, and learn the value of service to others.
13. **Threat Assessment Risk Assessment:** School Division policy and procedures to address situations involving a threat of risk to self and/or others. Policies EBB and EBB-R1 describe procedures for assessing threats to others, while School-Based Mental Health Team members have additional procedures to address the risk to self only. (see also paragraph B.2.c)

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14. Saturday School: A student may be offered the opportunity to attend school on school-selected Saturdays. The following are some, but not all, examples or reasons why Saturday School may be appropriate or beneficial: to receive additional academic instruction or support from school staff; to complete and resubmit late, incomplete, or unsatisfactory school work and/or to receive instruction and support designed to improve or correct previous behaviors that interfere with or impede the student's academic success.

15. Restorative Practices: Schools may use healthy practices to build a positive climate within the school and assist students in developing empathy and understanding the consequences of their actions on others. A fundamental principle of restorative practices is an understanding that every instance of wrongdoing or conflict is an opportunity for learning and that despite these negative behaviors, relationships can be restored, and harm can be repaired. Examples of restorative practices are informal and formal restorative practice conferences and restorative justice circles.

16. Disciplinary Probation/Written Warning to Student: This is a written warning to the student and his parent or guardian stating that the student has violated the Standards of Conduct and that any additional violations may result in further disciplinary action.

17. Tasks/Extra Duty Assigned by Administration: These are extra duties to be performed for noncompliance with the Student Standards of Conduct.

18. Lunch Detention: A student may be required to spend the lunch period in an assigned area away from other students.

19. Detention: A student may be detained for a reasonable period before or after classes and may be required to engage in controlled and constructive activities. Parents of students assigned detention time shall be notified before being detained so there is an opportunity to make transportation arrangements.

20. Restitution: A student or student's parent may be billed not only for breakage or destruction of school property, but also for the loss or failure to return school property.

21. Loss of Driving/Parking Privileges: A student may lose the privilege of driving to school and/or parking a vehicle.

22. Suspension from Extracurricular Activities: Suspension from extracurricular activities and/or school-sponsored activities (e.g., prom, graduation, field trip, assembly) may be imposed for a specified time for violating the Standards of Conduct per School Board Policy IGDA [The parent or guardian is to be notified of the action taken by school officials.]

23. Suspension from Bus Transportation: Suspension from bus transportation is defined as the denial of school transportation for a specified time and may be imposed for transportation-related discipline problems or safety violations. [The parent or guardian is to be notified of the action taken by school officials.]

6. Administrative Response Level 2

Level 2 behaviors, while minor, may require administrative intervention/response. Administrative responses and interventions for Level 2 behaviors are designed to address student behavior, reinforce school and classroom expectations for appropriate behavior, and keep the student in school.

a. Any Level 1 Response.

b. **In-school Suspension:** (ISS) may be a partial or complete day or one (1) class or all classes.

c. **Vape Education Course:** Students may be required to complete this school-based course successfully for violating Student Standard of Conduct C.29 Tobacco.

d. **Tobacco Education Program:** Students may be required to complete this program for violating Student Standard of Conduct C.29 Tobacco.

7. Administrative Response Level 3

Level 3 behaviors require administrative intervention/response. Depending upon the severity, chronic nature of the behavior, and safety, Level 3 behaviors may result in the student's short-term removal from school.

a. Any Level 1 or Level 2 Response

b. **Suspension from School (OSS):** 1-5 school days, with mandatory Student/Parent conference. During such a suspension, the student is not permitted on any school grounds or allowed to participate in any school activities.

Note: Following Section 22.1-277 of the Code of Virginia, no student in preschool through grade three shall be suspended for more than three (3) school days or expelled from attendance at school unless:

(i) the offense involves physical harm or credible threat of physical harm to others; or

(ii) the School Board or the superintendent or his designee finds that aggravating circumstances exist (See also paragraph E.3)

c. **Community-based Counseling.** The principal or designee may recommend community-based counseling to the parent/guardian at the parent/guardian's expense.

d. Administrators may recommend Office On Youth (OOY) counseling sessions for students in response to the Code of Student Conduct behavior violations. These require the administrator's recommendation, parent agreement to participate, and approval from the Director of Safety.

- **Anger Management:** Grades 6-12. It consists of 6 sessions, and each session is 1.5 hours long. Sessions include Evidence-based Practices that support the student in identifying triggers and cues and developing a sustainable plan to manage anger that reduces aggression at school.

- **Accountability & Responsible Choice Making:** Grades 6-12. It consists of 6 sessions, and each session is 1.5 hours long. Sessions include the use of Evidence-based Practices and components of Balanced and Restorative Justice (BARJ) to support the student in accountability for actions, understanding the impact on others, develop empathy for the victim(s) while creating an action plan to implement set goals and positive engagement in one's community.

- **Substance Abuse Avoidance Group Education:** Grades 6-12. It consists of 6 sessions, and each session is 1.5 hours long. This is a Group of Education Programs focusing on the effects of substance use on the brain, coping strategies, building resiliency, and introduction to the cycle of addiction and motivation for change.

- **Vaping Intervention Group:** Grades 5-12. Consists of 5 sessions, each 1.5 hours long. Incorporates Evidence-based Practices to encourage critical thinking skills while presenting vaping prevention and intervention education materials and activities.

- **VOISE Workshop:** Grades 6-12. Consists of 2 sessions, each 2 hours long. Some EI models focus on emotional intelligence (EI), which consists of self-awareness, self-regulation, empathy, social skills, and motivation.

e. **Referral to Counseling Services for Bias-Based Bullying, Intimidation, or Harassment:** When a student or group of students engage in bias-based bullying, intimidation, or harassment of another student or group of students, both the victim and the student who participates in this behavior should be referred to separate appropriate counseling, support, and education services provided by school staff or a community-based agency. Neither mediation nor conflict resolution are appropriate interventions for bias based on bullying, intimidation, or harassment.

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8. Administrative Response Level 4

Level 4 responses are for severe violations of the Student Standards of Conduct and/or those behaviors that threaten the safety of students and staff. These responses are also appropriate for students whose behaviors have not been successfully addressed through the documented implementation of tiered support systems, including the responses in the previous three levels.

a. Any Level 1, Level 2, or Level 3 Response

b. Suspension from School (OSS): 6-10 school days, with mandatory Student/Parent Conference. During such a suspension, the student is not permitted on any school grounds or allowed to participate in any school activities.

Note: Following Section 22.1-277 of the Code of Virginia, no student in preschool through grade three shall be suspended for more than three school days or expelled from attendance at school unless:

(i) the offense involves physical harm or credible threat of physical harm to others, or

(ii) the School Board, the superintendent, or the designee finds that aggravating circumstances (as defined in B.9.e below) exist. (See also 22.1-277.07 and 22.1-277.08 for other exceptions to this restriction.)

c. Level 4 behaviors may result in the Principal's request for a Disciplinary Hearing to be conducted by the Superintendent's Disciplinary Review Hearing Officer to consider additional disciplinary consequences such as Assignment to an Alternative Education Program, a Long-Term Suspension, or an Expulsion.

9. Administrative Response Level 5

Level 5 responses are for those behaviors that pose a serious or imminent threat to the safety of students and staff or are required by law (i.e., specific weapon and drug violations). These behaviors require a suspension from School (OSS) of ten (10) school days to be imposed by the Principal/ Principal's designee and a referral to the Superintendent's Disciplinary Review Hearing Officer for consideration of additional disciplinary consequences such as Assignment to an Alternative Education Program, a Long-Term Suspension, or an Expulsion.

a. Any Level 1, Level 2, Level 3, or Level 4 Response.

b. Suspension from School (OSS) for ten (10) school days.

c. Level 5 behaviors shall result in the Principal's referral to the Superintendent's Disciplinary Review Hearing Officer for consideration of additional disciplinary consequences such as Assignment to an Alternative Education Program, Long-Term Suspension, Expulsion, or Exclusion.

d. **Assignment to an Alternative Educational Program (Superintendent or designee only) under 22.1-277.2:1.** Due to a Long-term Reassignment Hearing, a student may be removed from the school and required to attend classes in an alternative setting explicitly designed for students with behavioral difficulties.

e. **Long-Term Suspension (Superintendent or designee only).** A student cannot attend school for 11 to 45 school days.

NOTE: Following Section 22.1-277.05 of the Code of Virginia, a long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if:

- (i) the offense is one described in 22.1-277.07 (possession of a firearm) or 22.1-277.08 (possession of certain drugs) or involves serious bodily injury or
- (ii) The School Board, the superintendent, or his designee finds that aggravating circumstances exist. The student's disciplinary history shall be considered in determining whether aggravating circumstances exist.

Aggravating circumstances shall mean:

(i) that a student engaged in misconduct that caused serious harm (including but not limited to physical, emotional, and psychological harm) to another person(s) or posed a credible threat of serious harm to another person(s), as determined by a threat assessment; or

(ii) that a student's presence in the school poses an ongoing and unreasonable risk to the safety of the school, its students, staff, or others in the school; or

(iii) that a student engaged in a serious offense that is:

- a. Persistent (repeated similar behaviors are documented on the student's disciplinary record) and
- b. Unresponsive to targeted interventions as documented through an established intervention process.

f. **Expulsion (Superintendent or designee only).** In a case involving violations of drug-related crimes (see C.10) and/or violent criminal conduct involving dangerous weapons or devices (see C.32), a principal shall recommend that the School Board expel that student from Spotsylvania County Schools for not less than one year (365 calendar days). Furthermore, in serious, gross, or continued misconduct, a principal may recommend that the School Board expel a student from the Spotsylvania County Public Schools. The principal's recommendation for expulsion shall be referred to the Superintendent or his designee for additional disciplinary consequences, who shall inform the parent/guardian of the right to a hearing before the Superintendent/designee regarding the expulsion recommendation. See policy JFC-R for additional information. An expelled student is not permitted to attend school within the school division and is ineligible for readmission for 365 days as imposed by the School Board or a committee thereof, as provided in School Board policy.

g. **Exclusion (Superintendent or designee only).** A student who has been expelled or has been placed on a long-term suspension of more than thirty (30) calendar days by another School Board or private school, either in Virginia or another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded or denied school admission. (See JFC-R and JEC).

h. **Community-based Counseling (Superintendent or designee only).** A student who has been the subject of a long-term suspension or expulsion for incidents involving drug or alcohol involvement, anger management, chronic negative peer and staff relationships, etc., may be requested to complete programs/counseling designed to assist the student in improving such behaviors. Such programs/counseling will be provided for by the Superintendent or Superintendent's designee at the parent/student's expense. The superintendent or designee may also require the student to complete one or more drug screenings. Such drug screening(s) will be at the parent/student's expense.

10. Appeal Stage

a. **Discipline Imposed by Principal or Principal's Designee:**

- i. Appeals of discipline imposed by the principal's designee must be presented to the principal in writing within two (2) school days of the 'school official's notification of the disciplinary action to the parent or guardian. The principal may allow the student to attend school while the appeal is being considered. Should the student be placed back in school during the appeal process, the student will not be entitled to attend or participate in athletic events and extra-curricular activities until the matter is concluded. The principal's decision will be provided to the parent in writing and is final except in a case involving a suspension from school (out-of-school). If the principal imposed the discipline, that decision is final except in a case involving a suspension from school (out-of-school),

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- ii. For out-of-school suspensions of ten (10) days or less imposed by the principal or upheld by the principal after an appeal of the designee's decision under B.10.a.i. Above, the parent may appeal to the Superintendent or Superintendent's designee in writing within two (2) school days of receipt of notification of the appeal decision by the principal. The superintendent or superintendent's designee will then review the record of the action taken by the principal or principal's designee. It will provide a written decision either confirming the action of the principal or the principal's designee or imposing a different punishment based on an examination of the record of the pupil's behavior. The decision of the superintendent or designee is final for out-of-school suspensions of ten (10) days or less. The suspension shall remain in place during this review process.
- iii. For suspensions in which the student is suspended from school for ten (10) days and recommended by the principal or principal's designee to the Superintendent or his designee for additional disciplinary consequences, the parent or guardian may appeal the principal's or principal's designee's action to the superintendent or designee. The Superintendent or designee will serve as the first level of appeal, and he will consider that appeal during a Long-Term Suspension/Expulsion Hearing. Should the parent/guardian fail to make a timely request for a hearing, the Superintendent or designee will act on the principal's or principal's designee's recommendation without a hearing. See JFC-R for additional information.

b. Discipline Imposed by the Superintendent/Superintendent's Designee:

The Superintendent or his designee shall provide written notification to the parent or guardian of any disciplinary decision made under the principal's recommendation addressed in paragraph B.10.a.iii above. Should the discipline involve a long-term suspension [greater than ten (10) school days] or expulsion, the parent has the right to appeal the action of the Superintendent or designee to the School Board Disciplinary Committee. Such appeal must be made in writing within five (5) calendar days of written notification of the superintendent's decision. See policies JGD, JFC-R, and JGDA for additional information. Should the decision not involve a long-term suspension or expulsion but a reassignment to an alternative education program of more than ten (10) school days, the parent has the right to appeal the action of the Superintendent or designee as outlined in Section E.8 of the Code of Student Conduct. During the appeal, the decision of the Superintendent or Superintendent's designee shall remain in effect until altered by the Disciplinary Review Committee or School Board.

C. STUDENT STANDARDS OF CONDUCT

It shall be the responsibility of all students to uphold and maintain specific standards of conduct. It is through these standards that identified responsibilities have been established for Spotsylvania County students. These standards, as well as any standards established by schools, are in effect at any time that students are on school property, on the way to and from school, at school-sponsored events, or while under the supervision of school authority, laws, or rules and regulations of the School Board of an individual school. Students are placed on their own to adhere to these standards with an understanding that any violation is subject to corrective action. A student who acts as an accessory or accomplice to another in violation of any provision of the Code of Student Conduct will be subject to the same disciplinary response as the student who is guilty of the violation.

Definition of Possession: Possession, as it relates to drugs, weapons, or other items prohibited by policy or school rules, is defined as on one's person, within a personal item owned or possessed by a student (e.g., purse, backpack, etc.), in one's locker, or in a vehicle the student drove (or rode in) to or from school or to or from a school-sponsored activity. In addition, lockers are school property, and students are not permitted to hide objects or materials prohibited by law or school rules. The term possession, as it relates to alcohol or drugs, also includes having ingested such alcohol or drug or being under the influence of such alcohol or drug.

Per guidance from the Virginia Department of Education, the Standards of Student Conduct are organized into categories of behavior descriptors as listed below:

- Category A: Behaviors that impede 'students' or other students' Academic Progress (BAP).
- Category B: Behaviors related to School Operations (BSO) that interfere with the daily operation of school procedures.
- Category C: Relationship Behaviors (RB) that create a negative relationship between two or more school community members (no physical harm is done).
- Category D: Behaviors of a Safety Concern (BSC) that create unsafe conditions for students, staff, and/or visitors to the school.
- Category E: Behaviors that Endanger Self or Others (BESO). These behaviors endanger the health, safety, or welfare of the student or others in the school community.

Conduct violating Standards of Conduct for Students and the type or types of administrative responses that shall be imposed are listed below. The categories of student behavior descriptors are followed by the levels of administrative responses that differentiate elementary schools (ES) from secondary schools (SS). It should be noted that the principal or his/her designee or the superintendent or his/her designee may impose more severe disciplinary consequences for repeated violations of the same standard of conduct, for violations of multiple standards of conduct during the same incident, or for a violation or violations that are considered to warrant such action following paragraph D.2 and E.6. Please note, in some incidents, a victim count and/or notification to law enforcement (Virginia Code Section 22.1-279.3:1) is required.

1. ALCOHOL – The possession, distribution, sale, and/or use of alcohol.

a. **BSC1:** Alcohol – Possessing, using, or being under the influence of alcohol.

ES/SS – Administrative Response Level 1, 2, 3

**Administrator will consult with the SRO. Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 if the behavior may constitute a felony offense.

b. **BSC2:** Alcohol – Distributing alcohol to other students

ES/SS – Administrative Response Level 2, 3, 4

**Administrator will consult with the SRO. Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 if the behavior may constitute a felony offense.

2. ASSAULT/BATTERY – Physically assaulting, injuring, or battering any person. Mutual participation in a fight that intentionally causes bodily harm is also included.

Definition of Assault/Battery: An assault is a willful attempt or threat to inflict injury upon another person, coupled with an apparent ability to do so, which causes the victim to fear immediate bodily harm. An assault may be committed without actually touching or harming the victim. A battery is an intentional physical contact without the victim's permission.

a. **BESO1:** Assault – Intending to cause physical injury to another person

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 2, 3, 4

*Victim Count Required

b. **BESO2:** Assault and Battery – Causing physical injury to another person

ES/SS – Administrative Response Level 3, 4, 5

*Victim Count Required

**Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 under the following conditions:

Administrators should consider the severity of the injury, the intention of the action (impulse, planned, victim selection), and/or the student's developmental capacity to understand the behavior's impact. If the injury is severe, the assault was planned, and/or the student understood the potential for harm, a report should be made. A report is recommended if any of these three elements is present.

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c. **BES04:** Striking Staff – The use of force against a staff member when no injury is caused

ES – Administrative Response Level 1, 2, 3, 4

SS – Administrative Response Level 3, 4, 5

*Victim Count Required

**Administrator will consult with the SRO. Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 if the behavior may constitute a felony offense.

d. **PD9:** Malicious Wounding without a Weapon

ES/SS – Administrative Response Level 5

*Victim Count Required

**Report to Law Enforcement per Virginia Code Section 22.1-279.3:1

Assault/Battery with the use of a firearm or other weapon, Assault/Battery that results in bodily injury, or Assault/Battery on school personnel will result in a ten (10) day out-of-school suspension and referral to the Disciplinary Review Hearing Officer for additional disciplinary consequences, such as a long-term suspension or expulsion.

ES/SS – Administrative Response Level 5

3. ATTENDANCE – Tardy to class, tardy to school, cutting class, and/or leaving the school building or campus during the day without the authorization of school personnel.

NOTE: ISS or OSS cannot be imposed for attendance violations.

a. **BAP4:** Unexcused tardiness to class

ES – Administrative Response Level 1

SS – Administrative Response Level 1, 2

b. **BAP5:** Unexcused tardiness to school

ES – Administrative Response Level 1

SS – Administrative Response Level 1, 2

c. **BSO15:** Student is not going to class as assigned

ES/SS – Administrative Response Level 1, 2

d. **BSC24:** Leaving school grounds without permission

ES – Administrative Response Level 1

SS – Administrative Response Level 1, 2

4. BULLYING/HARASSMENT – Students, either individually or as part of a group, shall not harass or bully others either in person or by the use of any communication technology, including computer systems, electronic devices, or instant messaging systems. Bullying is defined as any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim, involves a real or perceived power imbalance between the aggressor or aggressors and victim, and is repeated over time or causes severe emotional trauma. Bullying includes cyberbullying. Bullying does not include ordinary teasing, horseplay, argument, or peer conflict.

a. **RB1:** Bullying with no physical injury

ES/SS – Administrative Response Level 1, 2

*Victim Count Required

b. **RB2:** Cyberbullying

ES/SS – Administrative Response Level 2, 3

*Victim Count Required

c. **BSC6:** Bullying behavior without physical injury that continues after the intervention. Bullying that leads to physical injury should be classified as Assault and Battery

ES – Administrative Response Level 3, 4

SS – Administrative Response Level 2, 3, 4

*Victim Count Required

d. **BSC7:** Cyberbullying that continues after the intervention. Cyberbullying that relates to a threat to the safety of students and staff should be treated with a higher level of intervention and consequences.

ES/SS – Administrative Response Level 3, 4, 5

*Victim Count Required

e. **BSC8:** Harassment – Repeatedly annoying or attacking a student or a group of students or personnel, creating an intimidating or hostile educational or work environment.

ES – Administrative Response Level 2, 3, 4

SS – Administrative Response Level 3, 4

*Victim Count Required

NOTE: Under Section 22.1-279.6 of the Code of Virginia, the principal or principal's designee is required to notify the parent of any student involved in an alleged incident of bullying (perpetrator or victim) of the status of any investigation within 24 hours of learning of the allegation of bullying.

5. BUS VIOLATION – Interfering with the orderly transportation of pupils on a school bus. [The following list contains examples: sticking heads and arms out of windows, throwing items from windows, throwing items within the bus, distracting the bus driver, etc. Refer to School Board policies JFCC and EEACC.]

a. **BSC9:** Bus – Distracting the bus driver

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

b. **BSC10:** Bus – Endangering the safety of others on the bus

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

6. CRIMES IN THE COMMUNITY – a crime in the community where the student was charged with an offense relating to the Commonwealth's laws but must be disclosed to the school division's superintendent under 22.1-277.2:1 of the Code of Virginia. The School Board may place students in an alternative education program.

BES018: A crime in the community where the student was charged with an offense relating to the Commonwealth's laws but must be disclosed to the school division superintendent under 16.1-260(G). If the student has been charged with an offense involving intentional injury enumerated in subsection G of Section 16.1-260 to another student in the same school, a 10-day out-of-school suspension may be implemented.

7. DISHONESTY – Cheating on school assignments; submission of assignments not exclusively authored by the student, which includes plagiarism, presenting artificial intelligence (AI) work as a substitute for a student's original work, and lying to school personnel concerning school-related matters.

a. **BAP3:** Scholastic dishonesty (such as cheating, plagiarism)

ES – Administrative Response Level 1

SS – Administrative Response Level 1, 2

b. **BSO1:** Altering an official document or record

ES/SS – Administrative Response Level 1, 2

c. **BSO2:** Giving false information, misrepresentation

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

8. DISRUPTIVE BEHAVIOR – Unwillingness to submit to authority or refusal to respond to a reasonable request. Any behavior that disrupts the orderly learning environment.

a. **BAP1:** Interfering with learning in the classroom (examples include talking, excessive noise, off-task, out of the seat, and possessing items that distract)

ES – Administrative Response Level 1

SS – Administrative Response Level 1, 2

b. **BAP2:** Interfering with learning outside of the classroom (example: excessive noise interrupting a class)

ES – Administrative Response Level 1

SS – Administrative Response Level 1, 2

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c. **BSO3:** Refusal to comply with requests of staff in a way that interferes with the operation of the school

ES/SS – Administrative Response Level 1, 2, 3

NOTE: A student's failure to permit a search by either passive or active resistance when an administrator has reasonable suspicion of violating the Code of Student Conduct will result in a Level 4 response.

d. **BSO5:** Failure to attend assigned disciplinary setting (detention, in-school suspension, Saturday school)

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

e. **BSO8:** Gambling (games of chance for money or profit)

ES/SS – Administrative Response Level 1, 2

f. **BSO9:** Possessing items that are inappropriate for school (examples include toys, literature, electronics)

ES/SS – Administrative Response Level 1, 2

g. **BSO16:** Student is in an unauthorized area of the campus (this behavior cannot be related to school or class attendance/nonattendance)

ES/SS – Administrative Response Level 1, 2

h. **RB3:** Posting, distributing, displaying, or sharing inappropriate material or literature, including using electronic means

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

i. **RB6:** Speaking to another in an uncivil, discourteous manner

ES/SS – Administrative Response Level 1, 2

j. **RB7:** Teasing, taunting, engaging in a verbal confrontation, verbally inciting a fight

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

k. **RB8a:** Using profane or vulgar language or gestures toward staff (swearing, cursing, hate speech, or gestures)

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

l. **RB8b:** Using profane or vulgar language or gestures toward student(s) or other(s) (swearing, cursing, hate speech or gestures)

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

m. **RB9:** Using slurs based upon the actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, gender, gender identity, gender expression, sexual orientation, or disability

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

*Victim Count Required

n. **RB10:** Failure to respond to questions or requests by staff

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

o. **RB11:** Unwanted or inappropriate physical contact

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

p. **BSC13:** Engaging in reckless behavior that creates a risk or injury to self or others

ES/SS – Administrative Response Level 1, 2, 3

q. **BSC16:** Throwing an object that has the potential to cause a disturbance, injury, or property damage

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

r. **BSC17:** Shoving, pushing, striking, and biting another student with no visible injury

ES/SS – Administrative Response Level 1, 2, 3

9. Dress Code - Spotsylvania County Public Schools' dress code is created to ensure that student attire supports the educational process. Student appearance should be respectful, decent, and safe to the health and welfare of students and support the positive school culture and climate.

The Division will not discriminate on the basis of race, color, religion, national origin, sex, gender identity, sexual orientation, age, disability, genetic information, or any other basis prohibited by law. Students are permitted to wear any religiously, ethnically, or culturally specific or significant head covering or hairstyle, including hijabs, yarmulkes, braids, locs, and cornrows. Students are also permitted to dress in a manner that is consistent with their gender identity.

Students must wear clothing that covers their skin from chest to mid thigh with opaque (non see-through) fabric in front, back, and on the sides. They must wear shoes at all times.

The following list contains some, but not all examples of inappropriate attire:

- Halters, tank or tube tops, bare midriffs/crop tops, Clothing with offensive or sexually suggestive wording or pictures, ski masks, etc.
- Clothing, jewelry, or other apparel or personal belongings that advocate violence, alcohol, tobacco, and other drug use and/or distribution represent gang activity and/or membership; use obscenities; reflect adversely on persons due to race, gender, creed, or intellectual abilities; contain inappropriate or explicit material.
- Clothing and accessories that present a danger or risk of injury to self or others to include dog collars, spiked collars, wallet chains, fish hooks, and spiked jewelry.
- Clothing and accessories that present a danger or risk of injury to self or others to include sunglasses, shoes or other dress not compatible with physical education, Career and Technical Education, science labs or other school activity.

School administrators have the authority to make rules regarding appropriate school attire, as well as the wearing of hats/hoods, head wraps, coats, flip-flops, slippers, blankets or blanket like attire, flags, and carrying of backpacks and book bags within the building.

School staff are prohibited from enforcing this dress code by direct physical contact with a student or a student's attire. In addition, school staff are prohibited from requiring a student to undress in front of any other individual, including the enforcing school board employee, to comply with the dress code.

Students, parents, and staff may contact the Division's Title IX Coordinator to file a complaint if they believe the dress code has been administered in a discriminatory manner.

a. BSO7: Dress Code Violation – Dressing in a manner that is distracting to other students or that interferes with the orderly process of instruction.

ES/SS – Administrative Response Level 1, 2

10. DRUGS – The sale, gift, distribution, use, purchase or possession; or possession with intent to sell, give, or distribute; or attempting to sell, give, distribute, or purchase a controlled substance, imitation controlled substance, marijuana, anabolic steroids, or other illegal drugs, while on school property, on any school bus, at the bus stop, or while engaged in or attending any school activity or school-sponsored event. Offenses pertaining to a controlled substance, imitation controlled substance, or marijuana as defined in Sections 18.2-247 or 18.2-248.1:1, shall be referred to herein as "drug-related crimes".

Definition of Drugs: The Code of Virginia lists numerous drugs as "controlled substances" (listed by schedule) and any drug from that list would constitute a controlled substance under the above policy. Many of these drugs are available by prescription (Schedule II-V) but are not lawful without a prescription. Spotsylvania County Public Schools has a medication policy C.21 that must be followed for a student to have a prescription drug at school. An "imitation controlled substance" (placebos) shall mean a substance in any form whatsoever or other item that is not a controlled substance, but which by overall dosage, unit appearance, packaging, or representation made, leads a reasonable person to believe that it is a controlled substance.

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a. **BES05:** Drugs – Possessing controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications

ES/SS – Administrative Response Level 3, 4, 5

**** Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 unless alcohol or less than 1 ounce of marijuana**

b. **BES06:** Drugs – Being under the influence of controlled substances, illegal drugs, inhalants, or synthetic hallucinogens or unauthorized prescription medications

ES – Administrative Response Level 3, 4, 5

SS – Administrative Response Level 4, 5

c. **BES07:** Drugs – Using controlled substances or using illegal drugs or synthetic hallucinogens or unauthorized prescription medications

ES – Administrative Response Level 3, 4, 5

SS – Administrative Response Level 4, 5

d. **PD16:** Illegal Possession of Controlled Drugs and Substances with intent to Distribute or Sell

ES/SS – Administrative Response Level 5

****Report to Law Enforcement per Virginia Code Section 22.1-279.3:1**

In all incidents involving a violation of this Standard of Conduct (C.10), Substance Abuse Counseling, or some other appropriate counseling, should be provided to the student for additional support and education.

11. DRUG PARAPHERNALIA – The possession of drug paraphernalia.

BSC3: Drugs – Possessing drug paraphernalia

ES/SS– Administrative Response Level 1, 2, 3

12. ELECTRONIC DEVICES – Cell phones and personal electronic communication devices (smartwatches, earbuds, tablets, or similar devices) will not be used by students within the school building or on school grounds from bell-to-bell during instructional time. If a student brings a cell phone or personal electronic communication device to school, the device must be turned off and stored away from bell-to-bell during instructional time. The cell phone and/or personal electronic communication device may be confiscated by school staff, an administrator, or designee, and returned to the student's parent. The school does not assume any liability or responsibility for theft or damage to such devices.

For clarity, the following definitions will apply to the above:

Cell Phone means a personal device capable of making calls, transmitting pictures or video, or sending or receiving messages through electronic means. The definition of cell phone is also inclusive of a non-smart phone that is limited to making phone calls or text messages, a smart phone that encompasses the above features, and other future personal electronic communication devices with the above mentioned characteristics.

Instructional Time means any structured or unstructured learning experiences that occur from the time the first bell rings at the start of the school day until the dismissal bell rings at the end of the academic school day.

Bell-to-Bell means from the moment a student enters the school building at the start of the school day to begin instructional time until the bell rings at the end of the academic school day. "Bell-to-bell" includes breakfast, lunch, study halls, bathroom use, and time in between class periods.

Personal Electronic Communication Device means any personal device capable of connecting to a smart phone, the internet, a cellular or Wi-Fi network, or directly connects to another similar device. Personal electronic communication devices may include some wearable devices such as smart watches, as well as personal headphones, laptops, tablets, and other future personal electronic communication devices with the above mentioned characteristics.

Stored Away means a cell phone or personal electronic communication device not being carried on the student's person, including in the student's pocket. Storage options include, but are not limited to, in the students backpack, in the student's locker, or in a designated place in the classroom.

BSO13: Violation of school board policy regarding the possession or use of portable communication devices

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

The use of a cell phone or other video recording device by a student(s) for the purpose of recording a fight, assault, or other violation of the Standards of Conduct may result in suspension from school.

ES/SS – Administrative Response Level 3

13. FALSE ALARM – Making a bomb threat, activating a manual or automatic fire alarm, or setting off any smoke bomb or chemical bomb capable of producing smoke.

a. **BSC11:** Fire alarm – Falsely activating a fire or other disaster alarm

ES/SS – Administrative Response Level 2, 3

b. **BES017:** Bomb threat – Making a bomb threat

ES – Administrative Response Level 1, 2, 3, 4

SS – Administrative Response Level 4, 5

***Victim Count Required**

****Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 under the following conditions: Report is required for students over the age of 15. A report is optional if the student is under the age of 15.**

14. FIGHTING – Mutual participation in a fight between students involving physical violence, with no injury or minor injury. (Minor injuries may include, but are not limited to the following: scrape on knee, elbow, hand, or minor bruising.) [If it can be determined that one student was the aggressor and that another student was acting solely in the defense of self or others from immediate and otherwise unavoidable physical injury, it would be permissible to punish only the aggressor. Otherwise, students will be punished for engaging in violent conduct. Accordingly, it is necessary for any student to immediately retreat, if possible, from any use of threat or force. Students are to disengage and seek assistance from school staff as soon as the threat of immediate danger or harm has subsided.]

The following conditions must be met when a student claims self-defense.

The person claiming self-defense must:

1. Be without fault in provoking or bringing on the conflict, fight, or incident;
2. Have reasonably feared under the circumstances, as they appeared to them that they were in danger of harm;
3. Have used no more force than was reasonably necessary to protect themselves from the threatened harm; and
4. There was no other readily accessible option to de-escalate or eliminate the danger or harm.

Weapons or harmful objects of any kind are strictly prohibited on school property including for the purpose of self-defense. Self-defense is not a valid reason for the possession and/or use of any weapon on school property or at any school-sponsored activity.

a. **BSC14:** Fighting that results in no injury as determined by the school administration

ES/SS – Administrative Response Level 1, 2, 3

b. **BES03:** Fighting – The use of physical violence between students or on another person where there is minor injury as determined by the school administration

ES/SS– Administrative Response Level 1, 2, 3

15. FIRE – Unlawfully and intentionally damaging or attempting to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trashcan fires are included in this category if they are contributing factors to a damaging fire.

BES09: Fire – Attempting to set, aiding in setting, or setting a fire

ES – Administrative Response Level 2, 3, 4

SS – administrative Response Level 3, 4, 5

****Report to Law Enforcement per Virginia Code Section 22.1-279.3:1**

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16. FIRE RELATED

BSC12: Possessing items that could be used to set or cause a fire or produce large amounts of smoke

ES/SS – Administrative Response Level 1, 2, 3

17. GANG ACTIVITIES – Engaging in any gang activities on school grounds or at school-sponsored events including any group activity that threatens, is illegal and/or violent, or portends the development of gang activity, which may include inappropriate congregating, bullying, harassment, wearing gang-related clothing, symbols, or jewelry (see JFCE).

a. **BESO10:** Gang-related behavior engaging in threatening or dangerous behavior that is gang related as defined in Section 18.2-46.1

ES – Administrative Response Level 1, 2, 3, 4

SS – Administrative Response Level 3, 4, 5

b. **RB8g:** Using profane or vulgar language or gestures (gang signs)

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

18. HAZING – Students shall not recklessly or intentionally endanger the health or safety of a student or students or inflict bodily harm on another student in connection with or for the purpose of initiation; admission into or affiliation with, or as a condition for continued membership in a club, team, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the activity. According to Section 18.2-56 of the Code of Virginia, a conviction for violating the state law on hazing is a Class 1 misdemeanor which carries confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.

BESO11: Hazing as defined in Section 18.2-56 and noted in Section 22.1-279.6

SS – Administrative Response Level 5

**Victim Count Required*

19. INCITING OR CAUSING A SUBSTANTIAL DISTURBANCE – Unlawful use of force or violence that seriously jeopardizes the public safety, peace, or order. Three or more people acting together can be considered as inciting a riot.

a. **BSC15:** Inciting or causing a substantial disturbance to the operation of school or the safety of staff and/or students

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 2, 3, 4, 5

20. KIDNAPPING/ABDUCTION – The taking of a person from one place to another against their will or the confinement of a person to a controlled space.

PD8: Kidnapping/Abduction

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

21. MEDICATIONS – The sale, gift, distribution, use, purchase or possession of medications (over the counter, prescription, or non-prescription) on school grounds. No student may have in his/her possession any medication (prescription or non-prescription) even if recommended or prescribed for the student's use. All such items shall be delivered to the principal or school nurse by the parent/guardian of the student along with the Medication Request Form. No medication will be administered except that authorized by a licensed physician or nurse practitioner and requested by written permission on a form available at each school (referred to as the Medication Request Form). The sale, gift, distribution, use, purchase, or possession of controlled substances, whether prescribed or not, is addressed previously in paragraph C.9 and the disciplinary consequences for medications that are controlled substances fall under C.9 and not this section.

"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, cough drops, gargles, caffeine pills, and the like. The only medication that students are allowed to possess and self administer applies to asthma inhalers, auto-injectable epinephrine, injectable glucagon, and Diastat. To possess these items and self administer, the student must provide written notification from the student's primary care provider, medical specialist, or a licensed physician or licensed nurse practitioner that (1) identifies the student; (2) states that the student has a diagnosis of asthma or anaphylaxis and has approval to self-administer medications that have been prescribed or authorized for the student; (3) specifies the name, dosage, and circumstances which may warrant the use of the medications; and (4) attests to the student's demonstrated ability to safely and effectively self-administer the medications. The permission granted to a student with a diagnosis of asthma or anaphylaxis to possess and self-administer medication shall be renewed annually (see JHCD).

a. **BSC4:** Drugs – Violating School Board non-prescription (Over-the-Counter) medication policy or look-alike drug policy

ES/SS – Administrative Response Level 1, 2, 3

22. ROBBERY – Taking or attempting to take anything of value owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.

a. **PD7:** Actual or Attempted Robbery

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

23. SEXUAL ASSAULT/BATTERY – Sexual contact with another person without that person's consent or who is unable to give consent; sexual abuse; attempted or threatened sexual abuse; and attempted or actual sexual penetration without consent, lewd behavior, or indecent exposure

a. **BSC18:** Exposing body parts, lewd or indecent public behavior

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 1, 2, 3, 4

**Victim Count Required*

b. **BSC19:** Physical contact of a sexual nature – patting body parts, pinching, tugging clothing

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 1, 2, 3, 4

**Victim Count Required*

**Consult with Law Enforcement*

c. **PD3:** Sexual Assault

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

d. **PD4:** Attempted Sexual Assault

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

e. **PD10:** Aggravated Sexual Battery on a Student

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

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24. SEXUAL MISCONDUCT/HARASSMENT – Engaging in any form of sexual misconduct or sexual harassment (to include electronic communication, any sexual advances, requests for sexual favors, or other verbal conduct of a sexual nature including, but not limited to, inappropriate comments, expressions, or gestures). Any student who believes that he or she is a victim of sexual harassment should report such conduct immediately to the building principal or assistant principal. This report can be oral or in writing. If that is not possible, the report should be made to the Superintendent's designee whose office is in the School Administrative Building at 8020 River Stone Drive, Fredericksburg, Virginia 22407 (540-834-2500). (See Policy JFHA for more information.)

RB4: Saying or writing, either directly or through electronic communication, sexually suggestive comments, innuendos, propositions, or other remarks of a sexual nature

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 1, 2, 3

25. STALKING

BSC21: Stalking as described in the Virginia Code Section 18.2-60.3

ES – Administrative Response Level 3, 4, 5

SS – Administrative Response Level 4, 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

26. TECHNOLOGY MISUSE – Using the computer or other technology resources of the school improperly, including but not limited to causing damage to equipment, causing loss of or alteration to programs or data, unauthorized or inappropriate use of equipment, school-related applications, and making illegal or unauthorized copies of data or programs. Students may not copy any text or graphics from the school websites nor include that text or graphics in their own home pages due to copyright regulations.

a. **BSO11:** Unauthorized use of school electronic or other equipment

ES/SS – Administrative Response Level 1, 2

b. **BSO12:** Violation of the Acceptable Use of Technology/Internet Policy

ES/SS – Administrative Response Level 1, 2

27. THEFT – possessing, taking, or attempting to take another's property under duress or by any other nonviolent but unlawful means.

a. **BSO10:** Possession of stolen items

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 2, 3

**Victim Count Required*

b. **RB5:** Stealing money or property without physical force

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 2, 3

**Victim Count Required*

c. **BSC22:** Stealing money or property using physical force (no weapon involved)

ES – Administrative Response Level 1, 2

SS – Administrative Response Level 3, 4

**Victim Count Required*

28. THREATS – Making, communicating, or encouraging others to make verbal, written, electronic, or physical threats of bodily injury or use of force against school personnel or other students, including using electronic technology or communication devices such as the Internet or cell phones to intimidate or threaten.

Posting or reposting of threats of violence against schools on social media can be in violation of Virginia Code Section 18.2-152.7:1, may increase stress within the school and community as well as the spread of misinformation causing confusion and panic. Students should refrain from reposting threats and instead are encouraged to report social media threats to their school administrators and/or a member of their school's Student Threat Assessment Response Report Team.

a. **BESO12:** Threatening, intimidating, or instigating violence, injury, or harm to a staff member or members

ES – Administrative Response Level 1, 2, 3, 4

SS – Administrative Response Level 2, 3, 4, 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 under the following conditions: Report is required if the behavior meets the standard of a felony. Consider the age, the developmental capacity of the student to understand the impact of the behavior and disability status before reporting.*

b. **BESO13:** Threatening, intimidating, or instigating violence, injury or harm to another student(s) or other(s) (not including written threats)

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 2, 3, 4, 5

**Victim Count Required*

c. **BESO14:** Threatening, intimidation, or instigating violence, injury or harm to another student(s) or others(s) in writing. If the written threat is to a staff member, a report to law enforcement is required unless the student making the threat has a disability.

ES – Administrative Response Level 1, 2, 3

SS – Administrative Response Level 2, 3, 4, 5

**Victim Count Required*

***Report to Law Enforcement if the threat is to a staff member unless the student making the threat has a disability*

d. **BESO15:** Using an object not generally considered to be a weapon to threaten or attempt to injure school personnel

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 under the following conditions: Report is required if the behavior meets the standard of a felony. Consider the age, the developmental capacity of the student to understand the impact of the behavior and disability status before reporting.*

e. **BESO16:** Using an object not generally considered to be a weapon to threaten or attempt to injure students or others

ES/SS – Administrative Response level 5

**Victim Count Required*

***Administrator will consult with the SRO. Report to Law Enforcement per Virginia Code Section 22.1-279.3:1 if the behavior may constitute a felony offense.*

Any incident supported by a Threat Assessment determination of no or low risk threat shall receive an Administrative Response Level 1, 2, or 3.

Any incident supported by a Threat Assessment determination of moderate risk, high risk, or imminent threat shall receive an Administrative Response Level 4 or 5. Threats to kill, shoot, or otherwise seriously injure another student(s) or a school employee(s) will result in an Administrative Response Level 5. The school investigation of this incident will include the results of a School Threat Assessment that determined the threat level to be the moderate risk, high risk, or imminent.

29. TOBACCO / VAPING – The possession, distribution, sale, purchase, and/or use of tobacco including cigarettes, imitation cigarettes, and e-cigarettes, cigars, blunts, bidis, pipe tobacco, snuff, chewing tobacco, electronic smoking devices, and any other products containing nicotine, as well as any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and liquids used in electronic smoking devices, whether or not they contain nicotine, and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking, dipping, electronic smoking use, or any other use of tobacco products.

a. **BSC5:** Tobacco – Possessing/using/distributing tobacco products, possessing tobacco paraphernalia, electronic cigarettes, vaping equipment

ES/SS – Administrative Response Level 2, 3

CODE OF STUDENT CONDUCT

1st Incident: Three (3) day in-school suspension (ISS) and successful completion of the Vape Education Course provided by the school. The third day of ISS may be waived if the Vape Education Course is completed within the first two days.

2nd Incident: Three (3) day in-school suspension (ISS) and referral to the Vape Intervention Group Counseling Education with the OOV.

3rd Incident: Three (3) day out-of-school suspension (OSS), 9 hours school-based community service, and parent conference.

4th Incident: Five (5) days out-of-school suspension (OSS), 18 hours school-based community service, and parent conference.

Any student selling tobacco or tobacco-related products on school property or during school-related activities will result in an Administrative Level 3 response.

30. TRESPASSING – Any entry upon or activity on school property during non-school hours/days, which is unauthorized by the school administration; entering or remaining upon school property after being directed by school personnel to leave or stay off such property.

a. **BSO6:** Bringing unauthorized persons to school or allowing unauthorized persons to enter the school building

ES – Administrative Response Level 2, 3

SS – Administrative Response Level 2, 3, 4

b. **BSC25:** Trespassing

ES – Administrative Response Level 2, 3

SS – Administrative Response Level 2, 3, 4

31. VANDALISM – Intentionally or recklessly damaging, defacing, destroying, or tampering with the property of others, including school property.

a. **BSO14:** Vandalism, graffiti, or other damage to school or personal property

ES/SS – Administrative Response Level 1, 2, 3

32. WEAPONS – Any student having been found to have in his or her possession or use anywhere on school property, at a school-sponsored event, or on the way to or from school, any item as defined in Section 22.1-277.07 of the Code of Virginia or any other item listed below:

a. **PD1:** Homicide – Firearm

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

b. **PD2:** Homicide – Other Weapon

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

c. **PD5:** Use of a Bomb

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

d. **PD6:** Assault with Firearm or Weapon

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

e. **PD11:** Illegal Possession of a Handgun

ES/SS – Administrative Response Level 5

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

f. **PD12:** Illegal Possession of Rifle or Shotgun

ES/SS – Administrative Response Level 5

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

g. **PD13:** Illegal Possession of Any other Projectile Weapon

ES/SS – Administrative Response Level 5

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

h. **PD14:** Illegal Possession of Bomb

ES/SS – Administrative Response Level 5

**Victim Count Required*

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

i. **PD15:** Illegal Possession of Other Firearms: firebombs, explosive materials or devices, hoax explosive devices per Section 18.2-85, or explosive incendiary devices, as defined in Section 18.2-433.1, or chemical bombs per Section 18.2-87.1

ES/SS – Administrative Response Level 5

***Report to Law Enforcement per Virginia Code Section 22.1-279.3:1*

33. WEAPONS (OTHER DANGEROUS OBJECTS)

a. **BSC27:** Weapons – Possessing any weapon (other than a firearm) as defined by Virginia Code Section 18.2-308.1

ES/SS – Administrative Response Level 3, 4

34. WEAPONS (OTHER PROHIBITED ITEMS) – Possessing any knife with a blade of less than three (3) inches, toy guns, look-alike guns or facsimile, firearm ammunition, any firecrackers, sparklers, ice picks, or other dangerous object that does not fall under the previous section C.32 and C.33 when not used to threaten others or destroy property.

a. **BSC26:** Possessing dangerous instrument/substances that could be used to inflict harm upon another

ES/SS – Administrative Response Level 3, 4

The administration reserves the right to assign consequences for misconduct not listed for which the student knew or should have known would be disruptive to the academic process or endanger self or others or that resulted in disruption to the academic process or endangerment to self or others. Conspiring or attempting to do any of the foregoing, violating any policy of the School Board, or rule or regulation duly adopted by the schools pertaining to student behavior could result in one more of the consequences outlined in B.4.

D. DRUG-RELATED CRIMES AND VIOLENT CRIMINAL CONDUCT INVOLVING DANGEROUS WEAPONS OR DEVICES

1. Any violations of this policy pertaining to drug-related crimes (see C.10) and/or violent criminal conduct involving dangerous weapons or devices (see C.32) shall be handled as follows:

a. *the student shall be removed from the regular classroom environment;*

b. *after an investigation is conducted, if the student is found to have violated the Code of Student Conduct, the principal shall impose an initial ten (10) day suspension from school;*

c. *matters of violation of state or federal law shall be referred to the appropriate law enforcement agency;*

d. *the matter shall be referred to the Disciplinary Review Hearing Officer*

e. *the student will receive consequences in addition to suspension;*

f. *A student found to have in his or her possession a firearm as defined by Section 22.1-277.07 of the Code of Virginia, or any other item prohibited by Section C.32 on school property or at a school-sponsored event, shall be expelled from school for a minimum of 365 calendar days. The School Board or superintendent may determine, based on the facts of each particular case, that special circumstances exist and that another disciplinary action is appropriate.*

g. *In accordance with Section 22.1-277.08 of the Code of Virginia, School Boards shall expel from school attendance any student whom such School Board has determined to have possessed a controlled substance, imitation controlled substance, or marijuana, on school property or at a school-sponsored activity or to have brought such item onto school property or to a school-sponsored activity. (See exception stated in D.1 above for marijuana possession of one (1) ounce or less without intent to distribute). The superintendent or his designee is authorized to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. The School Board or superintendent or his designee may determine, based on the facts of a particular case that special circumstances exist and another disciplinary action is appropriate.*

CODE OF STUDENT CONDUCT

School Boards may require any student who has been found, in accordance with the procedures set forth in Section 22.1-277.08, 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.

2. Any other serious violation of the Code of Student Conduct shall subject the student to severe disciplinary action, including long-term suspension or expulsion if the principal, the Disciplinary Review Hearing Officer, and/or the division superintendent believes that good and just causes exist to make the recommended disciplinary action appropriate.

E. SUSPENSION AND EXPULSION

1. The School Board, Superintendent, or Superintendent's designee may place conditions on a student during a long-term suspension pertaining to the student's return to the regular classroom, participation in school activities and school functions, and the student being permitted on school property.

The School Board, Superintendent, or Superintendent's designee may place conditions, when appropriate and where available, on a student that has been expelled and is returning to school pertaining to the student's return to school, return to the regular classroom, participation in school activities, participation in school functions, and/or the student being permitted on school property.

Such conditions include, but are not limited to, one or more of the following:

- a. performing specified community service;
- b. making restitution or paying for expenses necessarily incurred by the victim or the victim's parent or guardian;
- c. participating in and successfully completing a specified school program;
- d. participating in and successfully completing a particular program made available through the Rappahannock Area Community Services Board or similar agency;
- e. obtaining individual counseling, a recommendation for family counseling, substance abuse counseling, and/or GED or vocational counseling;
- f. participating in and successfully completing a specified educational program not available through the school system;
- g. engaging in, or refraining from engaging in, particular conduct;
- h. providing specified information or reports to specified school officials;
- i. complying with particular conditions set forth in the Delinquency Disposition Order entered by the Juvenile and Domestic Relations District Court or any order of any other court concerning any delinquent acts committed by the student;
- j. complying with such other conditions as are reasonably calculated to reduce the risk that the student will engage in violent criminal conduct, drug related crimes and/or other unacceptable behavior upon such student's return to school;
- k. after a student has been suspended short term, the schools can place conditions, when available and where appropriate, on the student's return to school, return to the regular classroom, participation in school activities, participation in school functions, and/or the student's being permitted on school property.

2. Principals may extend short-term suspensions [up to ten (10) days] into the next school year for violations of the Code of Student Conduct that occur at or near the end of the school year. Also, the superintendent or designee may extend a long-term suspension (up to a school year) into the next school year.

3. Elementary school students. Other than violent criminal conduct involving dangerous weapons or devices or drug-related crimes, the schools reserve their authority not to impose a suspension upon (or seek the expulsion of) an elementary student when such an action would be contrary to the best interests of the student and the school system.

4. The School Board or Superintendent or designee approves conditions under which students may return to school. In general, students serving long-term suspensions may return at the beginning of the next school year, although special conditions may extend a long-term suspension into the next school year. Students expelled may only be readmitted by the school board and conditions may be set outlining the conditions for applying for re-admissions and a minimum period that the student must remain out of school.

5. Students who are subject to suspensions held in abeyance or to probation periods will be subject to the terms or conditions set forth by the discipline decision. Violations of any of these terms or conditions may result in activation of the suspension and/or further disciplinary action being taken.

6. Recommendations for long-term suspension and/or expulsions for actions other than those specified in 22.1-277.07 (weapons) and 22.1-277.08 (drugs) shall be based on consideration of the following factors: (a) the nature and seriousness of the violation; (b) the degree of danger to the school community; (c) the student's disciplinary history, including the seriousness and number of previous infractions; (d) the appropriateness and availability of an alternative education placement program; (e) the student's age and grade level; (f) the results of any mental health, substance abuse or special education assessments; (g) the student's attendance and academic records; and (h) such matters as deemed appropriate.

No decision to expel a student shall be reversed on the grounds that such factors were not considered.

7. Pupils may be suspended or expelled from attendance at school for sufficient cause: however in no cases may sufficient cause for suspensions include only instances of truancy.

8. In accordance with Section 22.1-277.2:1 of the Code of Virginia, any student who has been charged with a criminal offense involving drugs, alcohol, weapons, or intentional injury to others may be placed in the alternative education program, even if the offense did not occur on school property or during school time. If such offense did occur on school property, students are subject to disciplinary action, including suspension and expulsion, regardless of whether the student has been charged criminally. In accordance with Section 22.1-277 of the Code of Virginia, students who are adjudicated delinquent or convicted of a criminal offense involving drugs, weapons, intentional injury to others, or violent criminal conduct may be suspended, expelled, or placed in the alternative education program, even if the offense did not occur on school property or during school time.

NOTE: In accordance with Section 22.1-277.2:1 of the Code of Virginia, a student may be short-term suspended for up to 10 school days if that student has been charged with certain incidents involving intentional injury to another student in the same school. This short-term suspension may remain in force pending the decision as to whether to require such student to attend an alternative education program. This authority to short-term suspend is granted even if the offense did not occur on school property or during school time.

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Appeal Rights From Decision to Place Student in Alternative Education Program for Charges and Convictions of Certain Crimes

The Division Superintendent or designee shall determine whether students charged with or convicted of the offenses set forth above are required to attend the alternative education program after providing (1) written notice to the student and his parent that the student will be required to attend an alternative education program and (2) notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the Superintendent or his designee regarding such placement. Such notice shall provide that the student or his parent have five days from their receipt of the written notice that the student will be required to attend the alternative education program to request such hearing before the Superintendent or his designee. After any such hearing conducted by the Superintendent or his designee, the Superintendent or designee shall provide his written decision to the student and his parent within ten days of the hearing. The decision of the Superintendent or designee regarding such alternative education placement shall be final unless altered by the School Board, upon written request by the student or his parents for a review of the record by the School Board. Such written request must be filed by the student or his parent within ten days of the student's/parent's receipt of the written decision of the Superintendent or designee. The School Board shall review the record related to the alternative education placement, but shall not be required to hold any hearing. After its review of the record, the School Board shall render a final decision on the placement.

F. VIOLATIONS OF LAW

Law Enforcement. The Spotsylvania County School Board has authorized the use of sheriff's deputies or School Resource Officers (SROs) in the schools. The presence of these officers helps provide for the safety, welfare and security of all students. However, as police officers, they are required to enforce the laws of the Commonwealth of Virginia. According to Section 22.1-279.3:1 of the Code of Virginia, principals shall immediately report to the local law-enforcement agency: (i) any incident described in subdivision A1 that may constitute a felony offense; and (ii) incident described in subdivisions A3 through A7, except that a principal is not required, but may report any incident described in subdivision A4 committed by a student who has a disability. The principal shall also immediately report any act enumerated in subdivisions A1 through A5 that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Furthermore, the principal shall report that the incident has been reported to local law enforcement as required by law and that the parents may contact local law enforcement for further information, if they so desire.

Searches. The School Board permits school authorities, in accordance with policy (JFG), to search a student, lockers, or student automobiles when they have reason to believe that a student may have in his/her possession any drugs or weapons, or other articles not permitted by the Code of Student Conduct, School Board Policy or school rules and regulations or may have otherwise violated the law or a school rule. In addition, the School Board authorizes random canine-assisted searches of school buildings, lockers, classrooms, parking lots and grounds. School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Administrators are required to complete a Search Report Form which includes contacting the parent regarding the results of the search.

Weapons and explosives are prohibited on school property and the school division may implement weapons detectors in schools. All students who wish to enter a building in which weapons detectors are in use will be screened. If a weapons detection system signals an alert, students will be subjected to secondary screening to divest any items that may have triggered the alert and they may be asked to go through the weapons detector again. Any weapons, explosives, or other contraband discovered during secondary screening will result in disciplinary action.

Students with implanted or wearable electronic medical devices should consult with their physician and device manufacturer and may request an alternative manual screening method to the school principal for approval.

Metal Detectors. The School Board authorizes use of metal detectors in order to maintain a weapons-free environment.

Juveniles tried as Adults. In regards to violations of state law, all students should be aware that students, age 14 years or older, may be tried as adults for certain felony charges. Each middle and high school guidance counseling office has copies of the circumstances for which a student may be tried as an adult.

Battery against School Employees. In accordance with the Code of Virginia, Section 18.2-57, any person (juveniles or adults) who commits battery against certain school employees engaged in the performance of their duties, upon conviction, shall receive a minimum of 15 days in jail, two (2) of which cannot be suspended.

G. OTHER BOARD POLICIES

The other policies of the School Board pertaining to the behavior of students, including policies on tobacco, alcohol and drugs, are hereby incorporated by reference into this Code of Student Conduct. Such policies can be enforced as a part of the Code of Student Conduct. The Superintendent shall provide the School Board with a monthly summary report of disciplinary action.

H. COMPLIANCE WITH OTHER LAWS

To the extent that any law may supersede the implementation or application of any of the foregoing provisions, the school board reserves the right to implement or apply the provision to the extent that the law permits.

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Governor's Executive Order 33

Virginia Department of Education Guidance for Cell Phone-Free Education